

BRITISH ADMINISTRATION IN THE KANDYAN PROVINCES
OF SRI LANKA, 1815-1833,
WITH SPECIAL REFERENCE TO SOCIAL CHANGE

by

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ABSTRACT

The main theme of this study is an examination of the impact of political change on the Kandyan socio-economic and political system, with particular attention to the manner in which that system was subject to a gradual weakening under British rule from 1815 to 1833. For a better understanding of the main issues examined later, the first chapter analyses the nature of the traditional Kandyan socio-economic and political system.

Chapter two examines the cession of the Kandyan Kingdom to the British in 1815. The collaboration of the Kandyan nobility with the British ended in a rebellion in 1817-18, the suppression of which resulted in weakening the position of the nobles and established British power on firmer grounds.

The corresponding administrative changes, which are examined in chapter three, created dual structures. However, the British administrative superstructure gradually penetrated the indigenous administrative system.

Chapter four examines British economic policy. The regularization of the taxation system disturbed the traditional land tenure system and extensive utilization of rajakariya resulted in much oppression for the inhabitants. The opening of coffee plantations - a new phenomenon in the economic field - involved a dichotomous development in the Kandyan economy.

The next chapter concentrates on British social policy. Although the British tended to protect many Kandyan social institutions on political grounds, the overall effect of their administration was to weaken them.

The last chapter examines the manner in which the Colebrooke-Cameron reforms further promoted the developments and changes which were already taking place in the Kandyan society.

In the conclusion, the changes that the Kandyan society underwent during this period are analysed in a more general context, particularly as one stage of a process of modernization under the impact of colonial rule.

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CHAPTER ONE

INTRODUCTION

The transition of most of societies outside Europe and North America from tradition to modernity is, in general, linked with modern European colonialism. Karl Marx, while severely criticizing the 'horrors' of colonialism, observed particularly with regard to British colonial expansion in India (and by extension, in Asia) that it set the pre-modern colonial society in motion:

England has to fulfill a double mission in India: one destructive, the other regenerating - the annihilation of old Asiatic society, and the laying of the material foundations of Western society in Asia. 1

Certain modern political anthropologists agree with Marx's idea that European colonialism involved the modernization of pre-modern colonial societies. For example, David E. Apter, who regards colonialism as 'a modernizing force', thinks that 'it illustrates a particular sequence of transition, a pattern in which modernization has been universalized and in which some of the important roles of modernity have been acquired.'² But their views differ from that of Marx in two important ways. First, they do not think that the pre-colonial systems were lacking developmental aspects whereas Marx believed that pre-colonial oriental society was stagnant and immobile. Secondly, there is a difference in approach. Political anthropologists who are mainly concerned with the description and analysis of the political systems, structures and processes proper to societies regarded as traditional, try to examine the change in roles and functions of traditional institutions under colonial rule and to explain the co-existence of traditional and modern political forms in ex-colonial societies. But Marx, who postulated the ultimate victory of socialism after the prior universalization of capitalism, approved of European colonial expansion as a brutal but necessary step in that direction. He considered colonialism as an external agent that would break the stagnant backwardness of oriental society and thought that it would lay the material foundation

of capitalist societies.

The British, who occupied the Dutch possessions in the Maritime Provinces of Sri Lanka in 1796,³ annexed the interior provinces of the island which were under the Kandyan King in 1815. This study attempts to examine the impact of the radical change of government in the Kandyan Provinces during the period 1815-1833. On the part of the British, the annexation of Kandy was a stage in the territorial and political expansion of the British empire and an essential step towards strengthening their position in Sri Lanka, an important strategic and military station in the defence of their power in India. But as far as the history of the Kandyan Provinces was concerned, in spite of the loss of Kandyan independence, it was an important political change because it marked the establishment of a modern European colonial power over a pre-modern society and because it marked the beginning of a process of modernization under British rule with all its limitations.⁴

In order to understand the changes and developments which occurred under the British during the period under review it is necessary both to identify the main forces behind British colonial policy at the time and its important features and also to examine the important aspects of the Kandyan system prior to the establishment of British power.

According to some scholars, British colonial policy, like the colonial policy of the other powers, was in the main moulded by economic considerations. But other scholars are of the view that colonialism arose from the competition for power among European nations and argue that it was mainly moulded by political considerations. However, even if we think that colonialism was motivated mainly by economic considerations we should not ignore the importance of political, military and strategic aims in the development of colonial policy.

At first, the main concern of British colonial policy was commerce. They were interested in obtaining eastern produce from colonies at the lowest cost either for the European market or for inter-Asian trade which was also in

the end directed towards the establishment of their position in the European market. This object was effectively attained by the English East India Company, a chartered company which enjoyed a monopoly with regard to British trade with Asia and exercised political sovereignty over certain areas where it utilized the native revenue system and other social and economic institutions for its advantage and obtained trading commodities cheaply. With the spread of the Industrial Revolution in Britain, British colonial policy changed in perspective. As a result, it was also directed towards the import of raw materials such as cotton and other goods such as spices, sugar and tobacco which would not compete with Britain and towards the opening up of potential markets in the colonies for English products. In addition to such economic interests, the British found that Sri Lanka was of immense strategic importance for the defence of their power in India.

In keeping with their major economic and political objectives, the British maintained in each colony a rationally oriented and centralized bureaucratic, administrative apparatus which was directly linked with the central imperial administration in England. All its important offices were manned by Europeans and contained the basic elements of a modern bureaucracy.⁵ The functioning of the whole bureaucracy was based on impersonal criteria. Official business was conducted on a continuous basis in accordance with detailed regulations. The authority, responsibility and duty of each official was defined and delimited by these rules. Each official's responsibilities and authority were part of a hierarchy of authority and higher officials were assigned duties of supervision. By the end of the eighteenth century the office was clearly separated from the incumbent: official business and private affairs, official revenue and private income were separated. Official business was conducted on the basis of written documents.

The possession of colonies was advantageous for Britain. But in order to secure benefits from colonies, it was necessary that the colonies achieve economic development; at the same time such development had to be complementary to the way in which economy in England was evolving. This could

be considered to be the main feature of British economic policy in the colonies during the nineteenth century. Various aspects of this economic policy were shaped by the principles of political economy propounded by Adam Smith and developed by the classical school of economics. In other words, 'the national objectives of Britain were sought through the application of the Classical theory of economic policy.'⁶ In spite of the fact that certain factors such as Eurocentric and abstract nature of economic theories, unique and complex situations in the colonies and the indifference and lack of intellectual curiosity on the part of certain bureaucrats limited their applicability, theories of Classical economic liberalism influenced various aspects of economic policy in the colonies. For example, as Prof. S. Ambirajan points out, in India, the 'ideal' in almost all economic policies in the nineteenth century was provided by the outlook of Classical economic liberalism, despite the fact that there were certain modifications in implementation: in colonial policy, the ideal was to achieve the free flow of resources without any impediments, and for India to form part of a system of international division of labour; in famine policy, the ideal was to let the market allocate the scarce food resources; in economic relations, the ideal was to maintain free trade and free labour markets; in non-land taxation, the ideal was minimum interference; in land revenue, the ideal was the absorption of rent and the maintenance of the public sector without any 'real cost' to society; and in economic development, the ideal was economic progress through individual enterprise and the provision of the appropriate institutional structure.⁷ However, an important point which should be stressed here is that British economic policy, which was determined by the principles of political economy, the economic needs of Britain and by local considerations in the colonies, also at the same time brought about immense changes in the colonial economies. This meant not only the regularization of local revenue administrative systems and the utilization of other traditional sources of revenue and economic institutions, but also the introduction of laissez-faire economic institutions based on private enterprise - an innovation which was totally alien to the economies of the colonies.

Although British colonialism arose out of the search for material advantage and competition for power in Europe and although colonial rule caused much oppression for the natives, the colonial rulers and imperial ideologists attempted to justify their rule on moral grounds. One major defence they put forward was humanitarian. Certain scholars dismiss humanitarianism as humbug and its zealous advocates as hypocrites on the basis that ideals claiming a moral basis have often worked in practice to the advantage of the colonial power rather than of the dependency.⁸ This is largely true but on the other hand one cannot ignore the fact that humanitarianism played a certain positive role in the formation of colonial social policy. For example, the British prohibited suttee in India and infanticide there and in remote areas of the interior of Sri Lanka, purely on humanitarian grounds. Besides, an ideal purpose, a goal beyond sordid greed, which came to be expressed in such phrases as 'civilizing mission' and 'white man's burden' was appended to colonialism: backward lands would be given civilization, in return for the products needed by Europe. Christianity was considered part of this civilization. This religious factor was particularly strong in England in the formation of her social policy towards colonies because evangelicals were a powerful political group in Parliament. As Professor V.G.Kiernan says the idea of Europe's 'mission' was not 'entirely fallacious, but Europeans in Asia or Africa ... more than half falsified it by their other, more squalid motives.'⁹ Moreover, in the course of time, the British introduced European legal institutions and representative bodies and promoted Western education: these institutions disseminated concepts such as liberty, equality, individualism and so forth. All these factors coupled with economic policies and changes were instrumental in bringing forth new social groups, relationships, institutions and assumptions in colonial societies.

The establishment of British power in the Kandyan Provinces in 1815 meant, in actual practice, the introduction of British colonial policy which contained these elements. However, the impact of British colonial policy as a means of making immediate and radical social and economic changes was controlled both by the limitations of British economic and

military resources and political strategies and by the long-established and well-entrenched character of the Kandyan socio-economic, political and administrative system.

There is no unanimity among social scientists about the character of the traditional Kandyan socio-economic and political system. Some think that it was feudal in the same sense in which the term is applied to medieval European society. Professor Bryce Ryan, for example, writes:

The application of the term 'feudal'... is not to use a European concept for an Asian development only superficially similar. The linkage of obligation to land in reference to both secular and religious authorities was present in Ceylon as much as it was in medieval Europe. Gradations and classes of tenure show a surprising conformity with those of Norman England.... Ceylon had feudalism in every connotation of the term. 10

However, he emphasizes the existence of caste. 11

Professor E.R. Leach too argues that the 'Kandyan state is a society organised on principles closely resembling those of European feudalism.' However, he recognizes certain differences between the two. The main difference was that the association of land tenure with military service - the most fundamental feature of European feudalism - was not prominent in Kandy. The author finds that the Kandyan system was also one of 'service tenure' but with the difference that the services due from a **fief**-holder to his landlord were of various kinds and not limited to military service or money in lieu. These various kinds of services had largely been divided according to a system of occupational castes which permitted the development of quite complex systems of labour specialization without any extensive use of a money medium or of credit banking. The author therefore defines the local system 'caste feudalism.' 12

S.B.W. Wickremasekera too writes that Kandyan society was feudal. His thesis is generally in agreement with Leach's although he does not use the term 'caste feudalism.' Instead, he considers the Kandyan society feudal in a legalistic definition of the term, which stresses the rights of lord and vassal and their respective duties towards one another. 13 Several other writers see the Kandyan

structure as a despotic monarchy however with certain checks and balances on absolute powers of the King.¹⁴ Most of others freely use the term 'feudal' with regard to the Kandyan society without any reference to the manner in which the term 'feudalism' has particularly been used to refer to the social organization in medieval Western Europe or without defining it in the Kandyan context. As Marc Bloch wrote, 'feudalism was not "an event which happened once in the world"' but when one terms societies, 'separated by time and space' 'feudal', he must do so 'only on account of their similarities real or supposed, to Western feudalism [and] it is the characteristics of this basic type, to which all the others must be referred'.¹⁵ As such, the application of the term 'feudal' without defining it in the Kandyan context makes a proper understanding of the Kandyan system more complicated and more difficult.

The most remarkable feature of the entire Kandyan system was that it was centred around a monarchy which was basically despotic. Contemporary observers regarded the Kandyan monarchy as an absolute personal despotism. For example, Robert Knox, a sailor in the service of the English East India Company who lived in captivity in the Kandyan Kingdom from 1660 to 1679 and who was the author of An Historical Relation of the Island of Ceylon in the East-Indies wrote:

[The] King who is an absolute Tyrant, and Rules the most arbitrarily of any King in the World.... As to the manner of his Government, it is Tyrannical and Arbitrary in the highest degree: For he ruleth Absolute, and after his own Will and Pleasure: his own head being his only Counsellor.¹⁶

Later English writers too recognized in the early nineteenth century that the Kandyan monarchy was a despotism but unlike Knox, they saw certain checks on the absolute power of the monarch. For example, John D'Oyly, who had a first hand knowledge of the Kandyan Kingdom and who subsequently became the Resident of Kandy remarked:

The Power of the King is supreme and

absolute. The Ministers advise, but cannot control his Will.... The Acts of his Government are presumed to be guided by the Institutions and Customs of his Kingdom. Before innovations of Importance are carried into Effect it is customary to consult the principal Chiefs, and frequently the principal Priests. 17

The difference of opinions between Knox and others could be attributed to the historical context in which they lived and to the personality of different monarchs. Knox, who lived as a political prisoner in the Kandyan Kingdom, had a personal bitterness towards Rajasinha 11 (1635-87), who kept him in captivity. Again, having enjoyed a limited freedom, he depended heavily on rumours in portraying the Kandyan King. On the other hand, the reign of Rajasinha 11, who was the strongest and most powerful among the Kandyan Kings, was also not lacking in instances which could reflect a tyrannous rule. The tyranny was so intense that even a critic who considers Knox's portrayal of Rajasinha and his government as an extreme and unfair stigmatisation of the King admits that 'it need not be doubted that Rajasinha was a tyrant'.¹⁸ Most of the later writers wrote their accounts after the British gained full control over the Kandyan Provinces and they based them mostly on traditions. Besides, many Kandyan Kings who succeeded Rajasinha 11 were far inferior to him in strength. However, all these writers were agreed that the Kandyan monarchical system was somewhat despotic. Most modern writers however consider this to be a foreigner's vision of Kandyan Kingship and argue that the despotism of the Kings was restricted by customs, conventions, the limitations arising from certain religious codes of behaviour and the absence of a strong standing army. Checks were also provided by the pervasive influence of the caste system in every aspect of the Kandyan system, its strict acceptance in Kandyan society and the presence of the amatya mandalaya or the King's council which operated mostly in an advisory capacity.¹⁹ However, in spite of all these checks, there were instances where the King acted tyrannically. The reign of Rajasinha 11 and the last days of Sri Vikrama Rajasinha, the last Kandyan King (1798 - 1815) provide clear examples. Besides, even the traditions and conventions were meant to support the stability

of the monarchical system. As such, it could be argued that with all the limitations imposed by the system itself the Kandyan monarchy was basically a despotism. However, in keeping with the general principle that the traditional state exists more often in a potential form than a fully constituted one, the despotism of the monarchy varied according to the strength of the personality of the monarch. The despotism was clearly visible under a very strong and powerful king who could skillfully manipulate the system to his advantage while it was less visible under a weaker one.

In common with pre-modern, personal despotic monarchies all political and economic rights and power theoretically originated from the King and the entire Kandyan social, economic and political structure with the King at its apex, was based on land tenure, caste and rajakatiya.

Land was the most important form of wealth in the Kandyan economic system which was based on subsistence agriculture where paddy cultivation was the most important feature. The cultivation of land was of two kinds: wet and dry. The cultivation of paddy, the primary crop, required a well regulated supply of water and the crop was cultivated exclusively in wet or muddy fields and also to a small degree on dry lands where water could be supplied through irrigation. The water supply in the wet zone central highlands was largely dependent on seasonal rains. In the drier areas, it was supplemented by village tanks. Chena or shifting cultivation which was the central feature of dry cultivation was carried on in forests around the village settlements. Dry grains such as millet (kurakkan), maize and hill paddy, various vegetables and a variety of other food crops were cultivated on these dry lands. Shifting cultivation formed an integral part of the village economy because it was simultaneously practised by those peasants engaged in more permanent paddy cultivation and because shifting cultivation provided a supplementary income for them.

It is generally held that the King was considered the supreme 'owner' of all the land in the Kingdom.²⁰ However, Dr.W.I.Siriweera contests this in relation to ancient and medieval Sri Lanka. On the assumption that the 'term

"ownership" is one which it is difficult to employ without introducing modern ideas which seem hardly likely to have existed in the minds of the ancient Sinhalese' he argues that 'there is no sound basis for the theory of the king's ownership of land [and that] similarly, it is hazardous to assume the existence of individual ownership of land.' At the same time, by examining the contexts in which terms such as bhupati and bhupala (which mean 'lord of the earth' or 'ruler of the earth') were used in the literature and inscriptions, he points out that these terms were mere conventional epithets to denote the King and that such rhetorical usages mean that the King was literally the sole owner of all the land. However, he thinks that the King, in his position as ruler, had certain claims over most of the land in his kingdom.²¹ By further extending Siriweera's thesis, Professor K.M. de Silva suggests that the concept of ownership in land in ancient and medieval Sri Lanka was similar to that of medieval feudal Europe.²²

Siriweera's idea that there was no individual ownership of land in ancient and medieval Sri Lanka could also be applied to the Kandyan Kingdom in the early nineteenth century. In the Kandyan Kingdom there were instances which as the alienation of land by individuals by sale or purchase or gift or mortgage, which might superficially suggest the existence of ideas of private land ownership. But that the concept of private property existed as the general, common and most widely prevalent form was very doubtful. This becomes evident from the limitations in the forms of land alienation themselves. For example, transactions such as transfers, donations or bequests of land could be revoked by the granter himself during his lifetime. There were also limitations on land sales and purchases. A person who had sold his land could resume it by paying the amount that he received and the value of any improvement.²³ On the other hand, despite these transactions, various services attached to land remained unchanged, although the person who enjoyed the land changed. Particularly because of the caste services attached to land, high-caste people very seldom bought the lands of lower castes.²⁴ Even in lands granted by the King, the concept of ownership cannot be applied with precision. For example, when the King made a land grant to a person or a temple, the

recipient was put in possession of certain rights in such lands and cultivators or tenants of those lands also had some rights in them. To whose rights, the term 'ownership' could be used in these lands is not certain. All this suggests the absence of wide-spread and also clearly demarcated private land ownership in the Kandyan Kingdom.

. On the other hand, it is clear that certain rights of individuals to land existed in the Kandyan Kingdom. However, these different rights were not identical with 'superior real property rights' enjoyed by feudal lords over their estates in medieval Europe.²⁵ In contrast to Europe, in the Kandyan Kingdom most superior rights to land emanated from the King. In other words, to a very large degree, there was no right to land independent of the King. This can be explained by an examination of the tenures in major land holdings of the Kingdom. At the same time, such an examination would also reveal the relationship ^{between} the King and various social groups based on land ^{and} the supreme position of the King with regard to land.

All the land which was cultivated and habitable was divided broadly into three main divisions, namely, crown lands (gabadagam), the lands enjoyed by the nobles (nindagam) and temple lands (viharagam, maligagam, devalagam).

Gabadagam (singular, gabadagama) or the royal villages were organized to serve the needs of the King, and were completely at his disposal. These gabadagam which were dispersed throughout the Kingdom were either villages or small holdings within a village. A royal village generally contained two types of land, namely, the muttettu lands or the portion cultivated entirely for the benefit of the crown and nila pangu or service shares held by the nilakarayo (singular, nila karaya) or tenants. The tenants held their shares of land in consideration of their gratuitously cultivating muttettu lands or rendering to the crown other services based on caste, or both.²⁶ Thus the King had absolute property rights over gabadagam.

The highest social group in the Kingdom, next to the King, was the radala nobility who monopolized all the

superior offices in the monarchical administrative organization. Lands allotted to the radala nobles were nindagam (singular, nindagama). The King granted his gabadagam to the nobles as a reward for exceptional loyalty, as state recognition and praise of valour in battle or as remuneration for service to the state. When a gabadagama was granted by the King to a noble it became a nindagama. There were two types of nindagam, namely, praveni nindagam and saramaru nindagam. When the King made his land grants with title deeds called sannas on hereditary tenure they were called praveni nindagam ²⁷ and when he made them on a temporary tenure they were known as saramaru nindagam. ²⁸ When a noble was appointed to a high office such as that of the disava or provincial governor, he was granted this type of nindagam. As long as the nobles held such offices, they enjoyed these lands which were not heritable. The composition of a nindagama was to a large degree similar to that of a gabadagama. A nindagama generally contained muttettu lands or fields which were cultivated on account of the radala noble - the Lord of the nindagama and nila pangu or shares of the tenants. As Henry Wright, while serving as the Revenue Commissioner in Kandy pointed out 'a Nindagama is to its Proprietor precisely what a Gabadagama is to the King.' ²⁹ Therefore the holder of a nindagama enjoyed most of the rights enjoyed by the King over gabadagam. He derived the produce from muttettu lands. The rest of the nindagama which was divided into pangu or shares was given to the tenants of various castes. These tenants, in return for the shares of land they enjoyed, cultivated most muttettu lands gratuitously and certain lands on a crop share basis (anda) or performed various services according to their caste or did both. ³⁰ The nindagam holder had both civil and criminal jurisdiction over all inferior cases which arose among the inhabitants of the village but the jurisdiction was not well defined. ³¹

Some social scientists think that the Kandyan nindagama is very similar to the manor in medieval feudal Europe. Dr. Ralph Pieris, for example, wrote:

In general, the essential characteristics of the European manorial system were present in the village organisation of the Ceylon interior.

The mediaeval European manorial system usually comprised the manor-house and the lord's desmesne, the tenant's holdings, and the Commons; in Ceylon we have the walauwa (manor-house), the muttettuwa or lord's desmesne, the nilapangu (tenant's holdings), and the outer circumference of chena, waste land, or forest, 'either belonging to the lord or cultivated by the tenants as appurtenant to their kumburu'.³²

These similarities have been stressed by those who argue that the Kandyan system was feudal.³³ However, in spite of these similarities, there is a basic difference between the European feudal manor and the Kandyan nindagama. In medieval Europe, the feudal lord exercised a 'supreme real property right' over his manor. As Bloch defines it, 'the superior real property right which the lord claimed over the cottage, the arable, and the meadow of the villein was expressed by his demand for a new investiture (rarely granted free of charge) every time they changed hands; by the right to appropriate them in case of default of heirs or by lawful confiscation; finally and above all, by the right to impose taxes and demand services. The latter consisted for the most part in agricultural labour services performed on the demesne.'³⁴ It is very unlikely that the nindagam holder exercised over his nindagama such a right which was identical with or similar to 'the superior real property right' of the lord of the manor. Despite the fact that the wide possessions of nindagam gave both economic power and political pre-eminence to their holders (the nobles) and that the latter enjoyed a considerable amount of power in their nindagam, it appears that the nindagam holders had no right to their nindagam independent of the King. Saramaru nindagam were entirely at the disposal of the King. These lands were not heritable and the right of the nobles who held high offices such as disava, to enjoy such lands was terminated at the end of the tenure of office. Besides, even the holders of praveni nindagam which were heritable had to acknowledge the superior rights of the King over such lands. The radala nobles who held praveni nindagam were required to pay annually a nominal tribute of five ridi (silver) to the King.³⁵ Similarly these lands were liable to kada rajakariya (pingo duty) or the general land tax unless they were exempted by the King on account of state service of the holder or as a royal

favour. Moreover, the tenants who held lands within a nindagam but who were liable to serve under a state department in consideration of those lands were free from the nindagam holder.³⁶ This shows that the nindagam holder had no right over the services of the tenants vis-à-vis the King. Above all, the King could revoke even praveni nindagam. It is true that the Kandyan radala nobles had been enjoying praveni nindagam for generations and that such lands provided a sense of identity for those families. But the King could confiscate even such lands, if the holder committed a very serious crime such as treason.³⁷ All these factors show that the nindagam holders had no right over their lands independent of the King.

The Buddhist monks who belonged exclusively to the highest caste - goyigama - and whose heads belonged to radala families were also a powerful group in Kandyan politics. The religious establishments enjoyed a large amount of land in the Kingdom which was mostly granted by the King. Knox observed:

The Pagodas or Temples of their Gods are so many that I cannot number them Unto each of these Pagodas, there are great Revenues of Land belonging: which have been allotted to them by former Kings, according to the state of the Kingdom: but they have much impaired the Revenues of the Crown, there being rather more Towns belonging to the Church, than unto the King. 38

Lands granted to the viharas or Buddhist temples were known as viharagam. Apart from the King - the principal donor - certain other laymen, mostly radala nobles, donated land to temples. The viharagam which were administered by the incumbent monks were scattered throughout the Kingdom. However, the two chief institutions of the sangha organization, the Malvatta and Asgiriya held a large proportion of viharagam. Another type of temple lands was maligagam, the lands granted to the dalada maligava or the Temple of the Tooth in Kandy. These were similar to viharagam but were managed by a lay officer called diyavadana nilame who was appointed annually by the King from among radala nobles. These lands too were scattered in many parts of the Kingdom. 39

The other type of temple lands was devalagam or the lands granted to devala (singular, devale) or shrines of the deities. ⁴⁰ Apart from the four principal devala or shrines dedicated to the deities Vishnu, Natha, Pattini and Skanda in the city of Kandy, a few shrines which were dedicated to the same deities were scattered in the ratas or the administrative divisions in close proximity to the capital and in the disavanis or those distant from the capital. Devalagam were too administered by lay officers called basnayaka nilames who were appointed by the King for the devala of the city of Kandy and ratas and by the disavas or provincial governors for those located in disavanis. All the basnayaka nilames belonged to the radala grade of the goyigama caste. The tenure of the office was one year and each radala noble who was appointed, paid a large sum called dakum to the King or the disava. ⁴¹ The composition of land holdings of temple lands was to a large degree similar to that of nindagam. All these lands contained muttettu lands and nila pangu. With regard to viharagam George Turnour, ⁴² while serving as the Agent of Government, Sabaragamuva, observed:

The Muttettu fields were gratuitously cultivated by the Pilkareas [or the tenants] and the crop paid into the Wihare, or what is the same thing, for the maintenance of the Priests; the dependants paid ottoo [tithe], performed personal services and attended to the repairs of Wihares and other buildings of the establishment. ⁴³

In some instances, the tenants not only cultivated muttettu but also performed services. ⁴⁴ The tenurial system in maligagam and devalagam was largely similar to that of viharagam. The tenants, in consideration of the lands they held, cultivated muttettu for the exclusive benefit of the maligava or devala, or performed various menial and ritual services based on caste to those institutions or did both. Being priests, the Buddhist monks had no judicial powers over the tenants of viharagam, but the lay officers, diyavadana nilame and basnayaka nilames enjoyed a limited jurisdiction over inferior cases involving tenants who lived in maligagam and devalagam respectively.

It could be argued that the temple lands were more

independent of the King's superior rights than nindagam. For example, all temple lands were exempted from regular service to the state and from kada rajakariya (pingo duty) or the general land tax 'as being sacrilegious to take ought from one that belongs to the Temple.'⁴⁵ Besides, the Kandyan Kings generally did not attempt to confiscate temple lands, although they were not reluctant to do so with regard to nindagam, as a punishment on a grave offence. All these could be explained by the fact that, unlike nindagam, the viharagam, maligagam and devalagam were the lands granted to religious institutions and not to individuals.⁴⁶ In spite of all these limitations, the temple lands were also not entirely independent of the superior rights of the King. Not only the appointment but also the renewal or dismissal of the highest lay officers who administered maligagam and devalagam were at the discretion of the King imposing a restriction over the administration of these lands independent of the King. Besides, although the temple lands were given certain immunities, the tenants were liable to be called for labour services for public work and military service in a national emergency.⁴⁷ Moreover, when making grants, the King decided what immunities were to be given in each case. Again, even in private donations of lands to temples, prior consent of the state - in the ratas directly from the King and in disavanis from the disava, the King's representative - was necessary⁴⁸ because the King lost dues from such lands, temple lands being free of tax and regular services to the state.⁴⁹ However, there were instances where lands were donated to temples without such prior consent but they were mostly small portions of newly cultivated lands. In such grants which did not affect the King's revenue or service, the King's sanction was deemed less important.⁵⁰ Above all, notwithstanding the general rule, certain Kings were not reluctant to confiscate even viharagam when the monks were disloyal to them. For example, the last Kandyan King, Sri Vikrama Rajasinha confiscated viharagam of certain temples on the execution of suspected monks who lived in them,⁵¹ and appropriated certain maligagam as well.⁵²

Apart from the tenurial system of these major land holdings, the supreme position of the King with regard to land in the Kingdom is also clear from the fact that abandoned land

and land to which there were no claimants reverted to the crown.⁵³ In addition, the King had supreme rights over most of the forests in the Kingdom. There were two main categories of forests. One was prohibited forests (tahansi kale) which were protected mainly for security reasons. Certain such forests near the royal palace in Kandy were strictly interdicted and people were not even allowed to gather firewood in them. The others which were preserved 'for fortifications' were not so strictly watched, unless there was a foreign invasion or other serious political threat. In them people could fell a few pieces of timber for their use but they were not allowed to clear any part for chena or shifting cultivation.⁵⁴ These forests could be considered as direct crown property. The other category was the forests which were appurtenances of villages and which were generally used by the peasants for chena cultivation. However, no one was allowed to convert forest land into a paddy field without express permission of the King through one of his chief ministers (adigars).⁵⁵ In these circumstances, it could be concluded that there was no right to land independent of the King and that he had supreme rights over land. The entire land tenure system revolved around the supreme rights of the King in land and the rights given by him to various persons and institutions.

The caste system in the Kandyan Kingdom was a complex phenomenon of social stratification into categories of varying rank, on which the entire social structure was based. Being a fundamental integrating principle in Kandyan society, caste played an important role in regulating the relations in political, economic, social and cultural spheres and in the operation of the whole monarchical system. Caste was of Indian origin but it grew with its own characteristics in Sri Lanka. As such the classical four-fold Hindu Varna system, i.e. Brahmana, Kshatriya, Vaisya and Sudra divisions, was non-existent in the Kandyan society. As Bryce Ryan says 'the conventional fourfold hierarchy would appear to be but a memory of the ancient past.'⁵⁶ Instead, there was a far more functional caste division. The Kandyan castes could basically be divided into two groups, that is, high and low castes. The goyigama caste was considered the highest caste

while all other castes were considered as low castes. A striking feature in the system was that the primary occupation of all castes was agriculture while all other castes except goyigama, in addition specialized in some hereditary craft. Every caste was a closed occupational and 'economically privileged group in the sense that it alone had the privilege of supplying a particular kind of special labour.' Therefore the Kandyan caste system as a whole was 'a sophisticated system of labour specialisation'⁵⁷ which provided the different services required by the state, radala nobility and religious establishments.

All these caste services to both secular and religious authorities were associated with land bringing about a close connection between the land tenure and caste systems. In other words, tenants drawn from the different castes performed services to the King, nobles and the temples according to their respective castes in return for the lands they enjoyed.⁵⁸ This was known as rajakariya.⁵⁹ The social scientists who consider that the Kandyan system was feudal stress this element - the association of land tenure with caste services - however recognizing that in the Kandyan Kingdom 'the services due [from fief holders] to the landlord were of various kinds and not exclusively military' as in Europe.⁶⁰ However, in the Kandyan Kingdom too, there was a system of exacting military service from tenant cultivators under the rajakariya system either as a part of the tenure of lands or as a general duty to the state, since the King had no strong standing army at his disposal except for a few bodyguards.⁶¹ In times of national emergency such as war, there was a system of conscription. In such a situation, under the orders of the King the disavas enlisted a representative or two from each service holding in their respective disavanis⁶² and brought them to the field.⁶³ The first adigar or chief minister led the army on the battle field.⁶⁴ However the important point which should be noted here is that the nobles who held these offices in the monarchical administration had no standing armies of their own except for their small bodyguards. Therefore these Kandyan nobles cannot be considered equal to feudal lords in medieval Europe who maintained private

armies and whose political power largely depended on the possession of expensive military equipment and armour. Besides, the caste system itself was not totally consistent with feudalism. As Marc Bloch says, the feudal system 'was an unequal society, rather than a hierarchical one - with chiefs rather than nobles; and with serfs, not slaves.'⁶⁵ But the Kandyan society was hierarchically organized according to various castes. Furthermore, in contrast to European feudalism, caste status was an additional factor in the determination of the services to secular and religious authorities. In addition, caste services were not always attached to land; only those which were performed to the King, nobles and the temples were tied to land holdings. Apart from these services, persons of low castes were under obligation to serve those of upper castes. For example, non-goyigama castes such as navandanna or achari (artificers), hunu (lime burners), hena or rada (washers), vahumpura or hakuru (jaggory makers) badahala (potters) and berava (tom-tom beaters) performed their caste functions to all the goyigama caste persons in general. However, when they performed these services to members of the goyigama caste other than the radala, they were entitled to payments. Besides, there was a system of caste services among the low castes too according to their position in the caste hierarchy. With available sources it is difficult to determine the services performed by the lower castes to those immediately above. However, it is certain that the people of the hena caste served all castes up to the badahala⁶⁶ and that the pali caste (inferior washers) served low castes inferior to the hena.⁶⁷ The important point which has to be stressed here is that all these services were not attached to land and were liable to be paid, mostly in kind but sometimes in cash, in return for these services or caste obligations. In these circumstances we can infer that the Kandyan caste system was not entirely feudal although there were certain feudal elements in it.

The highest caste in the caste hierarchy was the goyigama or govikula (meaning, cultivating caste) members of which were widely scattered all over the Kingdom. Since cultivation was the primary occupation of all the castes except

for the outcaste rodi and on the contrary some goyigama families did not engage in cultivation at all, the term tends to be rather misleading. But the incongruity can be ascribed to two reasons. One is that cultivation was considered as the noblest occupation among the Kandyan. ⁶⁸ The other is that services or practices considered as low were not assigned to them as was the case for other castes who cultivated. Another feature concerning the goyigama caste was that besides being the highest caste, it was also the largest ⁶⁹ whereas in many other societies the socially highest group was small in numbers. However, it should be noted that in Kandyan society, the goyigama caste consisted of various subcastes.

The highest subcaste of the goyigama was radala. There was another small division called mudali within the radala subcaste. When the King conferred a title of honour 'like unto Knighthood' ⁷⁰ to persons of radala caste, the recipients formed the mudali peruwa. However, the title of honour was not hereditary. Anyway it appears that there was no distinction or a sense of superiority of one over the other between the two divisions. Niti Nighanduva, a compendium of the customary Kandyan laws, affirms that 'those of pure gowiya caste are comprehended in the term Radalakam peruwa or Mudaliperuwa.' ⁷¹ There was a considerable number of radala families scattered all over the Kingdom. But when compared with the rest of the goyigama caste and with all other non-goyigama castes, the radala subcaste was numerically small and on account of endogamous marriages most of the radala families were closely related to each other by kinship ties. ⁷² These radalas formed the real nobility in the Kandyan Kingdom.

Besides the radala, there were several subcastes within the goyigama caste. One was the rate atto or payindaperuwa who were a 'stalwart body of country gentlemen' comprising the greater part of the goyigama caste. ⁷³ The numerous subordinate offices of the monarchical administration were held by some members of the rate atto. ⁷⁴ Another subcaste was patti whose traditional occupation was dairy farming. Besides these subcastes, there were numerous other groups within the goyigama caste some of whom were atapattu, gamvasam, hevavasam and katupulle. These groups could be

considered sub-divisions rather than subcastes. The goyigama including its various subcastes and subdivisions constituted the largest and highest caste; all the other castes (navandanna, karava, hannali, hunu and so forth) were regarded as low castes and were placed beneath the goyigama in the caste hierarchy. A striking feature of these low castes was that they were assigned some professional service. However, there is no unanimity among the sources with regard to order of precedence of these low castes in the hierarchy (Appendix I). For example, while Knox placed achari or navandanna next to the goyigama, Davy and Niti Nighanduva placed the karava next to the goyigama and considered achari or navandanna lower than the karava. However, in conclusion, the Kandyan castes were hereditary categories of specialist labour. Although a majority of the members of all castes were primarily cultivators, castes were occupationally privileged and hierarchically ranked.

An important point which needs to be emphasized here is that all services based on caste were directly related to the functioning of the monarchy. The caste system was the medium according to which the essential services were exacted by the King who was the foremost employer of those services. In fact, all the caste services were centred around the King and they found employment mainly through him. As noted earlier, most of the lower and higher offices in the administrative machinery were manned by the persons of the goyigama caste. Only a very few inferior offices such as the office of duraya ⁷⁵ were held by non-goyigama persons. Most of the other different caste services were channelled to the benefit of the state through a system of caste departments called baddas. Among these baddas some could be considered to be more important than the others because they provided more essential services to the King and the royal family. These were kottalbadda or artificer's department (persons of the navandanna caste), madige or transport department (the karava caste persons and Muslims), badahalabadda or potter's department, radabadda or washer's department and kuruve or elephant department. ⁷⁶ Besides, even some subdivisions of the goyigama caste were organized into such service departments under departmental heads. For example, the

atapattu people (King's bodyguards) were kept under the atapattuve nilame or lekam, patti people (shepherds, milk and buttermen) under the patti vidane nilame and porovakara people (wood cutters) under the porovakara muhandiram nilame. All the heads of these departments were appointed from among radala nobles. Thus caste services were mainly centred around the monarchy.

This becomes more evident from the fact that occupational groups arose in response to governmental needs and that they were integrated into the operation of the monarchy. The madige or transport department provides a good example. This department was composed of two migrant groups - karava people and Muslims. The karava was primarily a caste of the Maritime Provinces. In the Kandyan Kingdom it was numerically small even at the beginning of the nineteenth century. Perhaps it was unknown in Kandy in the seventeenth century.⁷⁷ These persons might have migrated from the Maritime Provinces. Although, as a caste, they were outsiders to the Kandyan caste system because their traditional caste occupation, i.e. fishing could not be effectively practised there, they had been integrated into the Kandyan caste system by undertaking different services. For the lands they enjoyed, they were bound to provide pack bullocks for transporting paddy from royal villages and to provide salt and salt fish to the King's principal storehouse.⁷⁸ The Muslims were also a migrant group. While Knox did not view them as a caste Davy described them as of no caste and considered equal in rank to the karava.⁷⁹ According to the Niti Nighanduva, they were considered inferior to the mudaliperuva of the goyigama caste.⁸⁰ The opinion of some Kandyan radala nobles was that they were inferior to the goyigama.⁸¹ However, it appears that in the later Kandyan period they were gradually integrated into the Kandyan socio-economic structure by engaging in certain specific labour services to the government. In contrast to the karavas, they did not hold service lands so that they were called sulanbadda madige meaning 'unsettled'.⁸² But, like the karavas, they were also bound to provide pack bullocks to the government and to serve as carriers. Both the karavas and Muslims were commissioned to trade for the King with

money furnished from the treasury. 83

Thus it is clear that caste services were chiefly mobilized by the King and that they were directly connected with the functioning and maintenance of the monarchy. However, they were not confined solely to the benefit of the monarchy. They were essential for the radala nobility and religious establishments because they were occupational specializations of the needs conditioned and regulated by the society. Knox observed caste services performed by low caste tenants in a nindagama to its radala noble thus:

In each of these Towns there is a Smith to make and mend the Tools of them [nindagam holders or the radala nobles] to whom the King hath granted them, and a Potter to fit them with Earthen ware, and a Washer to wash their Cloaths, and other men to supply what there is need of. 84

Similarly, religious establishments too exacted various services from tenants according to their castes. Apart from the fact that these caste services were necessary for the maintenance of the temples and priests, some of them had particularly become a part of performance of religious rituals.⁸⁵ For example, the people of the achari or navandanna caste made and mended brass and copper vessels for temples, polished the sacred vessels, painted temple murals and made religious statues; those of the hena caste provided white cloths (piru vata) on the occasion of temple ceremonies and those of the berava caste did the drumming and provided music at religious ceremonies. In addition, as we have seen earlier, most of the others in the Kandyan society too obtained various caste services from the people lower than them.

Apart from being a system of providing the different labour and ritual services needed by the state and society, the caste system performed an important political role too. It supported the maintenance of social and political stability under the monarchy. According to caste ideology, specific functions were to be performed by certain hereditary groups on the basis of their caste status determined by birth and no one else could perform them in a socially and ritually valid,

acceptable and complete manner. As a self-contained social order it determined the social position of every individual in the hierarchical social ladder. In the political sphere it was the official order of society. As such, 'a violation of this order was considered a negation of the harmonious mystical order of things, generating repercussions endangering all.'⁸⁶ Therefore, in order to ensure political stability, the Kandyan monarch always tried to closely follow caste conventions in relation to administrative and political affairs, to stick to caste rules and to preserve all social taboos and judicial practices which differentiated castes from one another and maintained the social distance between the castes and inter-caste status in the caste hierarchy. In short, he tried to maintain the caste hierarchy and the rigidity of the caste system intact and to manipulate the system to his advantage. On the other hand, the power, authority and, particularly, social influence of the radala nobility - the highest political and social group next to the King - were also partly dependent on the preservation of caste conventions and hierarchy and rigidity of the system. Therefore by preserving the rigidity of caste and securing the high social position of the nobility, the King attempted to make a political partnership with the former and thereby to ensure the political stability of the Kingdom. Thus it is clear that the caste system was very vital in the formation of social relationships in the society.

In the foregoing discussion, it became clear that the King enjoyed supreme rights over land and caste services. The system of rajakariya was the mechanism which combined the land tenure and caste systems and directed the revenues and services based on land and caste to the benefit of the state. D'Oyly defined rajakariya thus:

Rajakariya, which may be properly interpreted King's Duty, implies either the Personal Service, or the Dues in Money or in Kind, to which any Person or any Land is liable . 87

Knox observed the operation of the system:

The Countrey being wholly His, the King Farms out his Land, not for Money, but

service. And the People enjoy Portions of Land from the King, and instead of Rent, they have their several appointments, some are to serve the King in his Wars, some in their Trades, some serve him for Labourers, and others are as Farmers to furnish his House with the Fruits of the Ground; and so all things are done without cost and every man paid for his pains: that is, they have Lands for it. 88

Although rajakariya means King's duty or service to the King it also included the services performed for radala nobles and religious establishments. The rationale behind this was that theoretically all rights to land held by persons other than the King were crown rights which were alienated by the King and that they therefore exacted services in the name of the King. It also suggests that all economic and therefore political power was derived from the King.

We have already examined certain aspects of the rajakariya system, i.e. the caste services based on land to the state, to the nobility and to religious institutions and military service to the state based on land and the acceptance of the political overlordship of the King. In addition, two other types of services were exacted under this system, namely, compulsory labour irrespective of caste and pingo duty or land tax. Compulsory labour service was exacted by the state for the construction of roads, bridges, irrigation works, public buildings and rest houses for government officials. A certain number of men from every defined extent of paddy land had to perform these labour services to the state for a fixed period each year. Pingo duty (kada rajakariya or kat hal rajakariya) was 'an annual Duty from all Provinces in the nature of a Land Tax paid partly in kind (rice and cocoanuts) and partly in cash.' 89 For the collection of this tax, the whole paddy sowing extent of the Kingdom was divided into units measured in terms of kat or pingo loads. Kada rajakariya which was paid chiefly in rice and, in some instances, in money and in other produce ⁹⁰ such as coconut, coconut oil and jaggery, was due to the state from all paddy lands of the Kingdom except those which were especially exempted by the King such as the

nindagam of radala nobles who held administrative offices under the monarchy, lands held by the King's personal attendants such as atapattu people (bodyguards) and duggannaralas (loyal officers who would sacrifice their lives for the King) and temple lands. The exemption of temple lands from the tax could be considered as a political move - in other words, an attempt to strengthen the political power of the monarch by supporting religious establishments - while the exemption of other lands was a payment or a reward for serving the state in politically and administratively important capacities.

Thus it is clear that the system of rajakariya was also centred around the King, directing the means of revenue and essential services for the benefit of the monarchy and regulating socio-economic and political relationships.

The administrative apparatus of the monarchy was also organized with the King at its apex. We have already examined the inter-relationships of various office holdings with the land tenure, caste and rajakariya systems. It is intended here to examine the manner in which the monarchical bureaucratic hierarchy was organized and the powers and functions attached to various offices in it. Among others, one could note two important features in the Kandyan administrative organization. One was that, in common with pre-modern impersonal bureaucracies, both executive and judicial powers and functions were united in one office and that the powers of the various administrative offices were not well defined. The other was that although high administrative officers enjoyed a considerable amount of power and authority with the help of their administrative posts, in the final analysis, they did not have much administrative autonomy independent of the King.

The King's authority was exercised through a hierarchy of officials. The officers of the highest rank in the central government were the two maha nilames (meaning great officers) or adigars⁹¹ who were respectively known as the Pallegampahe adhikarama and the Udagampahe adhikarama.

The last King introduced a third called Siyapattuve adhikarama who appeared to have held a somewhat inferior position when compared to the first and the second.⁹² According to D'Oyly, the first and the second adigars possessed equal powers and privileges within their respective jurisdictions but the former had precedence over the latter. But it appears that in practice the first adigar was more powerful and was in a more recognized position than the second. His opinion had great weight in the selection of a person for enthronement on an occasion when a King died without issue.⁹³ He was also known as agra senadhipati or commander-in-chief.⁹⁴ When the office of first adigar became vacant, it was customary to appoint the second adigar to it and not someone else.⁹⁵

The position of adigar in the monarchical administration was very strong: they were second only to the King in powers, privileges and honours. They were the chief executive officers under the monarchy. They had a general jurisdiction over the whole of the Kandyan Provinces: the Kingdom was divided into two regions, the northern and eastern⁹⁶ being under the authority of the first adigar and the western and southern⁹⁷ under the second adigar. They were exclusively entrusted with the defence, general administration and maintenance of the capital which included duties such as the management of the maha hirage or great gaol in Kandy and the ferries, the repair of the streets, maintenance of the beauty and cleanliness of the city, conducting festivals, repairing temples and the superintendence of public works. They were the channels through which communications were made to the King and through which orders were conveyed by the King to the subordinate administrative officers and people.⁹⁸ They were the commanders of the King's forces⁹⁹ and chief police officers in the city of Kandy.¹⁰⁰ They also functioned as chief justices in the maha naduva or the great court of justice. They took a leading part in its judicial proceedings, reported the decisions to the King and issued the sittu or ola of decision. In the ratas they alone could give divi sittu or written orders for swearing by oil - a form of ordeal in deciding land disputes based on supernatural beliefs. They were empowered to hear all criminal cases which occurred

in the ratas, except for capital offences such as treason, conspiracy and homicide which were to be decided by the King alone. ¹⁰¹ They had power to inflict corporal punishment, imprisonment and fine without fixed limit in degree but the mode of punishment varied according to the rank of the offender. In land cases, they had powers to sequester lands and crops. However, their powers of punishment did not extend to certain groups. ¹⁰² They also heard the appeal cases from the disavas' courts. In order to execute these numerous executive, military, police and judicial duties they enjoyed exclusive charge and jurisdiction over the katupulle people or messengers who conveyed the King's and adigar's orders, the rakavallo or gaol guards at the great gaol and kasakara people or whip crackers. ¹⁰³

They were entitled to special honours which were second only to those which were due to the King. 'Wherever they went, they were preceded by a person bearing their staff of office, - a crooked silver rod and by a number of men carrying and cracking tremendous whips, emblematic of the punishment that awaited guilty offenders.' ¹⁰⁴ In the presence of the King and on all other public occasions the adigars had the precedence; no person could remain in the varandah of the houses which were on a higher level and all had to give way when they passed; no person of whatever rank below the royal family could sit when they were standing; no person could ride on an elephant, horse or in a palanquin when adigars were on foot. Even the honours which the disavas were required to pay to the adigars were closely regulated. When a disava visited an adigar, he was required to stop beating tom tom when he came in sight of the residence of the adigar; when an adigar passed through a disavani, its disava had to follow him two or three miles behind. ¹⁰⁵ Thus it is clear that the adigars were vested extensive powers and their position in the monarchical administrative hierarchy was second only to that of the King.

Besides the offices of adigars, there were numerous institutions and offices associated with Kingship and the King's household. They may be divided into three main categories: first, the officers who were responsible for

defence, treasures and military and public duties of the King; secondly, those who were in charge of the royal stores and the supply of provisions and thirdly, those who were responsible for the King's personal comforts and recreation (Appendix II). In addition, there were badda nilames through whom the essential services that were particularly confined to individual castes were mobilized for the service of the King (Appendix III). All these officials could be identified as a separate group distinct from adigars and disavas (who were mostly administrative officers of the King) on the ground that the majority of these offices were created 'not for the purposes of government, but for the use, convenience, luxury and pomp of the monarch.' ¹⁰⁶ In other words, these offices originated in the household administration of the King. They enjoyed certain authority over various subordinate headmen and other persons who served under them. However, their authority except for that of the gabada nilames (the officers in charge of the royal storehouses) and badda nilames (the heads of caste departments) did not exceed the limits of the ratas; the latter officials enjoyed certain power and authority in disavanis too over the people who were attached to gabada gam (crown lands) and various baddas respectively.

However, all these offices were at the King's disposal. In making appointments, the only limiting factor was caste. To all these offices, the King appointed persons from among the radala nobles. None of these offices were hereditary. It is true that Ahalepolas and Pilima Talavves were dominating the office of adigar during the eighteenth and early nineteenth centuries. But the appointments were initially made for one year. It appears that they had been renewed every year because the adigars paid on appointment and in every ensuing year five hundred ridi as dakum or tribute into the royal treasury. ¹⁰⁷ However, the tenure of the office depended on the goodwill of the King. The adigars normally held office till their death unless they incurred the displeasure of the King. The tenure of other offices was also one year and the renewal after one year or the removal before the termination of the tenure entirely depended upon the goodwill of the King. Besides, the King sometimes granted several offices to one person. For example, in 1798, the

first adigar Pilima Talavve, in addition to three offices of disava and the office of maliga diyavaḍana nilame, held ten offices attached to the King's palace. ¹⁰⁸ Moreover, the fact that the adigars, in spite of their extensive judicial powers, could not hear cases which affected royal lands and the lands of the dugganna people or impose corporal punishment fines or imprisonment upon any person attached to the King's retinue, suggests that even powers of the highest administrative officers were limited when the King's interests were affected. All these factors suggest not only that the bureaucratic apparatus of the central government had been organized as a personal affair of the King but also that those who held such offices did not enjoy much administrative autonomy independent of the King.

This could also be seen in the maha naduva or the great court - the highest judicial court in the Kingdom next to the King. It formed another important part of the central government under the monarchy and consisted of the adigars, disavas, lekams, muhandirams and any other chiefs distinguished for their ability and judgment. However, the hierarchy was strictly observed: the adigars or any other noble of ability and experience presided over it and others took their seats according to their rank. It contained all the informal elements of a pre-modern institution. The occasions and places where the court met were not regular: it met at different times, as occasion suited and in different buildings outside the palace or in the varandah of the Hall of Audience. The proceedings took place 'in the Natural and most obvious Course of [procedure], first hearing the Statement of the Plaintiff or Prosecutor, next the answer of the Defendant or Prisoner, next the Evidences of the Plaintiff or Prosecutor and lastly, that of the Defendant or Prisoner.' Except in clear and trifling cases, the witnesses were sworn to the truth of their disposition at a neighbouring devalaya. The proceedings of the court were oral but occasionally parties presented written statements of their cases or written lists of moveable property claimed as due or stolen. Civil and criminal cases which came under the cognizance of the maha naduva were of two kinds: those which were referred for

hearing by the King and those which were originally instituted before it. Cases were decided by the majority of the court but the doubtful and difficult cases were decided by ordeal. However, when either party strongly protested against the decision of the court, the matter was sometimes submitted to the King, particularly if it involved property of value or persons of consequence. In all land cases, written orders of decision were issued only to the winning party and no copy was preserved by the court. The powers of the court were equal to those which were individually vested in the adigars. 109

Although maha naduva and the adigars exercised extensive jurisdictions in the Kingdom, the supreme judicial power and authority were vested with the King and as a result, the position of the King in the Kandyan judicial system was far above that of the adigars. The King exercised original and exclusive jurisdiction over following cases: first, those arising between principal radala nobles, or principal officers and servants of his court and household or cases in which any of these persons were defendants especially those concerning dugganavili lands; secondly, those arising among monks for claims on principal temples and benefices; thirdly, high crimes namely treason, rebellion, conspiracy and crimes affecting the King's person or family and other crimes namely homicide, maiming or depriving of an organ or member, robbery of royal treasure or property, forgeries or false coining, sacrilege such as destroying sacred images, cutting down a sacred tree and striking a monk and elephant slaughter. 110 His appeal jurisdiction was open to everyone from the decision of any chief in civil cases without limitation of lapse of time or value. When a case was brought before the King, it was either heard in his presence or referred for hearing and report to the maha naduva. Besides, the King could refer appeal cases from maha naduva back to it for further inquiry and report. 111

A remarkable feature of the Kandyan judiciary was the harshness of the punishments which were inflicted by the King and superior administrative officers like adigars and disavas. Crimes such as treason, conspiracy and rebellion

had always been considered punishable with death and the conviction was usually followed by confiscation of property sometimes involving the relations of the accused as well. During the reign of the last King the wife and children of a traitor were also executed. Wilful and deliberate homicide was also punished with death. In several instances robberies had been punished with death but usually with corporal punishment, imprisonment and fine. ¹¹² Capital punishment was carried out in several ways. Convicted radala nobles were decapitated with a sword; headmen and other persons of middling or low rank were whipped through the streets and impaled; offenders of low caste were hanged by the neck on a tree after they were impaled. Besides, earlier there had been a method of executing criminals by means of elephants but it was not practised after the reign of Kirti Sri Rajasinha. Robbing the treasury and killing cattle were punished with amputation of the hand or lower part of the arm and striking a radala noble or a monk, with amputation of a finger. ¹¹³ The punishment next in severity to death and amputation or perhaps to death was whipping through the streets of Kandy. This punishment was inflicted for crimes against the state, homicides, atrocious robberies, acts of sacrileges and slaughter of elephants. ¹¹⁴ All these punishments could be awarded by the King alone, allowing him a great latitude in meting out public justice. Corporal punishments with the cane could be inflicted by order of the King or the adigars for robberies and other offences such as maliciously burning sheaves of paddy, forgeries, false coining, adultery, rape and the use of spirituous liquors. ¹¹⁵ In some instances, the offenders were subject to imprisonment and fine in addition to corporal punishment. For most of the other inferior offences also, it was customary to punish with lesser corporal punishments, imprisonment or fine. It is thus clear that even in the infliction of punishments on convicts, the King enjoyed the highest position. Besides, the harshness of punishments performed a certain political role in the Kandyan society. The fact that the punishments varied according to the caste and rank of the convicts, taken together with their harshness

helped the monarch to preserve the status quo and thereby to protect his political power and authority over his subjects and also to ensure political stability in the Kingdom. On the other hand, the nobles who held superior administrative positions too made use of harsh punishments to maintain their authority and influence over the rest of the people.

The other important aspect of the monarchical administration was the system of provincial administration. The Kandyan Kingdom consisted of twenty-one major territorial divisions. Those in close proximity to the capital were called ratas while those more distant from the capital were known as disavanis (Map 1). In all there were twelve disavanis and nine ratas (Appendix IV). Each disavani and rata was divided into korales and the korales in turn were divided into pattu (singular, pattuva). Each pattuva consisted of a large number of villages which varied in extent and composition.

Every disavani and rata were under a disava and a ratamahatmaya respectively. The disavas were provincial governors and possessed executive, civil, military and judicial authority within their respective disavanis. They collected the King's revenue and sent it to Kandy, exacted labour for public service both in the capital and in disavanis and administered justice. ¹¹⁶ The disavas had jurisdiction over all persons and lands within their respective disavanis except those who were attached to the King's household and to a department (e.g. badda) of another noble appointed by the King. Within these limitations, they could hear all civil cases without any restriction of value and criminal cases except high crimes. They could impose corporal punishment, imprisonment and fine without any fixed limit, but were bound to pay regard to the rank and condition of the parties. ¹¹⁷ The judicial powers of the ratamahatmayas were similar to those of the disavas. But, in practice, they were restricted for several reasons. The extent of a rata was smaller than that of a disavani so that the jurisdiction of a ratamahatmaya was limited to a lesser number of people. Because of the vicinity of the capital, the authority and control of the central government, particularly of the adigars, were felt

more in the ratas so that the ratamahatmayas were reluctant to exercise powers and authority which were lawfully vested in them.

Even the honours, the disavas and ratamahatmayas were entitled to were quite different and in this sphere too the former occupied a very superior position. The disavas were entitled 'in their provinces, to all the honours of majesty itself, with the exception of prostration.' ¹¹⁸ When they entered their disavanis or arrived at and departed from their resthouses, a salute of kodituvakku or gingalls was fired; their resthouses were hung with white cloth; they travelled in palanquins beyond the limits of Kandy or on a horse or elephant. Within their disavanis, they were preceded by tom toms and flags. No headman or other person except persons of their own rank could sit in their presence. ¹¹⁹ On the other hand, the ratamahatmayas were expected to command less respect from the people. They were not entitled to enter their ratas in palanquins and had no right to flags, or to the beating of tom tom or the carrying of gingalls before them. ¹²⁰

Thus the disavas held a prominent position in the provincial administration. Even the adigars were usually allotted a disavani 'for the better support of their Dignity.' ¹²¹ Another important reason for the increase of the power of the disavas was that the powers and authority of the heads of baddas or caste departments whose authority cut across provincial divisions, tended to fall on the disavas towards the end of the Kingdom. Certain villages composed of separate castes in a disavani were attached to individual baddas. The heads of these departments who were respectively responsible for exacting different caste services for the benefit of the monarchy had civil and criminal jurisdiction except for capital offences over people under their authority. They also appointed the headmen over these castes who were called vidane, duraya or some other title. ¹²² The powers wielded by the heads of baddas in a disavani could be considered to have provided a check on the extensive powers of the disava. But during the last years of the Kingdom, some baddas were placed directly under the orders of the disavas, extending their executive and judicial powers

over persons who were attached to such departments and assigning to them the duties of the heads of those departments. ¹²³ This suggests a certain weakening of the grip of the central government over the provinces distant from the capital.

All these factors show that the disavas were semi-independent provincial governors. Henry Marshall, a doctor who served in the British army in Sri Lanka at the time of the cession of the Kandyan Kingdom to the British, observed that these officials 'possessed kingly power in their own districts and assumed a state and dignity nearly allied to royalty.' ¹²⁴ They were entitled to have distinct maha kodi (singular, maha kodiya) or flags (Appendix V) and each disava was preceded by his particular flag while he was travelling in his disavani symbolizing their power and authority. Besides, every disava had a number of retainers exclusively for his service. They were persons particularly allotted the duty of carrying his palanquins and other burdens, accompanying him in his journeys, bringing firewood and water, building or repairing his house or performing other menial services for his family. ¹²⁵ Their position was further strengthened by the fact that they were assigned certain military duties during times of national emergency. In addition, every disava had an administrative staff through whom he carried out administrative duties. The highest officials were the disava mohottala, ¹²⁶ atapattu mohottala and the kodituvakku mohottala ¹²⁷ who could be broadly identified as officers respectively in charge of the revenue collection of the disavani, personal bodyguards and security of the disava and the police department of the disavani. ¹²⁸ There were also subordinate headmen such as korals (head of a pattu) and vidanes or durayas (caste headmen). All these officers had limited civil and criminal jurisdictions which were further regulated according to their position in the administrative hierarchy. ¹²⁹ The disava appointed all his subordinate officers and received a fixed amount of money called bulatsurulla on each appointment. ¹³⁰

Nevertheless, the degree of administrative freedom which the disavas enjoyed should not be exaggerated. In order

to arrive at a correct assessment, it is necessary to examine the relationship between the King and the disavas. Since none of the offices under the monarchy were hereditary, the appointment of persons to the offices of disava were also at the disposal of the King. However, he had to select persons from among the radala nobles. As Knox observed, in making these appointments, the King regarded 'not their ability or sufficiency to perform the same, only they must be persons of good rank, and gentile extraction.' ¹³¹ The tenure of the office was usually one year and its length entirely depended on the goodwill of the King. He could either terminate it at any time or extend it at the end of each year. The disavas paid the King a fixed sum of money as dakum on appointment and a similar amount in each successive year if the office was extended. Besides, most of the nobles who held the office of disava were from the radala families living in the areas around Kandy. As a result, the King would have had a strong grip over them. Moreover, the disavas were not allowed to reside in their respective disavanis and were kept in the capital as a pledge of the fidelity of the people under their command; when they were sent to their disavanis their families were retained as hostages. ¹³² In these circumstances, it can be concluded that, despite the extensive executive and judicial powers they enjoyed, the disavas did not have administrative independence to the extent of providing an independent status free from the King's control.

The above discussion makes it clear that all socio-economic and political institutions in the Kandyan Kingdom were centred upon the King and that all economic and political rights were derived from the King. He enjoyed supreme rights over land and consequently he derived a tax from all paddy lands which were not specifically exempted by himself and held rights to objects found in the soil, to services attached to land, to grant lands to his subjects, and religious institutions and to withdraw them. The caste system which revolved mainly around the monarchy not only regulated and provided the essential day-to-day services, based on land, particularly, to the state and, in general, to the rest of the society.

but also it supported the maintenance of the social and political stability in the Kandyan monarchy by preserving its status quo. In the corresponding administrative organization which was also centred around the King who enjoyed the highest executive and judicial power and authority, his subordinate officers did not enjoy much administrative freedom, independent of his control. All these factors show that the Kandyan monarchical system, despite the fact that the strength of the position of the monarch was liable to change according to his personality, was basically a despotic system rather than a feudal one. However, the concentration of the entire system around a monarch did not prevent the emergence of certain feudal tendencies. The most remarkable one was the tension between the Kandyan nobles and the King which, as we shall see later, became very intense particularly towards the fall of the Kingdom. It may be concluded that the Kandyan monarchy was basically a personal despotism, although certain feudal tendencies operated in it.

NOTES FOR CHAPTER ONE

1. Karl Marx, 'The Future Results of British Rule in India', p.125; also see his 'Parliamentary Debate on India', pp.76-82 and 'The British Rule in India', pp.83-9. Friedrich Engels made similar observations on the French occupation of Algeria: 'The struggle of the Bedouins was a hopeless one, and though the manner in which brutal soldiers, like Bugeaud, have carried on the war is highly blameable, the conquest of Algeria is an important and fortunate fact for the progress of civilization.' Engels, 'French Rule in Algeria', p.43.
2. David E. Apter, The Politics of Modernization, pp.50-6; C.E.Black, The Dynamics of Modernization: A Study in Comparative History, pp.60, 124-127.
3. The acquisition of the Maritime Provinces of Sri Lanka by the British is discussed in V.L.B.Mendis, The Advent of the British to Ceylon 1762-1803 and in Colvin R. de Silva, Ceylon under the British Occupation 1795-1833, Vol.I, pp.16-54.
4. In the words of Marx, 'whatever may have been the crimes of England she was the unconscious tool of history in bringing about revolution' in Asia. Marx, 'The British Rule in India', p.89.
5. Cf. Reinhard Bendix, Max Weber: An Intellectual Portrait, pp.418, 423-30.
6. S. Ambirajan, Classical Political Economy and British Policy in India, p.268.
7. Ambirajan.
8. J.S. Furnivall, Colonial Policy and Practice: A Comparative Study of Burma and Netherlands India, p.7.
9. V.G. Kiernan, The Lords of Human Kind; European Attitudes towards the Outside World in the Imperial Age, pp.23-9.
10. Bryce Ryan, Caste in Modern Ceylon: The Sinhalese System in Transition, p.45.
11. Ibid., pp.45-50. This analysis is more applicable to the Kandyan Provinces because it has been based mainly on Robert Knox's An Historical Relation of Ceylon which was mainly concerned with those areas.
12. E.R.Leach, 'Hydraulic Society in Ceylon' pp.11,15-20. This article is a critique of the applicability of the twin concepts - 'hydraulic society' and 'Oriental Despotism' - developed by Karl A. Wittfogel in his Oriental Despotism: A Comparative Study of Total Power to the hydraulic society in early Sri Lanka. Leach's analysis, like Bryce Ryan's, is more applicable to the Kandyan Provinces, because it has been based mostly on Knox. In developing his argument that 'hydraulic based despotism' and 'decentralized feudalism' existed in parallel in ancient and medieval Sri Lanka, Leach

- 'interpolates backwards' the conditions of Knox's Kandyan state on the assumption that 'Kandy was what Sinhala had become through the process of history.'
13. S.B.W.Wickremasekera, 'The Social and Political Organisation of the Kandyan Kingdom (Ceylon)', pp.226-9.
 14. F.A.Hayley, A Treatise on the Laws and Customs of the Sinhalese Including the Portions still Surviving under the Name Kandyan Law, p.40; Colvin R.de Silva, vol.I, p.292; Ralph Pieris, Sinhalese Social Organization: The Kandyan Period, pp.9-13; L.S.Dewaraja, A Study of the Political, Administrative and Social Structure of the Kandyan Kingdom of Ceylon 1707-1760, pp.150-6.
 15. Marc Bloch, Feudal Society, pp.441 and 447.
 16. Robert Knox, An Historical Relation of Ceylon pp. 52 and 68. When this book was first published in London in 1681, its title was An Historical Relation of the Island of Ceylon, in the East-Indies. James Ryan's edition which was published in Glasgow in 1911 is used here.
 17. Sir John D'Oyly, A Sketch of the Constitution of the Kandyan Kingdom (hereafter referred to as D'Oyly, A Sketch), p.1; Robert Percival, An Account of the Island of Ceylon, pp.169,173-4; John Davy, An Account of the Interior of Ceylon and of its Inhabitants with Travels in that Island, pp.106-7.
 18. K.W.Goonawardena, 'Some Comments on Robert Knox and His Writings on Ceylon', pp.48-51.
 19. Dewaraja, pp.151-6.
 20. The King was known as lord of the earth or ruler of the earth. Some of the terms which denoted these meanings were bhupati, bhupala, bhumipala, bhumipa, mahipala, mahipati and prthuvisvara.
 21. W.I.Siriweera 'Land Tenure and Revenue in Mediaeval Ceylon (A.D.1000-1500)', pp.5-19; also see his 'The Theory of the King's Ownership of Land in Ancient Ceylon: An Essay in Historical Revision', pp.48-61.
 22. K.M.de Silva, A History of Sri Lanka, p.36
 23. D'Oyly, A Sketch, p.91. Simon Sawers added a note on this point, based on the opinion of the Kandyan assessors. The assessors said that 'it was not without precedent for bargains of this kind to be broken and annulled, even years after the land had been sold, but it was not done as a matter of course, justified by law or custom'. Sawers, 'Memoranda and Notes on the Kandyan Law of Inheritance, Marriage, Slavery, Etc.', p.22. Hayley thinks that D'Oyly was correct and that the assessors who instructed Sawers perhaps confused the facts with law. He believes that, in practice, 'an insolvent who was obliged to part with his family property, in a country where trade was little known, seldom found himself in a position to redeem'. Hayley, pp.300-2.
 24. D'Oyly, A Sketch, pp.67-8.
 25. Cf. Bloch, pp.115-6, 241.
 26. D'Oyly, A Sketch, p.82.

27. Ibid. Praveni means inherited from ancestors.
28. H.W.Codrington, Ancient Land Tenure and Revenue in Ceylon, p.26.
Saramaru means interchangeable.
29. Remarks made by H.Wright, Revenue Commissioner on Turnour's report on Sabaragamuva, CO 416/20, G-16.
30. D'Oyly, A Sketch, pp.82-3; Knox, p.69; Sawers, pp.25-6; H.W.Codrington, Ancient Land Tenure and Revenue, pp.25-6.
31. Sawers, pp.26-7.
32. Ralph Pieris, 'Society and Ideology in Ceylon during a "Time of Troubles", 1796-1850 (3)', pp.83-4.
33. e.g. Ryan, pp.46-7.
34. Bloch, p.241.
35. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
36. Sawers, p.27.
37. D'Oyly, A Sketch, p.47. For example, even the praveni lands of Ahalepola who conspired with the British against the King and who was therefore convicted for treason were confiscated. Molligoda Sannasa of 1814, H.C.P.Bell, 'Report on the Kegalla District of the Province of Sabaragamuva', pp.102-3.
38. Knox, pp.115-7.
39. Maligagam were spread in the ratas of Harispattuva, Dumbara and Yatinuvara and in the disavanis of Udapalata, Matale, the Four Korales and the Seven Korales. Appendix, Report of the Temple Land Commission from its constitution in February 1857 to end of 1858, CO 54/346.
40. D'Oyly, A Sketch, p.82
41. The dakum paid by basnayaka nilame of Sabaragamuva devalaya to the disava varied from two thousand to three thousand ridi. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
42. George Turnour (1799-1843), the first Sri Lanka-born Englishman in the civil service of the island, served the Kandyan Provinces, in various capacities. He was appointed the Agent of Government in Sabaragamuva in 1821 and was promoted to the post of Revenue Commissioner in 1828. After the administrative changes in 1833, he became the first Government Agent of the Central Province. In 1841, he was appointed Assistant Colonial Secretary and Treasurer. Both Colebrooke and Cameron, who investigated all the aspects of British administration in the colony as commissioners of inquiry, commended him as a very efficient civil servant. He took a particular interest in traditional culture and translated into English the local chronicle, mahavamsaya.
43. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
44. For example, the holders of nila pangu in the viharagama of Dunuville attached to the Degaldoruva viharaya not

- only cultivated muttettu but also served as palanquin bearers to the chief monk on journeys. A.C.Lawrie , A Gazetteer of the Central Province of Ceylon, Vol.I, pp.194-5.
45. Knox, p.77.
 46. U.A.Gunasekara points out that apart from the lands granted to the sangha or the fraternity of Buddhist monks (sangha santaka kota), the King also granted lands to individual monks. However, it appears that these personal gifts were almost like mindagam, because they were subject to rajakariya. U.A.Gunasekara, 'Land Tenure in the Kandyan Provinces of Ceylon', pp.125-6
 47. Report of the Temple Land Commission, p.5, CO 54/346.
 48. D'Oyly, A Sketch, p.83. According to Davy, the petition to the King asking for permission was worded in the following manner: 'I am desirous of making this present to the Wihare for my good, and I pray Your Majesty will permit me, as it is equally for your good.' Davy, p.139.
 49. Knox, p.77.
 50. D'Oyly, A Sketch, p.83.
 51. A speech addressed by the Governor on the 20th May 1816 to the Adigars, Disavas and other Kandyan Chiefs assembled in the Hall of Audience at Kandy, on various matters connected with the Administration of the Kandyan Provinces (hereafter referred to as Governor's speech on 20 May 1816), A Collection of Advertisements, Minutes, General Rules and Circular Letters circulated from time to time by the authority of Government (hereafter referred to as A Collection of Advertisements, General Rules and Circular Letters), p.351. A Sinhalese copy of this speech is available in Lawrie MSS. Vol.V.
 52. D'Oyly to Brownrigg, 17 May 1814, CO 54/52.
 53. In Kandyan terminology, these lands were called purapadu.
 54. D'Oyly, A Sketch, p.99.
 55. Davy, p. 139. Davy says that the King's permission was necessary even for chena cultivation. Davy had been corrected by Codrington and Gunasekara. Codrington, Ancient Land Tenure and Revenue, p.44; Gunasekara, pp.43-4.
 56. Ryan, p.7.
 57. Wickremasekera, pp.159-60.
 58. For a terse description of the relationship between land holdings and caste services in the Kandyan Kingdom, see Knox, pp.68-9.
 59. See below, pp.27-9.
 60. Leach, pp.19-20; Wickremasekera, p.229; Ryan, pp.46-50.
 61. Gunasekara thinks that this type of service was exacted

- from land holders as a duty to the King as sovereign. Gunasekara, pp.97-100.
62. Diary of Mr. John D'Oyly 1810-1815 (hereafter referred to as D'Oyly's Diary), entries of 12 October 1810 (p.24), 20 November 1810 (p.40) and 1 December 1810 (p.47).
 63. According to Davy, only the people of the goyigama were summoned for the military service. Davy, p.87. But it appears that those of the other castes were also bound to serve in the army in a national emergency.
 64. The Kings who ruled after Rajasinha II (1635-87) did not take the field. Dewaraja, p.56; also see, D.A.Kotelawele, 'The Dutch in Ceylon 1743-1766', p.285.
 65. Bloch, p.443.
 66. Knox, p.109; Davy, p.94.
 67. Davy, p.97.
 68. For example, Knox notes a Sinhalese proverb: 'Take a Ploughman from the Plough, and wash off his dirt, and he is fit to rule a Kingdom.' Knox, p.171. Similarly Davy noted that agriculture was 'in no part of the world more respected or more followed than in the Interior of Ceylon'. Davy, p.201.
 69. Knox, p.107; Davy, p.85.
 70. Knox, p.107.
 71. Niti Nighanduva or the Vocabulary of Law, p.6.
 72. Brownrigg to Bathurst, 27 November 1817, CO 54/66.
 73. Ralph Pieris, Sinhalese Social Organization, p.172.
 74. Niti Nighanduva, p.6
 75. A headman of low caste, when appointed from the same caste, was known as duraya.
 76. D'Oyly, A Sketch, pp.18-27
 77. For example, Knox does not mention the existence of the karava caste in the Kandyan Kingdom during his time.
 78. D'Oyly, A Sketch, p.25.
 79. Knox, p.136; Davy, p.92.
 80. Niti Nighanduva, p.6.
 81. See below, pp.207-8 and 216.
 82. Davy, p.92; D'Oyly, A Sketch, p.26.
 83. Davy, p.93; D'Oyly, A Sketch, pp.25-6; D'Oyly's Diary, entry of 20 June 1812, p.116.
 84. Knox, p.69; Sawers, pp.25-6.
 85. For an anthropological study of the ritual at the Temple of the Tooth during the Kandyan period, see H.L.Seneviratne, Rituals of the Kandyan State.
 86. Seneviratne, p.9.
 87. D'Oyly, A Sketch, p.68.

88. Knox, pp.68-9.
89. Memorandum on the sources of revenue in the Kandyan Provinces, enclosed with Brownrigg to Bathurst, 15 March 1815, CO 54/55.
90. D'Oyly, A Sketch, p.62.
91. 'Adigar' is an anglicism of the Sinhalese term adhikarama.
92. Davy, p.108.
93. For example, Pilima Talavve, the first adigar enthroned a Nayakkar youth of doubtful parentage as the King Sri Vikrama Rajasinha in 1798 after Rajadhi Rajasinha who died without issue. Davy, pp.232-3.
94. The first adigar, Pilima Talavve wrote in the capacity of agra senadhipati to Major General Stewart. Pilima Talavve to Stewart, 12 August 1796, CO 55/1.
95. For example, when the first adigar, Pilima Talavve was executed for treason in 1812, Ahalepola, the second adigar was appointed to the office and after Ahalepola was removed from the office in 1814, Molligoda, the second adigar succeeded him.
96. This division consisted of the Seven Korales, Uva, Matale, Valapane, Vellassa, Bintanna, Nuvarakalaviya, Tamankaduva, Harispattuva, Dumbara and Hevahata.
97. This division included the Four Korales, the Three Korales, Sabaragamuva, Udapalata, Udunuvara, Yatinuvara Tumpane, Kotmale and Bulatgama.
98. D'Oyly, A Sketch, pp.2, 5-8.
99. Davy, p.108.
100. D'Oyly, A Sketch, p.5.
101. Ibid., p.35; Davy, p.109.
102. For example, they could not inflict corporal punishment upon the following persons: the radala nobles and duggannaralas; the sattambis of the ulpange (royal bath) kunam maduve people; talpat vadanno; pandandarayo; the royal washermen; the lekams, kankans and gabanaralas of the royal stores and treasuries; mulachariyo and headmen of the hatara pattale; betge vedaralas (physicians); maha lekam people; kariyakaravanaralas and vattiru ralas of the maligava and the kapuralas of the devalas. D'Oyly, A Sketch pp.35-6.
103. D'Oyly, A Sketch, pp.2-3.
104. Davy, p.109.
105. D'Oyly, A Sketch, p.7.
106. Davy, p.108.
107. D'Oyly, A Sketch, p.9.
108. These offices were haluvadana nilame, maha satapenage muhandiram nilame, maha aramudale vannaku nilame, vahalkada muhandiram nilame, maduve lekam, aspantiye muhandiram nilame, tamboru purampittukara muhandiram

- nilame, madige badda nilame, atapattu lekam and kuruve lekam. A sittu granted by Pilima Talavve in 1798 Lawrie, A Gazetteer, vol.I, pp.115-6.
109. D'Oyly, A Sketch, pp.32-4.
 110. Ibid., p.31.
 111. Ibid., p.32.
 112. Ibid., pp.47-9.
 113. Ibid., p.84-5.
 114. Ibid., pp.51, 53 and 86.
 115. Ibid., pp.50-2.
 116. Ibid., pp.62-3; Davy, p.110
 117. Ibid., pp.36-7.
 118. Davy, p.109.
 119. D'Oyly, A Sketch, p.64.
 120. Davy, p.111.
 121. D'Oyly, A Sketch, p.9. For example, in 1798, the first adigar, Pilima Talavve was the disava of the Seven Korales and the Four Korales. In 1808, the second adigar, Migastanna was the disava of the Seven Korales. His successor, Ahalepola who later became the first adigar was the disava of Sabaragamuva. The second adigar Molligoda was the disava of the Four Korales.
 122. The term vidane refers to a headman who was appointed from among the members of the goyigama caste and others refer to low caste persons who were appointed as headmen.
 123. For example, in the Four Korales, the badahalabadda, radabadda and handabadda were kept under the orders of the disava and the kottalbadda and kuruve [badda] were also very frequently placed under him. D'Oyly, A Sketch, pp.18-21.
 124. Henry Marshall, Ceylon: A General Description of the Island and of its Inhabitants, p.17.
 125. Cf. H.W.Codrington, Notes on some of the Principal Kandyan Chiefs and Headmen and Their Dresses, collected from European and Native Sources, p.5.
 126. In certain disavanis, the disava mohottala was known as rate lekam or rate mohottala. D'Oyly's Diary, entry of 21 December 1811, p.70. In the seventeenth century, this officer was known as korale vidane. Knox, p.81.
 127. These officials were also known as disava lekam, atapattu lekam and kodituvakku lekam respectively. In the disavanis of Nuvarakalaviya and Tamankaduva, the highest officers were known as vanni unnahes or vanniyas who held authority similar to that of the mohottalas. Davy, pp.110-1.
 128. Davy, pp.110-1; Knox, pp.81-2.
 129. D'Oyly, A Sketch, pp.39-42.
 130. The amount was fixed by custom but it varied because

the persons who were anxious to obtain the office were prepared to pay more and because the highest bidder was appointed. D'Oyly, A Sketch, p.64.

131. Knox, p.80.

132. Davy, p.110. The last King, Sri Vikrama Rajasinha, particularly used this technique to keep the nobility under control. When Ahalepola took the side of the British, the King took revenge from his family who were kept as hostages; Molligoda waited to cross over to the British until he could transfer his family to a safe place.

CHAPTER TWO

POLITICAL INSTABILITY IN THE KANDYAN KINGDOM:
CESSION AND REBELLION, 1812-1818

European imperialist expansion in modern times has taken various forms in different parts of the world and it has been the subject of numerous studies which have brought forth many points of view. Professor Ronald Robinson, who is a critic of the Eurocentricity of the classical theories of imperialism and who considers imperialism 'as a product of interaction between European and extra-European politics', thinks that 'European economic and strategic expansion took imperial form when these two components operated at cross-purposes with the third and non-European component - that of indigenous collaboration and resistance.'¹

If this triple interaction in large measure made imperialism necessary and practicable, its controlling mechanism was made up of relationships between the agents of external expansion and their internal 'collaborators' in non-European political economics. Without the voluntary or enforced cooperation of their governing elites, economic resources could not be transferred, strategic interests protected or xenophobic reaction and traditional resistance to change contained. Nor without indigenous collaboration, when the time came for it, could Europeans have conquered and ruled their non-European empires.²

In short, the most important mechanism of European management of the non-European World was the use of local collaborating groups as mediators between Europe and the indigenous political and economic systems. In this theory, however, there are certain limitations such as lack of explanation about how and why such colonial situations come about and what political control was needed for, less emphasis on the economic aspect of imperialism and lack of precision about identifying and defining collaborators or collaborating groups. Nevertheless, Robinson's view of imperialism as a search for support carries some weight because more often than not in countries of Asia with long established civilizations European expansion took place with the assistance of local collaborators whether indigenous classes or rulers.

The establishment of British power in the Kandyan Provinces of Sri Lanka may be regarded as an example of imperialist expansion with the assistance of a group of nobles. Although the British were undoubtedly the much stronger power they faced the need to find collaborators in their determined bid to add the Kandyan Kingdom to their possessions. They found them in the nobility of the country, who in spite of differences among themselves considered it to be in their interests to align themselves with the British against the ruling monarch. The nature of the conquest as well as the inability of the British to establish a system of direct rule made a continuation of this collaboration necessary as is exemplified in the 'Convention' signed between the British and the nobles. It is intended here to examine the respective roles played by the nobles and the British in putting an end to the existence of the Kandyan Kingdom as an independent state and also to examine the manner in which collaboration was weakened to the extent of a wide-spread rebellion in 1817-18.

The subject under consideration has been covered to a certain extent by previous historical studies. Some have drawn an incorrect analogy between the fall of the Maritime Provinces of Sri Lanka to the Portuguese and the Dutch and the fall of the Kandyan Kingdom to the British. The picture drawn here is that of a failure of inept diplomacy which aimed at getting rid of an unwanted King with British assistance while still retaining the independence of the Kingdom. Nationalist historians of the recent past have tended to overrate the importance of the Kandyan Convention and to argue that the nobles acted under solemn pledges given by the British but were cruelly deceived by them. Besides, more stress has been laid on the fact that the Nayakkars were alien in ethnicity, language, religion and other aspects of culture and on ethno-religious differences between the Nayakkar rulers and the Kandyan nobles.³ Although all these angles of vision contain some element of truth they are inadequate to explain the overall sequence of events. We stress here the power struggle in the Kandyan Kingdom as the chief reason for the transformation of the nobles into a group of collaborators.

The main feature of Kandyan politics especially during the period 1812-1815 was an intensification of political

instability in the Kingdom leading to its cession to the British in 1815. This may be attributed to internal tension exacerbated by an external factor. This internal tension was visible in the Kandyan political scene as a power struggle between the nobles and the King marking a feudal tendency in Kandyan politics. This external factor was provided by the British who ruled the Maritime Provinces.

The nobles in the Kandyan Kingdom can be regarded as a homogeneous group. They belonged exclusively to the radala grade of the goyigama caste. According to the conventions and rules of caste they were strictly endogamous. This sense of belonging to the highest grade of the highest caste provided their social pre-eminence. This radala nobility, apart from being socially superior, was also politically strong and economically privileged. Their economic strength was mainly derived from land - the most common form of wealth in the Kandyan Kingdom. As we have seen earlier, ultimate rights over land lay with the King. Nevertheless, the radala nobility was in a very predominant position in land distribution and control in the Kingdom. They enjoyed praveni nindagam as hereditary lands. Since successive Kings granted these lands over centuries, wide landed possessions were accumulated by the nobility. No one could dispossess them except the King. When the nobles were appointed to superior offices in the monarchical administration they were granted saramaru nindagam as maintenance lands. As long as they held those offices, they enjoyed these lands in addition to their hereditary lands. Similarly, the nobles who were appointed to the important lay offices in the religious organization such as diyavadana nilame and basnayaka nilames, being administrators of maligagam and devalagam respectively, enjoyed considerable amounts of such temple lands as long as they held those offices. Moreover, even in the sangha organization, the major land-owning temples, in particular, the two monasteries of the capital, Malvatta and Asgiriya, were headed by monks recruited from the radala nobility. Thus the radala nobility enjoyed a large proportion of lands in the Kingdom. Land provided not only economic security but also certain political power. The nobles had much influence and considerable control over the tenants who lived in their

praveni nindagam and on other lands in which they enjoyed usufructuary rights. These tenants formed the retinue of the nobles and were in general very loyal to them. The political power and social prestige of the nobles were further supported by the fact that they 'monopolize[d] all the honours of church and state and possess[ed] all the hereditary rank in the country.'⁴ All the high offices attached to the King's palace the high offices of the central government and provincial administration under the monarchy were exclusively held by them and the executive and judicial powers which were attached to these offices gave them additional political strength and social prestige. In addition, particularly those who held the offices of adigar and disava enjoyed certain military powers.⁵ Besides, the lay offices in the religious organization were monopolized by radala nobles. All these factors combined to make the radala nobility a powerful group in Kandyan politics under the monarchy. However, it is important to note here that even among radalas, families such as Ahalepolas, Pilima Talavves, Monaravilas, Levukes, Galagodas, Migastannas, Allepolas and Madugallas were stronger and more powerful.

The role played by the nobles in Kandyan politics was a vital factor which determined the fate of the Kingdom. The internal tension of the Kingdom undoubtedly contained an element of personal interests but it was more than a personal conflict between the nobles who rallied around the first adigar and the King. It was inherent in the Kandyan system because the power structure of the monarchy was such that it facilitated those conflicts and because the economic resources of the Kingdom were limited. In common with pre-modern monarchical governments, in Kandy too, there was a lack of fit between political, economic and social positions. The Kandyan nobility who belonged to the highest caste and enjoyed large possessions of land had a strong social and economic position. But they lacked political strength. They obtained from the King all the appointments to the offices of the monarchical bureaucracy which gave them executive and judicial powers and certain political strength. Even in the possession of land, they did not have rights independent of the King. On the other hand, the King had political strength

and supreme rights over the economic resources over the Kingdom and was considered to occupy the highest position in society. He did not have any marriage or blood relationship with the nobility. The King's relationship with the nobility was defined solely in terms of politics. Besides, he could not rule the country without their support. Moreover, being a member of the Nayakkar dynasty, the King who was a Tamil by birth and a Hindu by religion was an outsider to the Kandyan Kingdom.⁶ This situation, on the one hand, brought about a reciprocal relationship between the King and the nobility. On the other hand, it resulted in a power struggle between the two.

In addition, when we focus our attention on the first adigar - the key figure in the nobility around whom a group of nobles often rallied against the King - we may see that his position in the Kandyan monarchical system was somewhat paradoxical. The first adigar who held additional offices under the monarchy as well, received all of them from the King. On the other hand, he was more or less the king-maker. For example, after the death of the King Rajadhi Rajasinha in 1798, the first adigar, Pilima Talavve, ignoring all other claimants to the throne, was successful in the enthronement of Kannasami, a rather obscure Sri Lankan-born Nayakkar youth who did not have very strong claims to the throne, as Sri Vikrama Rajasinha.⁷ As long as the King acted according to the wishes of the first adigar, there was no conflict between them, but when the King attempted to become independent of the adigar's influence, the conflicts began. At times, one could notice another aspect of this power struggle as well. The first adigar attempted to become the King himself. The role played by the first adigar, Ahalepola in Kandyan politics in 1814 and 1815 provides a clear example.

Thus it is clear that the tension between the nobles and the King was inherent in the Kandyan monarchical system. This does not mean that all the nobles were opposed to the King. In fact, rivalry and factionalism were rampant among the nobles. The reasons for these rivalries and disputes were partly personal, but it appears that they go deeper into the Kandyan socio-economic and political structure. As we have seen earlier, all the offices in the monarchical administration were

graded; each office was further privileged with immunities and numerous land rights granted to the office holder by the King. Moreover, a single noble could obtain several offices simultaneously if he won the special favour of the King. Such a possibility, in return, increased the political and economic strength of the holder of those offices. For these reasons, the offices in the monarchical administration were much in demand and the radala nobles competed with one another for them. Besides, the King granted nindagam to nobles holding office, ^{and} those loyal to him. Even the confiscated nindagam of disloyal and traitorous nobles were granted to those who were considered well-disposed towards him.⁸ Thus there was a tendency towards the formation of factional groups among the nobles for or against the ruling monarch.

The external factor influencing and determining Kandyan politics during this period was the presence of the British who were ruling the Maritime Provinces. Their main interests in the interior were centred around political, economic and strategic factors. For the British, the island of Sri Lanka was a mere 'outwork of the British Possessions in India'.⁹ In this context, the existence of an autonomous state in Sri Lanka which was free from their influence and control was seen as a threat to the interests of their empire in India. In pursuance of the traditional policy of seeking the support of one European power to remove others who had occupied the Maritime Provinces, the Kandyan Kingdom had been constantly aiming at obtaining the support of another European power. This constituted a danger to British political power not only in Sri Lanka but even in India. The economic interests of the British centred around their desire to obtain an exclusive monopoly of the cinnamon trade, the right to cut wood throughout the Kandyan territories, the abolition of frontier duties and the establishment of free trade between the Kandyan and Maritime Provinces.¹⁰ The British made several attempts to sign a treaty with Kandy which would facilitate trade, but the negotiations proved futile owing to the conflicting interests of the parties. While the British were interested in establishing their commercial penetration in the Kandyan Kingdom, the Kandyans were interested in obtaining a port from the Maritime Provinces. They were never

able to reach a compromise. Ultimately, Robert Brownrigg, the British Governor, ten months before the British invasion of Kandy concluded that any commercial treaty or more intimate connection could not be established with Kandy 'without a radical change in the Government of that Kingdom'.¹¹ The strategic factor was the desire to open inland communications between Colombo and Trincomalee which was of vital importance as a naval base. More, the communication with and control over their north eastern territories in Sri Lanka from Colombo made it necessary for the British to obtain some sort of control over the Kandyan Kingdom. Under these circumstances the British were prepared to interfere in Kanyan politics.

The tension between the nobles and the King can be traced back²⁵ as far as the reign of Rajasinha 11 (1635-1687). In all these instances, the King was successful in overcoming opposition. The tension was intensified and came to a climax, however, after Ahalepola became the first adigar in 1812. It was inherent in his succession to the office itself, because he had had some involvement in the unsuccessful conspiracy against the King, Sri Vikrama Rajasinha made by his predecessor Pilima Talavve. The King was compelled to appoint Ahalepola as the first adigar because of the influential position which he held in the country. He already held the office of second adigar. In addition, he belonged to a very powerful noble family, the members of which had monopolized the office of first adigar in most instances during the eighteenth century. In the course of time, all the forces and groups opposed to Sri Vikrama Rajasinha began to centre around Ahalepola.

An important problem which should be examined at this juncture is the manner in which the King dealt with the nobles, in other words, how he maintained his authority in relation to the nobility. Certain traditions and conventions of the monarchical system themselves had imposed institutional checks in favour of the King in his dealing with the nobility. For example, the King did not have any marriage or kinship ties with the nobility. It is true that this made him alien from the nobles. But, on the other hand, it was one means of keeping his distance from the nobility. In such a situation, he could control the nobles without any kinship obligation to anyone. So individual Kings were particularly careful not to

make kinship ties with the nobles and also to prevent any attempt by the nobles to relate themselves to the royal family. For example, when, in 1805, the first adigar Pilima Talavve's son married a daughter of Rajadhi Rajasinha by one of his junior wives, Sri Vikrama Rajasinha who feared a future threat to his throne was so angry that he banished the son from his court.¹² Besides, there were certain other means which regulated the social distance between the King and the rest of the people, such as the elaborate ceremonial observed even by the adigars on approaching the King, their prostrations which conveyed an impression of abject servility, numerous exalted forms of address and titles applied to the King different vocabulary used in conversation with him and with reference to objects associated with him, restrictions on seating arrangements and building houses, and various other points of court etiquette. All this made the King a charismatic figure. However, the important point which should be stressed here is that all these conventions served a political purpose, that is, they enabled the King to maintain his authority.

In addition to these checks inherent in the Kandyan monarchical system which operated in favour of the King, Sri Vikrama Rajasinha began a policy of weakening the nobles when he found that some of them were not loyal to him. It is important to note here that although he showed his patronage to the loyal nobles by conferring numerous offices, lands and presents, his policy was aimed at the weakening and decrease of the power and authority of the nobility as a whole. In fact, he had commenced this policy some time earlier, before Ahalepola became the first adigar. The exposure of the conspiracies of certain nobles headed by Pilima Talavve, the predecessor of Ahalepola, and their connections with the British was no doubt the reason. One technique adopted was to multiply offices. At the time of the accession of Sri Vikrama Rajasinha to the throne there had been two offices of adigar, but he added a third.¹³ This multiplication of offices could be considered as a step taken by the King to divide the authority of the adigars and reduce their power and also to set one against the other and thereby minimize the chances of their plotting against him. The King also took

certain other steps to prevent a concentration of authority in the hands of disavas and to weaken their local influence. He resorted to a policy of reshuffling offices and of splitting up the disavanis. The disavani of the Seven Korales was divided between Ahalepola and Molligoda in 1808. Although the division was not as successful as the King wished, the disavani was subsequently divided between Pilima Talavve and Ratvatta.¹⁴ The King pursued this line of action in 1814 with regard to Uva and Sabaragamuva.¹⁵ He is said to have been 'obliged in many instances to introduce new and inferior men into situations of high authority'.¹⁶ As in similar monarchical systems, the King made use of rivalries among the nobles. There were by then two groups of nobles under Ahalepola and Molligoda, the second adigar. Apart from their appointment as joint disavas over the same province, the King manipulated this rivalry to his advantage by employing the adherents of one adigar to investigate complaints against those of the other. He also revived disused duties such as the marala or death duty.¹⁷ Another aspect of the King's policy was the attempt to relieve the people at least to a very small degree from the oppression of the nobles. When the King came across any oppressive acts done by the nobles, they were investigated and those who were found guilty were punished.¹⁸ Moreover, the local councils known as gamsabha and ratasabha were encouraged to arbitrate in disputes instead of leaving it to the nobles.¹⁹ Such policies may have had some success but they intensified the existing antagonism among the nobles against the King, which made the political instability more pronounced.

Several other factors increased the hostility between the nobles and the King. When he acted against the nobles, he gradually lost the support of most of them. As a result, he was inclined to trust his Nayakkars and to rely more on their advice, although the latter did not hold officially recognized positions. The King's increasing reliance on the Nayakkars was not acceptable to the nobles as a group. Besides, the Nayakkars had engaged in trade and money lending. Many of the nobles were heavily indebted to Nayakkars of the royal family.²⁰ According to Davy, the second adigar, Molligoda was indebted to Nayakkars to the amount of six thousand pagodas.²¹ Pilima Talavve, the disava of Vellassa, had mortgaged his lands

to Kumarasvami, a Nayakkar relative of the King, who lived in Gampola.²² This gave the nobles an added incentive to remove the Nayakkars in order to escape from their liabilities.

In view of their weakening as a class, the nobles came into a common front against the King, despite their mutual rivalries and animosities. The rallying point of the discontent was Ahalepola, and like his predecessor he turned towards the British for support. He carried on secret correspondence with John D'Oyly, who had been appointed Chief Translator to Government by Thomas Maitland, the second British Governor, and was placed in charge of correspondence with the Kandyan nobles, Buddhist monks and the court. At first, D'Oyly's efforts were directed at rescuing the British political prisoners who had been entrapped in 1803 and at concluding a permanent treaty which could ensure peace and enhance the British commercial interests.²³ These actions of D'Oyly coincided with Governor Maitland's policy of avoiding hostile relations with Kandy. Maitland was aware that the Kandyan Kingdom might join hands with some other power to expel the British from the Maritime Provinces but at the same time he also realized that the Kandyan forces were too weak to pose any serious threat to the British territories.²⁴ Besides, the British too lacked the financial and military resources to undertake a conquest of Kandy. Moreover, after the failure of North's attempt, the Governors were under instructions to maintain friendly relations with the Kandyan Kingdom. So Maitland contented himself with preserving the status quo.

Robert Brownrigg succeeded Maitland in 1812. He had been given explicit instructions to avoid any acts which might disturb the friendly relations with Kandy, to concentrate on the preservation of the Maritime Provinces and not to attempt to acquire new territory,²⁵ but he secretly cherished the ambition of annexing the Kandyan Kingdom. The aims and objects of D'Oyly's diplomacy accordingly changed in perspective. Although he had been much interested earlier in a treaty, having now a firmer grasp of the political situation in the Kandyan Kingdom, he was now becoming more interested in instigating the nobles against the King and intensifying the political instability of the Kingdom in order to create an opportunity to interfere. He employed a large band of paid

spies who went into the Kingdom in disguise as Buddhist monks, traders and in other capacities and provided information regarding the internal political situation. There was hardly any important occurrence in the Kingdom which did not soon come to his knowledge. Nobles and officials were won over by rich presents, imported goods, medicines and copious flattery. D'Oyly carried on a regular, secret correspondence with Ahalepola and with two disavas, Eknaligoda and Pusvalla.

Meanwhile, the conflict between the King and Ahalepola became gradually acute. As noticed earlier, the King did not have a favourable attitude towards him from the very beginning. On various occasions, the King tried to disgrace him. Ahalepola too was not loyal to the King. He did not pay the arecanut revenue in Sabaragamuva to the treasury, unjustly took money from the Tamils²⁶ and protested against the levying of the marala duty.²⁷ While disobeying the King he strengthened his relations with the British. At the beginning of 1814, he wrote to D'Oyly: 'If you have a desire for our country, it is good that anything which is done be done without delaying.'²⁸ By implication, he asked the British to occupy Kandy. In the presence of the increasing pressures of Ahalepola, D'Oyly hinted at indirect assurances of aid if he would create a widespread rebellion against the King.²⁹ Ahalepola conspired for such a rebellion in the disavanis. Many of the nobles and the people promised to join him, when he started a revolt and entered their provinces with his forces. Ahalepola began a revolt at Batugedara in Sabaragamuva and sent messengers to other disavanis to start revolts.³⁰ Although the disavas and people in some provinces expressed their willingness to rise in revolt in cooperation with Ahalepola, the revolt was ill-organized. His plan did not work and the expected British assistance was not rendered. The rebel leaders, headed by Ahalepola, repeatedly pressed for British assistance.³¹ They were prepared to surrender to the British all the provinces which they could conquer on the condition that their ranks, offices and honours and Buddhism were assured of protection.³² Five days later, they were so desperate that they offered an unconditional surrender of the Kandyan Provinces in order to obtain their assistance.³³ The British offered very little assistance. They secretly supplied some ammunition to

the rebels and allowed the Malay Muhandiram, a Sinhalese headman who was in charge of a troop of Malay soldiers, to go with his followers to the support of Ahalepola on the pretext that the Muhandiram was acting on his own.³⁴ Although some nobles had rendered their unconditional support, the British were apparently still under the impression that the situation in Kandy was not favourable for them to intervene directly. Clearly, these events led to the total failure of the rebellion. The rebel leaders crossed over to the British.³⁵

Rajasinha acted swiftly to undermine the revolt. His acts of suppression were followed by a more rigid policy against the nobles. Ahalepola was removed from all his offices and his wife and children were taken as hostages. The King appointed Ahalepola's rival Molligoda, who was considered loyal, as first adigar and disava of Sabaragamuva. Molligoda was able to crush the revolt. He imposed severe punishments on the rebels. At the very inception of the rebellion, five principal nobles and six Buddhist monks were arrested on suspicion of being traitorous. After quelling the rebellion, Molligoda brought a large number of rebels as prisoners of whom forty-seven were executed. A large number of suspected headmen of the Seven Korales where Pilima Talave's influence and popularity were very strong and where there was a certain adherence to this rebellion, was summoned and about seventy of them were executed by flogging.³⁶ An adherent of Ahalepola, the Pusvalla disava who had been corresponding and intriguing with the British and Ahalepola's brother-in-law were also executed. Ahalepola's four children were brutally murdered in the presence of the King in the devasanhinda or the sacred precincts between the Maha and Natha devalas. His wife and sister-in-law and the wife of the Pusvalla disava were drowned. Thus a series of executions were carried out by the King. Six years after the incidents, Davy wrote thus:

Executions were at this time almost unceasing; the numbers put to death cannot be calculated; no one was perfectly secure, not even a priest To corporal punishments, imprisonments &c. - those minor causes of distress - it is unnecessary to allude; in the gloomy picture they are as lights to shades. 37

The King's autocratic policy greatly weakened the Kandyan

nobles. Not only their ranks, powers, honours and influence, but even their lives were now insecure. Consequently he was abandoned by all the nobles except for a very few who pretended a facade of loyalty.

The King was abandoned by the Buddhist monks, too, who were very influential in Kandyan society. Since the leaders of the sangha organization were closely related to the nobles they sympathized with them. At first, the common people were not much affected by the conflicts between the nobles and the King. The King's policy against the nobles was in fact at times favourable to the people. As we have seen, the people were benefited to the extent to which the King's policy was successful in breaking down or at least decreasing the powers and influence of the nobles. He also took some economic measures beneficial to the people, such as fixing low prices for certain consumer articles like coconut, paddy, rice, salt and cloth.³⁸ But other measures were oppressive. When he divided the Seven Korales between two nobles, people had now to pay duties and perform services to two persons. His policy of conferring superior offices on men of lower status, contrary to custom may have antagonized not only the nobles but also the common people who were particular about the rights, duties and gradations of the social system. Besides, the people were compelled to perform rajakariya in an unprecedented manner in public works ordered by the King. In many instances, people in outlying districts were impressed to perform their services and duties in Kandy, which was contrary to custom.³⁹ Those who did not obey were severely punished. On the other hand, the influence of the nobles over the people was so strong and intense that there was hardly any chance for the success of a policy against the nobles directed towards winning over the people. Thus the actions of the King led to a certain amount of discontent even among the people. This discontent was later intensified by the steps which he took against Buddhism and the series of atrocities which he committed particularly towards the end of his reign. Unlike his Nayakkar predecessors who had followed a favourable policy towards Buddhism and the sangha, Sri Vikrama Rajasinha, particularly during the last two years of his reign, followed an anti-Buddhist policy. He imprisoned some Buddhist monks and confiscated their properties.⁴⁰ In certain instances, he executed them. He took

the unprecedented step of appropriating to his household two villages belonging from ancient times to the dalada maligava or the Temple of the Tooth.⁴¹ He was supposed to have desecrated the sacred precincts of the Maha and Natha devalas by executing Ahalepola's children there. This situation led to the final alienation of the King from almost all the nobles and monks. Thus, as Ahalepola pointed out, at the end of his reign, the King was like 'a Fish encompassed by a Net'.⁴²

Thus a very favourable situation had emerged in the Kandyan Kingdom for the British to attempt a conquest. At this stage the roles played by Brownrigg and D'Oyly are of special interest. D'Oyly's policy of setting the nobles against the King had been successful to a very considerable extent. Most of the powerful nobles were in his diplomatic net. Nobles such as Ahalepola, Eknaligoda and Dolosvalla had come over to the British and most of the others assured them of their support. Among the powerful nobles only Molligoda was left out, although D'Oyly had tried to win him over. Immediately after the annexation of the Kandyan Kingdom Brownrigg summarized D'Oyly's role in the diplomatic and political campaign against Kandy:

The Political Correspondence with the Kandyan Government has been conducted by him [D'Oyly] through all its intricacies in a manner highly creditable to his talents a [nd] to his ability a [nd] most zealous exertions I greatly attribute the success which has attended our operations here a [nd] which have terminated in all the Kandyan Provinces being placed under His Majesty's Crown Government. 43

Despite instructions not to intervene in Kandyan politics and to maintain the status quo Brownrigg was waiting for an opportunity to annex the Kingdom to the Maritime Provinces. This opportunity was provided by Kandy. Some traders of the Maritime Provinces who went to the Kandyan Provinces to trade were suspected of being spies and plundered and an ear and a hand of each were amputated. This incident was more than sufficient for Brownrigg to discard the policy of forbearance which had been followed by Maitland and which the Home Government had insisted on.⁴⁴ His instructions further were that he should avoid punitive action until the

British dominions were invaded. There is however clear evidence that Brownrigg was preparing for an invasion even prior to this incident. In these preparations Ahalepola's guidance had been of tremendous benefit. He provided details of the military and financial strength and internal political condition of the Kingdom. He warned the British not to repeat their previous tactics in any future invasion, and he also advised them how they should conduct the military expedition. It was to be a converging attack: he provided information about different military routes and advised about the strength of each military party which should march along those routes. The places where the King could escape in case of danger and where the royal treasure was deposited or could be hidden were revealed. How provisions should be obtained for the armies was also explained.⁴⁵ The Governor had already made arrangements to mobilize the existing local European and native troops and had applied for reinforcements from India.⁴⁵

Meanwhile an incident which took place in the Sabaragamuva border of the British territory was tactfully made use of by Brownrigg as a pretext for invasion. The King's troops who chased after a band of rebels of the three Korales who escaped into the Maritime Provinces, crossed the border in following them. They accidentally set fire to a cottage and soon returned to their own territory. The Governor treated this as a violation of British territory and as a sufficient cause for declaring war against Kandy.⁴⁷

The invasion and the success of the British not only put an end to the Kandyan monarchy, but also marked another stage in the weakening of the Kandyan nobility. The invading British came to Kandy in the guise of saviours of the nobles and people from a cruel and tyrannical ruler, despite the fact that British troops themselves plundered several provinces on their progress to Kandy. Their claim to benevolence was clearly expressed in the proclamation of 10 January 1815,⁴⁸ which was issued during the course of the invasion. As a modern historian quite rightly states, it was 'a clever if self righteous and magniloquent, piece of propaganda'.⁴⁹ By this proclamation the British declared that their actions were directed against a tyrannical king and that the rights and privileges of the nobles and people and their religion

will be protected. It began with a humanitarian argument: they could no longer bear with 'indifference the Prayers of the Inhabitants of five extensive provinces, constituting more than one half of the Kandyan Kingdom who with one unanimous voice raised against the Tyranny and oppression of their ruler ... implored the protection of the British Government'. Even the other provinces, it was said, revealed similar feelings. They could not contemplate without indignation this barbaric way of treating the ten innocent traders. All the attempts made by the British to establish friendly relations, it was argued, had failed due to the animosity of the King towards them. The King and his Tamil advisers were alone to be blamed and not the people. Instead, the King had perpetuated 'the alarms of war without its remedies.' After these reasons, the aims and objects of the invasion were explained. The attempt was not against the people but against the tyrannical power alone which was hostile to the British and oppressive and destructive to the natives. Therefore the Governor had resolved to employ the powerful resources placed at his disposal 'for securing the permanent tranquillity of these settlements and in vindication of the honor of the British name, for the deliverance of the Kandyan people from their oppressions, in fine, for the subversion of that Malabar Dominion which during three generations have tyrannized over the Country.' As they were coming to rescue the people against the 'Malabar' tyranny assurances were given that they would protect the persons, property and religion of the people. The Governor promised 'to the chiefs the continuance of their respective Ranks and Dignities, to the people, relief from all arbitrary severities and oppressions with the fullest Protection of their Persons and Property; and to all classes the inviolate maintenance of their religion and the preservation of their ancient Laws and Institutions, with the extension of the Blessings resulting from the establishment of Justice, Security and Peace, which are enjoyed by the most favoured Nations living under safe guard of the British Crown.'

The breakdown of the Kandyan political system is demonstrated by the fact that the entire British expedition did not last more than forty days. The decision of Molligoda, the only important noble who had still not come over directly to

the British, to surrender shows that the political significance of the Kandyan nobility as an anti-British force was almost non-existent. There was no notable military engagement. The abandoned King who had fled from the city in the face of the advancing British attack was captured on 18 February 1815.

Modern historians have looked at the fall of the Kandyan Kingdom from different angles. The situation just before the British expedition had been interpreted thus:

Obviously he [Brownrigg] was the master-mind behind Ehelepola who had organised the entire conspiracy, and of whose influence, intelligence, knowledge and uncommon energy, the Governor was very appreciative: it was now possible, he was told, to take possession of the entire kingdom on the spontaneous invitation of the mass of the people at the cost of very little exertion against a Court which would command no support.⁵⁰

Accordingly, by implication, the fall of the Kandyan Kingdom in 1815 has been attributed to the success of a conspiracy of Brownrigg with Ahalepola against the Kandyan King. This version while stressing the skill of the diplomacy of the British when compared to that of the Kandyans, has underestimated the unstable internal political situation in the Kandyan Kingdom on the eve of the British expedition. The fall of the Kingdom has been seen by another historian thus:

It was a repetition of an old and tragic tale. The Kandyans turned with a too facile readiness to the idea of bringing in the foreigner to settle their domestic differences. That pitcher went once too often to the well. The convenient arbitrator became the permanent master. The Kandyans accomplished their own political doom.⁵¹

This view ignores the differences in the manner in which the 'old and tragic tale' had been repeated. When the Portuguese were playing a somewhat prominent role in politics in Sri Lanka during the sixteenth century, seeking the support of foreigners by local rulers to settle their differences took a different

character. In 1521, the Kingdom of Kotte was divided among Bhuvanekabahu, Mayadunne and Madduma Bandara who ruled Kotte, Sitavaka and Rayigama respectively. In the conflict between the rulers of Kotte and Sitavaka, the former sought the aid of the Portuguese, the latter that of the Zamorin of Calicut.⁵² The Portuguese, the foreigners who came to support the local rulers in their 'domestic differences', were able not only to strengthen their own position but also to gain mastery over the Maritime Provinces at the end of the sixteenth century. It is, however, important to note that conflicts among the members of the same royal family led the local rulers to seek the assistance of the foreigners. Subsequently, in the seventeenth century, Rajasinha II sought the support of the Dutch to expel the Portuguese from the Maritime Provinces and it ended up with the Dutch becoming the masters of the Maritime Provinces. In this instance, the local ruler of Sri Lanka obtained the support of one foreign power to expel another. The situation in the Kandyan Kingdom in 1815 was different from both the above instances. On this occasion, the Kandyan nobles sought the assistance of the British to expel their King.

The fall of the Kandyan Kingdom was partly a result of the action of the nobles to prevent their decline as a class and protect their powers and privileges by siding with the British. This is evident from an examination of the nature of the cession of the Kandyan Kingdom. There had been political instability in the Kingdom, which came to a climax at the end of 1814. The policy followed by the King to weaken the nobles had involved the deprivation of some of their powers and privileges. The presence of a stronger power like the British in the Maritime Provinces and their intrigues and interference in Kandyan politics made its political instability worse. The annexation of the Kandyan Kingdom to the British territories was only a matter of time. The fulfillment of their purpose was hastened by the attempts made by the Kandyan nobles to regain their powers and privileges by abandoning the King completely and turning to the side of the British. In fact, the British led their expedition to the Kandyan Kingdom at the invitation of the nobles. They made use of this situation which they saw as 'the most favourable opportunity which ever has occurred or can be expected'.⁵³

They obtained very little support from the people in their campaign. There was hardly any popular interest in the encounters between the British and the nobles after the capture of the King. The success of the military campaign was mainly due to the support and advice of the nobles headed by Ahalepola. The commander-in-chief of the Kandyan army, Molligoda, himself surrendered to the British. Military engagements were in fact nil. No notable opposition was made on the part of the Kandyan against the British. Therefore this cannot be considered as a conquest after a war. It was really a cession of the Kandyan Provinces to the British. At the same time this explains the reasons why the British were successful in 1815, while the previous Portuguese and Dutch invasions as well as the British invasion in 1803 were unsuccessful. In 1815, the intense internal political instability coincided with the shrewd diplomacy of the British whereas in former instances of invasions, the internal political situation has not deteriorated to this extent and the diplomacy was not so effective. It also explains the reasons why the British did not attempt to set up a puppet king in Kandy as they did in 1803. There was no necessity on their part to maintain such a political mediator because the Kingdom had been ceded to them by the nobility. Therefore what they had to do was to establish directly their political authority while continuing the collaboration with the nobility.

The cession was accomplished by the Convention ⁵⁴ which was signed between the British and the Kandyan nobles on 2 March 1815. ⁵⁵ The Kandyan Convention itself may be regarded as a diplomatic attempt on the part of the British to retain the confidence of the Kandyan nobles while from the point of view of the nobles it was an attempt to safeguard the rights, powers and privileges which they thought were threatened under Sri Vikrama Rajasinha. The first three articles of the Convention were directly connected with the abolition of the monarchy. Because of the 'cruelties and oppressions of the Malabar Ruler', his 'general contempt and contravention of all Civil Rights' and his 'habitual violation of the chief and most sacred duties of a Sovereign' he was declared to have forfeited all claims to the title and powers of King and to have been deposed. All claims of the 'Malabar

race' to the dominion of the Kandyan Provinces were 'abolished and extinguished.' All male relations of Sri Vikrama Rajasinha were declared 'enemies ... and excluded and prohibited from entering those provinces' without written permission from the British. Thus the Kandyan monarchy and the rights of the Nayakkar dynasty to the throne were abolished. By article 4, the Kandyan monarch was replaced by 'the Sovereign of the British Empire.' The deposition of Sri Vikrama Rajasinha and the abolition of the right of the Nayakkar dynasty to the Kandyan throne may be regarded as aims longed for by the Kandyan nobles. But the abolition of Kingship and the vesting of the Kandyan Provinces in 'the Sovereign of British Empire' were never expected by them. This was presumably a great disappointment to the nobles, especially to Ahalepola who had been aiming at the throne himself.

Moreover, the local hierarchical administrative structure was linked with the British administration in Sri Lanka. According to article 4, the Kandyan Provinces were to be ruled through a Governor or Lieutenant Governor and through the Accredited Agents 'saving to the Adigars, Dessavas Mohattales, Corals, Vidhaans and all other chief and subordinate Native Headmen, lawfully appointed by authority of the British Government, the Rights, Privileges and Powers of their respective Offices.' All classes of people were assured 'the safety of their persons and property, with their Civil Rights and immunities, according to the laws, institutions and customs established and in force amongst them.' Thus, although the native administration was linked with that of the British, the British undertook to safeguard the powers and privileges of the nobles. By article 5, Buddhism was declared inviolable and the British undertook to maintain and protect its rites, ceremonies, monks and temples. Thus the British rulers became the guardians of Buddhism - the state religion of the Kandyan Provinces. This was a very important guarantee which was keenly expected both by the nobles and the monks. Article 8 declared that the administration of civil and criminal justice and police over the Kandyan inhabitants would be exercised according to established forms and by the ordinary authorities.

Thus with the exception of the monarchy most of the social and administrative institutions were theoretically

protected by the Convention. The British were compelled to come to such a political settlement for several reasons. The Kandyan Convention followed upon the proclamations which had been issued during the invasion giving numerous promises to the Kandyans.⁵⁶ Because of the very nature of the British succession in Kandy they were not in a position to make drastic changes. As they had been invited by the nobles they had at least for some time to depend on their goodwill. To that extent, the rights, powers and privileges of the Kandyan nobles were on the surface ensured.

It is necessary here to examine the attitude of the British towards this political settlement. Brownrigg justified it to the Home Government by reference to the proclamation of 10 January 1815.⁵⁷ According to him, the preservation of the gradations of civil authority to the nobles by article 4 was a privilege which was 'neither practicable nor desirable to be abolished.' Article 8 was 'an immediate consequence of the more general purport of the 4th clause' and in both instances this was the only practicable arrangement which could be established by consent. The Governor was aware that certain modifications would have to be made. But he thought 'that all violent changes are in the highest degree to be deprecated.... the delicate measure of an improved Constitution may safely be entered upon' and such a measure 'may gradually and insensibly supersede the deep rooted prejudices of these people without perceiving them to be attacked.'⁵⁸ It is clear that even at the very moment that the guarantees were being given, Brownrigg entertained the idea of bringing about gradual changes in the Kandyan constitution. This also explains the attitude of the British rulers towards the legal status of the Kandyan Convention.⁵⁹ Although the Sinhalese nationalists claimed during the twentieth century that 'the convention is a treaty which on ratification became an immutable Law'⁶⁰ the British rulers at the time did not consider it more than an ordinary treaty which was liable to modification by subsequent legislation.⁶¹ Article 5 of the Convention which ensured protection for Buddhism was a step taken by the British for mere political expediency. The opinion of Brownrigg was that Buddhism was a superstition. He ensured a special protection for it because he realized that this was indispensable for the protection of British political authority in the Kandyan Provinces.⁶² Even the Home Government was aware of the real

significance of this fact so that while approving this article it only expressed some doubt about the term 'inviolable'.⁶³ Therefore, the Governor had to defend the use of this term. He argued that it was only a word used for the Sinhalese expression kada kala nohaki meaning 'cannot be broken down' and he affirmed that it never had a wider meaning in his mind than that 'the Budha Religion should not be abolished or obstructed.'⁶⁴ Some Protestants, especially the Evangelical Wilberforce, strongly objected to this clause.⁶⁵ Brownrigg pointed out that even as a convinced Christian he was compelled to agree to it because of the power of the Buddhist monks over the Kandyans and because of the need to facilitate 'political union with a New and strange people'.⁶⁶ The Kandyan nobles were deluded in thinking that by signing a convention with the British which removed the visible kingship to which they were accustomed and substituting a remote monarchy represented by a few British officials, their powers, rights and privileges would be safeguarded. Disillusionment was bound to follow. Thus the Kandyan Convention itself actually marked another stage in the decline of the Kandyan nobility.

However, after the Convention, the British took steps to redress some of the former grievances of the Kandyan nobles and monks and to win them over to their side in order to establish their power on a sound footing. The British tried to correct the 'irregularities' that had taken place under the former King. They corrected the King's policy of introducing 'new and inferior men into situations of high authority' and placed them according to the traditional 'order of respectability.'⁶⁷ Nobles who 'enjoyed the respect and confidence of the people' were placed in high positions. Through this step, the British expected to secure 'the submission of the people' to their rule.⁶⁸ At an assembly held on 3 March 1815 the first and second adigars, the disavas of the five principal disavanis of the Four Korales, the Seven Korales Uva, Matale and Sabaragamuva, were appointed, and another irregularity of the former government was corrected. The King had subdivided the Udunuvara and Yatinuvara districts and they had been conferred on 'men of inferior condition.' These 'obnoxious' subdivisions within those districts were abolished and two nobles were respectively appointed over them. After a

few days, radala nobles were appointed to all other offices of the local Kandyan administrative organization and to lay offices of the religious organization.⁶⁹ In the sangha organization too the high appointments were made. The mahanayaka theras of the Malvatta and Asgiriya chapters were appointed. The Governor again assured the Buddhist monks that the British Government would provide 'full protection and security for their religion and temples'.⁷⁰ It is important to note here that while the old administrative system was continued and the hierarchical appointments in it were made according to custom, the local administrative structure was linked with the administrative superstructure introduced by the British. This superstructure was in the form of a Residency.⁷¹ John D'Oyly was appointed Resident at Kandy and was vested with 'full powers to represent and exercise the British Government in the Interior.'⁷²

The agreements made by the British in the Convention and their very favourable policy towards the Kandyan nobles, which followed, may be considered as an immediate but temporary improvement in the position of the nobles. The British rulers too might have thought that once the grievances of the nobles were redressed, the system would be strengthened and that the support of the nobles would stabilize British power in the Kandyan Provinces. But the very fact that the Kandyan Provinces were subject to foreign rule involved changes in the Kandyan administrative system and undermined the position of the nobles.

The abolition of the monarchy was an immediate disappointment to those who were aiming at the the throne. For others too it was a disappointment. Some of the offices connected with Kingship and the King's household which were held by the nobles became redundant although they were not immediately abolished. Moreover, although individual Kings had worked against the interests of the Kandyan nobles, the monarchy was the political basis of their powers and privileges. They could not conceive of any other form of government. What they would have liked was for the British to preserve their rights and privileges and retain the monarchy but expel Sri Vikrama Rajasinha from the throne. This explains the sentiments of a Kandyan observed by Marshall. He said: 'You have now deposed the King and nothing more is required - you may leave us.'⁷³

Moreover, the changes which were made in the administrative structure too could be said to have led to the further weakening of the Kandyan system. The main change made by the British was the imposition of a Residency over the Kandyan indigenous administration. At first, there were only a very few officials. These new arrangements and personnel were, however, poor substitutes for the Kandyan King and the splendour of his court. Besides, as a result of the imposition of the British superstructure there were clear signs of a slight loosening of the power and authority of the nobles with regard to their relationships with the people. Shortly after the cession of the Kandyan Kingdom, Major Hardy travelled through the Uva-Vellassa area. He wanted to secure bullocks to transport grain. According to the Kandyan system the madige department was in charge of the carriage bullocks. The department was under the orders of the disava and most of the people who belonged to it were Muslims.⁷⁴ Ignorant of the procedure to be followed, Hardy came to direct contracts with them without going through the disava.⁷⁵ This mode of proceeding not only disturbed the authority of a superior native administrator but also affected the system. The Muslims had enjoyed a relative freedom, perhaps because they were traders. They seem to have welcomed British rule, perhaps in the hope of increasing their freedom from the authority of the Sinhalese nobles. Hardy reported:

These people received me with every possible expression of joy and immediately became most officious to render me every service. They gathered round me in crowds and were loud to testify their happiness at being placed under the British Government.⁷⁶

They submitted various grievances and made complaints against the disava and other headmen, such as the levying of heavy taxes and meting out punishments and fines, and asked the British for relief from the oppression of these superior and inferior headmen. In the presence of a rate mahatmaya, Hardy said to them that since they were British subjects now 'no person on earth whether British officer or soldier, Dessave or Ratterale should injure them with impunity.' He wanted that 'they should be made to feel the advantage of the English laws which they appeared so desirous to exchange their former slavery for.'⁷⁷ Although promises were given to relieve the

Muslims from the authority of the disava, they were not immediately implemented. But it is clear that the British followed a very favourable policy towards the Muslims. In return, the Muslims too appear to have acted loyally to the British. Regarding the Muslims in Vellassa Hardy wrote: 'The Moor Men are so numerous and so entirely our own that I do not think a Detachment of soldiers at all necessary in the country.'⁷⁸ Two years later, the British Government went so far as to appoint a separate Muslim as the muhandiram or headman of Muslims in Vellassa. This was an act which undoubtedly antagonized the nobles against the British because it affected their influence and powers in that area. In fact the incidents following this appointment were the immediate cause which led to the outbreak of the rebellion in 1817. British policy towards Muslims in other areas of the Kandyan Provinces was not as favourable as in Uva-Vellassa. But even in these areas they remained loyal to the British. It is possible that they wanted to free themselves from the control of the Kandyan nobles. Again the powers and authority of the nobility were being undermined.

Other aspects of British policy led to further changes in the Kandyan system. Some British officials advocated a policy of relieving the people from the oppression of the nobles. Even D'Oyly thought that the rights and privileges of the nobles such as acceptance of presents from suitors and from candidates for appointments (dakum) were incompatible with 'the Principles of Justice.'⁷⁹ But he thought that any change should be slow: in his own words, 'the Innovations must be gradual, the Diminution of Power or Emolument must be attempted with a cautious and tender hand.'⁸⁰ He thought that the British should ascertain and define all the rights and privileges of the Kandyan nobles as 'the first step towards securing the people against oppression.' Once they were equipped with that knowledge, he thought 'the chiefs will be more restrained ... and the people less fearful to complain.' As a first step in checking abuses and laying the foundation of reform, he directed all the nobles to report the appointments made by them for 1815 and the sums received for them according to custom.⁸¹ Here, one could see a direct encounter between two different types of system - a personal monarchy

based on custom and arrangements generally understood and therefore undefined and an impersonal bureaucracy operating on foreign assumptions and in accordance with clearly and rigidly defined rules, many of which were based on the assumption that individuals entrusted with power would abuse it unless their rights were clearly stated and thereby limited. The new Government began to enquire into the nobles' rights and privileges not only because it was foreign and ignorant but also because rigid definitions of rights and privileges were part of the system of impersonal bureaucracy. But, on the part of the nobles, even this slight disturbance of their rights and privileges was an interference with their freedom. British policy, thus, resulted in further weakening the powers and privileges of the nobles and their authority over the people and inferior headmen, and it created discontent among them.

Furthermore, the change of Government had some influence on the general body of the people. The British rulers observed that since the people were 'suddenly relieved from the most tyrannical rule, they have ... lapsed into a laxity of obedience under the mild administration of the British Government.'⁸² This cannot be considered as the entire truth because the administrative machinery under the monarchy still existed, although the King was deposed. It is probable that a certain feeling of liberation was experienced by the Sinhalese people too under the British administration. The British were to a certain extent prepared to relieve the people from the authority and oppression of the nobles. This situation, however, led to a drop in the accustomed revenues and a neglect to attend calls for labour service. The disavas and other superior headmen complained to D'Oyly about a want of obedience to their orders both by the subordinate headmen and by people generally.⁸³

Moreover, the superimposed administrative structure itself was perhaps not favourable to the nobles. Although there were very few British officials at first, eventually the British took some steps to increase the number of officials in the Kandyan Provinces and to regularize the administration. In October 1816, the Board of Commissioners was established. It was composed of three members: the Resident, the Second or Judicial Commissioner and the Third or Revenue

Commissioner. 84

Besides, certain other reforms made by the British adversely affected the economic position of the nobles just as other changes adversely affected their social and administrative position. British believed that the gravet duties - the duties levied when goods passed from Maritime Provinces to the interior - and the trade monopolies in the Kandyan Provinces were obstructive to the development of trade and to British interests. These gravet duties were abolished in May 1816 and the monopolies in arecanut, wax, cardamoms, coffee and pepper in June 1816.⁸⁵ These reforms certainly affected the incomes of the nobles.⁸⁶ Besides, it appears that the nobles did not like the project of the Colombo-Trincomalee road which was undertaken by Brownrigg just after the cession. Brownrigg himself noted that the 'chiefs may have remarked a great anxiety.'⁸⁷ The British began this project to facilitate trade and communications in the island.⁸⁸ But it was not in agreement with the outlook of the nobles. They did not like the breakdown of the isolation of their country.

Moreover, the nobles also experienced a loss of status. Brownrigg noted the change:

The Court of the late King barbarous as it was, had yet a certain splendor sufficient to attract a great interest and the Chiefs tho[ugh] slaves in one relation and hourly threatened with the indiscriminating violence of absolute and wanton power, were in another view potentates themselves, exercising high and extensive Authority and receiving without measure, the incense of flattery and abject submission from their Inferiors.

To this state it is probable that their taste was completely formed by habit and education, and that they view not without very disadvantageous comparisons, a representation of Government, where the principal officer is a private Gentleman of very retired and unostentatious habits and their own situation pretty much that of attendants at his Audiences - their consequence most sensibly fallen, and their powers considerably abridged as well as their emoluments. 89

In this manner, the social status which the nobles had enjoyed under the monarchy diminished under the British.

Before, no one but the King was above them; now, they were inferior to every civilian in our service, - to every officer in our army. Though officially treated with respect, it was only officially; a common soldier passed a proud Kandyan chief with as little attention as he would a fellow of the lowest caste. 90

As early as, March 1815, the nobles complained about this matter. ⁹¹ Thus it is clear that the very fact of the establishment of a foreign power, their administration and policies paved the way for a decline of the Kandyan nobles as a social class.

Not only the nobles, but also members of the Buddhist clergy connected with the nobles were dissatisfied with the new rulers and with the new system. As they had close family ties with the nobles, they too shared the same sentiments against the British. On the other hand, they had a tremendous influence in the country. Besides, they were very anxious about the re-establishment of the former monarchy. Although they received the promise of patronage and protection for their religion, rituals and property from the British, they were dissatisfied for several reasons. Even though the Nayakkar Kings were not Sinhalese or Buddhist, the clergy had been prepared to acknowledge the legitimacy of their rule because most of the Nayakkar Kings had followed a very favourable policy towards Buddhism and acted as guardians of the religion and the institution. Moreover, the Kings were appointed with the consent of the mahanayaka theras. ⁹² The relationship between the King and the Buddhist clergy had been one of mutual interdependence. The King defended Buddhism and Buddhism legitimized the Kingship. ⁹³ Although this interconnection was disturbed during the reign of Sri Vikrama Rajasinha it was not completely severed. But in the Kandyan Provinces, after 1815, there was no King at all and the British rulers who succeeded could not replace him in the religious organization. As a means of political expediency, they took part in religious matters such as appointments, ceremonies and rituals but that kind of participation as outsiders was not sufficient. ⁹⁴ At times, the ignorance of the British officials about their customs made the monks uneasy. ⁹⁵

The dissatisfaction of the nobles and monks affected the people. They could be easily carried away by the feeling that their religion was not properly protected under the British and that neither the monks nor the sacred places were receiving due respect. Even unintentional violations of social institutions such as caste seemed disturbing. Moreover, they had lost the King whom they could see and before whom they could prostrate themselves and obtain summary justice.⁹⁶

While this sort of discontent was developing, the British continued to follow a conciliatory policy. In spite of the Convention, some Nayakkars, perhaps without knowing the contents of the settlement, made several applications claiming the Kandyan throne.⁹⁷ They were the widow and relatives of Muttusami who was crowned by the British at Kandy in 1803 and was surrendered by the British themselves in the face of threats by the Kandyans. Their claims were unconditionally rejected.⁹⁸ Immediately after the Convention, several steps were taken to please the nobles by removing 'abuses' and by redressing the grievances which had prevailed under the King. The nobles were consulted in matters of importance. When they were not paid honours by the soldiers an order was promulgated directing the troops to pay them due respect.⁹⁹ When the nobles complained that they did not receive the customary obedience from the subordinate headmen and the people an advertisement was issued which confirmed and strengthened their rights and powers. It declared that all inhabitants of the Kandyan Provinces were required to perform their obligatory services and to pay the royal dues and revenues to the Government according to the established institutions and lawful customs. They were further required to yield obedience to the adigars, disavas and other superior headmen who had been lawfully appointed over them by the British Government.¹⁰⁰ Moreover, the Governor invited some of the nobles to Colombo on the birthday of the King of England.¹⁰¹ They were introduced both at the levée and at the ball and shown things which might interest them. They were given presents too. In this instance, it is clear that Brownrigg attempted to manipulate in a subtle manner their cultural aloofness in an attempt to please them. The Government had to incur considerable expense on the visit and maintenance of the nobles and their numerous retinues.

Brownrigg justified his action by arguing that it was meant 'to lay the foundation of a friendly and confidential intercourse with those Principal Personages of His Majesty's New Dominion.' ¹⁰² Besides, Brownrigg made occasional tours into the Kandyan Provinces. One reason for these tours was that the Governor considered 'it prudent in a political view to make periodical visits to Kandy both for the sake of impression and to afford opportunities for any representations which the chiefs or people might have to make.' ¹⁰³ By means of such tours, he tried to create a favourable impression among the nobles and the people. Besides, the British rulers tried to follow a very favourable policy towards Buddhism and Buddhist clergy. We shall examine in detail both this policy and the political motives which moulded it. ¹⁰⁴ It will therefore be sufficient here to note one statement made by Brownrigg who knew the tremendous influence which the Buddhist monks had over the nobles and the people. Alluding to a conference held on 10 March 1815 with the monks of the two great temples in Kandy, he wrote:

A very slight attention to the particulars of this part of the conference will discover how much depended on our being able to satisfy the Priesthood, and that every concession to their prejudices was a material step towards the confidence of the Chiefs and People. ¹⁰⁵

D'Oyly and Brownrigg also took special care to induce the nobles and the monks to bring back the sacred Tooth Relic of the Buddha secreted in the time of invasion, to the Temple at Kandy. The British rulers tried to conciliate the people too. Those who had been plundered by the British troops during the expedition had their property restored or were compensated. Other complaints were also investigated. But the British knew that the real strength of Kandyan society rested with the nobles and the Buddhist monks and that the people were mere followers of those groups. Therefore, their policies were mainly concerned with winning over the nobles and monks to their rule.

But the policies followed by the British were not as successful as they expected. The nobles found that their powers and privileges were less than under the King. The Buddhist monks too felt that their temples, property and

religion were not secure under the British. Molligoda, the noble most loyal to the British, made a candid avowal to Sawers, the Revenue Commissioner, and Brownrigg in 1818, of the general resolution of the nobles to shake off the yoke of the British Government as soon as it was practicable because they had submitted to the British only as a means of subverting the Nayakkār dynasty.¹⁰⁶ Even the British were not completely unaware of this situation, especially of the dissatisfaction of the nobles. With regard to Uva, D'Oyly noted in July 1815 that the nobles and people still showed symptoms of disinclination and distrust, if not disaffection to the British Government.¹⁰⁷ William Tolfrey, Chief Translator to Government expressed his conviction that in the interior 'a deep and extensive plot was organized by the Chiefs and the Priests to overthrow the British Authority.'¹⁰⁸ Brownrigg took little notice of these warnings and underestimated them. But three weeks later, he himself noted that 'their gratitude for the signal relief, and rescue they experienced, may, according to the nature of such feelings, be considered as transitory, and short lived, and the humane and protecting character of the substituted Government too imperfectly comprehended, to receive any advantageous reception, in their minds, from the effect of a perspicuous comparison, while on the contrary, their inherent and hereditary Prejudices must be viewed only, as dormant for a time, suppressed, but not extinguished, and always liable to revive.'¹⁰⁹

The discontent of the nobles and the monks came to light in a form of a conspiracy in the latter part of 1816. The aims of this conspiracy were the removal of the British and the establishment of a King 'to improve the World and Religion' in the words of Ihagama as reported by the Kapurala of Bintanna devale.¹¹⁰ Three Buddhist monks named Ihagama, Potdalgoda and Kapuliyadda were involved in this conspiracy.¹¹¹ In combination with several nobles, they were planning to bring a King from Ava.¹¹² This was an idea which had been attempted twice in the time of the deposed King. It appears that most of the nobles of importance were involved but there was no evidence on which to base a charge of conspiracy. The only noble who was proved to have had direct connections was Madugalla, the uda gabada nilame. He was charged with two

treasonable acts, namely, his proposal to the high priest to clandestinely remove the sacred Relic from Kandy and his proposal to send offerings to the devales of Bintanna and Kataragama with a prayer for the removal of the English and the establishment of a King. ¹¹³ He was tried before his fellow nobles. After considering the proceedings of the case, the Governor passed a sentence on him of two years' imprisonment but he was released a few months later.

The leaders of the conspiracy and their aims are noteworthy. It is clear that the Buddhist monks and nobles had played the major role in it. Brownrigg observed:

The Priests appear to be the grand Movers of these Plots and by their influence over the chiefs falling in with any sentiments of disaffection and Causes of Complaint, they can at all times organize a Party.

Their own counsels are secret, their emissaries numerous, and their access and means great.

It is hard to fathom their true sentiments, being by habit and education deep and artful dissemblers. 114

Although the Buddhist clergy were different from the nobility in their different level of religiosity, they had common interests. In fact, on the political level both of these groups acted as one, for they both felt that their interests were threatened under the British. The chief object of the conspiracy was the re-establishment of the monarchy under a Buddhist King or a King who could really patronize Buddhism. However, the irony was that the leaders sought the support of Hindu gods to achieve their object perhaps because the Buddha was not concerned with mundane things and because these gods were considered protectors of the sangha and the country, according to popular belief.

The most important event which gave expression to the discontent of the Kandyan nobles and monks was the rebellion of 1817-18, marking a breakdown of the collaboration between the British and a large number of nobles. The rebellion broke out in the province of Uva in September 1817, as an immediate reaction to the favourable policy of the British towards the Muslims. According to a request from

the Muslims of the province, a Muslim named Muttu Hadjie was appointed to the post of muhandiram of the madige department. At the same time, S.D.Wilson, the Agent of Government at Badulla received information that a 'Malabar stranger' and eight priests were wandering in the area. The rebellion began with the murder of Wilson by a party of rebels.¹¹⁵ The British rulers took energetic measures in order to localize the rebellion and to quell it at its very outset. Their attempts of confining the rebellion to the Uva-Vellassa area were successful till the end of January 1818. But in February the rebellion spread from its original centres to Dumbara, Hevahata and Sabaragamuva.¹¹⁶ The Seven Korales rose in revolt next. Soon the entire Kandyan Provinces were in revolt excepting lower Sabaragamuva, the Three Korales, the Four Korales, Udunuvara and Yatinuvara. The British power and authority in the Kandyan Provinces were seriously threatened.

Two aspects of the rebellion -its leadership and its objects - are particularly relevant to our study because they show the disillusionment of most of the Kandyans with the new rulers and government and the breakdown of the collaboration between the British and the Kandyan nobility. The leadership of the rebellion was borne by a large section of Kandyan nobles. Every noble of consequence except the first adigar, Molligoda, and Eknaligoda were involved in it. The Buddhist clergy sympathized with the rebels against the British and a considerable number of monks rendered their open support.¹¹⁷ For instance, they removed the Tooth Relic from the dalada maligava, the Temple of the Tooth, and transferred it into the hands of the rebel leaders. Moreover, they directly participated in various military and political activities such as the coronation of the pretender as King and the making of appointments.¹¹⁸ Several of them disrobed and became the holders of various offices under the pretender and acted as advisers, as well. The rebel leaders were Kappitipola, the disava of Uva, Pilima Talavve, the disava of the Four Korales, Madugalla, the disava of Dumbara (former uda gabada nilame), Kivulegedara, mohottala of Valapane and Allepola, a former adigar.¹¹⁹ Besides, a large number of petty nobles and headmen took part in the rebellion.¹²⁰ By March 1818, most of the nobles of importance were either arrested or had joined the

rebellion. Even Ahalepola was arrested on 2 March 1818 on suspicion but without proven accusations.¹²¹ But later his connections with the rebel leaders came to light. The fact that the rebellion was led by the nobles should not lead us to underestimate the Kandyan tradition of resistance to the foreigner. The rebellion was firmly supported by most of the Sinhalese people in the Kandyan Provinces. It became clear that they were submissive to the nobles and were more attached to the old system than to British rule, and in the episode can be seen the main features of primary resistance movements in a traditional society.¹²²

The chief object of the rebellion was to overthrow the British Government and to re-establish the monarchy. The leaders of the rebellion were guided by a general feeling that the basis of their strength was the monarchical system and not a type of bureaucracy established by the British. In fact, 'a Solemn Ceremony of inauguration ... before a crowd of about 3000 Persons assembled from nearly every part of the Kandyan Provinces' was held in May 1818.¹²³ The pretender claimed Nayakkar descent, proclaimed himself to be of the royal family, appeared in the guise of Doraisami who was a brother-in-law of Rajadhi Rajasinha and who was expelled from Kandy in 1815¹²⁴ and took the name Kirti Sri. He was in the dress of royalty; he called himself King and used the forms of royalty.¹²⁵ The sacred Tooth Relic which, in the opinion of the Kandyans, ensured the claims of the ruler to Kingship and on which it was 'considered the Government and Prosperity of the Country depend' was in his possession.¹²⁶ He appointed rebel chiefs to various offices in accordance with the former hierarchical system. For instance, Kappitipola was appointed the first adigar. Persons who were found to be against their cause were severely punished by the pretender like under the time of the Kandyan Kings. For example, Hadjie, the Muslim muhandiram was executed by orders of the pretender in the presence of Kivulegedara; the Accredited Agent, Wilson's head was cut off and hung up by orders of the pretender; a petty headman who was convicted for attempting to intercept the pretender was executed.¹²⁷

The weakness of the attempt at rebellion is illustrated by several moves made by the rebels. There was no

unity among the rebel leaders about the person who was to become their ruler. Later, it came to light that the pretender was not the real Doraisami who was at this time in the custody of the British in Madura. ¹²⁸ The pretender was one Vilbave, an ex-Buddhist monk and a goyigama Sinhalese of the village of Vilbava in Ihala Dolospattuva of the Seven Korales. ¹²⁹ He was really a puppet of Kappitipola who knew his identity. When the truth was revealed, it led to enmity between Kappitipola on one side and Madugalla and Pilima Talavve on the other. This was not a mere conflict caused by the exposure of a deception, but was also a contest between the ambitions of Kappitipola and Pilima Talavve. Madugalla, on the advice of Pilima Talavve, imprisoned both Kappitipola and Vilbave and exposed the latter to the public ridicule as a hiraluva (ex-monk). ¹³⁰ Subsequently, Pilima Talavve set up a person of his own selection as King. He was one Vira Vavu, a Tamil from Manar, who too did not have genuine claims to royalty. ¹³¹ Thus there was no unity among the leaders of the rebellion themselves. On the other hand, a few but very important and powerful nobles were supporting the British. Their loyalty and assistance were very helpful in enabling the British to quell the rebellion, and as a modern historian points out 'it was perhaps only the loyalty of Molligoda and and the Four Korales that saved the British from having to cut their way out of the Interior into the Maritime Provinces.' ¹³²

The rebellion ended in failure. Apart from the military strength and superiority of the British and also their ruthless policy of destroying grain and other provisions, houses, cattle and paddy fields so as to starve and force the inhabitants into submission, the disunity among the Kandyan nobles was a major factor which accounted for its failure. In the last analysis, the disorganized nobility was not able to create an effective and united opposition against the British. In short, the rebellion of 1817-18 can be considered as a determined attempt made by the Kandyan nobles, supported by the Buddhist monks and by a majority of the Sinhalese people, to protect their powers, rights and privileges independent of the British rule.

The rebellion and its aftermath marked an important stage in the decline of the Kandyan nobility as a political

body although not completely as a social class. As a result of the failure of the rebellion a considerable number of powerful and influential nobles were either executed or expelled. All the rebel leaders were captured by the end of November, 1818 except for the pretender who escaped into obscurity until 1830. They were tried by martial law. While Allepola, Kappitipola,¹³³ Madugalla and Kivulegedara were decapitated, Pilima Talavve and Ihagama were banished. Besides these leaders, several other nobles were sentenced to death and executed while a number of them including Ahalepola were banished.¹³⁴ A regulation of Government was issued declaring that the return without the Governor's warrant of persons banished from Sri Lanka was a criminal offence punishable by imprisonment with or without hard labour, for a term not less than six months and not exceeding seven years and that at the expiration of the term of confinement they were to be removed again. It was also declared that harbouring such persons was an offence for which a fine of not less than one hundred or not more than one thousand rix dollars or imprisonment with hard labour for a term not less than two months and not exceeding three years could be imposed.¹³⁵ The removal of a considerable number of powerful persons belonging to the traditional radala nobility from the Kandyan political and social scene undoubtedly had an effect on the influence of the radala nobility as a class and altered the power balance in favour of the British.

Even under the traditional system, land and state appointments were used by the King to raise the status of humble members of radala families. The possession of landed property gave the radala nobles an economic and social strength because land was the main source of income and also because relationships between them and the people were based on the land tenure system. The possession of land was a symbol of their authority and influence. Confiscation of land therefore amounted to downgrading a noble. Lands of the rebel nobles were confiscated during the rebellion as a means of suppressing it. The nobles who took part in the rebellion were subject to severe losses and deprivations and those who were loyal were rewarded with land grants. While a general tax on the entire paddy lands in the Kandyan Provinces was fixed at

one tenth of the annual produce it was declared that if the confiscated lands were to be restored to the former owners, they were to pay a tax of one fifth of the annual produce.¹³⁶ Provinces where the nobles and people showed their loyalty and 'good conduct' to the British during the rebellion were to be subject to the lesser tax of one fourteenth of the annual produce.¹³⁷

Appointments to rank and position had been another means of controlling the nobility. Here the elimination of some principal families gave the British a freer hand for the exercise of their patronage. There were, however, certain limitations which the British still dared not ignore. Those appointed to the highest positions had to belong to the radala group of the goyigama caste. The choice was also limited by the fact that some of those who were loyal were yet related by kinship ties to those who were disgraced. Besides, caste and kinship were still vital factors in society and were respected for the sake of social stability and control. Nevertheless, as an aftermath of the rebellion and by a clever use of patronage the British were able to bring to the forefront a group of nobles more dependent and therefore more loyal to them.

More important than changes of personnel however was the decline of the nobility as an institution. The proclamation of 21 November 1818¹³⁸ established a system of government in the Kandyan Provinces which very largely achieved this. The British succeeded in further strengthening the superstructure of power and subordinating the native administrative system to it in a detailed manner, thereby decreasing the power and authority of the radala nobles who held various offices in the Kandyan administrative hierarchy. The British conquest of the Kandyan Provinces was achieved with the assistance of the nobles and the Convention of 1815 symbolized a partnership in administration based upon a treaty. The proclamation of 21 November 1818 which followed the rebellion, however, marked a stage where although the partnership was not completely broken it was based upon a unilateral declaration and was highly subordinated to the British.

This becomes evident from some of the provisions embodied in the proclamation and from subsequent actions. A

number of offices which had been attached to the palace and provincial administration which had been objects of ambition to the radala families under the former system were abolished (Appendices II & III). Many of the offices which disappeared had already become non-functional and redundant under the British superstructure. ¹³⁹ The provincial offices which were still functionally useful were retained but even here changes which were made involved a loss of authority to the persons holding them. Thus for instance the number of ratemahatmaya offices were reduced and the offices of disava multiplied thereby reducing the authority of those who held them. ¹⁴⁰

All the officials who continued to function in the native hierarchy were brought under the immediate control of British officials. The superior native officials were in future to be appointed by a written instrument of the Governor and the inferior headmen by that of the Resident excepting in certain villages and departments which were allotted for the personal service of the disavas. ¹⁴¹ The Board of Commissioners and the Agents were empowered to punish all superior local officials and headmen by suspension or dismissal from office and fine or imprisonment for disobedience of orders, provided that 'no Person holding the Governor's Commission may be absolutely dismissed but by the same authority.' ¹⁴² The conferment upon subordinate Agents of Government of powers which had previously been held only by the King and disavas, was undoubtedly a serious blow to the authority and status of the radala nobles.

The actual power which the disavas could exercise was drastically reduced. This was achieved by increasing the number of Agents of Government in the provinces with extensive civil and judicial powers and functions which had formerly been enjoyed by the disavas. The adigars, disavas and all other superior and inferior headmen could perform official duties only under the orders of the Board of Commissioners and British Agents and not otherwise. ¹⁴³

Certain other measures taken adversely affected the authority and status of the chief office holders in relation to the people. Under the former system, their authority had depended to a large extent on the number of attendants they

could summon on the basis of service tenures. The number of personal attendants allotted from the different departments to the adigars, disavas and other nobles was now to be determined by the Governor on the report of the Board of Commissioners.¹⁴⁴ A similar effect was produced when high local officials lost the right to summon people for service on their own initiative. They lost some control over the people when they were deprived of the right of appointing inferior headmen except a very few. The powers enjoyed by the disavas to appoint mohottalas, koralas and other headmen were taken from them and given to the Resident. It was only in the villages and departments which were allotted for their personal services that the disavas had as before, the privilege of making inferior appointments.¹⁴⁵ Even in maligagam and devalagam, diyavadana nilame and basnayaka nilames were respectively given only a power of recommending persons for inferior offices; the appointments were made by the Resident. The traditional practice of paying fees (dakum) at the time of appointment, either to Government or to any noble, was abolished except in the temple lands where the diyavadana nilame and the basnayaka nilames received the usual fees.¹⁴⁶ They were also deprived of the right of levying judicial fees (bulatsurulla) to which they had hitherto been entitled in hearing cases. They lost the right of imposing fines too. Thus the nobles who held superior offices lost several sources of income. Although they were compensated by the payment of salaries and by tax exemptions, the latter were no substitute for the former levies because they were not only a source of income but also a means through which the radala nobles had maintained their authority, influence and control over the lower classes.¹⁴⁷

In a caste-based traditional society like Kandy the formalities of obeisance, homage and respect played a vital role in preserving the social position of the nobles. They provided one of the most important ways by which psychological fear and forced respect were created in the minds of the people. In fact, they were symbols of their superior status in society. The British did away with some of them which were considered 'degrading' and inconsistent with a 'liberal administration' such as 'prostrations from and to any person.'¹⁴⁸ But they re-arranged the forms of obeisance in

such a manner as would exalt the impression of British sovereignty and the position of the British officials as a 'ruling class' in the minds of the Kandyan. On entering the Hall of Audience every person was required to make obeisance to the portrait of the King. Using traditional means of ensuring the authority of the Kandyan Kings, it was also declared that when the Governor 'as His Britannic Majesty's Representative' travelled, he was to be attended by all headmen in each province just as they had attended the former Kings. When all other British officials above the rank of Agent of Government and officers commanding troops travelled on duty they were to be attended in the same manner as adigars.¹⁴⁹ Besides, all nobles, except for adigars, and other persons coming before, meeting and passing any British officer, civil or military, of rank and authority, were required to give up the middle of the road, and if sitting rise and make a suitable obeisance, which would be always acknowledged. The nobles were also required to make oaths before giving evidence in the courts, although they had not traditionally been required to do so.¹⁵⁰

However, on the other hand, the British rulers were not prepared to eliminate the nobility. The British wanted to continue their collaboration with the Kandyan nobles. This is best illustrated from the fact that the indigenous Kandyan administrative system was not completely overthrown and that the superior and inferior native officials were not completely deprived of their powers.¹⁵¹ Similarly, honours and other forms of obeisance to which they were entitled were not completely done away with, although they were now clearly defined and regulated. All inhabitants coming into their presence, meeting or passing disavas and other nobles were still to make a proper inclination of the body, in acknowledgement of their rank. Besides, the adigars and disavas continued to enjoy the privilege of using palanquins, the former in the entire Kandyan Provinces and the latter beyond the river Mahavali. Moreover, the adigars - the highest officials in the Kandyan administrative hierarchy - were entitled to honours from British officials. They were to be received by sentries with carried arms, and by all soldiers off duty or other Europeans, by touching their caps or taking

off their hats. Native inhabitants, whether Kandyans or not, were to rise from their seats, leave the middle of the road, and bow to adigars as they passed.¹⁵² Thus the prestige of the highest Kandyan officials was linked with the British rule. Similarly, the British were particularly careful to maintain the hierarchy of the native officials. For example, even the seating arrangements of the native officials in the Hall of Audience or in the presence of Agents of Government were regulated on their position in the administrative hierarchy.¹⁵³

In conclusion, the political instability of the Kandyan Kingdom can be viewed as an outcome of a multifaced conflict in which the Kandyan King, the nobles and the British played vital roles. The fall of the Kingdom took place at the climax of the political instability accompanying the power struggle between Sri Vikrama Rajasinha and a faction of nobles led by Ahalepola, in which the British played a successful diplomatic role. The British, not only made clever use of the intensified political instability of the Kingdom, but also succeeded in making the nobility, as a whole, a group of collaborators to their bid to add the Kandyan Kingdom to their territories. Although the cession of the Kingdom was the outcome of an alliance between the nobles and the British, and although the Convention was an attempt to continue the collaboration between them - the nobles being motivated by a desire to protect their position and the British by a desire to advance their position - the cession resulted in a further decline in the power of the nobles culminating in rebellion. The failure of the rebellion marked another stage of the decline of the nobility. On the part of the British, although the suppression of the rebellion did not completely sever their collaboration with the nobles, it established their power on a firm foundation.

NOTES FOR CHAPTER TWO

1. Ronald Robinson, 'Non-European Foundations of European Imperialism: Sketch for a Theory of Collaboration', p.119.
2. Ibid., p.120; also see John Gallagher and Ronald Robinson, 'The Imperialism of Free Trade', p.6.
3. Cf. K.N.O.Dharmadasa, 'The Sinhala Buddhist Identity and the Nayakkar Dynasty in the Politics of the Kandyan Kingdom 1739-1815', pp.99-128.
4. Davy, p.86.
5. See above, p.21.
6. For this ethnic and racialist aspect in the tension between the Kandyan King and the nobility under the Nayakkar rule from 1739 to 1815, see Dharmadasa, pp.108-21.
7. Davy, p.233.
8. For example, in 1814, Sri Vikrama Rajasinha confiscated the lands of Ahalepola who was considered traitorous and gave them to Molligoda who was considered loyal. Molligoda Sannasa of 1814, Bell, pp.102-3.
9. Camden to Maitland, 21 February 1805, CO 55/62.
10. North to Secret Committee, 4 April 1800, CO 54/2.
11. Brownrigg to Bathurst, 10 February 1814, CO 54/51.
12. North to Camden, 4 August 1805, CO 54/18.
13. See above, pp.29-30.
14. D'Oyly's Diary, Codrington's Introduction, p.vi.
15. Codrington, Notes on some of the Principal Chiefs, p.8.
16. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
17. Verse 20 of vadiga hatana hevat Ahalepola varnanava, cited in Dharmadasa, p.105.
18. Manuscript notes of Simon Sawers, quoted in Marshall, p.29.
19. D'Oyly's Diary, Codrington's Introduction, pp.x-xi.
20. Ibid., p.xi.
21. Davy, p.239.
22. Lawrie, A Gazetteer, Vol.I, p.63.
23. Rambukwelle Siddhartha Thero (ed. and trans.), Letters of John D'Oyly.
24. Maitland to Camden, 19 October 1805, CO 54/18.
25. Liverpool to Brownrigg, 31 March 1812, CO 55/62.
26. Davy, p.239.
27. D'Oyly's Diary, Codrington's Introduction, p.vii.
28. Ahalepola to D'Oyly, n.d. January 1814, CO 54/51.
29. Minute of D'Oyly's conference with Eknaligoda,

- 5 March 1814, CO 54/51.
30. D'Oyly to Brownrigg, 1 May 1814, CO 54/52.
 31. D'Oyly's letters to Brownrigg from 1 May 1814 to 24 May 1814, CO 54/52.
 32. D'Oyly to Brownrigg, 11 May 1814, CO 54/52.
 33. D'Oyly to Brownrigg, 17 May 1814, CO 54/52.
 34. Brownrigg to D'Oyly, 14 May 1814, CO 54/52.
 35. D'Oyly to Brownrigg, 24 May 1814 and 25 May 1814, CO 54/52.
 36. Davy, p.240.
 37. Ibid., p.241.
 38. D'Oyly's Diary, entry of 16 June 1812, p. 115.
 39. Ibid., entry of 23 December 1811, p.72.
 40. D'Oyly to Brownrigg, 17 May 1814, CO 54/52.
 41. See above, p.19.
 42. 'Queries put to Adigar and his answers', enclosed with Brownrigg to Bathurst, 16 August 1814, CO 54/52.
 43. Brownrigg to Sheffield, 10 March 1815, P.E.Pieris (ed.) Letters to Ceylon 1814-1824, p.23.
 44. Brownrigg to Bathurst, 30 October 1814, CO 54/53.
 45. 'Queries put to Adigar and his answers', enclosed with Brownrigg to Bathurst, 16 August 1814, CO 54/52.
 46. Brownrigg to Abercromby (Fort St. George), 8 May 1814, 21 May 1814 and 5 June 1814, CO 54/52; Brownrigg to Moira (Fort William), 11 May 1814 and 21 May 1814, CO 54/52.
 47. Marshall, pp.109-11.
 48. This proclamation was enclosed with Brownrigg to Bathurst, 17 January 1815, CO 54/55.
 49. Colvin R. de Silva, Vol.I, p.158.
 50. P.E.Pieris, Tri Sinhala: The Last Phase 1796-1815, p.153.
 51. Colvin R. de Silva, Vol.I, p.167.
 52. T.B.H. Abeyasinghe, Portuguese Rule in Ceylon 1594-1612, pp.9-10.
 53. Minute by Governor, 3 January 1815, enclosed with Brownrigg to Bathurst, 17 January 1815, CO 54/55.
 54. Ceylon Government Gazette, 6 March 1815; G.C.Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, pp.227-30. A Sinhalese copy of the Kandyan Convention is printed in T.B.H. Abeyasinghe, L.S. Dewaraja and G.P.V. Somaratne, udarata rajadhaniya 1470-1818, pp.160-3. An English translation of the Sinhalese text is printed in P.E. Pieris, Sinhale and the Patriots, 1815-1818, pp.591-3.
 55. On 2 March 1815, the Convention was read to the adigars, disavas and other Kandyan nobles who had assembled in

- the magul maduva or the Hall of Audience. It was actually signed on 10th March 1815. D'Oyly's Diary, entries of 2 March 1815 and 10 March 1815, pp.223 and 231.
56. These proclamations were those issued on 10 January 1815 and 11 February 1815.
 57. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
 58. Ibid.
 59. For discussions of the legal status of the Kandyan Convention, see udarata givisuma , pp.413-5 and Abeyasinghe, Dewaraja and Somaratne, pp.122-6.
 60. S.Paranavitana and J.de Lanerolle (eds.), Sir Paul Pieris Felicitation Volume, p.173.
 61. On the general legal status of the Kandyan Convention, Sir Ivor Jennings writes: 'so far as English constitutional law - which applied to the Kandyan Provinces as soon as they were annexed to the Crown - is concerned an annexation is an annexation whether it is brought about by cession or by conquest The Kandyan Convention did become a part of the law of the Kandyan Provinces, but only by Proclamation of the Governor of the Maritime Provinces whose action was, subject to the amendment of 1816, ratified by the Crown. But this made it ordinary law, capable of amendment by subsequent legislation, and it was indeed amended not only in 1816 but also after the rebellion of 1818 and by subsequent legislation.' Jennings, 'Notes on the Constitutional Law of Colonial Ceylon', pp.61-2.
 62. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
 63. Bathurst to Brownrigg, 30 August 1815, CO 55/63.
 64. Brownrigg to Bathurst, 1 June 1816, CO 54/60.
 65. Butterworth to Bathurst, 9 October 1815, CO 54/58; Brownrigg to Wilberforce, 13 June 1816, CO 54/60.
 66. Brownrigg to Wilberforce, 13 June 1816, CO 54/60.
 67. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
 68. Ibid.
 69. Ceylon Government Gazette, 8 March 1815 and 15 March 1815.
 70. Ibid., 15 March 1815.
 71. For administrative arrangements, see below, p.105.
 72. Brownrigg to Sheffield, 10 March 1815, P.E.Pieris (ed.), Letters to Ceylon, p.23
 73. Marshall, p.131.
 74. See above, p.25.
 75. Hardy to Brownrigg, 10 June 1815, CO 54/56.
 76. Ibid.
 77. Ibid.

78. Hardy to Brownrigg, 12 June 1815, CO 54/56.
79. D'Oyly to Brownrigg, 2 July 1815, CO 54/56.
80. Ibid.
81. Ibid.
82. D'Oyly to Sutherland, 29 April 1815, SLNA 6/521.
83. Ibid.
84. See below, pp.117-9.
85. See below, p.150.
86. See below, p.149.
87. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, p.358.
88. Brownrigg to Bathurst, 26 September 1815, CO 54/56.
89. Brownrigg to Bathurst, 5 November 1816, CO 54/61.
90. Davy, pp.243-4.
91. D'Oyly's Diary, entry of 18 March 1815, pp.236-7.
92. Labugama Lankananda (ed.), mandarapura puvata, verse 607, p.80; Davy, pp.232-3.
93. Dewaraja, p.123.
94. See below, pp.226-8.
95. e.g. see below, p.228.
96. Davy, p.244.
97. Sutherland, Secretary for Kandyan Provinces, to D'Oyly, Resident, 12 April 1815, SLNA 7/262b.
98. Ibid.
99. D'Oyly's Diary, entry of 18 March 1815, pp.236-7.
100. Sutherland to D'Oyly, 8 May 1815, SLNA 7/262a.
101. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
102. Ibid.
103. Brownrigg to Bathurst, 25 September 1815, CO 54/56.
104. See below, pp.221-30.
105. Brownrigg to Bathurst, 1 April 1815, CO 54/55.
106. Brownrigg to Bathurst, 12 April 1818, CO 54/70.
107. D'Oyly to Brownrigg, 5 July 1815, CO 54/56.
108. Brownrigg to Bathurst, 6 February 1817, CO 54/65.
109. Brownrigg to Bathurst, 28 February 1817, CO 54/65.
110. The statement of the kapurala of Bintanna devale of 18 August 1816, enclosed with D'Oyly to Sutherland, 30 August 1816, SLNA 6/524.
111. D'Oyly to Sutherland, 1 August 1816, SLNA 6/524.
112. Brownrigg to Bathurst, 5 November 1816, CO 54/61.
113. D'Oyly to Sutherland, 16 September 1816, SLNA 6/524.

114. Brownrigg to Bathurst, 5 November 1816, CO 54/61.
115. Brownrigg to Bathurst, 7 November 1817, CO 54/66.
116. Brownrigg to Bathurst, 19 February 1818, CO 54/70.
117. Answers of maha betmarala of Kataragama to interrogatories made by Major MacDonald and Henry Wright, 1 May 1819, CO 54/74.
118. Ibid.
119. Proclamation of 19 March 1818, A Collection of Proclamations and other Legislative Acts of His Majesty's Government of Ceylon affecting the Kandyan Provinces (hereafter referred to as A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces), pp.17-8. Allepola should not be confused with Ahalepola.
120. Proclamations of 12 November 1818 and 14 November 1818. A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.19-22.
121. Brownrigg to Bathurst, 12 April 1818, CO 54/70.
122. For a discussion of the manner in which Kandyan resistance in the early nineteenth century fits the model of primary resistance, see K.M.de Silva, 'Resistance Movements in Nineteenth Century Sri Lanka', pp.130-4.
123. Brownrigg to Bathurst, 24 July 1818, CO 54/71; Information given by Yatinuvara Sattambi of Haliyadda before D'Oyly, 30 June 1818, CO 54/71.
124. Brownrigg to Bathurst, 7 November 1817, CO 54/66.
125. Answers of maha betmarala of Kataragama to interrogatories made by MacDonald and Henry Wright, 1 May 1819, CO 54/74.
126. Brownrigg to Bathurst, 24 July 1818, CO 54/71.
127. Answers of maha betmarala of Kataragama to interrogatories made by MacDonald and Henry Wright, 1 May 1819, CO 54/74.
128. Brownrigg to Bathurst, 19 February 1818, CO 54/70.
129. Proclamation of 19 March 1818, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, p.17.
130. Brownrigg to Bathurst, 9 October 1818, CO 54/71; statement made by Devalegedara Appu of Nugaliyadda in Hevahata before James Gay, the Judicial Commissioner on 10 September 1818 and statement made by Gannave Muhandiram before D'Oyly on 14 September 1818, CO 54/71. Hiraluva is a Sinhalese term used to ridicule a person who disrobed.
131. Brownrigg to Bathurst, 27 October 1818, CO 54/71; Ceylon Government Gazette, 31 October 1818; The Uva Rebellion 1817-1818: with full Details of Military Operations throughout the Kandyan Country, p.57.
132. Colvin R. de Silva, Vol.I, p.187.
133. For an eye-witness account of the heroic death of Kappitipola, see Marshall, pp.198-9. Marshall's moving

description could perhaps disturb one's historical impartiality.

134. List of prisoners who were to be removed to Maritius^u and return of courts martial held in the Kandyan Provinces, enclosed with Brownrigg to Bathurst, 8 February 1819, CO 54/73.
135. Regulation of Government no.2 of 6 February 1819, A Collection of the Legislative Acts of His Majesty's Government of Ceylon, pp.283-4.
136. Proclamation of 21 November 1818 (see note 138 below), articles 18 and 20.
137. Ibid., article 19.
138. For the text of this proclamation, see A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.22-32; also see Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, pp.231-43.
139. See below, p.106.
140. See below, pp.124,128-9.
141. Proclamation of 21 November 1818, article 10.
142. Ibid., article 33.
143. Ibid., article 9.
144. Ibid., article 14.
145. Ibid., article 10.
146. Ibid., article 17.
147. Brownrigg to Bathurst, 8 January 1819, CO 54/73.
148. Proclamation of 21 November 1818, article 11.
149. Ibid., article 12.
150. Proceedings of the Board of Commissioners, 27 October 1818, SLNA 21/115
151. See below, pp.130-1.
152. Proclamation of 21 November 1818, articles 12 and 13.
153. See below, pp.216-7.

CHAPTER THREE

THE ESTABLISHMENT OF BRITISH POWER IN
THE KANDYAN PROVINCES 1815-1832

The establishment of British power in the Kandyan Provinces took place in two stages, each stage marked by a political upheaval of great significance. The first stage coincided with the cession of the Kandyan Kingdom to the British and the signing of the Convention between the British and the Kandyan nobles in 1815. The second stage accompanied the successful suppression of the rebellion of 1818. Both stages resulted in the creation of dual administrative structures in which power and influence tended to move steadily from Kandyan to the British institutions.

Administrative policy as embodied in the Convention of 1815 was determined both by political and administrative necessity. Since the British went to the Kandyan Kingdom under a façade of rescuing the people and the nobles who were subject to the cruelties of a King, the nature of the cession itself made it impossible for them to make immediate drastic changes in the Kandyan system. They had to depend on the nobles for the political stability of their rule. The nobles were influential in Kandyan society and exercised much authority over the people. D'Oyly was aware of their strength in the Kandyan system. Brownrigg himself was doubtful about the strength of British power. But while D'Oyly drew the conclusion that the established structure should be retained as far as possible,¹ Brownrigg was, at times, inclined to think that the authority of the nobles should be reduced.² D'Oyly's opinion prevailed. Besides, the administrative arrangements made by the British under the Convention paved the way for the establishment of a system of indirect rule in the Kandyan Provinces. The Convention established a superstructure of British power. The monarchy was abolished and was replaced theoretically by the King of Great Britain but in fact by the British Governor in Sri Lanka. The Governor was to rule the new domains through 'Accredited Agents.'³ This Agency at first only took the form of a Resident with two Assistants.⁴ The Convention assured to the nobles and subordinate headmen

the rights, privileges and powers of their respective offices. It was further affirmed that 'the administration of Civil and Criminal justice and Police over the Kandyan inhabitants of the said Provinces is to be exercised according to established forms and by the ordinary authorities.' ⁵

These pledges virtually assured a continuance of a large part of the former administrative system in the Kandyan Provinces. The vital difference, however, was that the indigenous structure was clearly subordinated to British authority by the provision that the native officials had to be 'lawfully appointed by authority of the British Government.' The British also kept to themselves 'the inherent Right... to redress grievances and reform abuses in all instances whatever, whether particular or general, where such interposition shall become necessary.' In Brownrigg's opinion by this provision the British rulers kept 'an opening for improvement when the circumstances and the inclinations of the people may dispose towards it.' ⁶ Subsequently the British made use of this provision to justify deviations from the former system.

Some other articles of the Convention also presupposed a separate administration for the Kandyans. Article 9 of the Convention provided special provisions for Europeans and non-Kandyans. All persons under military discipline were to be 'liable to the Laws, Regulations and Customs of war' in all civil and criminal cases. All other non-Kandyans or those who lived outside the boundaries of the Kandyan Kingdom at the time of the cession were to be subject to the magistracy of the Accredited Agent or Agents in all civil and criminal cases except murder which was to be tried by commissions to be issued by the Governor. If any British subject was charged with murder he was to be tried 'by the laws of the United Kingdom of Great Britain and Ireland in force for the Trial of offences committed by British subjects in foreign parts.' Thus the Convention itself provided for separate judicatures for Kandyans, non-Kandyans and Europeans.

Apart from the obligations imposed by the Convention there were very practical reasons which made radical changes almost impossible. The British faced a problem generally met by every foreign conquerer in establishing power over a

country which had an established and well entrenched institutional structure of its own. Placed in a similar situation, the Portuguese who became the rulers of the Kotte Kingdom in the Maritime Provinces of Sri Lanka in 1597 had adopted a similar policy. According to Ribeiro, the Portuguese had given an undertaking at the 'Malvana Convention' to preserve all the native 'laws rights and customs without any change or diminution whatever.'⁷ A modern historian rejects the idea that there was a Convention at Malvana and argues that it was only a widespread belief prevalent among the Sinhalese inhabitants in the Kotte Kingdom.⁸ However doubtful the historicity of the Convention may be, it is certain that the Portuguese, after they became the rulers of Kotte, did not make drastic changes in the local administrative system. They 'took over the entire system of administration in Kotte with the Kingdom.'⁹

However, a distinction has to be made between the Portuguese policy towards the administrative system in Kotte and British policy towards that of Kandy. The Portuguese did not make changes because in addition to their reliance upon the existing system they had no reason to be dissatisfied with it.¹⁰ The British, however, came at a time when Utilitarian and laissez-faire ideologies were gaining dominance among them. They also displayed a marked preference for their own concepts of administration and justice. But, however much the British might have disliked the existing system, they did not make drastic changes mainly because the circumstances did not allow them to do so. The British themselves had earlier experiences in Sri Lanka itself of very unfavourable repercussions following upon attempts at making drastic changes in an existing administrative system. In 1796 after the conquest of the Maritime Provinces, the introduction of South Indian officials into the native administration and several other changes made by them had resulted in an outbreak of serious rebellion in December 1796 which remained alive throughout the next year and petered out in March 1798.¹¹ It also appears that especially after the policy adopted towards the French Canadians in 1774, the tendency towards the continuance of previously existing systems in conquered countries had become a part of the imperial policy of the

time. ¹²

Besides, it appears that the immediate repercussions of the change of Government in Kandy made it difficult for the British to make drastic changes in the existing system. Although Brownrigg wrote to the Home Government soon after the cession that there was 'perfect tranquillity as to the state of affairs in that country' ¹³ there was reason to think that it was really not so, particularly in the Uva-Vellassa area. ¹⁴ Major Hardy observed that 'the inhabitants of Ouva ... are not of a friendly disposition towards our government' ¹⁵ and D'Oyly was distressed to 'perceive that the chiefs and People of Uva still shew symptoms of disinclination and distrust, if not, of dissatisfaction to British Government'. ¹⁶ Major Mackay reports that 'complete anarchy' prevailed in some parts of the country. ¹⁷ There were repeated instances of arson in the town of Kandy. ¹⁸ Although D'Oyly was not prepared to accept that 'complete anarchy prevails in any part of the Kandyan Provinces', he too was of the opinion that the minds of the people had not been settled. ¹⁹ This was aggravated by two factors. Although Brownrigg commended the orderly and disciplined behaviour of the troops, ²⁰ they had in fact caused destruction of property and injury to individuals. At first, the soldiers and camp followers had been busy searching for prize property: this led to 'oppression, violence and alarm'. After the recovery of seizable property was put entirely under the civil authority, this type of violence ceased, but the behaviour of the army was still onerous to the people. Making use of the situation some natives of Uva had also been tempted to rob houses after spreading rumours that soldiers were about to come. ²¹ Thus the distressed situation just after the change of government was another reason why the British could not make drastic changes in the Kandyan administrative structure.

All these factors pointed in the direction of a separate administration for the Kandyan Provinces. Brownrigg wrote to the Home Government that 'the acquired territory should as far as possible be conducted as a distinct establishment.' ²² He argued that before the cession a careful separation existed in that communications with Kandy were maintained through the Department of the Chief Sinhalese

Translator. ²³ He wanted to 'preserve this separation.' ²⁴ Although this appears as a casual statement, in fact he was not in a position to establish a unitary administration for the entire island. The Maritime Provinces had been exposed to the control and influence of the European powers from the end of the sixteenth century while the Kandyan Kingdom had virtually remained isolated. As a result, the socio-economic and administrative system in the Kandyan Provinces retained its traditional forms, while considerable changes had taken place in the Maritime Provinces. Regarding the judicial system in the Kandyan Provinces, Brownrigg observed that all the Kandyans 'from the highest man ... to the lowest' were profoundly ignorant of the laws and institutions existing in the Maritime Provinces. ²⁵ As a result of the policies followed by the Europeans, the Maritime Provinces were more exposed to trade whereas in the Kandyan Provinces, royal monopolies and gravet duties still existed and trade was much more limited. Although in the Maritime Provinces the majority of the inhabitants were Buddhists, there were Catholic and Protestant communities as well. On the other hand, the influence of these religious groups was extremely limited in the Kandyan Provinces where the Buddhist clergy and organization were almost part and parcel of the State. In the Maritime Provinces, there were Portuguese, Dutch and English speaking people among the natives who had been closely associated in the administration. In particular, there was a small Christian elite in the person of the Mudaliyars who were closely associated with the British administration. Again, in the Maritime Provinces, there was greater mobility within the caste system under European rulers whereas social stratification based on caste tended to be very rigid in the Kandyan Provinces. For example although the salagama caste occupied a relatively low position in the traditional Kandyan caste hierarchy, it had gained a kind of social prominence in the Maritime Provinces as a result of the enormous interest and attention paid by the European rulers to the cinnamon trade. ²⁶ Thus considerable changes had taken place in the Maritime Provinces by the time the Kandyan Provinces were ceded to the British as a result of which they were not in a position to establish a unitary rule for the entire island all at once. Besides, at the time the British acquired the mastery over the new territories and in

fact until a considerable period had elapsed, they could not expect to gain a reasonable knowledge of the socio-economic and administrative institutions in their new territory. Brownrigg wrote that since 'at present our knowledge of many necessary points is very imperfect ... there is no particular hurry for a new system.'²⁷ The Governor was of the opinion that he must collect information respecting local institutions and that 'any plan of modification should be founded on the most careful previous enquiry and the most accurate and authentic collection of facts.'²⁸

There was, however, no unanimity among the British officials regarding the policy to be followed in the Kandyan Provinces. Although he later deviated to a small degree, Brownrigg at first shared D'Oyly's opinion that the native administrative system should be continued. But some British officials thought that the Kandyan officials were not of much use and that their powers should be reduced and British authority more firmly established. For instance, Major Hardy who, immediately after the cession, visited the Uva-Vellassa area where there was some opposition to the British, remarked of the disavas: 'they lead so indolent, so absurd and so useless a life, that as officers at the head of a district, I cannot discover their worth.' He thought that the 'veneration' in which they were held and the power and influence which they exercised should be destroyed.²⁹ But such officials, who held relatively low ranks, were not in a position to influence policy, and the ideas of Brownrigg and D'Oyly prevailed.

Although the Governor was able to overlook the ideas of the subordinate officials, serious objections were made by the Judges of the Supreme Court to this administrative policy, particularly to the provisions in the Convention regarding judicial administration. This could be broadly explained as one stage of a series of conflicts in the competition for power and position between the Governor and the Supreme Court Judges, on account of the imperfect demarcation of their respective areas of authority.³⁰ But, in the context of the immediate political situation in the Kandyan Provinces, the disagreements over the Convention may be regarded also as a conflict between political necessities and judicial principles.

The Advocate Fiscal, Hardinge Giffard, basing himself on the legal institutions of England and on some provisions of the Charter of Justice of 1801, argued that articles 3,4,8 and 9 of the Convention were illegal. These articles contained provisions for the removal of the former King and his relatives from the Kandyan Provinces and for their trial under martial law if they returned without the permission of the British Government and for the administration of justice there. The Advocate Fiscal argued that the declaration of martial law for a certain description of persons could not be legally carried into effect under the laws and constitution of Great Britain 'unless in case of actual invasion or rebellion or of such imminent danger to the State.' He further pointed^{out} that the exclusion of the authority of the Supreme Court by the eighth and ninth articles which provided for the administration of civil and criminal justice in the Kandyan Provinces, was in contravention of the Charter of Justice of 1801 and stated that every person in the newly-acquired territories whether native or European was subject to the criminal jurisdiction of the Supreme Court and entitled to the privilege of a trial by jury. ³¹ The Chief Justice, Alexander Johnston, agreed with Giffard regarding the judicial provisions of the Convention except those for the administration of justice to the Kandyans which he considered to be 'perfectly right.' ³² Clearly, the Judges saw the settlement in purely judicial terms. They based their objections on the laws and legal institutions of Great Britain and on the Charter of Justice of 1801 which provided for the establishment of the Supreme Court in the Maritime Provinces of Ceylon and for the extension of its jurisdiction over 'any Person or Persons whomsoever within any of the Settlements and Territories in the Island of Ceylon with their Dependencies now in Our Possession or which, or shall or may hereafter be in our Possession.' ³³ Their wish to extend the jurisdiction of the Supreme Court over the Kandyan Provinces, was contrary to Brownrigg's policy, which was strongly supported by D'Oyly, of ruling the Kandyan Provinces as a separate entity.

Brownrigg looked at the problem from a political point of view. Regarding the provision for applying martial law to the relatives of the former King, he argued that it was

only a means of 'securing ... the new Territory against those from whom it had in former times being found so difficult to wrest it.' He was unable to see any other 'medium between excluding them from these limits in toto or leaving an obvious risk of their regaining the Dominion.' ³⁴ Besides, such a step fitted the intentions of the nobles who had supported the British and signed the Convention in order to expel the Nayakkars from Kandy and end their rights to the Kandyan throne. The Governor's agreement to confirm to the Kandyans their own civil as well as criminal laws by the eighth article of the Convention had also been determined by a political motive. He had consented to it 'not only on the ground that it was just and necessary to their present condition ... but on a full understanding and conviction that it was an unavoidable condition of their voluntary acceptance of the British Dominion.'³⁵ He was convinced that he had to depend at least for the time being upon the good will and support of the Kandyans, particularly of the nobles, for the protection of the British political power in the Kandyan Provinces. Regarding the provisions made for non-Kandyans and Europeans by the ninth article, the Governor said that they were provisional arrangements subject to the ratification of the Home Government. ³⁶ He found it impossible to extend the jurisdiction of the Supreme Court to the Kandyan Provinces and recommended that the Charter of Justice of 1801 on which the arguments of the Judges of the Supreme Court were based, should be revised. ³⁷ He also thought that political and social stability could not be secured without establishing some sort of partnership with the Kandyan nobles. Regarding the legal problems raised by the Judges, he wrote:

Are they [Kandyan nobles] Magistrates or are they Peace officers and do the Rules applicable to their functions in either capacity as referable to the superintendence of the Court support or dissolve these ties essential to be preserved between the chiefs and the Government? ³⁸

By implication, he meant that the functions of the nobles in their judicial capacity and the ties between them and the British Government should be preserved and that any type of superintendence by the Supreme Court would weaken them.

He felt uneasy about the 'fixed determination shewn by the legal authorities to take no account of these measures in a Political view' ³⁹ and specifically stated that he could not treat the matter 'on legal principles at all.' ⁴⁰ He defended Kandyan policy as a whole:

... in issuing the Proclamation or manifesto of 10th January and all subsequent Proclamations during the advance of the Army, in negotiating with the chiefs and settling the Terms of the Convention, in reducing the conditions of that Agreement to writing and concluding on its adoption as a publick act of settlement... I acted throughout in a character purely political. ⁴¹

He also hoped for time to make gradual changes in Kandyan institutions. He was of the opinion that there was no particular hurry for a new system and that any plan of modification should be based on authentic and accurate facts obtained from a careful enquiry. ⁴² He concluded that 'a very considerable period might elapse before His Majesty's new territory will safely admit the exercise of any authority, political, civil or judicial, which does not in a direct or ostensible manner emanate from the Executive Government.' ⁴³

The Secretary of State generally approved the arrangements made by the Governor for the future administration of the Kandyan Provinces. ⁴⁴ But as a result of the legal questions raised by the Judges in Sri Lanka, the controversial articles of the Convention were submitted to the Crown Law Officers in England. In the opinion of the latter, the jurisdiction of the Supreme Court could be extended over the Kandyan Provinces only if they were formally annexed to the Maritime Provinces, but the manner in which the British gained the mastery over the former did not by itself reduce them to a dependency of the latter. ⁴⁵ Thus, Brownrigg's administrative policy received not only the legal but also the political sanction of the Home Government.

British administrative policy towards the Kandyan Provinces paved the way for the establishment of a super-structure over the Kandyan administrative machinery. The Convention itself had included provisions for that purpose. By article 4 of the Convention, the British Governor became

the sole authority over the new territories. He assumed full powers over those areas without the intervention of a Council. The jurisdiction of the Supreme Court was also excluded. The superimposed British administrative structure took the form of a Residency. The Kandyan Provinces were to be administered through a Resident who was to function as the representative of the Governor. John D'Oyly was appointed Resident at Kandy. The long drawn out, subtle and astute diplomacy of the British, which was a major factor that had led to the success of their expedition, could mainly be ascribed to D'Oyly who was entrusted with all communications with the Kandyan Kingdom in his capacity as the Chief Translator to the Government. Brownrigg himself attributed to D'Oyly's 'wisdom, zeal and ability',⁴⁶ 'the successful progress and happy issue of those negotiations which made for the peaceful occupation of the Interior Provinces and their submission to His Majesty's Government.'⁴⁷ He had a very sound knowledge of the Sinhalese language and customs and was popular among the Kandyans.⁴⁸ Supreme political, executive and judicial powers were centralized in the person of D'Oyly as Resident. It is important to note that the Governor also appointed him as a member of his Council for the Maritime Provinces.⁴⁹ This step could be considered not only as a recognition of his administrative capacity but also as a guarantee for the coordination of the administration of both administrative entities.⁵⁰ The Resident was provided with an establishment of clerks and native assistants.⁵¹ After consultation with D'Oyly, the Governor appointed two European Assistants to the Resident.⁵² Simon Sawers and Henry Wright, two civil servants who had studied the Sinhalese language, were appointed First Assistant and Second Assistant respectively. A new office known as the Secretary for the Kandyan Provinces was created in Colombo, through which most of the communications were made by the Governor with the Residency. James Sutherland, the Deputy Secretary to the Government as well as the private Secretary to the Governor, was assigned this office, in addition to the offices that he already held.

The superstructure established by the British was intended to occupy the position of the King under the former system. The change of government itself and the nature of the

positions held by British officials and their inclinations made them ill fitted to play this role. Under the former rule Kingship formed the apex of the socio-economic and administrative order. Its very abolition involved a considerable change. There were various offices associated with Kingship.⁵³ Although the British continued to appoint nobles to most of these situations it appears that some, for example, those who had provided personal services to the King, were left out even in 1815 (see Appendices II & III). Some, although not re-appointed, were allowed to retain their titles till they were abolished subsequently. Most of the others when subordinated in the British superstructure became simply non-functional and redundant. Only a very few offices attached to the palace continued to be useful to the British, such as the offices of the maha gabada nilame, uda gabada nilame, palle vahala gabada nilame , the officers in charge of royal stores through whom the paddy tithes of the royal villages were collected, the offices of gajanayaka nilame and kuruve lekam to whom the royal elephant stables and the catching of elephants were assigned, and the office of madige badda nilame, to whom the supply of bullocks for transporting government stores and of salt and salted fish was entrusted. Thus, although the British at first attempted to retain the offices associated with Kingship, in the face of the operation of the principle of utility most of them became redundant.

The Governor himself or through his deputy-the Resident - assumed some of the powers and functions performed by the former Kings. In keeping with the former system the Governor took upon himself supreme political, executive and judicial powers. He held a court of his own on a few occasions when he called upon a number of nobles to assist him as advisers on the laws and customs of the Kingdom.⁵⁴ He also held audiences with the principal nobles, when important subjects of a political nature were discussed. Although, on the surface, these acts appeared as a continuation of the practice of the King consulting the nobles, the whole atmosphere would have no doubt contained foreign and unaccustomed elements not to the liking of the nobles. For example, the English language - the official language of the new Government - was unintelligible to them and communications

were carried on through interpreters, disturbing their accustomed psychological intimacy with the King. Besides, unlike the King, the Governor lived in Colombo and occasionally visited Kandy. Even his dress would not have appealed to the Kandyans. The Governor also made intermittent attempts to continue some of the former royal practices. As in the King's time ornamental arches were erected and the streets decorated, whenever he travelled about in the country, attended by those who were bound by service to perform such functions under the King.

In spite of these efforts, the absence of a King created a psychological void which was hard to fill. There were other reasons why the Governor could not always follow the role played by the King under the former system. For instance, in cases of treason the generally accepted view was that the King alone could determine the punishment. It appears that under the former system the King had enjoyed a large amount of discretion in the punishment of such offenders. In the absence of the King, this prerogative fell into the hands of the Governor. According to Kandyan law, the Governor could, if he so wished, impose the death penalty not only on those accused of treason but even on others under their authority. But the British insistence on following English rules of procedure and evidence made such action impossible. Thus in judicial proceedings both circumstances and inclination would have prevented the Governor from playing the role of the King. In another matter, however, the Governor appears to have been free even from the customary limitations of the former system. Under the system established by the British the Governor was the highest appellate authority. He also possessed an exclusive equitable jurisdiction.⁵⁵ Both these spheres of activity may be regarded as a succession to the prerogatives of the King. But whereas the actions of the King were bound by known and acknowledged forms and methods of punishment, those of the British, although on the whole more humane, introduced an element of uncertainty.

Except in cases of appeal to the Governor, many of the executive and judicial powers asserted by the British were exercised in practice by the Resident. The task of

organizing the administration in terms of the Convention rested on his shoulders. In the period immediately after the conquest he had to undertake many of these duties personally. By the Convention he was required to try all capital offences and to supervise local officials, both executive and judicial. Besides, the Kandyan themselves brought numerous complaints before him mainly concerning petty conflicts and disputes relating to property.⁵⁶ Where they concerned matters of a purely personal nature the traditional mechanism was employed. Controversial questions which involved high ranking families were from time to time placed before an assembly of nobles. Where cases concerned disputes between individuals but involved the rights of the Government they were heard by D'Oyly personally in the presence of nobles who were supposed to have a knowledge of the matter.⁵⁷ D'Oyly also officiated in ceremonies requiring the Governor's participation such as the presentation of the acts of appointment, although such occasions now lacked the pomp and pageantry associated with Kingship. Thus the Resident was faced with numerous duties and functions and although there was hardly a doubt about the abilities of D'Oyly, Brownrigg, as we shall see later, was beginning to doubt whether he could cope with the work single handed.

The most important indigenous offices retained by the British at the centre of Government were those of adigar. The adigars had been the highest officers in the central Government under the Kandyan monarchy. They had been vested with extensive civil, judicial and military powers and functions under the former Government.⁵⁸ The British reverted to the practice of appointing two adigars, which existed before Sri Vikrama Rajasinha, and appointed Molligoda, the former first adigar, and Kapuvatta, who had 'an extensive knowledge of the Kandyan institutions and was well conversant in matters of public business',⁵⁹ as the first and second adigars respectively.⁶⁰

The establishment of the British superstructure affected these offices in many ways. The adigars immediately lost their military functions as there were British military commandants in the capital and the outlying districts. Their

judicial powers and functions were affected by several developments. The functioning of the maha naduva, or the great court where the adigars had extensive judicial powers, was changed. Earlier the adigars had enjoyed pride of place in it but now the Resident was placed above them. Also, when people brought complaints, mainly of petty conflicts and property thefts, to D'Oyly, he tried them in his capacity as Resident, thus lowering the adigars in the eyes of the people. But in spite of such developments the adigars continued to enjoy influence, both in their administrative capacity and in the new role as advisers to the British, thereby creating dual sources of authority at the centre of Government.

The most important question involved in the change of Government was the manner in which the provincial administration was to be subordinated to the British superstructure. Under the Convention, the British had the obligation of maintaining the former provincial machinery almost wholly intact. The Kandyan Kingdom consisted of twenty one territorial administrative divisions - nine ratas in close proximity to the capital and twelve disavanis more distant from the capital.⁶¹ Each of these divisions was under a ratemahatmaya and disava respectively; the former occupied a less powerful and less privileged position than the latter. The disavas and ratemahatmayas possessed both executive and judicial powers and authority.⁶² The British did not make any change in the former administrative divisions and appointed ratemahatmayas and disavas to each rata and disavani.⁶³ The other native officials down to the lowest village headmen were also continued in their respective positions. Two judicial institutions prevalent at the village level were the gamsabhava and ratasabhava. The gamsabhava was a village court consisting of the principal men of the village who met to deal with civil or criminal cases such as disputes regarding lands and boundaries, debts, petty thefts and quarrels. Their efforts were mainly directed towards arriving at an amicable settlement between the two parties. These village courts were prevalent throughout the Kandyan Provinces.⁶⁴ The ratasabhava was mostly concerned with caste matters and appears to have functioned only in certain areas.⁶⁵

These institutions continued without interruption because they existed at the village level, which was little affected by the political change brought about by the British occupation.

Structurally very little change took place in this provincial machinery at the beginning of British rule. But the very establishment of British power brought with it a dual authority which affected provincial administration as well. Thus, for instance, there were six commandants of military posts whose powers and functions were not clearly defined. Although they were not entrusted with civil authority, they had some hand in giving directions for the supply of garrisons and in commanding labour services. Thus, at the beginning, the Resident exercised his executive and judicial powers almost wholly through the indigenous organs of government. Nevertheless, the subordination of the provincial administration to the British superstructure had by itself some effects on the former. The disavas lost their former military powers and functions. Certain decisions taken by the British also affected the authority of the disavas. For example, they were kept in Kandy and not allowed to visit their administrative districts. One reason was to prevent them levying fees from the inhabitants, although this was a perfectly legitimate levy under the former system following all new appointments. The other reason was the feeling that the burden of maintaining the disavas and their numerous retainers would fall on the people and that consequently it might antagonize them against the change of Government.⁶⁶ Besides, D'Oyly instructed all the nobles to report on the appointments made by them for 1815. Such a step might be regarded as an interference with the freedom hitherto enjoyed by the disavas.⁶⁷ Thus, although the indigenous administrative machinery was retained, the British were still to confront the problem of integrating the two structures in a manner conducive to the maintenance of British power. The nobles provided the linkage between the superstructure and the indigenous machinery and any change which affected the nobles was bound to have political repercussions.

The dilemma in which the British found themselves could not be resolved easily and brought about disagreement

among the officials themselves. The Convention no doubt provided an opening for action in the clause which asserted the inherent right of the British to redress grievances and reform abuses. The difficulty, however, was to decide on the manner and extent of change. From the point of view of the British, the power balance in ^{the} dual structure of authority had to be shifted in the direction of the strengthening of British power.

The first step towards the gradual strengthening of the British component commenced shortly after the cession with the appointment of Simon Sawers, the First Assistant to the Resident, as the Agent at Badulla in the province of Uva, towards the end of April 1815.⁶⁸ Robert Knox described Badulla as the 'second city' in the Kandyan country.⁶⁹ But this appointment was more due to the political and administrative problems faced in that area than to the importance of the town. There was still an unsettled state in Uva. The government dues were not fully or regularly rendered, nor the public services properly performed.⁷⁰ There was hardly any law and order. The behaviour of soldiers stationed at Badulla, most of whom were Malay, was vexatious and distressing to the people. They were plundering property, 'chasing the women and alarming the families.' As a result, the people of Uva and Vellassa showed 'a certain shyness and coldness' towards the garrison. Not only the soldiers, but also some of the natives themselves, following the soldiers, were plundering. The local Chief, the disava, from whom the people could have expected to obtain redress, was kept in Kandy. The inferior headmen were left 'with uncontroled [sic] power of exercising their petty extortions, and at the same time open to every facility of being engaged in the sinister designs of disaffected persons.'⁷¹ As a result, most of the inhabitants deserted their homes, took refuge in the jungle,⁷² and had 'not settled to their occupations nor brought their families back to their homes.'⁷³ Thus the people of Uva showed 'disinclination and distrust' of the British Government. Moreover, there were rumours of 'some great political change being in contemplation.'⁷⁴

Shortly after Sawers was appointed as the Accredited

Agent of Badulla, the disava was sent to Uva 'with a view to promote the regularity of services and the due collection of revenue, but above all to quiet the minds of the people.' The main duty assigned to Sawers was to 'receive and examine all representations of grievance general or particular affecting or tending to affect the Body of the Inhabitants or any Individuals in their persons, their property or the security and tranquillity of their abodes and families.' In addition to hearing complaints and redressing grievances and abuses, he was to pay unremitting attention to 'avail himself of all opportunities of cultivating the confidence of the natives towards the British Government.' ⁷⁵ He was, in particular, instructed to inquire into the losses to the temples caused by the army. ⁷⁶ He was also vested with judicial authority over non-Kandyans and Europeans. Cases of complaint against soldiers or other military men were directed to the military authority to be tried according to the ninth article of the Convention and cases where civilians were involved were to be tried in consultation with the Resident. ⁷⁷ In addition, Sawers was instructed to promote the cultivation of royal lands at Badulla. His appointment constituted a deviation from the original policy of maintaining the indigenous provincial machinery. But his judicial powers were very limited and the general administration of Uva was still in the hands of the local headmen. Sawers was particularly instructed to conduct his duties 'in open communication and concurrence with the Dessave and Headmen to whom according to their respective rank and condition all proper attention, honours and marks of respect are to be scrupulously paid.' ⁷⁸ Thus it appears that the Governor was still attempting to be consistent in his policy while at the same time introducing an European official into the civil administration in a very subtle manner.

However, the very appointment of an Accredited Agent at Badulla invariably led to conflicts between him and the disava regarding their respective jurisdictions. This situation led to incidents such as the disava not heeding the orders to provide assistance and materials for the army hospital, ⁷⁹ his objecting to supplying people on any terms for the Government service from some villages attached to the Kataragama devale on the ground that their services were solely devoted to the

devale,⁸⁰ ordering the tavalams of the Muslims back to their villages while they were going with their cattle on Government service,⁸¹ ordering the people not to give their bullocks to a certain gonbadda vidane who was supplying the garrison with provisions for payment,⁸² punishing some inferior headmen for their having shown attention and honours to Sawers on his arrival as an Accredited Agent⁸³ and giving orders to his attendants to keep themselves aloof from the English.⁸⁴ These incidents showed the type of conflict of authority that could arise from the appointment of European officials with civil authority in the provinces.

The appointment of Henry Wright, the Second Assistant to the Resident as Magistrate of 'the town of Kandy with its environs' in October 1815⁸⁵ may also be regarded as an attempt to strengthen the British superstructure, although even here the innovation was guarded. The magistracy was to be subject to the provisions of the Convention and was considered as a 'constituent part of the Resident's Department.' He was to be directly under the control of the Resident and was to consult him in cases of difficulty.⁸⁶

Meanwhile, Brownrigg was making preparations to expand and strengthen the British superstructure in the Kandyan Provinces supposedly on two grounds: the incapacity of the native headmen who were appointed by the British as disavas and ratemahatmayas and the danger of sending them to their provinces on the ground that they would oppress the inhabitants.⁸⁷ Besides, he took into his consideration 'the prevalence ... of alarming rumours as to the state of the country.'⁸⁸ A plan was therefore drawn up to divide the Kandyan Provinces into five divisions: 1. the centre division containing Kandy, Harispattuva, Udunuvara, Yatinuvara, Havahata Dumbara, Tumpane and Matale, 2. the south east division comprising Valapane and Uva, 3. the north east division containing Vanni, Bintanna, Vellassa and Tamankaduva, 4. the north west division composing Nuvarakalaviya and the Seven Korales and 5. the south west division comprising the Three Korales and Sabaragamuva. He proposed to place civil servants as Accredited Agents in these divisions to be stationed at Kandy, Badulla, Minneriya, Kurunagala and Batugedara.⁸⁹ The implementation of this proposal would have automatically

altered the balance of power established by the Convention. D'Oyly rejected the idea that the native headmen were unable to maintain public tranquillity and exact government dues and services. The remedy adopted was to send the disavas who had hitherto been kept in Kandy to their respective disavanis.⁹⁰ He also thought that the stress laid on the oppression of the inhabitants by native officials was an exaggeration.⁹¹ Besides, he was far from believing the rumours that the people would revolt against the Government, although there was disaffection in the Uva-Vellassa area. He accepted 'that at least the occasional visits of English civil officers in the Provinces of the Kingdom will be highly necessary, for the purpose of investigating the wrongs of the Inhabitants, procuring an intimate knowledge of the country and drawing all its resources into light' but he considered the existing civil establishment sufficient for the purpose.⁹² Moreover, he argued that the proposed increase in the civil establishment in the Kandyan Provinces would involve additional expenses.⁹³ On these grounds the plan proposed by the Governor was not implemented.

Brownrigg, however, took steps to strengthen the central administrative structure. At the end of 1815, Sawers was appointed in charge of the department of military supply in Kandy. In addition, he was assigned the magistracy of Kandy.⁹⁴ Wright was transferred to Badulla as the Accredited Agent.⁹⁵ On 1 June 1816, the collection of the revenue and the exaction of public services from government lands and property were devolved upon Sawers as the First Assistant under the immediate direction and control of D'Oyly and subject to the terms of the Convention and the laws, institutions and customs of the Kandyan Provinces. An additional office of Third Assistant to the Resident was created, and it was given to S.D.Wilson, another civil servant.⁹⁶ He was appointed judicial Agent and Magistrate of Kandy,⁹⁷ leaving D'Oyly as the Resident, the superintending power, control and direction over all judicial matters.⁹⁸ The business of military supply was assigned to Captain Antill, military Commandant of Kandy.⁹⁹ These were the main administrative changes or rather appointments which were made with the effect of strengthening the British superstructure until the establishment of the Board of Commissioners on 1 October 1816. They displayed

conflicting desires on the part of the British as regards the direction and pace of administrative change - a desire to enhance British power and authority by gradually strengthening the superstructure while adhering to the terms of the Convention.

The establishment of the Board of Commissioners in the Kandyan Provinces marks a distinctive stage in the advancement of British power at the expense of the indigenous machinery. It was a step taken by the British not only to strengthen the administrative superstructure and regularize their administration in the Kandyan Provinces, but also to establish their political power on a sounder footing. Brownrigg had argued almost from the very beginning of British rule that the officials at the Residency were too few. Although the number of British officials was increased eventually, he still thought that the existing establishment was not adequate for efficient administration. At first, the entire civil, executive and judicial administration was in the hands of the Resident. Although the revenue administration and the magistracy of Kandy were taken away from him, he was still burdened with 'multifarious occupations.'¹⁰⁰ Regarding the situation in the Kandyan Provinces, the Governor observed:

The administration of the Kandyan Provinces comprizes all the ordinary Branches of a political constitution, all the gradations of organized authority, and every detail of public business which belongs to a complete independent state - but with this addition from the recent changes in the Form of Government that the indispensable [sic] necessity of new arrangements and the unceasing current of daily Transactions contend with each other for the attention of the public servants. The hope of being able with any justice either to His Majesty's interests or those of the people to commit to a single gentleman however great his abilities, the multifarious occupations of so extensive and complicated a charge could not be seriously entertained in Theory nor bear the test of the least experience. 101

Judicial administration in the Kandyan Provinces, in particular, was considered to be in a bad state. A large number of civil and criminal cases had accumulated. Some of them were those that remained unheard from the time of the former

King. ¹⁰² In addition, there were complaints preferred to Colombo which evinced 'a radical defect in the system of Judicial authority' and called 'loudly for a reform.' ¹⁰³ According to Brownrigg the chief defects arose 'partly from the casual manner in which applications came forward, and partly owing to the different branches of Judicature not being digested into separate Departments or regulated by settled forms of proceeding.' ¹⁰⁴ He therefore saw a serious need for the regularization of the judicial administration in Kandy. In addition, the various and numerous pre-occupations of the Resident did not leave him sufficient time for an active and incessant superintendance over the administration of distant areas and to check the authenticity of the information obtained through native channels. ¹⁰⁵ Disagreeing with D'Oyly, he also saw a tremendous amount of oppression caused by the superior and inferior headmen. After his circuits in the Kandyan Provinces in March, April and May 1816, he wrote:

It is a melancholy truth that no Dessave can visit his Province, without being a burthen to the people, partly in the dues of subsistence he is entitled to for himself and his numerous suite, and partly from the corrupt custom of offering presents connected with every species of complaint and by both parties. ¹⁰⁶

Therefore he argued that the British authority should be expanded to redress grievances and to check oppressions on the part of the superior and inferior headmen. ¹⁰⁷ What could be justified as custom in one context was regarded as oppression in another conceptual framework and presented as a reason for further change.

Besides, certain socio-economic changes such as the abolition of gravet duties on trade between the Maritime and Kandyan Provinces were considered to have made a regularization of the administration necessary. Furthermore, new political needs also arose calling for a show of strength. In April 1815, Brownrigg was prepared to place five British civil officials in the principal divisions of the interior, mainly because of the 'prevalence ... of alarming rumours as to the state of the country.' Although the proposal was not carried into effect in deference to D'Oyly who had different views on

the matter, these rumours proved to be correct. A serious conspiracy against the British came to light in the latter part of 1816, in which some Buddhist monks and several nobles were involved.¹⁰⁸ Brownrigg was now quite convinced that a strengthening and regularization of the British administrative superstructure was necessary in order to make British rule effective and safe in the Kandyan Provinces. An opinion has been expressed that the establishment of the Board of Commissioners emerged as a result of the disagreements between Brownrigg and D'Oyly on administrative policy towards the Kandyan Provinces.¹⁰⁹ There is, however, little evidence of disagreements of a serious nature although Brownrigg showed some impatience with D'Oyly's slowness in despatching business. The establishment of the Board of Commissioners was more in line with other steps taken by the British to strengthen their power and authority.

The Board of Commissioners was constituted with three members. It was vested with powers of general administration over the Kandyan Provinces.¹¹⁰ D'Oyly, who held the office of Resident, was appointed First Commissioner and President of the Board. He was given a superintending and controlling authority over the other departments and over the entire civil, judicial and revenue administration in the interior¹¹¹ and was exclusively entrusted with secret and political matters.¹¹² The Second Commissioner of the Board was to be the Accredited Agent in charge of judicial business. Brownrigg had earlier intended to appoint an English barrister to this post.¹¹³ Since there were very few law officers in Sri Lanka at the time, he was compelled to select a civil servant for this office. James Gay was appointed Second or Judicial Commissioner. His main function was to be present at the trials of capital offences and to witness any other inquiry of importance. Furthermore, he was given superintending authority over the magistracy and police of Kandy.¹¹⁴ Besides, under the eighth article of the Convention which gave the British the right to reform abuses in the judicial system, he was given a great latitude of supervision and review. He was to consider 'every complaint whatever in the light of an appeal.'¹¹⁵ The Third Commissioner of the Board was to be the Accredited Agent in charge of the revenue and

public services. In fact, in June 1816 the revenue department was separated from the rest of the administration and placed under the authority of Sawers. That department was now brought under the Board of Commissioners and Simon Sawers was appointed the Third or Revenue Commissioner. The three officials could communicate with the Kandyan office at Colombo directly and the Governor could also send orders to them separately. The inward and outward correspondence of the three officials were to be read at the meetings of the Board and minuted. ¹¹⁶ This not only displayed the tendency of the British towards more regularity in administration but also showed the impersonal criterion on which their administrative system operated. The minuting of correspondence was essential not only to ensure the prevention of abuse of power but also for future reference. The Board was immediately entrusted with the task of collecting information on the rights privileges and powers of the nobles and headmen, the civil rights and immunities, laws, institutions and customs of the people, the customary duties connected with the maintenance of Buddhism and its rites, monks and temples, the established forms and ordinary authorities for the administration of justice and the royal dues both service and revenue. ¹¹⁷

Thus when they established the Board of Commissioners in 1816, the British were involved not only in more detail, but also in more system and impersonal regularity. This is also evident from the other appointments they made while establishing it. In addition to the three members of the Board, two Assistants were also appointed. Henry Wright was appointed the First Assistant and the Accredited Agent and Magistrate at Badulla and S.D.Wilson was appointed the Second Assistant and Secretary to the Residency and Magistrate of Kandy. ¹¹⁸ At the end of 1816, the office of the Second Assistant ceased to be functional. The office of the Secretary to the Residency was abolished and the magistracy of Kandy was assigned to the Judicial Commissioner. ¹¹⁹ Three subordinate magistracies were set up at Ruvanvalla, Ratnapura and Kurunagala. ¹²⁰ In these places, the military commandants were appointed as Accredited Agents with limited civil and criminal jurisdiction. All acts and proceedings of these subordinate Agents, including those of the magistracy were subject to the review and control of the Board. ¹²¹ Their powers of magistracy did not

extend to the Kandyans or to the officers of the army or soldiers. But the Board was empowered to assign to them both civil and criminal jurisdiction over Kandyans, whenever necessary. In such instances, their criminal jurisdiction was to be limited to petty offences, breaches of the peace and disorders against the police, and their civil jurisdiction was limited to cases concerning debts and contracts not exceeding one hundred rix dollars. They were not entitled to hear any case concerning rights or titles to land or its possession or produce, succession to personal estates and marriages. ¹²² They were required to keep diaries and at the end of each month send them for the perusal of the Judicial Commissioner. Here one could clearly notice certain elements of a modern impersonal bureaucracy. Apart from the fact that the powers of the officials were clearly and rigidly defined, the subordinate officials had been brought under a system of supervision. Besides, it had also been attempted to introduce certain uniformity in the administration of justice in the Kandyan Provinces by empowering the Judicial Commissioner to examine the judicial diaries of the subordinate Agents and to review their decisions.

The administrative arrangements made in October 1816 had resulted in further weakening the indigenous administrative system. The assignment of superintending powers over the police in Kandy to the Judicial Commissioner undoubtedly paved the way for a reduction of the powers of the adigars who had been vested with police duties throughout the Kandyan Provinces under the traditional system. Again, the criminal and civil jurisdiction assigned to the subordinate Accredited Agents could be said to have reduced the judicial powers of the disavas, although the principal and subordinate headmen still continued to exercise judicial functions. The Judicial Commissioner's court in association with the nobles heard cases at the Hall of Audience in Kandy and effectively replaced the ancient maha naduva. For the first time, a system of dual civil authority was introduced into the administration of the Kandyan Provinces.

The accepted notion regarding the proper functioning of a government in nineteenth-century Britain, however

inaccurate, was contained in the theory of the separation of powers, that is, that the executive and judicial powers should be separated from each other. This idea could not be totally applied in the context of the Kandyan Provinces both because of the opinion that a colonial administration had necessarily to be powerful and informal and also because the idea was foreign to the Kandyan system. At the level of the Board of Commissioners, there was an attempt at a separation of duties if not of powers. While the Resident was assigned superintending authority, judicial affairs were separated from civil and executive business. On the other hand, at the level of the subordinated indigenous administrative structure, the British continued an informal administration where executive and judicial powers were combined. However, it is important to note that in the total power structure the balance of power between the British and indigenous components established by the Convention was disturbed as a result of these administrative arrangements. The strengthening and regularization of the British administrative superstructure led to a further weakening of the traditional system.

The administrative machinery thus established prevailed with some slight changes until the end of the rebellion. These administrative arrangements were, however, not considered final either by the Governor or the Home Government.¹²³ The Governor always hoped to make gradual changes in the entire machinery. He hope to establish a government in the Kandyan Provinces 'formed from a review of the ancient customs and laws of the Country and modified by the liberal principles of British rule.'¹²⁴ This was the reason why the Board of Commissioners was entrusted with the task of collecting information on Kandyan institutions. The Home Government was also pressing the Governor for detailed information about Kandyan socio-economic, political, administrative and judicial institutions¹²⁵ and about the reforms which could be made in the existing administrative system to suit the interests of the British. The members of the Board of Commissioners were therefore constituted into a committee 'for the purpose of collecting and communicating to the Governor for transmission Home, such Information concerning the Institutions, Customs, feelings and Prejudices of the

Kandyan people, as may guide the Judgement of His Majesty's Government.' ¹²⁶ Each member was also required to produce reports on (a) the best form of political Government for the interior particularly considering the condition, power and remuneration of the nobles, the collection or commutation of revenue, the exaction or commutation of services, the education of youth and the cultivation of the English language; (b) the best mode of administering justice taking into consideration civil and criminal offences, the existing jurisdictions of 'prescriptive antiquity' and the defendants whether Kandyans, non-Kandyans and Europeans. ¹²⁷ It is thus clear that Brownrigg was contemplating further changes in the Kandyan administrative machinery. The instructions reveal that a change in the condition of the nobles, a programme of socio-economic reform which included a measure of anglicization and judicial reforms were already in the minds of the rulers.

The outbreak of the rebellion put an end to these ideas of gradual change, and from the standpoint of the British made certain immediate changes imperative. The military victory gained by the successful suppression, therefore, marked another stage in the advancement of British power. The suppression of the rebellion was a greater military victory than that of 1815 and enabled the British to act from a position of strength. ¹²⁸ Besides, the involvement of many nobles in the rebellion enabled the British to drive a wedge between those who supported them and those who did not, to patronize the former and undermine the latter and thereby to weaken the nobles as a class. Above all, the fact that most of the nobles took part in the rebellion relieved the British rulers from their obligation of abiding by the provisions embodied in the Convention. The rebellion was used as an argument for further changes as was evident from the preamble to the proclamation of 21 November 1818. In any event, Brownrigg obtained the much-desired opportunity for the implementation of his idea of making more radical changes in the Kandyan administrative system including both the superstructure and the indigenous machinery.

In devising modifications in the Kandyan system, the British had two chief aims. One was undoubtedly the desire

to put British political and administrative power on a more sound and permanent footing. The other was to make the Kandyan Provinces more profitable. The British found that under the prevailing system they received less revenue than they had expected. Brownrigg noticed that under the 'unproductive and injudicious system of the late Kandyan Government ... tho[ugh] much was taken arbitrarily, from the subject, little reached the Royal Treasury.' ¹²⁹ These twin objects were at times contradictory, for the pursuance of the first object to its logical conclusion would have led to an enormous increase in the expenses of Government. Besides, the realization of both objects involved the British in a duality of thinking. Accustomed to their own concepts of law, justice and individual freedom they had much to dislike in the traditional system. Nevertheless, economic necessities and to a lesser extent political necessities made them unable to do away with it. Even after the rebellion Brownrigg was not aiming at a complete overthrow of the indigenous administrative structure. He appears to have lacked both the conviction and the means to undertake such a task. What was therefore achieved was a modification more suited to the altered state of the Kandyan political situation. This involved the continuance of dual authorities with the important difference, however, that the balance of power was altered firmly and irrevocably in favour of the British. The integration of Kandyan and British forms towards which British administrative policy in the Kandyan Provinces was evolving took further shape with these modifications.

Even before the complete suppression of the rebellion Brownrigg's intentions became clear from his statements. He declared that his aim was 'to take steps to fortify the hands of the British officers appointed to the Executive Government, to invest them with Powers of compelling immediate obedience from all the Chiefs and Inhabitants to the orders of Government, fixing and collecting a moderate and legitimate Revenue, administering prompt and impartial Justice to every subject of His Majesty and finally to prevent by all possible means the recurrence of such calamities as have been in these Provinces.' ¹³⁰ In particular, Brownrigg appears to have been determined to avoid any compromise with the nobles and to reduce their powers by placing them under the direct and

immediate control of the Accredited Agents. This explains why he ignored the requests made by some rebel nobles to surrender on condition of being restored to favour and the demand for an unconditional surrender.¹³¹ In September 1818, the Governor minuted:

A very short experience after acquisition of the Kandyan Provinces served to convince ... the Governor that the system of administering the Government of these new Possessions, through the medium of native chiefs holding high privileges, which they conceived to be very little controlled by the Articles of the Convention, was inefficient to establish the due authority of the Supreme Executive Power of the British Crown, for any of the purposes, of securing its stability, collecting its Revenue or ensuring the well being of its subjects by protection from oppression and a full administration of Justice.¹³²

The measures proposed by the Governor had three objectives. First, they were expected to limit the executive and judicial powers of the nobles as officials in the traditional administrative hierarchy and reduce them 'from an aristocratic faction, obstructive of the operations of Government, and oppressive to the Populace, to the rank and office of stependiary [sic] organs for effecting the regulations and orders of the supreme executive authority.'¹³³ Secondly, it was intended to 'introduce a nearer connexion between the People and the Government'¹³⁴ and 'destroy the influence of the chiefs and their interference between the Government and the subjects, which has been equally prejudicial to the real Power of the former and Happiness of the latter.'¹³⁵ At the same time, it was also intended to give 'independent ideas to the Mass of the population.' However, it is important to note here that by 'independent ideas' the British meant only less subordination to the nobles. Finally, the people as well as the nobles were to be firmly impressed 'that the British authorities were the real Organ of the Supreme Government.'¹³⁶

The Governor expressed his anxiety to implement an amended system of Government for the Kandyan Provinces 'with as little loss of time as possible.'¹³⁷ In fact, he had already taken some steps in that direction. In March 1818,

the Governor appointed Accredited Agents to the Seven Korales and Sabaragamuva immediately after the exposure of the involvement in the rebellion of Pilima Talavve, the disava of the former and the second adigar, Kapuvatta, the disava of the latter. On account of their close proximity to the Maritime Provinces, the obedience of the nobles and people in those areas was very necessary to enable the British to procure military forces to quell the rebellion.¹³⁸ These Accredited Agents were vested with the power of suspending, dismissing and punishing the inferior headmen and inhabitants for disobedience of their orders, a power which had hitherto been left exclusively in the hands of the disavas. Disavas were newly appointed to these provinces on fixed salaries and were to act under the orders of the Agents. The appointments of inferior headmen were to emanate from the Agent, and as a result, the disavas lost the privilege of receiving fees (dakum) on making such appointments. A further step was taken in Sabaragamuva. It was divided into three disavanis and the disavas placed in each one of them were subject to the control of the Accredited Agent of Sabaragamuva. These Agents were vested with civil jurisdiction to hear, in company with the disava, all cases which had previously been settled only by the Judicial Commissioner.¹³⁹ In addition, the district of Vanni was divided among the three adjacent Maritime collectorates of Jaffnapatam, Trincomalee and Manar.¹⁴⁰ The Governor's aide de camp, Captain King, was appointed Accredited Agent of the Four Korales.¹⁴¹ These changes were prelude to those that followed the suppression of the rebellion.

The proclamation of 21 November 1818 issued after the suppression of the rebellion promulgated a new system of Government for the Kandyan Provinces. The British rulers were still not prepared to establish an unified administration for the entire island. The Kandyan Provinces continued to be governed by a separate administrative body and as a separate entity, distinct from the administration of the Maritime Provinces. The Governor continued to function as the supreme political, executive, administrative and judicial authority and head of the Kandyan Provinces. Thus, unlike in the Maritime Provinces, the Governor enjoyed absolute powers in the interior

untrammelled by the interference of an Advisory Council or the Supreme Court. No precise distinction between legislative and executive action was made so that new laws or changes in the existing laws were to be made simply by proclamations, minutes or even instructions issued by order of the Governor. ¹⁴²

. The proclamation, however, stated and defined more explicitly the Governor's executive and judicial powers. As executive head, his powers of making appointments of all civil and military officers serving in the interior and of determining their promotion, transfer, suspension and dismissal were continued. Under the new system, he could place Agents of Government ¹⁴³ in the interior at will, determine their authority and jurisdiction, ¹⁴⁴ make appointments by written warrant to the rank of 'superior chiefs', ¹⁴⁵ assign to them higher judicial powers by special warrant and act as the final authority in revenue administration and allied matters. Since the Kandyan Provinces were still excluded from the jurisdiction of the Supreme Court, the Governor was to be the final judicial authority and the final court of appeal. In civil cases where the object in dispute was either land or personal property exceeding one hundred and fifty rix dollars in value, he was the final court of appeal. In cases originally instituted or in appeal or reference from the Agent of Government where the opinion of the majority of the assessors was different from that of the Judicial Commissioner, the Governor's decision was to be conclusive. ¹⁴⁶ His power of determining the sentence in all cases of capital offences was continued. ¹⁴⁷ In other criminal cases too no sentence awarding corporal punishment exceeding one hundred lashes, imprisonment with or without chains or labour exceeding four months or a fine exceeding fifty rix dollars could be carried out without his confirmation. ¹⁴⁸ He was also the final authority on constitutional matters. He reserved to himself 'the Power of reforming Abuses and making such Provision as is necessary, beneficial or desirable' and 'full power to alter the present Provision as may appear hereafter necessary and expedient.' ¹⁴⁹ These arrangements show that one of the features on which emphasis was placed in the Maritime Provinces but was sacrificed in the Kandyan Provinces was the principle of the separation

of powers.

Under the new constitution the administrative super-structure was further strengthened and regularized. It was declared that general executive and judicial authority was delegated to the Board of Commissioners, and under their general superintendence to resident Agents of Government in the Provinces..¹⁵⁰ The membership of the Board was increased. In addition to the three members who had been entrusted with the main departments, the Officer in Command of the Troops in the Interior was appointed to the Board to hold rank next to the Resident 'as a measure of connecting more closely the general authorities of Government and giving vigour to its administration.'¹⁵¹ As a collective administrative body the Board of Commissioners was vested with the entire civil, executive, military and judicial administration in the Kandyan Provinces subject to the control of the Governor. For ensuring the due collection of the revenue and performance of public service by Kandyans, the Board was empowered to take disciplinary action against a headman by suspension, dismissal, fine or imprisonment subject to the final ratification of the Governor in case of 'superior chiefs' who were appointed by his written instrument.¹⁵² The Board was to decide and report to the Governor as to number of attendants the adigars, disavas and other nobles were entitled to. It could also demand services for Government from all persons according to custom or the tenure of their lands.¹⁵³ The Board enjoyed controlling powers in judicial matters as well. It could order an appeal from the Agent's court.¹⁵⁴ Since appeals to the Governor were decided by him in correspondence with the Board and since the trial of capital offences was collectively reported to him by the Board, it enjoyed certain influence on him in determining the sentence in such cases.¹⁵⁵

The Resident continued to preside over the Board, and he was given superintending powers over its other members and departments, and the Agents of Government in the various provinces. He was exclusively in charge of political and secret matters in the interior. He was vested with judicial powers as well. His judicial powers were equal to those of the Judicial Commissioner but he could assist and preside in the court of the latter whenever he considered it necessary.

He could also hold a separate court with two Kandyan nobles as assessors for the hearing of references, appeals and civil and criminal cases in which a 'superior chief' was defendant.¹⁵⁶ He also held concurrent jurisdiction with the Judicial Commissioner to try capital offences along with Kandyan assessors.

Under the new arrangements, the Officer in Command of the Troops in the Interior was appointed to the Board because the British wanted a closer link between military and civil officers so that any unrest could be more readily suppressed in the future. The policy of appointing military commandants as Agents of Government perhaps made such a step necessary. The Officer in Command had the same power of originating and discussing subjects, which was vested in the other members. In addition, he was to report to the Board and through it to the Governor, all information relating to ^{the} political situation, and he could move troops wherever necessary. Although political and secret matters were reserved for the Resident, the latter was authorized to consult solely with the Officer on the measures which were to be pursued in particular cases; similarly, the latter could make separate communications on political subjects with the Resident. In both cases secret minutes were to be transmitted to the Governor.¹⁵⁷

The Judicial Commissioner was vested with an extensive civil and criminal jurisdiction. Sitting alone, he was empowered to hear and determine civil cases where the object in dispute was not land, and did not exceed one hundred rix dollars in value. He could also hear minor criminal cases and award punishments not exceeding a fine of twenty five rix dollars, corporal punishment with a cat-o-nine tails or rattan not exceeding thirty lashes and imprisonment with or without labour not exceeding two months.¹⁵⁸ With two or more Kandyan nobles as assessors he could hold his court at Kandy for the trial of all other civil and criminal cases. This court could award any punishment,¹⁵⁹ but the verdict and sentence in cases of treason and homicide had to be confirmed by the Governor.¹⁶⁰ Like the Resident, he could also hear criminal and civil cases in which a 'superior chief' was defendant. The Judicial Commissioner's court was also an appeal

court for civil cases. In civil cases where the object in dispute was either land or personal property exceeding one hundred and fifty rix dollars in value, if the appeal was entered before the Agent in ten days from his decree and in cases where the opinion of the majority of the assessors was different from that of the Agent, the proceedings were to be transmitted to the court of the Judicial Commissioner who could either decide on the proceedings of the original court or summon the parties and witnesses and rehear the case, or order the Agent to take further evidence and decide on it. ¹⁶¹

The Revenue Commissioner was in charge of the entire revenue administration of the Kandyan Provinces. In addition to the general duties assigned to him in 1816, he was authorized to levy the tax on paddy lands. The power of appointing headmen in the royal villages (gabada gam and vidanagam ¹⁶²) was to be vested in him. ¹⁶³ Since most of the offices attached to the King's palace were abolished, people belonging to some of the caste departments ¹⁶⁴ were brought under the orders of the Revenue Commissioner. ¹⁶⁵ The royal villages were also brought under his immediate control. ¹⁶⁶ He was also vested with certain limited judicial powers. He was given discretionary power to arrest and imprison revenue defaulters until the claims of the Government were satisfied. ¹⁶⁷ Besides, cases involving breaches of revenue laws were instituted under the direction of the Revenue Commissioner who enjoyed a certain discretion in exercising such powers. ¹⁶⁸ Thus it is clear that under the new administrative arrangements, although very little structural change took place more executive and judicial powers were entrusted to the Board of Commissioners as a collective body and to its individual members enabling them to control the provincial administration more effectively.

The most important provision of the proclamation of 1818 was to increase the number of Agents of Government in the interior ¹⁶⁹ and to invest them with extensive executive and judicial powers. An arrangement was made to place a number of districts near Kandy under the immediate control of the Board of Commissioners. ¹⁷⁰ This involved changes in the existing administrative divisions. Many of the rata divisions

of the traditional organization ceased to exist and the offices of rate mahatmaya in Udunuvara, Yatinuvara, Harispattuva, Dumbara and Havahata were abolished while those of Kotmale, Upper Bulatgama and Lower Bulatgama were retained.¹⁷¹ In addition to the Agent of the Four Korales, another Agent of Government was appointed to Matale to hear minor cases.¹⁷² Agents with additional powers were placed at Uva, the Seven Korales, Sabaragamuva and the Three Korales.¹⁷³ In addition, three minor Agents were appointed over Tamankaduva, Lower Uva and Vellassa. Because of these arrangements, the traditional disavani divisions were also disturbed. For instance, the offices of disava of Nuvarakalaviya and Tamankaduva were abolished and the business of government was entrusted to inferior headmen called vanniyars who were to function under the orders of the Agents of Government.¹⁷⁴ On the other hand, several new disavas were appointed thereby creating subdivisions in the former disavanis. For example, three disavas were appointed to Sabaragamuva, six to Uva and two to Matale.¹⁷⁵ All these changes were intended to reduce the powers of the disavas.

The proclamation enhanced the executive and judicial powers of the Agents at the expense of the indigenous organs of Government. At the executive level they were conferred with powers, duties and functions, which had previously been enjoyed by the disavas, of giving orders for the collection of the revenue and the performance of public services under the directions of the Board of Commissioners. All the superior and inferior headmen in the indigenous administrative hierarchy were brought under the direct control of the Agents. They were authorized to call on headmen within their jurisdiction to perform duties under their superintendence according to the instructions received from the Resident or other members of the Board, to commence public works requiring the labour of the people after obtaining prior consent and approval and to give aid in the collection of the grain revenue, the preservation of grain and its disposal under the instructions of the Revenue Commissioner. All orders of the superior authorities to the people were to be submitted through the Agents.¹⁷⁶

In the judicial sphere, the Agents were given jurisdiction in civil cases where the object of dispute was not

land, and did not exceed fifty rix dollars in value and also minor offences such as common assaults, petty thefts, breaches of the peace. Their powers of punishment were similar to those of the Judicial Commissioner.¹⁷⁷ They could hold a court in their respective provinces with two Kandyan assessors (either disavas, mohottalas or korallas), for the trial of all other civil and criminal cases excepting capital offences and award any punishment short of death and mutilation of limb, provided that the opinion of the Agent was in concert with that of the assessors and that the punishment did not exceed corporal punishment of one hundred lashes, imprisonment with or without chains or labour for four months and a fine of fifty rix dollars. Otherwise the case was to be referred to the Judicial Commissioner.¹⁷⁸

With these changes, the indigenous administrative system was subordinated in a detailed way to the British superstructure. All superior and inferior headmen in the Kandyan administrative hierarchy were appointed by the British Government and they were to perform duties under the orders of the Board of Commissioners and British Agents. The Government asserted even the power of determining the number of retainers and attendants of adigars, disavas and other superior headmen. Besides, the vagueness of the jurisdiction and powers of the native officials - a typical characteristic of pre-modern societies - was removed and the powers were clearly defined. At the same time, this also served one of the important purposes of these new administrative arrangements, namely, the reduction and restriction of the powers of the local officials. In addition, all the local offices were hierarchically graded.

In the judicial sphere, the civil jurisdiction of the adigars was confined to a very small number of people who had been under their direct control from the days of the Kandyan monarchy. They could exercise civil jurisdiction only over katupulle people (messengers) and their property unless the Governor, by special warrant, assigned to them any other persons and property.¹⁷⁹ The latter powers were, however, never conferred. Their powers of punishment too were reduced. Their powers were limited to punish for disobedience of their orders and petty offences by inflicting corporal punishment not

exceeding fifty strokes with the open hand and twenty five with a rattan on the back, or by awarding imprisonment for a term not exceeding fourteen days. ¹⁸⁰ The powers of punishment of the disavas and other superior headmen were also reduced and defined. The disavas or other superior officials holding the Governor's commission could punish offences by corporal punishment not exceeding twenty five strokes with the open hand and of imprisonment for a term not exceeding seven days. Similarly, the principal mohottalas, liyanaralas and korals in office, could inflict corporal punishment for offences on persons over whom they might have exercised such jurisdiction under the former Government, not exceeding ten strokes with the open hand and imprisonment for a term not exceeding three days. ¹⁸¹ Besides, the Judicial Commissioner or Agents of Government could refer to adigars, disavas and mohottalas, cases for hearing and report to their courts. ¹⁸²

As a result of these reforms, native Kandyan officials lost much of their previous independence. The adigars, disavas and other 'superior chiefs' were compensated by the payment of fixed monthly salaries, and in addition their lands were exempted from taxation. This made them a sort of salaried group who however continued to enjoy some privileges of the former system and were now dependent on the goodwill of the British. The inferior headmen were compensated for the loss of their privileges by the exemption of their lands from taxation and by being allowed to receive one twentieth part of the revenue paddy collected by them from the people. ¹⁸³

Although incomplete, these changes made heavy inroads into the indigenous system and involved a downgrading and partial transformation of formerly prestigious offices. High ranking officials were partially transformed into instruments of the British Government. The adigars and disavas lost heavily in the judicial sphere and this meant in practice a loosening of their authority over the people. In fact, they were given some minor judicial powers on account of a fear among the rulers themselves that without some powers of punishment, the nobles would be unable to maintain their authority over the people. The British themselves had

therefore much to fear from a complete loss of authority by the nobles. However, the disavas lost their power of appointing inferior headmen thereby partially losing control over them. They lost the income which they had received when making these appointments as well as income from judicial fees and fines. Brownrigg characterized the fees received on inferior appointments, the judicial fees 'much resembling bribes, as they were not determined in amount and paid by the gainer of a suit', and the fines levied for petty offences as the three main sources of revenue to the nobles by which they had 'kept the lower orders in dependence and fear.' ¹⁸⁴ The abolition of the offices of badda nilames or heads of caste departments changed the interconnection that had existed between caste and the administrative system. Inroads were made into the traditional land tenure, rajakariya and caste systems with which the former administrative structure had been closely connected, without completely overturning them. Thus, except for the road service and a very few caste services, gratuitous services were abolished. The Government, however, reserved the right to obtain services according to caste and tenure of land in return for payment. It also asserted the right to substitute services of greater utility to the Government. The former system of services was, however, allowed to continue in the villages allotted to the nobles and temples. The service system was also changed when the military functions of the nobles fell into disuse and when the number of their retainers was drastically cut down. The net result was a partial transformation of the old order, but the people were hemmed in between two sets of authorities.

The British rulers showed a great interest in judicial administration right from the inception of their rule. Judicial power and authority, summary punishments, oaths and ordeals had been a principal means by which the Kandyan nobles had kept the people subject to their control. Thus British actions were partly motivated by the desire to reduce the power of the nobles. Furthermore, judicial decisions encompassed the whole socio-economic order and a properly administered judicature was viewed as a means of bringing about better relations between the rulers and ruled. Above all it was an area where the British were strongly influenced by their own concepts of law and justice and where they were easily tempted

into innovation. A feeling prevailed that they should provide for improved judicial administration by removing the traditional machinery and substituting English forms. On the other hand, however great this temptation was, both political as well as administrative necessities made them reluctant to make precipitate changes in the traditional institutions.

The interest of the British in judicial administration began as early as the establishment of the Residency. The Resident held inquiries of a judicial nature. This interest widened in subsequent years as was seen in the establishment of the office of Judicial Commissioner and the appointment of Agents with magisterial powers of a limited kind. The proclamation of 21 November 1818 invested several bodies and offices with judicial authority with the Governor as the final court of appeal. The Board of Commissioners as a collective body, the Resident acting singly or with assessors, the Judicial Commissioner acting singly or with assessors, the Agents acting singly or with assessors were all invested with varying judicial powers. The adigars, disavas and other headmen were given judicial powers of a limited kind. The gamsabha of the former system were allowed to continue.¹⁸⁵ British action in the judicial sphere resulted in the establishment of dual judicial authorities, weightage being however given to the British structure. The Judicial Commissioner was the central figure in this system of judicial administration. Besides functioning as an original and appellate court, he was responsible for the maintenance of the judicial machinery in operation and for the supervision of the officers who performed judicial functions.

The nobles and other high ranking headmen found a new role in judicial administration through the institution of the office of assessor. The origin of this institution goes back to the beginning of British rule in Kandy when, immediately after the cession, Brownrigg began the practice of consulting the nobles about native laws and customs. A similar practice was followed by D'Oyly and the Board of Commissioners when deciding upon judicial matters, particularly those concerning land. The proclamation of 21 November 1818 gave the institution a more formal and legal existence

by associating assessors in the courts of the Judicial Commissioner as well as Agents of Government.

The modifications and changes made by the British in the Kandyan system of Government marked a compromise between concepts and ideals held by the rulers and necessities created by local conditions which were at times contradictory. The compromise necessarily involved dual thinking and led to the emergence of dual structures and procedures. Thus, for example, an important political need was the reduction of the power of the nobles, but it was bound up with the equally important one of preserving their authority to the extent needed to facilitate British administration.

The system of Government established in 1818 remained fundamentally unchanged until 1833. Nevertheless, administrative developments between the years 1818 and 1832 revealed an evolution towards a more regularized and formalized system in which, although the dualities were not resolved, British concepts, forms and structures were enlarged and strengthened at the expense of the indigenous. As we have seen, under the new system executive and judicial powers were combined in the same persons. The union of powers does not appear to have created much difficulty in practice. The Kandyans were accustomed to it and the British Agents found that judicial powers helped them in their executive functions. The Agents appear to have made extensive use of their discretionary power to arrest and detain revenue defaulters until Government claims were satisfied.¹⁸⁶ The union of powers appears to have, however, had an adverse effect on the judicial branch of the Government. Many of those appointed as Agents were military commandants, and had military duties, as well.¹⁸⁷ This concentration of functions, which under the Kandyan system had been distributed among several officials, undoubtedly disturbed the equilibrium of the social order. The Agents, who were burdened with multifarious duties, arranged their judicial work to suit their convenience, causing inconvenience and delays to the litigants. In any event, the union of powers was a fundamental theoretical defect in the eyes of the rulers as was to become evident from the findings of the Colebrook-Cameron commission.

One important development during this period was the tendency towards the emergence of a legislative branch of Government. The Kandyan system had been regulated purely on the basis of tradition, custom and customary law. There was no need for a legislature in the modern sense. British rule, however, showed the first tendencies towards the emergence of a legislature. The proclamations issued by the Governor, - some of which were intended to change the customary law, can be regarded as the first legislative measure as far as the Kandyan Provinces were concerned. Subsequently, the practice grew up of extending to the Kandyan Provinces, after consultation with the Board of Commissioners, regulations that were passed by the Governor in Council in the Maritime Provinces. In such instances, a declaratory proclamation was issued to that effect. A further change took place in 1831 when the Royal Instructions to the new Governor, Robert Wilmot Horton extended the powers of the Council to the Kandyan Provinces, ¹⁸⁸ legislatively unifying the entire island. ¹⁸⁹

In so far as there was a separate executive it was mainly concerned with the collection and management of the revenue and the enforcement of services. Both in collecting revenue and in enforcing services, the British administrators were almost helpless without the assistance of the nobles and different grades of headmen. It was partly to reduce this dependence that attempts were made to introduce a system of commuting the grain tax.

The greatest amount of change towards the adoption of British forms undoubtedly took place in the sphere of judicial administration. Here, there was a marked weakening of indigenous authorities, forms and proceedings and above all a tendency towards changes in the Kandyan law. The fact that the judicial powers given to the adigars, disavas and other headmen were exercised in a summary manner makes it difficult to decide on the extent to which they were made use of in practice. It is possible that in order to avoid people carrying complaints to the British officials, the native officials adopted the line of least trouble by not exercising their powers frequently. But it is quite clear that a decided

preference for the British courts was created in Kandyan society by the fact that only their courts could make final decisions. It appears that people were encouraged to take their disputes to the new courts of law. The result was seen in the decline of the traditional institution - the gamsabhava. The gamsabha were not officially recognized by the Government and received very little attention from the officials.¹⁹⁰ These courts of arbitration which had performed a useful function under the old order gradually fell into decay.

A marked tendency is seen towards the adoption of British forms of procedure in the functioning of the courts. The traditional system had no procedures in the English sense of the term. It, however, had customary modes of proceeding. These were now discarded. Some forms of oaths and ordeals were abandoned on the ground that they were irrational. Although the proclamation dealt with the constitution of the courts, no definite guide-lines were laid down regarding the modes of proceeding. Some formal rules were adopted in 1819 in the 'Instructions for the guidance of the Judicial Commissioner and all Agents of Government as to the mode of proceeding in civil suits.'¹⁹¹ But it does not appear that they were uniformly enforced throughout the Kandyan Provinces. Besides, they did not apply to criminal proceedings or to the actions of the traditional hierarchy. The immediate result was a lack of uniformity and a great deal of confusion regarding the modes of proceeding of the new courts. It is possible that conditions in the country were such that English procedures could not be followed in an inflexible manner. In any case, the officials appear to have enjoyed a great deal of freedom in practice. Towards the end of this period, the general tendency, however, was towards the adoption of English rules of evidence and procedure. The judicial proceedings of the British officials assumed more and more a formal character. This is seen by the fact that proctors were admitted to these courts in 1825.¹⁹²

Because the law administered in these courts was Kandyan law one institution established by the British became almost indispensable to them - the assessors. Kandyan law was an unwritten, customary law and

there were no codes to guide the judges. Language barriers prevented an easy and intimate acquaintance with the customary laws. Mainly because of their ignorance, the British officials found the assessors invaluable as 'expounders of the law.'¹⁹³ It was said that the Kandyan laws were so certain and immutable that even the assessors could not have misinterpreted them - thus ensuring impartial justice.¹⁹⁴ There were, however, disadvantages, real or potential. Occasionally conflicting opinions were expressed: this suggested uncertainty about the law, or partisan motivation, or even ignorance. Some of them were found to be so self-opinionated that they did not take the trouble to find out the true position themselves.¹⁹⁵ Besides, the goyigama caste occupied an influential position in the working of this institution. Originally, only adigars, disavas, mohottalas and koralas were declared to be competent to hold assessorships. But the institution was gradually expanded. For example, because the number of persons who held offices were not enough for the assessors' service the Government decided in 1829 to extend the privilege to other officials holding appointments from the Board of Commissioners and 'to natives equal by family connections to chiefs actually in office.'¹⁹⁶ The goyigama caste was declared competent to decide legal questions involving all castes without exception.¹⁹⁷ The assessorships thus were a monopoly of the goyigama caste and gave them an undue weight in judicial proceedings.¹⁹⁸

The British also displayed a duality of thinking regarding the maintenance of Kandyan laws and customs. The British officers, accustomed as they were to English law, generally showed a decided dislike of the Kandyan laws on the ground that they retarded progress. Some of them even considered it degrading to the British Government to follow them. But the customary laws were so intimately connected with the former socio-economic order that it was not an easy task to change them. Nevertheless, the Kandyan law was an unwritten law and unfamiliar to most British officials except perhaps D'Oyly, Sawers and Tumour, who made a conscious attempt to understand it. The very fact of the British associating themselves with the maintenance of laws and customs

about which they were unfamiliar led to uncertainty.

In conclusion, the establishment of British power can be seen as proceeding in stages - each stage marked by a political upheaval. The first stage was coincided with the cession of the Kingdom to the British followed by a Convention which brought about a sharing of political power between the Kandyan nobles and the British, although even at this stage the balance of power was in favour of the latter. The second stage was marked by the rebellion followed by the proclamation of 21 November 1818 which tilted the political balance firmly and irrevocably in favour of the British. Both stages resulted in dual structures and forms of authority, the first stage followed by the establishment of a British superstructure over a considerable part of the former indigenous administrative machinery, while the second stage was followed by the widening and strengthening of this superstructure. The final outcome was an evolution towards a system where although the dualities were not completely reconciled and no complete integration took place between Kandyan and British institutions, the concepts and ideas of the latter gained an ascendancy over the former. Also, the dominant ideas, assumptions and procedures were such as to undermine hereditary privilege of the Kandyan type.

NOTES FOR CHAPTER THREE

1. D'Oyly to Sutherland, 10 May 1815, SLNA 6/523.
2. Minute by Governor, enclosed with Sutherland to D'Oyly, 28 April 1815, SLNA 7/214.
3. Article 4 of the Convention of 2 March 1815.
4. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
5. Article 8 of the Convention of 2 March 1815.
6. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
7. João Ribeiro, History of Ceilao, p.92.
8. T.B.H.Abeyasinghe, 'The Myth of the Malvana Convention', pp.67-72.
9. Abeyasinghe, Portuguese Rule, p.74.
10. Ibid.
11. U.C.Wickremeratne, 'The English East India Company and Society in the Maritime Provinces of Ceylon, 1796-1802' pp.139-44.
12. H.T.Manning, British Colonial Government After the American Revolution 1782-1820, p.295.
13. Brownrigg to Bathurst, 1 April 1815, CO 54/55.
14. Brownrigg to Bathurst, 26 September 1815, CO 54/56.
15. Mojar Hardy to Brownrigg, 7 June 1815, CO 54/56.
16. D'Oyly to Brownrigg, 5 July 1815, CO 54/56.
17. Sutherland to D'Oyly, 28 April 1815, SLNA 7/214.
18. Ibid.
19. D'Oyly to Sutherland, 10 May 1815, SLNA 6/523.
20. Brownrigg to Bathurst, 25 February 1815, CO 54/55.
21. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
22. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
23. The office of Chief Translator to Government was created in 1805, during the Governorship of Maitland in person of D'Oyly who held it until 12 June 1816. He was entrusted with all negotiations and communications with the Kandyan Kingdom. With the cession of the Kingdom to the British, the office of Chief Translator became superfluous to a large extent. D'Oyly was succeeded by William Tolfrey in June 1816. (Minute by Governor, 31 May 1816, SLNA 7/215). The post was abolished on 24 June 1819. (Brownrigg to Bathurst, 24 June 1819, CO 54/74).
24. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
25. Brownrigg to Bathurst, 17 March 1815, CO 54/55.
26. D.A.Kotelawele, 'Nineteenth Century Elites and Their Antecedents: Some Comments on "Facets of Modern Ceylon History"', p.209.
27. Brownrigg to Bathurst, 15 March 1815, CO 54/55.

28. Ibid.
29. Major Hardy to Brownrigg, 12 June 1815, CO 54/56.
30. For an analysis of a series of conflicts between the Governor and the Supreme Court Judges in the early nineteenth century, see P.D.Kannangara, The History of the Ceylon Civil Service 1802-1833: A Study of Administrative Change in Ceylon, pp.12-22.
31. Giffard, Advocate Fiscal to Brownrigg, 11 March 1815, CO-54/55.
32. Notes regarding the Proceedings in Council on the reading of the Convention, 1 April 1815, enclosed with Brownrigg to Bathurst, 1 April 1815, CO 54/55; Brownrigg to Bathurst, 17 November 1815, CO 54/57.
33. Clause XLIV of the Charter of Justice, 1801, Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, p.182.
34. Brownrigg to Giffard, 16 March 1815, CO 54/55.
35. Ibid.
36. Ibid.
37. Brownrigg to Bathurst, 17 March 1815, CO 54/55.
38. Brownrigg to Bathurst, 17 November 1815, CO 54/57.
39. Ibid.
40. Brownrigg to Giffard, 16 March 1815, CO 54/55.
41. Brownrigg to Bathurst, 17 March 1815, CO 54/55.
42. See above, p.69.
43. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
44. Bathurst to Brownrigg, 30 August 1815, CO 55/63.
45. Christ Robinson, W. Garrow and S. Shepherd to Bathurst, 14 September 1815, CO 54/58; Bathurst to Brownrigg, 13 October 1815, CO 55/63; Proclamation of 31 May 1816, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.8-9.
46. Brownrigg to Bathurst, 9 March 1815, CO 54/55.
47. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
48. Brownrigg to Bathurst, 9 March 1815, CO 54/55.
49. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
50. Brownrigg recommended to confer a Barontage upon him as well (Brownrigg to Bathurst, 20 June 1816 (private), 24 July 1816 (private), CO 54/60 and 29 May 1817 (private), CO 54/65) D'Oyly was created a Baronet in 1821, which could be considered as an acknowledgement of the immense service rendered by him to the British empire.
51. The establishment of the Resident included following officials in 1815: Head Writer, Second Writer, Third Writer, Sinhalese Translator First, Sinhalese Translator Second, Liyana Aratchi (native writer), Aratchi, six Lascarins and some Mohottalas and Korlas.
52. Brownrigg to Bathurst, 15 March 1815, CO 54/55.

53. See above, pp.31-2.
54. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, pp.350-3.
55. See below, p.291.
56. D'Oyly's Diary, entries of 17 March 1815 (p.234), 19 March 1815 (p.237), 24 March 1815 (pp.245-6), 11 April 1815 (p.259), 15 April 1815 and 17 April 1815 (p.262) and 18 April 1815 (p.263).
57. V.K.Samaraweera, 'The Judicial Administration of the Kandyan Provinces of Ceylon, 1815-1833', p.131.
58. See above, pp. 30-1.
59. Brownrigg to Bathurst, 9 February 1816, CO 54/59.
60. Ceylon Government Gazette, 8 March 1815.
61. See Appendix IV
62. See above, pp.36-7.
63. The following appointments were made by the British in the provincial administrative organization in 1815:
 I Ratemahatmayas: 1. Mampitiye Bandara (Udunuvara) 2. Pilima Talavve (Yatinuvara) 3. Valivita (Tumpane) 4. Millava Junior (Harispattuva) 5. Amunugama (Dumbara) 6. Moladanda (Hevahata) 7. Ranavana (Kotmale and Uda or Upper Bulatgama) 8. Ahaliyagoda (Pata or Lower Bulatgama). II Disavas: 1. Pilima Talavve (the Four Korales) 2. Molligoda (the Seven Korales) 3. Kappitipola (Uva) 4. Ratvatta (Matale) 5. Kapuvatta (Sabaragamuva) 6. Younger Molligoda (the Three Korales) 7. Kobbakaduva (Valapane) 8. Unambuve (Udapalata) 9. Galagoda (Nuvarakalaviya) 10. Millava Senior (Vellassa and Bintanna) 11. Mattamagoda (Tamankaduva).
Ceylon Government Gazette, 8 March 1815, 15 March 1815 and 22 March 1815; D'Oyly's Diary, entries of 5 March 1815 (p.226), 18 March 1815 (pp.235-6) and 19 March 1815 (p.237).
64. D'Oyly, A Sketch, pp.42-3.
65. The operation of the ratasabhava is discussed in detail in K. A. Kapuruhami, 'Rata Sabhawa', pp.42-68.
66. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
67. See above, pp.73-4.
68. Sutherland to Sawers, secret and confidential instructions, 22 April 1815, SLNA 7/214.
69. Knox, p.8.
70. Sutherland to Sawers, secret and confidential instructions, 22 April 1815, SLNA 7/214.
71. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
72. D'Oyly to Brownrigg, 2 July 1815, CO 54/56.
73. Brownrigg to Bathurst, 20 July 1815, CO 54/56
74. Sutherland to Sawers, secret and confidential instructions, 22 April 1815, SLNA 7/214.

75. Ibid.
76. D'Oyly to Sutherland, 6 May 1815, SLNA 6/523.
77. Sutherland to Sawers, secret and confidential instructions, 22 April 1815, SLNA 7/214.
78. Ibid.
79. Sutherland to D'Oyly, 12 December 1815, SLNA 7/214.
80. Sawers to Sutherland, 5 June 1815, CO 54/56.
81. Sawers to Sutherland, 9 June 1815, CO 54/56.
82. Sawers to D'Oyly, 30 June 1815, CO 54/56.
83. Brownrigg to Bathurst, 26 September 1815, CO 54/56.
84. Sawers to D'Oyly, 30 June 1815, CO 54/56.
85. Sutherland to D'Oyly, 14 October 1815, SLNA 7/214.
86. Sutherland to D'Oyly, 14 October 1815, SLNA 7/214.
87. Minute by Governor, enclosed with Sutherland to D'Oyly, 28 April 1815, SLNA 7/214.
88. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
89. Minute by Governor, enclosed with Sutherland to D'Oyly, 28 April 1815, SLNA 7/214.
90. D'Oyly to Sutherland, 10 May 1815, SLNA 6/523.
91. D'Oyly to Brownrigg, 27 June 1815, CO 54/56.
92. D'Oyly to Sutherland, 10 May 1815, SLNA 6/523.
93. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
94. Minute by Governor, 31 May 1816, SLNA 7/215.
95. Brownrigg to Bathurst, 5 June 1816, CO 54/60.
96. Minute by Governor, 31 May 1816, SLNA 7/215.
97. D'Oyly to Sutherland, 22 June 1816, SLNA 6/524.
98. Minute by Governor, 31 May 1816, SLNA 7/215.
99. Brownrigg to Bathurst, 5 November 1816, CO 54/61.
100. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, p.356.
101. Minute by Governor, enclosed with Sutherland to D'Oyly, 23 August 1816, SLNA 7/215.
102. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, pp.351-2.
103. Sutherland to D'Oyly, 21 February 1816, SLNA 7/214.
104. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, pp.350-1.
105. Minute by Governor, 28 April 1815, SLNA 7/214.
106. Brownrigg to Bathurst, 5 June 1816, CO 54/60.
107. Brownrigg to Bathurst, 20 July 1815, CO 54/56.

108. See above, pp.79-80.
109. Samaraweera, 'The Judicial Administration', pp.131-2.
110. Sutherland to D'Oyly, 11 November 1816, SLNA 7/215.
111. Brownrigg to Bathurst, 5 November 1816, CO 54/61; Commission of Governor constituting the Board of Commissioners, 30 September 1816, SLNA 7/215.
112. Commission of Governor constituting the Board of Commissioners, 30 September 1816, SLNA 7/215.
113. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
114. Minute by Governor, enclosed with Sutherland to D'Oyly, 23 August 1816, SLNA 7/215.
115. Sutherland to James Gay, Judicial Commissioner, 30 September 1816, CO 416/19, G-4.
116. Minute by Governor, 21 October 1816, SLNA 7/215.
117. Commission of Governor constituting the Board of Commissioners, 30 September 1816, SLNA 7/215.
118. Sutherland to D'Oyly, 11 September 1816, SLNA 7/215.
119. Brownrigg to Bathurst, 6 February 1817, CO 54/65.
120. Brownrigg to Bathurst, 5 November 1816, CO 54/61.
121. Minute by Governor, 21 October 1816, SLNA 7/215.
122. Instructions to subordinate Agents and Magistrates employed in the Kandyan Provinces by Warrants of Accredited Agency, 30 September 1815, A Collection of Advertisements, General Rules and Circular Letters, pp.348-50.
123. Bathurst to Brownrigg, 20 June 1817, CO 55/63.
124. Brownrigg to Bathurst, 19 February 1818, CO 54/70.
125. Bathurst to Brownrigg, 14 December 1816, CO 55/63.
126. Minute by Governor, 13 July 1817, CO 54/66.
127. Ibid.
128. See above, pp. 83-8. In addition to the British military force in Sri Lanka, the rulers brought reinforcements from India.
129. Brownrigg to Bathurst, 17 August 1818, CO 54/71.
130. Minute by Governor addressed to Board of Commissioners, 25 September 1818, CO 54/73.
131. Brownrigg to Bathurst, 9 October 1818, CO 54/71.
132. Minute by Governor addressed to Board of Commissioners, 25 September 1818, CO 54/73.
133. George Lusignan, Secretary for Kandyan Provinces to Board of Commissioners, 25 September 1818, CO 54/73.
134. Brownrigg to Bathurst, 12 April 1818, CO 54/70.
135. Brownrigg to Bathurst, 17 August 1818, CO 54/71.
136. Brownrigg to Bathurst, 8 January 1819, CO 54/73.
137. Lusignan to Board of Commissioners, 25 September 1818,

- CO 54/73.
138. Brownrigg to Bathurst, 12 April 1818, CO 54/70.
 139. Ibid.
 140. Brownrigg to Bathurst, 11 April 1818, CO 54/70.
 141. Brownrigg to Bathurst, 24 July 1818, CO 54/71
 142. Evidence of John Downing, Judicial Commissioner, answer to Q. 19, 12 September 1829, CO 416/19, G-4.
 143. From the end of 1818, the British officials who were known as Accredited Agents were called Agents of Government.
 144. Proclamation of 21 November 1818, article 8.
 145. Ibid., article 10. The 'superior chiefs' were addigars, disavas, rate mahatmayas, gabada nilames, lekams, diyavadana nilame and basnayaka nilames.
 146. Proclamation of 21 November 1818, article 40.
 147. Ibid., article 44. Capital offences were treason, murder and homicide.
 148. Ibid., article 42.
 149. Ibid., article 56.
 150. Ibid., article 8.
 151. Brownrigg to Bathurst, 8 January 1819, CO 54/73.
 152. Proclamation of 21 November 1818, article 33.
 153. Ibid., article 30.
 154. Ibid., article 39.
 155. Ibid., articles 41 and 44.
 156. Ibid., article 43.
 157. Minute by Governor, 17 November 1818, CO 54/73.
 158. Proclamation of 21 November 1818, articles 35 and 36.
 159. Ibid., article 37.
 160. Ibid., article 44.
 161. Ibid., articles 38 and 39.
 162. Vidanagam were a special type of gabadagam. They were usually inhabited by low caste people and under the orders of inferior headmen called vidanes. D'Oyly, A Sketch, p.82.
 163. Proceedings of the Board of Commissioners, 29 September 1818, SLNA 21/115.
 164. These caste departments were mahabadda (composed of beravayo or tom-tom beaters), badahalabadda (potter's department), radabadda (washer's department), hunubadda (composed mostly of members of the hunu caste or chunam burners), anilabadda (composed of beravayo), kinnarabadda (composed of the members of the kinnara caste or weavers) and the department of porovakara muhandiram nilame (department of supplying wood).

165. Proceedings of the Board Commissioners, 6 October 1818, SLNA 21/115.
166. Proceedings of the Board of Commissioners, 30 September 1818, SLNA 21/115.
167. Evidence of Downing, answer to Q.51, 12 September 1829, CO 416/19, G-4.
168. Evidence of Downing, answer to Q.102, 12 September 1829, CO 416/19, G-4.
169. Agents of Government who served the Kandyan Provinces at the beginning of 1819 were as follows: 1. Uva - Henry Wright, 2. The Seven Korales - Lt.Col. Hook, 3. Sabaragamuva - John Gordon Forbes, 4. The Three Korales - Major Thomas Bayley, 5. Matale - Major Samuel Hext, 6. The Four Korales - Capt. William King, 7. Tamankaduva - James Richardson, 8. Lower Uva - Capt. Joseph Reed, 9. Vellassa - Capt. John Ritchie. Fixed Establishment of the Kandyan Provinces, enclosed with Brownrigg to Bathurst, 8 January 1819, CO 54/73.
170. These districts were the Four Korales, Matale, Udapalata including Uda or Upper Bulatgama, Udunuvara, Yatinuvara, Tumpane, Harispattuva, Dumbara, Hevahata, Kotmale, a part of Valapane and a part of Nuvarakalaviya. Proclamation of 21 November 1818, article 53.
171. Proceedings of the Board of Commissioners, 5 October 1818, SLNA 21/115.
172. Proclamation of 21 November 1818, article 53.
173. Ibid., articles 54 and 55; Proceedings of the Board of Commissioners, 2 October 1818, SLNA 21/115.
174. Proceedings of the Board of Commissioners, 5 October 1818, SLNA 21/115.
175. List of salaries of Chiefs in the Kandyan Provinces for December 1818 fixed by the Governor, enclosed with Brownrigg to Bathurst, 8 January 1819, CO 54/73.
176. Additional Instructions to Agents of Government in the Kandyan Provinces, 1 October 1819, A Collection of Advertisements, General Rules and Circular Letters, pp. 380-1.
177. Proclamation of 21 November 1818, article 35.
178. Ibid., articles 37,38 and 42.
179. Ibid., article 47.
180. Ibid., article 48.
181. Ibid., article 49.
182. Ibid., article 47.
183. Ibid., articles 28 and 29.
184. Brownrigg to Bathurst, 8 January 1819, CO 54/73.
185. Gamsabha were functioning even in 1830, although they were not officially recognized by the Government. Evidence of Downing, answer to Q. 85, 12 September 1829, CO 416/19, G-4; Evidence of Henry Wright,

- Judicial Commissioner, answer to Q. 128, 26 August 1830, CO 416/19, G-4.
186. Evidence of Downing, answers to Qs. 51 and 52, 12 September 1829, CO 416/19, G-4; Evidence of Agents of Government, answer to Q. 71, 1829, CO 416/19, G-6.
 187. See note 169 above. At the beginning of 1819, out of the nine Agents who served the Kandyan Provinces, six were military officers. In 1829, out of twelve officials who served in the Kandyan Provinces, nine were military officers. CO 416/19, G-6 and G-7.
 188. Royal Instructions to Governor Horton, 30 April 1831, Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, p.146.
 189. Jennings, p.63.
 190. Barnes' comment on Colebrooke's letter to Barnes of 12 January 1831, CO 54/112.
 191. Instructions of 6 October 1819, A Collection of Advertisements, General Rules and Circular Letters, pp.389-91.
 192. Proclamation of 17 March 1825, in 'Proclamations Affecting the Kandyan Provinces from 1822 to 1831'.
 193. Evidence of Agents of Government, answers to Qs. 13 and 14, 1829, CO 416/19, G-6; Evidence of Downing, 12 September 1829, CO 416/19, G-4.
 194. Evidence of Wright, answer to Q.121, 26 August 1830, CO 416/19, G-4.
 195. Cameron's report upon the Judicial Establishments and Procedure, 31 January 1832, CO 54/122.
 196. Proclamation of 28 August 1829, in 'Proclamations Affecting the Kandyan Provinces from 1822 to 1831'.
 197. Evidence of Wright, answer to Q.131, 30 November 1830, CO 416/19, G-4.
 198. Evidence of Downing, answer to Q.117, 12 September 1829, CO 416/19, G-4; Evidence of Agents of Government, answers to Qs. 4 and 5, 1829, CO 416/19, G-6.

CHAPTER FOUR
ECONOMIC POLICY AND ECONOMIC CHANGE
1815-1832

British administrative policy towards the Kandyan Provinces between 1815 and 1832 led to dual structures^{of power} and authority. British economic policy led to a corresponding dichotomy in the Kandyan economy. The undertaking given to maintain Kandyan institutions inevitably meant the continuance, to a very large extent, of the existing economic system. Besides, on the part of the British there was no great necessity to change radically the economic order existing in their colonies. Although the Industrial Revolution had begun and the Utilitarian and laissez-faire ideologies were gradually gaining dominance in Britain, imperial policy was more inclined towards mercantilism. Therefore the British were not inclined to make radical changes in the existing economy of the colonies. They tried to raise the revenue to optimum level by protecting the indigenous channels of income and economic order but manipulating them to suit their own interests. With this policy, the Kandyan economic order did not undergo radical changes as a result of the British conquest. But the British made slight changes when they found them indispensable and unavoidable. They were not reluctant to abolish institutions which seemed to be detrimental to their interests. However slight these changes were, they led to a certain disruption of the indigenous economic order and the penetration of British ideas and institutions. However, a complete integration of indigenous and new institutions and ideas did not take place. Consequently, the economic changes and reforms carried forward by the British from 1815 to 1832 led to a dichotomy in the Kandyan economy.

Revenue administration: grain tax, land tenure system and commutation system

The Convention stipulated that the royal dues and revenues of the Kandyan Provinces would be 'managed and collected for His Majesty's use and the support of the Provincial Establishment according to lawful Custom and under

the direction and superintendence of the Accredited Agent or Agents of the British Government.' ¹ In Governor Brownrigg's opinion, this article only provided for the collection of the royal dues in the usual manner. ² The emphasis on 'lawful Custom' ensured the continuance of the traditional revenue system intact. But the fact that the revenues were to be collected under the direction of British Agents linked the local revenue system with the British Government and more immediately with the British Residency in the Kandyan Provinces. Accordingly, at the beginning of their rule the British exacted the traditional sources of revenue, namely, kada rajakariya or pingo duty in the form of a land tax, ³ the produce of the gabadagam or royal lands, that of the royal gardens, arecanut and precious stones through the operation of royal monopolies and dakum or annual tribute paid in money by disavas and other superior officials soon after the New Year. As a result, the traditional sources of revenue of the Government, the land tenure system and the entire Kandyan subsistence economy did not undergo any fundamental change under the incipient British rule.

However, this does not mean that the British were content with the existing system of revenue. In particular, they did not like such traditional sources of revenue as gravet duties and royal monopolies which were obstructive to their commercial interests. In fact, they had tried to persuade the Kandyan King to remove gravet duties before the conquest. ⁴ Therefore, when the Convention was signed the British deliberately reserved the right to adopt 'such Dispositions in favour of the trade of these Provinces, as may facilitate the Exports of their products, and improve the Returns, whether in Money, or in Salt, Cloths, or other Commodities, useful and desirable to the Inhabitants of the Kandyan Country.' ⁵ Brownrigg wrote to Bathurst, the Secretary of State that the Convention concluded 'with a promise of some regulations in favour of the Trade of the Kandyan Provinces.' ⁶

Gravet duties were export and import duties levied in money or in kind on merchandise passing between the Maritime and Kandyan Provinces. These duties were exacted at

the kadavat or the gravets where the trade routes crossed the border. ⁷ Apart from the fact that they operated to 'cramp the Natural Trade, by subjecting it to all the discouraging restrictions' ⁸ the new rulers objected to them on several other grounds. They were mostly perquisites of the disavas and a small portion came to the treasury. Besides, since both the Maritime and Kandyan Provinces were now 'united under the same Government' the rulers considered that it was 'a narrow policy to continue them.' ⁹ Brownrigg anticipated that their abolition would bring about far reaching economic benefits in the Kandyan Provinces:

By these means, the mutual exchange of commodities between the two Countries is facilitated and promoted in the way of Trade (that rich source of wealth and prosperity) a branch hitherto little understood in these Provinces. But it will daily extend itself and in a short time be felt in the ready and cheap supply of all articles desirable here, also in the increasing wealth of the trading classes, who when duly sensible of these advantages, will occupy the Trade and secure the profits at present enjoyed by other Merchants: The benefit resulting from the measures just noticed will then fully appear and be properly appreciated. ¹⁰

The existence of the royal monopolies in arecanut, wax, cardamom, coffee and pepper was also considered 'highly prejudicial to the growth of those valuable Articles of Inland Produce and injurious to the Commercial Interests of this Colony.' Under these monopolies, traders, a majority of whom were Muslims, were commissioned by the royal treasury to trade in these articles and were required to pay back the value, at the Colombo price, of a certain quantity, decided by the treasury. ¹¹ The inhabitants were prohibited from exporting or selling their articles to other persons, and were compelled to sell them at low prices to the licensed merchants or barter them for salt, salt fish and cloths. Besides, the disavas who administered these monopolies at the provincial level took advantage of the Government's ignorance of the quantity which each disavani was capable of procuring and appropriated a portion of the return for their personal use. ¹² Apart from the fact that the Government did not receive much of the income derived from these monopolies,

Brownrigg observed 'on the single ground of profit' that even the received income bore 'no comparison to the loss of custom duty at the Sea Ports.' In addition, he thought that these monopolies removed 'the stimulus to general industry' and withheld 'an abundant source of prosperity ... from the Inhabitants of both countries.' Therefore, he believed that by the abolition of monopolies both the cultivator and the trader would benefit: the former would receive the full value of produce and the latter would have free access to it. At the same time the Government would reap from their 'spontaneous dealings a natural and unoppressive revenue.'¹³ The gravet duties and royal monopolies were abolished in 1816.¹⁴

Although the British rulers were not prepared to make similar radical changes in other aspects of the Kandyan revenue system, they were not satisfied with them either. From among the traditional sources of income, they exacted kada rajakariya or the land tax and obtained the produce of the royal lands and royal gardens, according to the traditional usage but the revenue obtained through these sources was very small. Simon Sawers, the Revenue Commissioner, remarked that the articles paid in kind, which constituted the principal part of the revenues of the late King, were little available to the finances of the British Government. He estimated that the Government could not collect even half of the amount of revenue which was collected under the monarchy. and he attributed it to 'the sudden change from a severe and arbitrary Rule to one of quite different in character.'¹⁵ Meanwhile, the Secretary of state had been repeatedly demanding a reduction of the civil and military expenditure in the entire colony and especially in the Kandyan Provinces by suspending fortifications and public works and reducing the military force.¹⁶ He had particularly stressed the necessity of reducing expenditure so as to 'enable the Revenue to meet the charge of the Island.'¹⁷ After the establishment of the Board of Commissioners, Brownrigg was instructed to improve the resources until they should be adequate to defray the expenses of Government. Furthermore, commenting upon a report on the Kandyan revenue presented by Brownrigg at the end of 1816, the Home Government stated that the direct taxation was not 'encouraging'.¹⁸ In view of these

pressures from the Home Government Brownrigg planned a gradual but considerable change in the revenue system and other spheres of administration in the Kandyan Provinces. With this in mind, the Board of Commissioners was constituted into a committee to collect information concerning Kandyan socio-economic, cultural, judicial and administrative institutions and the feelings of the people.¹⁹ But all these attempts failed to materialize because of the rebellion in 1817, which petered out in October 1818. The failure of the rebellion paved the way for the British to attempt a change in the revenue system in the Kandyan Provinces.

A deviation from the former system was marked by the imposition of a paddy tax in the entire Kandyan Provinces in lieu of the kada rajakariya, or the traditional land tax, and other contributions and caste services to the Government. The fact that the British rulers obtained a very low income from the Kandyan Provinces was one major factor which led them to impose this new tax. Besides, since the British were compelled to maintain additional garrisons in the interior immediately after the suppression of the rebellion, they had extra military expenses. As a result, they felt more urgently the immediate necessity of increasing the revenue.²⁰ Apart from these factors, the imposition of this new tax also had political implications as we have seen earlier.²¹

When one considers the introduction of the grain tax in the perspective of the broad economic policy of the British in the Kandyan Provinces it could be viewed as an attempt to regularize the system of taxation. This fixed tax could not only avoid the vagueness in the collection of the traditional tax, but also it created a certain uniformity in the system of grain tax in the entire Kandyan Provinces. Moreover, general colonial policy at the time was also inclined towards the exaction of a direct tax from land. In the Maritime Provinces a tax of one tenth was exacted from the produce of paddy lands and collected under a renting system.

The introduction of the grain tax, which replaced the kada rajakariya, was announced in the proclamation of

21 November 1818, which also made changes in the form of government in the Kandyan Provinces. Although this tax was known as the grain tax, it applied only to the lands sown with paddy; the grain from dry lands was exempt from tax. The general assessment of tax on the entire paddy lands of the Kandyan Provinces was fixed at one tenth of the annual produce and was to be delivered by the 'proprietor' or cultivator to the store houses in every province.²² Two exceptions were, however, made to this general rule based on the principle of loyalty or disloyalty to the British Government. The rate of taxation was fixed at one fourteenth of the annual produce in certain areas where the nobles and people manifested 'loyalty and good conduct,' as evidence of 'the just sense' in which they were regarded by the Government.²³ The rate of taxation was fixed at one fifth of the annual produce on lands confiscated from the rebel leaders if they were to be restored to the former holders 'by the Mercy of Government'.²⁴ The temple lands (viharagam, maligagam and devalagam) were exempted from all taxation.²⁵ The lands of fifteen nobles who were named as loyal to the Government and of all the superior and inferior headmen were also exempted from tax during the time they held office.²⁶ In addition, the lands of persons of the castes or departments allotted to the collection of cinnamon were also exempted from the tax. Similarly, the lands held by persons who were bound to cultivate or aid in the cultivation of royal lands, the lands of the persons who were allotted to perform personal service to the disavas by the Board of Commissioners and of katupulle and atapattu people who were respectively messengers and guards under the monarchy and who were employed by the British too as messengers and for conveyance of mails were also exempted from the tax.²⁷

The tax was assessed on every crop at the time of its ripening, usually by a native headman of the Maritime Provinces who was paid by the Government and who was assisted by the local Kandyan headmen. Each land holder was given a ticket specifying the amount of the assessment. The assessor, who was assisted by the native Kandyan headmen, collected the tax which was generally paid in paddy.²⁸

The introduction of the grain tax in lieu of the traditional kada rajakariya and other contributions and caste services could also be considered as a step aimed at weakening the old ties of tax and services which were attached to land. This necessarily affected the Kandyan land tenure system, although it made no fundamental change. The policy of the Government was basically motivated by the desire for profitability. In fact, it was torn between two principles. On the one hand, although the new grain tax was based on traditional Kandyan land relationships, the Government was prepared, to a certain degree, to liberate the people from traditional ties based on land. On the other hand, on the ground of profitability, it was trying to continue traditional relationships aimed at tying people to land under the Kandyan system. However, the final outcome was a weakening of the traditional land tenure system, as was evident from the disturbances that took place in social and economic relationships in various land holdings after 1818.

In accordance with the traditional land tenure system the gabadagam or royal lands became direct crown property under the British. The disposal of these lands was entirely in the hands of the British Government. At the time the grain tax was imposed, Brownrigg thought that, in these royal lands, the muttettu (the portion cultivated entirely for the benefit of the crown) should be farmed out by public bidding for a term of three years and the nila pangu (the service shares held by nilakarayo, or tenants, in return for gratuitously cultivating muttettu, or rendering to the crown other services, or both) be taxed at one tenth of the annual produce.²⁹ But the Board of Commissioners pointed out that the traditional system was more advantageous to the Government on several grounds. The Government obtained the whole produce of the muttettus of the royal lands under the existing system. But according to the proposed plan, the Board found that by letting muttettus, the Government would not be able to obtain more than half of the produce and therefore it would 'evidently be the loser.' Moreover, the Board pointed out that in distant areas it was very difficult to procure farmers except on 'very disadvantageous terms.' On

these grounds, the Board recommended the continuance of the existing system. However, the Board proposed that in particular cases in which the farming of royal lands was beneficial to the interests of the Government the matter should be left at the discretion of the Revenue Commissioner.³⁰

Ultimately, the opinion of the Board prevailed. Thus, mainly on the ground of profitability, the Government tended to continue the traditional system and as a result, the gabadagam or royal lands were cultivated according to the traditional system and the tenures remained unchanged. In other words, the tenants in gabadagam cultivated muttettu lands gratuitously and delivered their entire produce to the Government in consideration of the lands they enjoyed.

However, subsequently a slight change took place in the ordinary mode of cultivating some royal lands, when the Revenue Commissioner introduced the system of cultivating the muttettus in anda (that is, letting the lands out on the basis of sharing the crop equally) and imposing the grain tax of one tenth on the lands of tenants. This proved advantageous to the Government because the grain revenue which was obtained from the lands of the tenants at the rate of one tenth was greater than half of the produce of the muttettus owing to the fact in these royal lands the tenants' holdings were generally much bigger in extent than the muttettus.³¹ A further development took place some time later. The muttettus of certain other royal lands were let out annually by public auction and the lands of the tenants were taxed at the rate of one tenth of the produce.³² However, this was not extensively practised in the Kandyan Provinces. Even these subsequent changes which deviated from the traditional land tenure system were introduced by the Government with the intention of obtaining a better income. But, on the part of the tenants of the royal lands where these later developments took place, it could be argued that such changes weakened the traditional ties of tenants with land.

The imposition of the grain tax coupled with the abolition of various offices formerly part of the royal household (Appendices II and III) also brought about certain changes in the traditional bonds of the people who were

attached to those offices, based on land. For the services they performed in the royal household they had hitherto enjoyed lands free to duty. With the abolition of such offices, lands enjoyed by most such persons were made liable to the grain tax while others which were held by low caste people were exempted from the tax and the holders assigned to the cinnamon department.³³ Similarly, many vidanagam - a special type of royal villages which were under the orders of a headman called vidane and which contained low caste people - were also exempted from the grain tax and the holders assigned to the cinnamon department. Thus, in the lands which were liable to the grain tax in lieu of former services, there was a weakening of the bond of the tenants to service based on land while in those which were assigned to the cinnamon department there was a change of service from those which were traditional and redundant to one which was more profitable to the British rulers.

The imposition of the grain tax led to a certain disturbance in the tenurial system in the nindagam or the lands enjoyed by the nobles. When the grain tax was introduced, the British expected it to be only a substitute for the former taxes and dues to the King and to the headmen in office who annually purchased their appointments and received no other emoluments than the official dues.³⁴ The British Government never intended to interfere with the original rights of the nindagam holder to the services of the nilakarayo or tenants.³⁵ In the nindagam which were exempted from the tax, the intention was only to exempt the muttettus or fields which were cultivated on account of the nindagam holders and not the nila pangu or service shares held by the tenants³⁶ and in those which were not exempted from the tax, both the muttettus and nila pangu were liable to the tax. But it was never intended to release them from the obligation of rendering the traditional dues and services to the nindagam holder.³⁷

But in practice, the payment of grain tax by the tenants to the Government encouraged them to attempt to withdraw contributions whether of labour or produce to the nindagam holder.³⁸ The impression that the grain tax which

was imposed by the proclamation of 1818 released the tenants from the obligation of rendering dues and services to nindagam holders was temporarily prevalent throughout the Kandyan Provinces. Consequently, the nindagam holders not only paid the grain tax on their own muttettus but also on the lands held by the tenants.³⁹ Subsequently, this practice, although it was not compatible with the intentions behind the imposition of the grain tax, was confirmed by the Government.⁴⁰ On the part of the tenants, this led to a certain weakening of the traditional bonds that tied them to land because, after the imposition of the grain tax, they were liable only to the dues and services to the nindagam holders whereas earlier, in addition to such services, they were also liable to pay kada rajakariya or the traditional land tax to the crown. On the other hand, this led to a slight weakening of the position of the nindagam holders. In certain instances, some tenants made effective attempts to get rid of their 'vassalage' by paying to the Government the grain tax for their pangu or shares.⁴¹ The number of tenants who ceased to render either dues or labour services to the nindagam holder by paying the grain tax to the Government gradually increased. This situation in nindagam brought about two consequences. One was that, in such situations, nindagam holders were compelled to look for another means of getting their muttettus cultivated. They got them cultivated by anda, or on the basis of the sharing of crops.⁴² The other result was that 'the most respectable part' of the nindagam holders abandoned a part of their lands without protest.⁴³ But most nindagam in the Kandyan Provinces were cultivated according to the traditional tenorial system, the nindagam holders, paying the grain tax for the entire nindagama. Thus, although the relationship between the nindagam holder and the tenants was disturbed as a result of the imposition of the grain tax, the traditional tenorial system in these lands on the whole continued to function.

There were more significant disruptions in the tenorial rights of the nindagam which were confiscated during the rebellion.⁴⁴ The muttettus of some of these confiscated nindagam were either granted to those who supported the Government during the rebellion or sold to

purchasers who lost the rights exercised by the former nindagam holders over the tenants. The lands of the tenants were taxed at one tenth of the annual produce.⁴⁵ It is probable that the grantees or purchasers of the muttettus got them cultivated in anda or on the basis of sharing crops. The rest of the confiscated nindagam remained as royal lands and the holdings of the tenants in them were subject to the tax of one tenth of the produce. Some time later, showing the limitation of the power of a foreign government, the British restored these confiscated nindagam which remained royal lands to the former holders on the condition of paying one fifth of the produce and the latter were compelled to have their lands cultivated in anda.⁴⁶ These changes in confiscated lands severed the relationship between the tenants and the nindagam holder (whether he was the former holder or the successive grantee or the purchaser) based on land and weakened the bonds that tied the tenants to land because the latter now had to pay only the grain tax to the Government.

The nindagam which were completely exempted from the grain tax assumed a character distinct from taxed lands. Although the British did not intend to exempt the tenants of these lands from the grain tax, the practice developed that they too held their lands tax free. Subsequently, the Government confirmed this prevalent practice.⁴⁷ As a result, the tenants were relieved from the grain tax to the Government but were subject to the traditional obligations to their nindagam holders. Therefore, in these lands, the traditional tenurial system continued to a large degree intact, although some tenants were more liberated from tenurial bonds than others.

It is important to note here one potential for change which might have had far-reaching consequences. In fact only two people seem to have been involved. Two cases were reported: in the one, a Kandyan noble was engaged in the cultivation of coffee near Kandy;⁴⁸ and in the other, a korala undertook the cultivation of cinnamon in the Three Korales.⁴⁹ This particular korala had converted a piece of waste land in his muttettu into a cinnamon garden and had employed the tenants who lived on small portions of land

belonging to him to plant his garden and to cut cinnamon for him. ⁵⁰ It is probable that the Kandyan noble also acted in the same manner in the cultivation of his coffee garden. The manner in which these lands were cultivated does not mark any great departure or change in the traditional tenurial system because the tenants were employed without pay to cultivate muttettu with cash crops in lieu of paddy. In other words, only the crop changed not the tenure. But these attempts, however rare, denote an interesting possibility of growing initiative of the natives to grow cash crops in the context of the traditional land tenure system. It also showed the duality that could occur as a result of the introduction of cash crops in a traditional agricultural economy based on service tenure.

Since the grain tax did not apply to the temple lands, it did not affect at all the tenures of the viharagam, maligagam and devalagam. Even after 1818, the tenants of the temple lands cultivated muttettu fields gratuitously, delivered their contributions to the religious establishments and rendered their personal services for the maintenance of those establishments and the priests or the lay administrators. ⁵¹ In addition, those of the maligagam and devalagam continued to serve in the public ceremonies and processions, the principal ones being the annual perahara festival in July or August ⁵² and the ceremony held at the time of the 'great harvest' in February or March. ⁵³

However, the extension of temple lands was checked, since donations were limited under British rule. With the expulsion of the Kandyan King, the temples lost their most important and influential donor. The British Government did not make any land grants to temples. However, private individuals still continued to donate lands, and some people, in order to evade the tax, tried to deceive the British officials on the pretext that their lands were temple property. The Government therefore in September 1819 ordered the incumbent monks and lay administrators to register with the Revenue Commissioner or local Agents of Government all the lands that belonged to their temples as of 21 November 1818. All subsequent donations and bequests made without the

permission of the Government were declared unlawful.⁵⁴ The extent to which the incumbents of viharas and trustees of devalas responded to this enactment will be examined later. Nevertheless, the enactment itself was important in that the British Government asserted a legal control over the donation of lands by private individuals. The motive behind this policy was to restrict donations to temples because they deprived the Government of its grain tax. In fact, the Government consented only in a few instances to lands being donated to the temples by private individuals.⁵⁵

The imposition of the grain tax also led to a slight deviation from tenurial obligations. Under the Kandyan monarchy, on several occasions, land holders donated a part of their lands to temples, while continuing to perform the same personal services and render the same quantity of dues in kind to the King. The incumbent monks, on the plea that they held the land so donated free of tax under the monarchy, had it registered as temple land after 1819. The former holders also ceased to pay the tax on the donated portion of land on the ground that they no longer derived the produce from it.⁵⁶ Thus, although there were slight disturbances in the tenurial system of the temple lands, no noteworthy change took place.

The taxation system which was introduced at the end of 1818 proved more favourable to the British than the former system, serving not only their economic but also their political interests. But the manner in which the taxation system operated led to a mass of defects and deficiencies. An inherent defect of the system was the method of tax collection. The tax on each crop was assessed and collected by men known as vibadda lekams assisted by other inferior headmen. The inhabitants had to give notice to a vibadda lekam and were subject to his discretion as to the time he would attend and the amount for which he would assess the tax on each crop. In some instances, the taxers over assessed because they received one twentieth of the collection. Moreover, some headmen collected from the cultivators more than the due proportion appropriating a portion of paddy for themselves without the knowledge of the Government. Although the cultivators made complaints, since both the assessment

and collection were in the same hands there was no proper check on the abuse of authority. The British themselves found that all these 'petty vexations and extortions practised by these taxers and headmen ... were irremediable and beyond the reach of effectual controul [sic] during an annual assessment of each crop.' ⁵⁷ Besides, since the taxers were usually natives of the Maritime Provinces, the Kandyans had prejudiced feelings against them. For example, on one occasion when a vibadda lekam was going on some other duty in the Seven Korales, he was insulted with phrases such as 'you, a low country fellow' and 'you ... a slave from Sina Korale whose duty is to carry pingos of fowls' using the derogatory Sinhalese word to and he was assaulted by four natives. ⁵⁸

From the point of view of the Government too, the fact that the duty of taxing, collecting and storing the government share of the crops was entrusted to the same men was injurious to the public revenue since no effectual control could be placed over them. ⁵⁹ The following remarks of a British official, who served both in military and civil capacities in the Kandyan Provinces for several years, summarize the abuses to which the grain tax system had been subject:

From the character of those, whom it was necessary to employ, both to assess and collect, the system is liable to great abuse, equally prejudicial to the interests of Government and to those of the cultivator. Thus a man (a native of the lower provinces) goes through the country with authority to assess and collect the amount of grain due to Government. It is his power to cheat Government or oppress the cultivator in his appraisement which the Agents of Government cannot control, as the collections of the preceeding year are no guide to them owing to the fluctuations of the seasons and the difference of fertility in the land. ⁶⁰

With regard to the collection of paddy under the grain tax, the British were clearly convinced that apart from the deceptions practised by the taxers and headmen, there was much fraudulent evasion in all spheres of society. Under this system, although some people were subjected to the

'vexations and extortions' practised by the taxers and headmen, some inhabitants took advantage of the ignorance of the taxers, who were natives of the Maritime Provinces, and understated the extent of their fields and so evaded tax. This fraud was practised even in the land grants obtained from the British Government itself.⁶¹ For instance, it was found that the inhabitants of Dumbara had by general agreement fraudulently reduced the sowing extent of their paddy fields by half.⁶² Besides, the exemption of temple lands and of the lands of certain nobles and headmen with their hereditary dependants and official followers and of the katupulle and atapattu and cinnamon departments encouraged extensive evasion by fraudulent extensions of that exemption. The registration of temple lands, which was begun in 1819 as a check on these evasions led to two kinds of irregularity. First, some temple lands were registered as being smaller in extent than they really were. Secondly, lay property had been registered as bona fide temple property.⁶³ In other words, on frequent occasions, the relatives of the monks in the viharas and of the trustees of the devalas were induced to fraudulently register some of their lands as temple lands in order to evade the tax. Besides, in spite of all the efforts of the Government to register temple lands, it was found in 1822 that some temple lands were still not registered. Therefore, another attempt at registration was made by the Government which proclaimed in May 1822 that the temple lands which had hitherto not been registered should be registered and requiring an explanation as to why they had not been registered before under the former proclamation.⁶⁴ When the temple lands were entered in the register, an inquiry into each individual case was impracticable because there were many applications. But certain Agents knew that a large number of entries in temple land registers were fraudulent. The Governor therefore ordered a revision of the registers but the frauds remained unremedied.⁶⁵

Similarly, there were deceptions in other lands which were exempted from the grain tax. For example, after Eknaligoda, the disava of Sabaragamuva died intestate, 'among his effects were found the encontestible [sic] titles of his nephews to the villages Iddamaligoda and Eknaligoda

which he had registered and possessed free of ... [tax] as his own property.' ⁶⁶ Moreover, some nobles had acquired royal lands or other lands which belonged to someone else and enjoyed them as their own property free from tax by virtue of the offices which they held. For example, the first adigar, Molligoda, enjoyed two villages - Katugaha and Tembarava - which were actually the property of another noble called Idanduvava. ⁶⁷ Besides, some lands liable to tax had been registered as the lands belonging to katulle, atapattu and cinnamon departments. The Revenue Commissioner, George Turnour concluded that

the Temples - the Chiefs and the Headmen with their hereditary dependants and official followers - the Katapulle, Attepattoo and Cinnamon Departments, in short, all classes of persons entitled to exemption from the Grain Tax have in various degrees practised this fraud as well as appropriated to themselves lands appertaining to Departments that are liable to the tax. ⁶⁸

Apart from these defects, from the point of view of government interests, the existing taxation system resulted in uncertainty and fluctuations in grain revenue. Paddy was cultivated in certain areas once a year and in others twice a year. Since the tax was assessed on the produce of each crop, the grain revenue varied accordingly. Natural calamities such as droughts and floods also affected the production of paddy. Especially in lower areas the irregularity of the season often led to total or partial crop failure, and the poverty of the cultivators prevented them from making any provision against years of scarcity. This not only led to revenue fluctuations but also to the accumulation of arrears. The Government made every effort to recover such arrears from the people. In 1820, if complaints instituted by the vibadda lekams were substantiated, the Agents of Government were empowered to imprison revenue defaulters until the grain due from them was paid. ⁶⁹ But arrears continued to accumulate every year. ⁷⁰

The Government had decided to reform the taxation system even before the full extent of its defects had come to

light. This reform came to be known as the 'commutation system,' although Governor Edward Barnes thought this term 'rather' incorrect.⁷¹ In fact, the new system was more an extension of the prevalent grain tax rather than an overall change through the adoption of strict money payments instead of grain. The origin of the new system went back to 1825 but it was only in 1828 that it was put into practice in certain areas of the Kandyan Provinces. It was introduced by John Downing and prosecuted with 'much zeal and success' by Turnour.⁷² Under this system, the grain tax was commuted into a fixed annual payment in grain for a term of three years whether the lands were cultivated or not, instead of the previous method based on the assessment of the produce of each crop. The rationale behind the new system was that a fixed and known tax would increase productivity to a far greater degree than a fluctuating tax which simultaneously grew with extra yields. Similar reasoning lay behind the Permanent Settlement established by Cornwallis in Bengal.

The commutation settlements were begun in the provinces adjacent to Kandy. After Turnour became the Revenue Commissioner, in February 1828, he extended the system over all the districts under his immediate management. By 1830, commutation settlements were finalized in these areas, namely Udunuvara, Yatinuvara, Tumpane, Harispattuva, Dumbara, Hevahata, Kotmale, Udapalata, the Four Korales, Matale, Valapane and Nuvara Kalaviya. Subsequently, the system was extended under the general control of the Revenue Commissioner to other districts which were under Agents of Government. By 1833, the commutation system was extended over the entire Kandyan Provinces. While the commutation settlements in the provinces under the immediate management of the Revenue Commissioner expired at the end of 1832,⁷³ those in other provinces terminated at the end of 1835.

In the assessment of the fixed annual grain tax, various factors were taken into consideration. The full extent of the lands was entered in the commutation registers. The commuted tax was assessed taking into consideration an average of the actual crops in the preceding three years and also the average productivity of each pala of ground as

specified in the hi lekam miti or the traditional Kandyan registers of ploughed fields,⁷⁴ with due regard to such factors as soil fertility, location, command of irrigation and climatic factors such as floods and droughts. Excepting in the remoter pattus of Nuvara Kalaviya, in all other provinces under his immediate management, Turnour himself fixed on the spot the tax for periods of three to five years⁷⁵ in personal communication with the land holders themselves or the parties appearing on their behalf.

The commuted tax was to be paid whether the fields were cultivated or not except in the low lying provinces particularly Nuvara Kalaviya where a condition was inserted admitting a total remission of the tax of any particular year when there were total failures of crops owing to floods and droughts. The inhabitants were given the option of paying the tax either in money or in kind. There were several factors which led to the introduction of the option of money payment. In remoter districts when the cost of transporting the grain collected as tax to the markets or public stores was deducted from the gross revenue assessment, the net revenue was considerably reduced. At the same time, it was expected that when the inhabitants were given the option of paying their fixed tax in money, such an arrangement would produce a considerable increase of revenue compared with the net grain revenue of former years. Besides, the collection of revenue in money in lieu of grain was advantageous to the Government because it could avoid both the expense of carriage and storage and the loss by wastage. On these grounds, a rate of money payments was fixed.

Even under the commutation system, Turnour found that a considerable amount of grain was outstanding for the year 1829. For example, although the amount of paddy due to the Government was 95,460 parras for that year, even at the end of August, 1830 only 51,799 parras had been paid and 43,661 parras were outstanding. With a view to 'destroying the motive for withholding the payment' or in other words, as an inducement to immediate payment, he proposed that a deduction of twenty five per cent should be allowed on the commuted grain tax if it was paid within the year it was due,

whether in money or in kind. He further proposed that the full commuted rate should be levied if the payment was withheld beyond the first year and that after the termination of the second year, interest of 25 per cent should be added for every year if the payment was still outstanding. But the Governor turned this proposal down on the ground that it was based on an assumption that no effort was to be made for the recovery of arrears but that the cultivator was to be left to pay at his discretion. The Governor was of opinion that if government officials used due diligence 'the Majority of those who have the means will surely have paid before the expiration of the second year particularly under the Commutation arrangements, the tax due by each individual or at least for each field being already ascertained.' He also thought that the accumulation of interest would augment the difficulty of collecting the arrears from the defaulters, who probably had sufficient difficulty in collecting the means to pay the principal and who would be reduced to ruin by the exaction of enormous interest. On these grounds, the Governor insisted that the accumulation of arrears should not be allowed. But, on account of the advantages which could be derived from collecting revenue in money and also in consideration of the fact that the rate of money payment agreed upon appeared to be so high that it would seldom be resorted to, the Governor sanctioned the deduction that was proposed by Turnour on money payments if made within the year in which they were due. Accordingly, the rates of money payments per parrah of paddy were fixed but they varied from district to district as shown in Appendix VI.

Besides, when the tax was paid in kind, it could be commuted into cinnamon, pepper and plumbago in lieu of grain from the end of 1830. In other words, the cultivators were given the option of paying the tax in these articles in lieu of paddy. The rates of cinnamon, pepper and plumbago which were to be received in lieu of grain were also fixed.⁷⁶ These articles were to be delivered to the revenue store in Kandy. Moreover, the inhabitants were permitted to bring the cinnamon to the revenue store in Kandy, obtain money for it at the fixed rate and pay their tax to the headmen in their respective villages receiving

the benefit of the 25 per cent reduction if the tax was paid within the year in which it was due. Here, one notices the encouragement of a cash nexus. The Government was generous in allowing commutation of these articles because, unlike paddy, they were commercial crops. ⁷⁷

Dr. Michael W. Roberts has argued that the motive behind the introduction of the commutation system in Sri Lanka was the humanitarian desire on the part of the Government to save the villager from the extortions inherent in the renting system and to allow the cultivators to reap the benefits of their labour with certainty on the assumption that the renter's high profit would be shared between the Government and the cultivator. He has further argued that the commutation settlements were not undertaken with the intention of directly increasing the revenue and that the latter object was a subsidiary consideration. ⁷⁸ Although the renting system was not present in the Kandyan Provinces, his views could be seen as applying there too because he has based himself on a letter and a report of George Turnour. On the whole, the basic conclusion appears to be that, in the implementation of the commutation system, a humanitarian attention towards the cultivators was more prominent among the British officials than the enhancement of their economic strength.

It is important to find out whether such a notion is compatible with the views that were expressed by the British authorities and their overall policy towards the Kandyan Provinces. Transmitting a letter of Turnour which described 'the beneficial results' of the commutation system in the Kandyan Provinces, Barnes summarized the principal object of his own economic policy in the colony thus:

It was one of the first objects of my administration of this Government to endeavour to effect throughout the Island a more simple, more certain and less vexatious mode of collecting the land revenue and which I expected, whilst it would relieve the cultivators from grievances long complained of, would tend to increase rather than diminish the revenue. ⁷⁹

The commutation system may be regarded as an endeavour to realize these objectives. When one considers the onerous manner in which rajakariya or labour services were exacted for public works, especially for the building of roads in the interior,⁸⁰ it is clear that humanitarian considerations cannot fully explain the aims of British economic policy in the Kandyan Provinces. It appears that the aim of the British in the implementation of the commutation system was as much to increase the revenue as to relieve the cultivators from the vexations of the traditional mode of collecting the grain tax. Perhaps the former was more prominent. This may be evident from an examination of the results of the commutation system.

As expected by the British authorities, the grain revenue increased as a result of the commutation system. In 1831, Turnour, comparing the average grain revenue realized in the years 1825, 1826 and 1827 under the old assessment with the amount of grain assessed under the commutation assessments, estimated that the net permanent increase of revenue in the districts under his immediate management upon the new system of assessment was about 120 per cent.⁸¹ Even in the districts which were immediately under the Agents of Government and where the tax was commuted later, although the commutation assessments were completely finalized only in 1833, there was a considerable increase in government revenue from the lands which were subject to the commutation assessments. For example, in 1831, Turnour estimated an increase of 150 per cent in the already commuted areas of the Seven Korales and 90 per cent and 78 per cent from the already commuted areas of Badulla and Ratnapura respectively.⁸² Thus it is clear that the commutation system resulted in a considerable increase of government grain revenue in the Kandyan Provinces.

Although cultivators were now given the option of paying in money and in other articles as well such as cinnamon, pepper and plumbago, tax was in fact chiefly paid in paddy. At first under the commutation system the Government could obtain very little money because not more than one fourth or one fifth of the cultivators could avail

themselves of that option.⁸³ Some cinnamon and a very small quantity of plumbago were received, but nobody paid the tax with pepper. The British authorities, however, expected that all these arrangements would gradually lead to the payment of the tax in money because money payments were encouraged in several ways.⁸⁴ As expected, there was a gradual increase in payments of the tax in money. The Agent of Government in the Three Korales noticed in 1830 that a greater portion of the tax was received in money in that district.⁸⁵ The Revenue Commissioner also observed in the same year that the tax was chiefly paid in money in the areas under his immediate management. All this meant a great rigour in collection. The hand of the collector fell more systematically on the cultivator under the new system.

Moreover, under the commutation system, the Government tried its best not to allow arrears to accumulate. The Governor pointed out that it was the duty of government officials to permit no arrears, and instructed them to improve the system of ^{keeping} accounts. Even the judicial procedure for the recovery of arrears of the grain tax was changed. Revenue defaulters had hitherto been imprisoned by the Agents of Government until they paid the grain due.⁸⁶ In 1830, this 'summary mode of proceeding' was discontinued and the Agents were instructed to resort to a civil action when necessary for the recovery of arrears.⁸⁷ This new judicial procedure was so effective that in 1831 the entire commuted tax was collected without the necessity of having recourse to legal proceedings.

Several other factors also led to an increase of government revenue under the commutation system. Deficiencies in the former taxation system were avoided by the preparation of commutation registers. The lands which had been brought into cultivation recently but which were not entered in hi lekam miti or traditional registers were entered in the commutation registers. The extent of paddy lands in the commutation register in the Four Korales in 1829 exceeded that in the hi lekam mitiya by 10½ per cent.⁸⁸

Simultaneously, the new system was helpful in

reducing government expenditure. Since the assessment of each crop became unnecessary, the employment of taxers and headmen was limited to the collection of revenue. As already noted, the payment of tax in money became gradually popular, perhaps owing to the inducement provided by the reduction of 25 per cent. As a result, the Government could cut down the expenses incurred for the transport of paddy and it could reduce the number of provincial store keepers. Thus the commutation system resulted in an increase of revenue and a reduction of expenditure.

Although the cultivators were not totally relieved from the oppression of the former taxation system, the commutation system redressed some of their grievances. Since the tax had been fixed for a certain period, the cultivators were no longer troubled by the frequent extortions previously exercised by the taxers and headmen both in assessment and in collection. Turnour noticed the difference:

The inhabitants have [been] released from all the annoyances of giving notice to a taxer, and being subject to his caprices, as to the period he would attend and the amount for which he should assess the tax. 89

When one considers the commutation system in the broader perspective of British land taxation policy in the Kandyan Provinces it can be viewed as another attempt to introduce uniform systems in the administration. Although the British at first attempted to regularize the taxation system in the Kandyan Provinces by replacing kada rajakariya with a general grain tax, they found that its operation was full of irregularities. Besides, although the tax was direct the grain revenue varied annually. Moreover, the method of collection was complicated. Therefore, the commutation system in the Kandyan Provinces seems an important step towards greater regularity in taxation.

But there were certain limitations in it. All lands in the Kandyan Provinces were not subject to tax even under the commutation settlements. Only the lands already subject to the grain tax were liable. Similarly, the commutation

system was by no means a permanent settlement. Although the tax was fixed, it was liable to vary in the successive assessments because the commutation settlements were periodically revised. Besides, in the settlements made in the provinces such as Nuvara Kalaviya, taxes were remitted in the years of total failure of crops. Moreover, the inhabitants were at liberty to revert to the old system at the termination of the settlement period, if they preferred it.

However, it resulted in a very important social change in Kandy. It accelerated the creation of a sense of private land ownership. Under the Kandyan monarchy almost all the inhabitants were 'owners of land' or 'landed proprietors' in the sense that they enjoyed those lands.⁹⁰ But the King had the right to disinherit them. Besides, all the holders of land except the Buddhist monks were liable to serve the Government for the lands which they enjoyed. This notion of land ownership underwent a change under the British, as a result of their economic policy and legal procedure. As we have seen, as a result of the imposition of the grain tax the bonds which tied people to land were weakened in varying degrees in different land holdings except for temple lands. Besides, the British rulers found that the traditional prescriptive term, which was usually thirty years but which 'depended much on caprice', was a bar to any suit or action for the recovery of land, and they fixed it at ten years in 1819.⁹¹ In 1820, it was declared that no transfer, mortgage or bequest of land or lease exceeding one year or one season was valid, unless it was in writing and signed by the party and attested by the signature of two witnesses.⁹² Besides, all the lands which were given by the British Government to nobles and others who were considered loyal to them were granted with written title deeds. Nevertheless, the Government did not as yet maintain a proper land register, and there were no title deeds for most lands held by the Kandyans. As a result, while there was no legal recognition for most of the lands of the Kandyans, there was also no actual sense of land ownership among them. Turnour noticed this situation:

The absence of primo-geniture in this

Colony, confers on almost every native however poor an hereditary right to some portion of land, however small its extent. The almost total absence of written title deeds (for bequests and sales only convey the assumed right that the individuals may claim without establishing their own title) leaves the proprietor at the mercy of oral evidence. 93

To mitigate the difficulties emerging from this situation, the commutation register served as a register of lands. The commutation register was signed by each holder of land, in the presence of all the headmen and villagers who assembled at the settlement of the fixed tax. Since, under the existing laws, ten years' possession constituted prescriptive right, in any province which had been commuted for ten years, the certificate of the register, which was granted to each land holder, and the receipts which he got each year for the payment of tax themselves stood as titles for the lands. Lands exempted from tax were also entered in the register. It could be argued that in entering lands in the commutation register the British considered land use and possession as legally fixed. While the entry of lands in the register became a legal proof of title, the annual receipt for the payment of tax became a legal proof of continued possession so that these documents were a proof of ownership. Lands newly brought under cultivation were also entered in the commutation registers since the cultivators were instructed to get prior permission of the Government before cultivating unused lands and to sow such fields in the presence of a headman who was required to report the extent brought under cultivation.⁹⁴ Thus the commutation register in the Kandyan Provinces provided legal recognition of the ownership of land among the Kandyans. But the inhabitants were still liable to serve the Government gratuitously in road building on account of the lands which they held. This was hardly compatible with Western ideas of private land ownership. But the right of the crown to exact labour services gratuitously was also abolished in 1832. We may therefore conclude that the legal and economic implications of the British grain tax policy in the Kandyan Provinces encouraged a sense of private land ownership.

However, there was one important exception to this general tendency - the temple lands. As we have seen earlier, the registration of temple lands was begun. Subsequently, they were also entered in the commutation register and certificates were issued for them.⁹⁵ But in these lands, documentation had a contrary effect because the registration provided a legal acceptance of the service ties of the tenants and froze the traditional system of land and service relationships. This was supported by the fact that the abolition of rajakariya in 1832 was not extended to temple lands.⁹⁶

Rajakariya

As we have seen earlier, under the Kandyan monarchy rajakariya was closely tied up with the land tenure system. Everybody excepting the monks was bound to perform some sort of service in return for land. Under the monarchy, rajakariya was basically of a three-fold nature, namely, (1) compulsory labour services for public works and compulsory military service in times of war, (2) various services to the state, temples and individuals based on caste and (3) the kada rajakariya.⁹⁷

After the British gained mastery over the Kandyan Provinces, this system continued with some changes. Since the British Government depended on its own army, the military conscription of the peasants became superfluous. So one aspect of the rajakariya system was abandoned immediately after the cession. But other aspects remained intact. The British rulers made extensive use of rajakariya for their own benefit. Buildings were erected in several places for the troops, for British officials and for administrative purposes. In the erection of these buildings, in addition to the service of the pioneers, the labour services of the natives were also exacted under rajakariya. In the Colombo-Trincomalee road project compulsory labour services were utilized, as a result of which the Governor was able to estimate its completion at 'an expense comparatively small considering the magnitude and utility of the work.'⁹⁸

With the introduction of new administrative

arrangements following the rebellion of 1817-18, the rajakariya system underwent some changes. Two provisions of the proclamation of 21 November 1818 directly affected it. They were the imposition of the grain tax and the Government's reservation of the right of exacting compulsory labour services from the inhabitants. It was declared that all persons were liable to government service according to the customs of the country or the tenures of their land on payment being made for their labour. But 'the duty of clearing and making Roads and putting up and repairing Bridges' was declared to be a general gratuitous service falling on districts through which the roads passed or wherein the bridges lay.⁹⁹ As a result of these provisions, the traditional rajakariya obligations of rendering caste services to the Government and gratuitous labour for public works now took the form of compulsory paid services and compulsory gratuitous services.

The caste services which were exacted by the Government after 1818 fell under the category of compulsory paid services. These compulsory paid services were basically of two kinds, the services which were entitled to direct payments and those which were entitled to indirect payments. Those who were bound to serve the Government, according to their castes and the lands which they enjoyed, in carrying palanquins, talpat and torches for the higher British officials, were entitled to payment for these services. The caste services which were exacted through baddas or caste departments were also now entitled to payment. The offices of badda nilames, or the heads of caste departments, were abolished in 1818 and most of the people attached to these departments were brought under the orders of the Revenue Commissioner.¹⁰⁰ Apart from them, persons of most of the other castes were bound to render service to the crown according to the tenure of their lands and customs and they were also entitled to remuneration.¹⁰¹ Thus a large proportion of caste services to Government was entitled to direct payment. But in practice, it appears that some caste services were exacted gratuitously and that there was no unanimity in all provinces in the exaction of these gratuitous services. For instance, although the proclamation of 1818 ordered the washermen to continue to put up white cloths

gratuitously, only in temples and for the nobles, they performed the same service gratuitously to the British 'authorities' as well in Sabaragamuva. ¹⁰² The capturing of wild elephants was a gratuitous service to the Government in the Seven Korales. ¹⁰³ In the Four Korales, except for the cutting of grass and leaves for the bullocks and elephants belonging to the Quarter Master General's department and the transporting of government grain, all other services were exacted gratuitously. ¹⁰⁴ Thus the old practice of exacting caste services gratuitously continued even after 1818 with regard to some castes, although such exactions varied from one province to another. Besides, they were rigorously exacted. Earlier people had performed such services according to their caste in consideration of the tenurial obligations of the lands which they enjoyed but now in addition to their gratuitous services to Government, they were also liable to the payment of the grain tax.

In the category of compulsory services in which the payments were indirect, persons were not paid for their services but their lands were exempted from the grain tax as remuneration for their services to the Government. Two aspects of British policy should be particularly stressed here. When the British found that the traditional services could be economically used for their administrative and political purposes, they continued such services and exempted them from tax. For example, they continued the traditional katupulle and atapattu departments, employed those who were attached to these departments as messengers for the public service and for the conveyance of mails and exempted their lands from the grain tax. Similarly, those who were allotted to the personal service of the disavas were also exempted from tax as a payment for their services. On the other hand, the caste services of certain low caste persons which were exacted according to rajakariya obligations under the monarchy but which had become superfluous under the British, were exempted from the grain tax and converted into a service which was directly advantageous to the commercial interests of the new rulers. This is best exemplified from the manner in which cinnamon service was exacted. As there was no separate caste for peeling cinnamon

or a cinnamon department under the Kandyan monarchy¹⁰⁵ the British rulers employed, in the western and southern Kandyan Provinces which were in close proximity to the Maritime Provinces, low country peelers on money payments.¹⁰⁶ But because these peelers were not sufficient to provide 'the annual Investment', in other Kandy areas low caste people were employed on cinnamon work. At first, these Kandyans were reluctant to peel cinnamon but later this reluctance disappeared and their number increased. In 1818, low caste persons of the vidanagam and those who had been attached to some of the offices of the King's household were also assigned the duty of collecting cinnamon. Therefore, as Turnour and John Downing, the Judicial Commissioner, stated, the cinnamon department in the Kandyan Provinces was 'composed of low caste people who rendered other services to the Native Government.'¹⁰⁷ But in practice, when these men were not engaged in cinnamon peeling, they were also employed in such duties as conveying timber and as labourers in works connected with the erection and repair of buildings, being however paid three pence a day.¹⁰⁸

Apart from these services which were based on caste, there were services exacted irrespective of caste which were entitled to payment. Since the Board of Commissioners was empowered to commute 'such description of Service as under present circumstances is not usefully applicable to the Public good, to such other as may be beneficial' it could exact the services of the inhabitants for any public work (except for road service which was exclusively gratuitous) if such works were not derogatory to their castes, payments being made for them.¹⁰⁹ These services were compulsorily exacted for a mere pittance and exemption from tax. For example, the people of Valapane, a province situated about twenty-five miles from Kandy, who were employed as labourers to level the ground round a mansion which was being erected for the Governor in Kandy in 1829, were exempted from the grain tax and paid a seer of rice on working days.¹¹⁰ Towards the end of 1829 the Government fixed rates of pay for the labourers in government service in the Kandyan Provinces at either two fanams or three pence per day or one fanam or one and half

pence and a seer of rice per day at the option of the Government. ¹¹¹ Even this was a very low payment compared with the daily pay of the voluntary labourers who were employed in the botanical garden at Peradeniya and other places at six pence a day.

Compulsory gratuitous services were exacted irrespective of caste but based on the tenure of land. The British asserted that the duty of building roads and bridges was a general gratuitous service falling on the areas through which the roads passed and wherein the bridges lay. Between the Kandyan and Maritime Provinces and in the interior itself there were small paths which were sufficient for the limited communications and trade which existed at the time. But they were insufficient for the economic and strategic interests of the British. In particular, the difficulties which the British rulers faced in the suppression of the rebellion convinced them of the necessity of good roads for the maintenance of their authority in the interior. Moreover, the British thought that the building of roads would create a psychological effect on Kandyan opinion:

He [Barnes] is convinced that nothing has tended more to destroy those hopes [of liberating from the British domination] and finally and firmly to confirm to the British Crown its conquest of this Kingdom than opening the communications and thereby breaking through the defences of the country to which the people attached so much importance and removing the great obstacles to military movements. ¹¹²

And also for the success of their broad economic policy which aimed at the increase of paddy revenue, the development of internal trade and the introduction of cash crops such as cinnamon and coffee, this type of 'modern' road was necessary. So, the efforts made by the British to build roads connecting Kandy and Colombo and also in the interior itself can be seen as motivated by both economic and political interests. This also involved the gradual penetration of some characteristics of modernity into Kandyan society through the British as agents of change. However, the manner in which the British utilized the labour services for the building of roads introduced a

certain dichotomy.

Since there was no labouring class in Kandyan society and particularly as a means of economy, Barnes utilized for those massive works the gratuitous obligations of the Kandyans to work in the construction and repair of village paths and bridges, thus giving a wider application to the Government's rights. Although the British read a wider meaning into the traditional concept of rajakariya obligations, they exacted labour services in a manner very similar to the old practices. Road service was allotted to the people in each district on the basis of the old Kandyan land tenures.¹¹³ One person was called for road service from each original share of land called mulpanguva without any reference either to its extent or to the number of persons benefiting from it.¹¹⁴ The road service could not be commuted into a money payment because it was exacted as a tenurial obligation affixed to the land. As a result, the holder of the mulpanguva was required to serve by himself or to find a substitute. When there were several holders in one mulpanguva, providing a labourer to represent it, was a personal arrangement among themselves. When the full resources of a district were required for road service, the holders or their substitutes representing each mulpanguva were formed into two divisions relieving each other every week or fortnight. When roads were completed and the necessary repairs had to be made, the labourers representing the mulpangu were divided into four or five divisions according to the demand for their labour. In both instances, they received no provisions from the Government.¹¹⁵

On the surface, the British exacted these services in a very similar way to that in which they were exacted under the monarchy: they were now systematically exacted by high-ranking British officials through the native headmen whereas previously they were exacted by the King and the disavas through the same native headmen. But under the British, the traditional compulsory labour services which had served the needs of the monarchy and the villagers themselves were now directed towards new economic and political objectives. The roads and bridges which were built under the British served

purposes different from those served under the monarchy. The former were modern, involving modern technological knowledge and skill serving modern needs. Moreover, the British rulers extensively utilized the compulsory services of the natives by simply manipulating their right as rulers to exact such services for public works. Thus, these services to Government under rajakariya underwent a qualitative change. The British even attempted to give a modified ideological interpretation to the concept of rajakariya. For example, regarding the Maritime Provinces Barnes argued that the idea that 'the soil was the Sovereign's and he dealt it out to his subjects on their agreeing to perform certain services either for the State when called upon or personally for himself ... has in a great degree been lost sight of and the demand upon the people for service may be considered as a tax upon the person.'¹¹⁶ His measures in the Kandyan Provinces reveal that he entertained similar ideas regarding the rajakariya system there too. Such changes in the traditional rajakariya system gave a dichotomic character to that institution.

The exaction of most of the compulsory labour services under the British was far more irksome to the people than under the monarchy. Among the compulsory paid services, some such as katupulle and atapattu services might indeed have been less troublesome than they had been under the monarchy. But among the other compulsory paid services, those which were exacted irrespective of caste considerations must have been extremely onerous to those concerned. People were compelled to work in places distant from their villages since the Government requisitioned labour services even outside the province contrary to the traditional usage or custom. They were also poorly paid. Even the small subsistence payment which they received was confined to working days. When they resisted this was treated as 'disobedience of the orders of Government' and punishments were inflicted accordingly. An incident in 1829 illustrates the oppressive nature of such services. One hundred people from Valapane were ordered to work at a site in Kandy where a pavilion was to be erected for the Governor but they refused on several

grounds. One was that the work had to be performed outside their province and therefore contrary to custom. They also objected to the arrangement because it exempted a part and not the whole province from tax and because, according to the arrangements made for reliefs, each division into which the villagers were grouped for this purpose, would be spending several days moving to and from the village to the work site, which time would not be reckoned in making payments. ¹¹⁷

The ring leaders were made prisoners and tried before the Board of Commissioners by the order of the Governor. They were found guilty of disobedience. One leader was ordered out for immediate corporal punishment, in the presence of the people who refused to work and given two months' imprisonment with hard labour. When he received sixteen lashes, the others came forward in a body and consented to work. The prisoner was in consequence taken down and sent to gaol to undergo his imprisonment and the rest were ordered to commence work from the following morning. ¹¹⁸ A section of the main guard was brought down by the Commanding Officer and some troops were sent to Valapane on the orders of the Governor to enforce orders for attendance of the people and to repress any attempt at resistance. ¹¹⁹ The other leaders were also sentenced to imprisonment with hard labour for one month. However, later the whole of the province was exempted from the grain tax and the men were divided into four reliefs. ¹²⁰ Labour thus exacted for several months and the amount of the grain tax remitted was estimated at £166.5.6. ¹²¹ The Agent of Government of the province himself accepted that the service had fallen heavily upon the people of Valapane.

The exaction of compulsory gratuitous labour services for building roads and bridges was perhaps even more irksome to the inhabitants. The way in which those services fell on them was very unequal. As a result, the services were extremely onerous to some of the people who were very often called upon to perform them. These services fell only on the inhabitants of the districts where such public works commenced. Even in these affected districts, some were exempted from service on various grounds. The headmen having themselves a part to play in the road service as being

required to collect and supply the people, did not themselves have to labour on the roads. The retainues of the disavas who were obliged to attend on their masters were also exempted. Likewise, the persons attached to the katupulle, atapattu and cinnamon departments were also exempted in consideration of their gratuitous services to the Government. The holders of temple lands were partially called out; those who were indispensably required for duties at temples were freed. Consequently, the road service was confined to a section of the inhabitants in the Kandyan Provinces and the constant exaction of labour service was extremely vexatious to them. The following observation made by Turnour, with regard to the Four Korales - an area which was severely affected by the road service - makes this point quite evident:

Out of 2246 mulpanguas in the Four Korales 1016 $\frac{1}{4}$ alone are liable to the service, while 1229 $\frac{3}{4}$ are exempted. As the exempted portion comprises the Estates (mulpangu) of the largest extent, it may be computed that the whole of the road service falls on the proprietors of about a Third of the lands in the District.... This oppressive system, the Revenue Commissioner is satisfied, would not have been enforced for a period of ten years, if Government had been aware to the fullest extent of its rigorous severity. 122

Apart from its unequal incidence, there were other elements which made the road service oppressive to the Kandyans. Thus according to the manner in which it was exacted, it was abused by local headmen and became a source of corruption. The local headmen through whom labour services were exacted enjoyed a considerable discretion in assigning the services to the inhabitants. Although their former executive and judicial powers were largely curtailed in 1818, they still continued to enjoy a good deal of authority. Besides, the fact that they could exact labour services for road building compensated to some extent for the loss of power. ¹²³ In so asserting their authority through these compulsory labour services, in many instances they abused it. Partial and unfair allotment of labour, injustice,

bribery and petty vexations were very common. When a few men were required for public works, the headmen called more than was necessary, excluding their friends in the process. Those who were rich and could not attend, gave bribes or presents to headmen in order to get themselves excused, which meant sending others in their place and the labour would fall heavily on those actually called.

When people failed to attend services, the petty headmen and the people were fined. When a headman was thus fined, in order to reimburse himself he had recourse to some article of the property of the people on the ground that he had to suffer because of their negligence.¹²⁴ Besides, the headmen exempted people from government service and employed them in their own property.¹²⁵ Moreover, those 'petty tyrants' as they were called exercised their restricted judicial powers by inflicting corporal punishment and imprisonment. For example, when the people did not perform their services to Government regularly at the stated hours they were 'flogged' by the korala under whose superintendance they worked.¹²⁶ The British officials were well aware of these abuses of power but they found that such abuses could not be checked because they were 'rarely complained of from the dread of the influence of the chiefs.' Besides, the headmen had to be employed of necessity in calling out the people.¹²⁷ Capt. Forbes, the Agent of Government, Matale, concluded that 'under the present system there is no way of checking such practices, for with the terrors of Rajakariya and summary punishment, no one would complain publicly and successfully.'¹²⁸

Besides, the compulsory services enforced by the British were, in many ways, contrary to Kandyan custom in the sense that they were far more oppressive under the British than under the monarchy. The people were employed outside their districts. Even in the same district, they were kept out for different periods, sometimes for several months at a distance of twenty miles from their homes and were obliged to reside in houses in the neighbourhood of their work sites or to make sheds for themselves. It became the practice among some people to go daily to the neighbouring towns to earn

their meals when relieved from work. Furthermore, unlike under the monarchy, such labour was very extensively exacted from the people. The last Kandyan King was noted for his misuse of rajakariya for certain works in the capital. In comparison, the British used it more extensively for the construction of roads.

In addition, as some principal nobles pointed out to Colebrooke,

the Kandyan people are not paid for their work upon the roads, nor do their lands benefit from the roads except when passing directly through them_... besides, the roads are never finished and the people would rather be at the labor of erecting a shed over the road from Colombo to Kandy than be subject to the constant recurrence of the repairs necessary after the rains. 129

To add to all this, the people faced a number of new difficulties while being engaged in the performance of the road service. Their cultural life was rudely disturbed. Under the monarchy, the people who were employed in public works were allowed to return to their houses some time before the Sinhalese New Year, a festival which they usually celebrated with their families in April. It was pointed out to the Commission of Inquiry that this indulgence was not allowed under the British Government and that they had to work throughout this month. Although there may be some amount of exaggeration in this allegation, it seems that in many instances this privilege was denied to them.

Their economic activity was also disturbed. Two intervals, each constituting two months in one year, were usually allowed to the people for the cultivation of their fields and the reaping of the crops. The Agent of the Four Korales stated that the leave given to prepare land for the second crop frequently extended up to three weeks. ¹³⁰ Colebrooke commented bitterly: 'In the West Indies a slave has a certain time allowed him to cultivate his provision grain and he pays his tythe from them.' ¹³¹ Besides, it happened that, in certain instances, they were not released

till the sowing season had passed and their lands were therefore left uncultivated completely or partially. Such persons cultivated chenas with dry grains for their subsistence. Otherwise, they employed themselves in their spare time as labourers in the lands or houses of the radala nobles, headmen and others. Their wives did the same by pounding paddy. In certain cases, the husband subsisted on his wife's labour. Colebrooke concluded that the compulsory road service by preventing people from cultivating their lands impeded them from augmenting their resources and relieving their poverty. 132

The following extracts from the evidence of the Agent of Government in the Four Korales and a petition which was presented by 198 Kandyans to the Commission of Inquiry summarize the extremely onerous and oppressive character of the rajakariya system as it operated under the British.

The Road Service is felt by the people to be an oppressive duty; it interferes with all their occupations, retards every little project of improvement and limits their industry to cultivating what is only requisite to satisfy their actual wants - ... to many of the Headmen [the road service] is a source of considerable emolument by conniving at the absence of those who can pay for the indulgence which from the difficulty of getting evidence to prove the Agent finds it out of his power to check. 133

The extract from the petition read

that for the last ten years they have been obliged to perform public works ... - that they pay to Government one tenth of [the produce of] their lands - that they are continually employed gratuitously in road making ... - that some of them are pressed for a week - [that] on such days they begin to work early in the morning and discontinue from 10 to 12 in the forenoon, during which intermission they serve others for their victuals, not being able to buy it for money They pray the Commission of Inquiry may ... obtain for them a daily pay from Government when employed in such services. 134

However, it is important to stress here that in spite of Barnes' opinion that compulsory service was the only means of exacting labour from the natives because of their 'indolence', the people asked for pay, not for liberation from service.

There were instances where the British rulers attempted to give some relief to the inhabitants. For example, in 1824, which was a year of scarcity resulting from drought and attended with widespread sickness, the road service was discontinued.¹³⁵ In another instance, the lands of a man who was killed near the Peradeniya road while excavating gravel were exempted from the liability to rajakariya until his son was able to work.¹³⁶ However, this latter type of concession was not extended throughout the Kandyan Provinces. For example, to a question raised by Colebrooke as to whether individuals had any claim to remuneration for losses or injury which they might prove to have sustained from the performance of compulsory services to the Government, four Agents of Government answered in the negative, while three others thought that they had no positive claim, although the Government might consider applications. Another Agent declared that care was taken to avoid such occurrences while another thought that individuals would be paid by Government.¹³⁷ The manner in which the Agents answered this question suggests that the people had never or very seldom been remunerated for the losses or injuries which they had sustained during the performance of compulsory services. However, it appears that in spite of these conciliatory measures, the exaction of rajakariya was very vexatious to the people.

The economic rationale or reality behind the British policy was the utilization of Kandyan labour available under the old rajakariya system for government service at a very low cost. A question which arises is whether this policy led to the emergence of a class of wage labourers in the Kandyan Provinces.¹³⁸ One aspect of British policy embodied in the early experiments for the cultivation of cash crops led to some mobility of labour and the emergence of labourers in Kandy who were prepared to work for wages

although their number was small. For work in coffee plantations which were started in the 1820s voluntary labourers were procured from the Maritime Provinces at the rate of six pence per day. However, the wages of voluntary labourers varied between 4½d and 7½d per diem. Wages rose during the harvesting seasons owing to the demand for labourers.¹³⁹ Apart from the labourers of the Maritime Provinces, the early planters procured from India one hundred and fifty men on a wage of fifteen shillings per month or twelve shillings per month and a measure of rice per day. In addition, although the number was very small, some Kandyans were also employed in these coffee plantations. The Superintendent of the botanical garden stated before the Commission that in several instances of his labourers were called on for government service although they had found substitutes to retain the pay of six pence per day.¹⁴⁰ Such tendencies encouraged the emergence of a labouring class in the Kandyan Provinces.

On the other hand, the policy of exacting compulsory labour services may have operated against such a development. Under both compulsory paid and compulsory gratuitous services, since the people were compelled to work for the Government, they were left with hardly any time to work as voluntary labourers for wages even if they had wished to do so. Besides, the principles on which compulsory labour was exacted were not favourable to the emergence of such a class. The British rulers based themselves on the traditional Kandyan land tenurial obligations of the inhabitants in the exaction of compulsory gratuitous services and on both tenurial and caste obligations in the exaction of compulsory paid services. This policy was complemented and supported by the notions regarding rajakariya prevailing among the great majority of the Kandyans. The prejudices and the socio-cultural values of the Kandyans who had till recently been living in a pre-modern society, operated against the concept of wage labour. Barnes observed that

With the exception of a few high cast families, the great bulk of the people are labourers though only for their own purposes and that although they do think it degrading and

beneath them to hire themselves out for payment, still it is no degradation to work for Government in any way not dissonant to their caste and moreover to receive payment for such services as are not considered gratuitous. 141

The Kandyans not only considered that it was degrading to work as hired labourers, they displayed a contemptuous attitude towards the pioneers who were employed for wages in various public works. ¹⁴² The caste system also conditioned the minds of the Kandyans to a very large extent. Caste determined not only the occupation of a person, it also decided his social status because one was considered superior or inferior to the other according to the caste hierarchy. People were still not willing to serve as wage labourers at the cost of breaking these social taboos. Moreover, the Government itself exacted some caste services. Although payments were made, those services were based on caste. Such a policy tended more towards the acceptance and continuance of the caste system than towards subverting it and encouraging wage labour. Furthermore, as in similar pre-modern societies, in Kandy there was a marked preference for leisure. Barnes noted that 'indolence predominates over cupidity' among the Kandyans. ¹⁴³ Finally, the system of land inheritance in the Kandyan Provinces too operated as a check against the emergence of a labouring class. Because of the absence of the system of primogeniture, the lands were subject to minute subdivision among several holders. Turnour noted that although lands were not as minutely subdivided in the Kandyan provinces as they were in the Maritime Provinces, still it had proceeded far in that direction. ¹⁴⁴ Therefore almost every person inherited a piece of land. As a result, on the one hand, the people were subject to some service to the state based on the tenorial obligations assigned to land and on the other, the economic support which they obtained from their lands, however insufficient it was, prevented them from persuading themselves to become wage labourers. Turnour noticed another aspect of the same problem thus:

The only constant demand for labour at present is on the part of Government, which being fluctuating in extent and wholly

inadequate in remuneration has induced the people, to cling to the minutest portions of fixed or landed property, as, however inadequate, the only certain resource in case of Emergency or Distress. I consider that there is a sufficient, constant demand for labour on the part of Government to detach a considerable portion of the Inhabitants permanently from agricultural pursuits, if those engaged in agriculture were not liable to be compulsorily taken for Government Service on inadequate hire. 145

All these factors prevented the emergence of a class of wage labourers even in the areas where such a development could have taken place.

Cash crops

Another striking feature of the British economic policy in the Kandyan Provinces at this time was the attempt, referred to earlier, to promote cash crops and the pioneering attempts to introduce plantation agriculture. Apart from minor crops such as pepper, arecanut, sugar and cotton, the most important were cinnamon and coffee. Cinnamon had been 'the rich bride Helena' for early Europeans who ruled the Maritime Provinces.¹⁴⁶ Even for the British it was an important source of revenue. After the cession of the Kandyan Kingdom in 1815, the interior provinces became the major source for the supply of cinnamon.¹⁴⁷ Cinnamon grew wild in the Kandyan Provinces and the British did not take steps to grow it as they did in some parts of the Maritime Provinces. Cinnamon was a government monopoly in the littoral and the laws and regulations which were in force there for the maintenance of the monopoly and for the planting and protection of cinnamon were not applied to the interior.¹⁴⁸ Instead, the Kandyans were encouraged to cut and deliver cinnamon for payment and were allowed, as noted elsewhere, to pay the grain tax in cinnamon. Furthermore, they were even permitted to cultivate cinnamon for their private profit. Although the efforts of the Government were not successful in persuading the Kandyans to cultivate cinnamon extensively they did not fail completely. Two small plantations were

established about six miles from Kandy by the inhabitants of two villages who were registered as cinnamon peelers. These plantations enabled them to give in their quota of cinnamon when called upon to do so. However, it is very likely that the motive was not to accumulate profit from trade but to escape from rajakariya obligations. There was also the case of a headman in the Three Korales who opened a small cinnamon garden from which he cut and delivered cinnamon to Government and received the usual allowance.¹⁴⁹

In the Kandyan Provinces, coffee was the most important crop which received special favour from the Government, bypassing all other crops. The coffee shrub was known in the Kandyan Provinces even before the British occupation.¹⁵⁰ The climate, soil and slopes of the mountains were well suited to the culture of coffee. The attempts to establish coffee estates there were pioneering steps taken by the British to introduce plantation agriculture in the interior on a large scale. In their own words, it was the 'first instance of an European Agricultural attempt on an enlarged scale in the Interior.'¹⁵¹ An important feature of these early coffee plantations was the simultaneous participation of private individuals as well as the Government and superior government officials. Even the private investments emerged with the help of the Government.

In the introduction and expansion of these early coffee plantations in the Kandyan Provinces, the Governors, James Campbell and Edward Barnes, were important figures. The first large scale coffee plantation was started in 1823 at Gampola by George Bird, an European planter. He received a land grant of five hundred and ninety acres free of taxes for ten years and in addition, a loan of four thousand six hundred dollars to be repaid without interest in five years.¹⁵² The Secretary of State objected to this pecuniary encouragement, while approving the other provisions. Since the colonial Government had sanctioned the agreement, the entire arrangement was, however, allowed to stand.¹⁵³ Campbell also encouraged government officials to undertake coffee cultivation. Consequently, some Agents of Government opened several experimental coffee plantations, especially in the

Seven Korales. But they were not successful. In 1824, the colonial Government itself joined in coffee cultivation when Governor Barnes ordered the Superintendent of the botanical gardens at Peradeniya to cultivate two hundred acres with coffee nearby. In 1825, Barnes himself opened a private coffee plantation of about one hundred acres at Gannoruva.¹⁵⁴ He also took some other measures to foster coffee cultivation. He abolished the export duty of five per cent on Sri Lanka grown coffee, which had existed since 1796, and exempted coffee lands from the payment of tax of one tenth of the produce. Moreover, in 1829 he repealed the duties charged on the importation of agricultural implements and exempted all those who were employed in the cultivation of coffee, cotton, sugar, indigo, opium or silk from being called out on compulsory government service.¹⁵⁵

Apart from the encouragement and participation of the Government in them, two other features of these coffee plantations could be stressed. One was that this type of extensive agriculture in crops other than paddy was completely alien to the Kandyan agricultural and land tenure systems. Even paddy was cultivated on a very small scale by the Kandyans in their small fields. The extensive land acquisitions or purchases for coffee plantations involved both the lands enjoyed by Kandyan inhabitants and the waste lands which were crown property but utilized by peasants for chena cultivation. As a result, in coffee plantations, lands hitherto in small scale production were combined and large scale production was attempted upon them. The other feature was that in these new large scale establishments, the cultivation was conducted on somewhat 'methodical and systematic plans' compared with coffee grown in the gardens by peasants.¹⁵⁶

These large scale coffee plantations and the encouragement given by the Government for the cultivation of coffee had an influence on some Kandyans too. For example, a Kandyan noble opened a coffee plantation although on a limited scale. But most of the Kandyans did not take the initiative to grow the plant in a systematic way.

As Turnour noticed in 1829,

the Plants are raised without any particular care bestowed on them and the Plantations spontaneously spread; the increase of the quantity exported of the late years has been more the effect of care in the collection of the annual produce than the extension of the cultivation by the Natives. 157

However, coffee production went up considerably.

The large scale coffee plantations owned both by the private investors and by the Government were faced with two major threats both in cultivation and in trade, which made them unprofitable. These were the faulty methods and techniques of cultivation and discriminatory duty in the United Kingdom against Sri Lanka coffee favouring West Indian coffee. ¹⁵⁸ However, coffee was beginning to emerge as the leading export crop of Sri Lanka at the time Colebrooke visited the island. This indicated the direction in which the future economy of the colony would evolve. ¹⁵⁹ In this respect, the incipient coffee plantation industry under the British in the Kandyan Provinces was very significant as it was a modern economic development taking place side by side with a traditional economic order. It not only disturbed the equilibrium of the traditional economy but also created a dichotomic situation.

This is more evident from the fact that there was a total absence of policy towards traditional agriculture. No special efforts were made to encourage paddy cultivation or even to make use of compulsory labour for one of the purposes for which it was originally intended, namely, the maintenance and extension of irrigation works and the extension of cultivation. Therefore, no change took place in traditional agriculture. The few changes which took place were with a view to satisfying the consumption needs of Europeans. The British rulers introduced potatoes and vegetables such as cabbage and carrots in the interior. Potato cultivation increased to a surprising degree in a short time. But the market was limited, and production soon exceeded the demand. ¹⁶⁰ These innovations, however, did not

make any impact on traditional agriculture. The absence of a policy on traditional agriculture and the existence of a policy oriented towards plantation agriculture created two systems in the economy. While the traditional subsistence agriculture existed practically without any change at the level of a peasant economy, the plantations continued to receive the encouragement and assistance of the Government.

In conclusion, the above survey shows that treaty obligations embodied in the Convention of 1815 and the Proclamation of 21 November 1818 combined with the unwillingness and inability to change radically the existing institutions were factors which partly determined the economic policy of the British in the Kandyan Provinces during the period 1815 - 1832. Nevertheless, economic utility and convenience, abstract notions and principles regarding what was desirable as well as administrative necessity impelled the British towards some changes which had a bearing on the economy. These changes unhinged the traditional economic structure without fundamentally altering it. The introduction of the grain tax and subsequently its commutation which in turn brought about changes in land holdings, changes in the manner in which rajakariya was exacted under the British all taken in toto had the effect of disturbing the inter-relationships that had existed under the traditional system between land tenures, rajakariya and caste occupations without however completely overturning these institutions. People continued to be subject to some services based on land tenures and caste. On the other hand, the abolition of gravet duties and royal monopolies, the construction of roads, the promotion of cash crops and the pioneering attempts to introduce plantation agriculture were activities alien to the old economic order which was based on subsistence agriculture conducted on pre-capitalist traditional lines. The result was the juxtaposition of tradition and modernity in economic affairs. The introduction of fixed taxes and the regularization of the taxation system were all based on new principles which assailed the traditional system without overthrowing it. The ultimate outcome was a dichotomous development which was, on the one hand, not conducive to the emergence of indigenous capital or wage labour but which, on the other hand, placed emphasis on the investment of foreign capital and the

development of plantation agriculture at the expense of traditional subsistence agriculture. The full implications of such a development were to become visible only in later years.

NOTES FOR CHAPTER FOUR

1. Article 11 of the Convention of 2 March 1815.
2. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
3. See above, pp.28-9.
4. See above, p.54.
5. Article 12 of the Convention of 2 March 1815.
6. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
7. These gravets were situated at Kirinda in the Seven Korales, Idalgashinna in Uva, Gatahata, Kuruvita, Alle Idangoda, Valalgoda and Gankandura in Sabaragamuva, Vilatchi, Moragolla, Virasoli, Alutkadavata, Ilukvava, Serunavava, Ebagama and Kulugallagama in Nuvarakalaviya. D'Oyly to Sutherland, 1 May 1816, SLNA 6/523.
8. Brownrigg to Bathurst, 26 September 1815, CO 54/56.
9. D'Oyly to Sutherland, 5 May 1815, SLNA 6/523.
10. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, p. 354; Sutherland to D'Oyly, 14 October 1815, SLNA 7/262a.
11. D'Oyly to Sutherland, 15 May 1816, SLNA 6/523.
12. D'Oyly to Sutherland, 9 June 1815, SLNA 6/521.
13. Sutherland to D'Oyly, 4 April 1816, SLNA 7/214.
14. Government Advertisements of 13 May 1816 and 15 June 1816, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.7 and 11.
15. Sawers' remarks on land revenue in the estimate of the probable amount of the revenue of the Kandyan Provinces for the revenue year 1817/1818, enclosed with Brownrigg to Bathurst, 25 September 1817, CO 54/66.
16. Bathurst to Brownrigg, 30 August 1815, 29 March 1816, 7 August 1816, 20 June 1817, 5 July 1817 and 11 September 1817, CO 55/63.
17. Bathurst to Brownrigg, 30 August 1815, CO 55/63.
18. Bathurst to Brownrigg, 26 June 1817, CO 55/63.
19. Minute by Governor, 13 July 1817, CO 54/66.
20. Brownrigg to Bathurst, 17 August 1818, CO 54/71.
21. See above, pp.84-5.
22. Proclamation of 21 November 1818, article 18.
23. Ibid., article 19. These provinces were Udunuvara, the Four Korales, the Three Korales and the several korales of Sabaragamuva and of the Seven Korales and some villages of Matale.
24. Proclamation of 21 November 1818, article 20.
25. Ibid., article 21.
26. Ibid., articles 22 and 23.

27. Ibid., article 24. Katupulle people were principally employed as messengers and in conducting prisoners. Ataputtu people were employed as 'tappal' or 'post office' runners. Evidence of Downing, 15 September 1829, CO 416/20, G-13.
28. Evidence of George Turnour, Revenue Commissioner, 2 September 1829, CO 416/20, G-11.
29. Minute by Governor addressed to Board of Commissioners, 25 September 1818, CO 54/73.
30. Proceedings of the Board of Commissioners, 30 August 1818, SLNA 21/115.
31. Proceedings of the Board of Commissioners, 3 March 1829, CO 416/21, G-42.
32. Evidence of Turnour, 24 August 1830, CO 416/20, G-11; Proceedings of the Board of Commissioners, 20 April 1830, CO 416/21, G-42.
33. Proceedings of the Board of Commissioners, 5 October 1818 and 6 October 1818, SLNA 21/115.
34. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
35. Proceedings of the Board of Commissioners, 27 October 1818, SLNA 21/115.
36. Remarks made by Sawers, Judicial Commissioner on Turnour's report on Sabaragamuva, CO 416/20, G-16.
37. Ibid; remarks made by Wright on Turnour's report on Sabaragamuva, CO 416/20, G-16.
38. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
39. Remarks made by Sawers on Turnour's report on Sabaragamuva, CO 416/20, G-16.
40. Lusignan to Board of Commissioners, 11 November 1824, CO 416/20, G-16.
41. Sawers, p.27.
42. In his 'report on Sabaragamuva', Turnour wrote that they got their lands cultivated by hired labour as well. But later he himself stated before the Colebrooke-Cameron commission that he did not know any instance of grain being cultivated by hired labour. (Evidence of Turnour, 2 September 1829, CO 416/20, G-11) It is very unlikely that nindagam holders used hired labour to cultivate their lands.
43. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
44. The lands of the rebel leaders were confiscated by proclamations of 19 March 1818, 9 September 1818, 12 November 1818 and 14 November 1818. A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.17-22.
45. Proceedings of the Board of Commissioners, 3 March 1829, CO 416/21, G-42.
46. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.

47. Lusignan to Board of Commissioners, 11 November 1824, CO 416/20, G-16.
48. Evidence of Turnour, 28 September 1829, CO 416/20, G-11.
49. Evidence of Capt. Law, Agent of Government, the Three Korales, 7 September 1830, CO 416/21, G-41.
50. Ibid.
51. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16; Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
52. There was an elaborate description of this festival in 'Account of the Kandy Asala Perahara' by the disava of Vellassa, 19 August 1817, Ceylon Government Gazette, 13 September 1817.
53. Evidence of Downing, 15 September 1829, CO 416/20, G-13.
54. Proclamation of 18 September 1819, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.46-8.
55. Evidence of Turnour, 25 September 1829, CO 416/20, G-11.
56. Turnour's report on the settlement of grain tax in the Four Korales and the services required from the people for the construction and repair of roads, Proceedings of the Board of Commissioners, 20 October 1829 (hereafter referred to as 'Turnour's report on grain tax and road services, 20 October 1829'), CO 416/20, G-25.
57. Ibid; Evidence of Turnour, 2 September 1829, CO 416/20, G-11; Barnes to Goderich, 11 October 1831, CO 54/113; Lusignan to Board of Commissioners, 24 January 1825, CO 54/113.
58. The King vs. Bamunakittove Mohottala, et.al., 26 June 1829, CO 416/21, G-44; Kelson, Agent of Government, Valapane, observed that the duties of a vibadda lekam were of such a nature as to create more enemies than friends among the people. Kelson to Board of Commissioners, 22 April 1829, CO 416/21, G-45.
59. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
60. Evidence of Major Fletcher, 21 September 1829, CO 416/20, G-12. Fletcher was present with a division that entered the Kandyan Kingdom in 1815 and at the reading of the Convention. He commanded Ratnapura in Sabaragamuva district when the rebellion broke out in 1817. He was the Agent of Government of Lower Uva and Vellassa from 1819 to 1821 and from 1825 to 1828.
61. Turnour's report on grain tax and road services, 20 October 1829, CO 416/20, G-25.
62. Turnour's report upon the commutation of tithes in the provinces under the immediate management of the Revenue Commissioner, Proceedings of the Board of Commissioners, 7 September 1830 (hereafter referred to as 'Turnour's report upon the commutation of tithes, 7 September 1830') CO 416/21, G-43.
63. Turnour's report on grain tax and road services,

- 20 October 1829, CO 416/20, G-25.
64. Proclamation of 21 May 1822, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.72-3.
 65. Lusignan to Board of Commissioners, 11 November 1824, CO 416/20, G-16.
 66. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 67. Proceedings of the Board of Commissioners, 17 November 1829, CO 416/20, G-25.
 68. Turnour's report on grain tax and road services, 20 October 1829, CO 416/20, G-25.
 69. Circular of Judicial Commissioner, 31 March 1820, CO 416/21, G-48.
 70. Turnour's report upon the commutation of tithes, 7 September 1830, CO 416/21, G-43.
 71. Barnes to Commissioners, answer to Q.13, 10 September 1830, CO 54/112.
 72. Thomas Eden, Deputy Secretary to Government to Board of Commissioners, 28 December 1829, CO 416/20, G-25.
 73. In fact the commutation settlements in the provinces which were commuted prior to 1828 expired earlier, that is, Udunuvara in 1830 and Yatinuvara and Harispattuva in 1831. But they were extended up to 1832.
 74. Turnour explained the difference between the traditional register or hi lekam mitiya and the commutation register: 'The Commutation Register is a more useful and complete record than the Hi Lekam Mitiya. In the latter, the name of one ostensible proprietor only is inserted for each Mulpangua (or entire estate) with the name and extent of each field, without specifying the quantity of its assessed produce. In the Commutation Register, the name of each individual proprietor is in almost every instance, inserted together with the assessed annual produce of his field.' Turnour's report on grain tax and road services, 20 October 1829, CO 416/20, G-25.
 75. The settlements were made for a period of three years but those in Udunuvara, Yatinuvara and Harispattuva which were commuted before 1828 were extended by one or two years.
 76. Cinnamon - per pound (First and Second sort $5\frac{1}{4}d$
(Third sort $1\frac{7}{8}d$
 - Pepper - per parrah _____ 8s
 - Plumbago - per pound _____ $\frac{1}{2}d$
 77. The above examination of the main features of the commutation system was based mainly on the following documents: Turnour's report on grain tax and road

- services, 20 October 1829, CO 416/20, G-25; Evidence of Turnour, 2 September 1829 and 24 August 1830, CO 416/21, G-11; Turnour's report upon the commutation of tithes, 7 September 1830, CO 416/21, G-43; P. Anstruther, Deputy Secretary of Government to Board of Commissioners, 2 November 1830, CO 416/21, G-43; Turnour's advertisement of 5 November 1830, CO 416/21, G-43; Evidence of Turnour upon the commutation of tithes, 11 December 1830, CO 416/21, G-43; Turnour to Barnes, 3 October 1831, CO 54/113; Blue Books and Colebrooke's report upon the revenues, 31 January 1832, CO 54/122.
78. Michael Roberts, 'Grain Taxes in British Ceylon, 1832-1878: Problems in the Field', pp.822-3.
 79. Barnes to Goderich, 11 October 1831, CO 54/113.
 80. See below, pp.178-84.
 81. Turnour to Barnes, 3 October 1831, CO 54/113.
 82. Ibid.
 83. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 84. Evidence of Turnour, 11 December 1830, CO 416/21, G-43.
 85. Evidence of Capt. Law, Agent of Government, the Three Korales, 8 September 1830, CO 416/21, G-41.
 86. See above, p.162.
 87. Circular of the Board of Commissioners, addressed to the Superior Agents, n.d. November 1830, CO 416/21, G-43.
 88. Turnour to Barnes, 3 October 1831, CO 54/113.
 89. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 90. Ibid.
 91. Brownrigg to Bathurst, 13 November 1819, CO 54/74; Proclamation of 18 September 1819, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.48-9; Evidence of Agents of Government, answer to Q. 57, 1829, CO 416/19, G-6; Evidence of Downing, answer to Q.30, 12 September 1829, CO 416/19, G-4.
 92. Proclamation of 28 October 1820, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, p.57; Evidence of Agents of Government, answer to Q.58, 1829, CO 416/19, G-6.
 93. Turnour to Barnes, 3 October 1831, CO 54/113.
 94. Turnour's advertisement of 5 November 1830, CO 416/21, G-43.
 95. Anstruther to Board of Commissioners, 2 November 1830, CO 416/21, G-43.
 96. See below, p.271.
 97. See above, pp.27-8.
 98. Brownrigg to Bathurst, 26 September 1815, CO 54/56.
 99. Proclamation of 21 November 1818, articles 30 and 32.

100. See Appendix III.
101. Evidence of Agents of Government, answer to Q.31, 1829, CO 416/19, G-6.
102. Evidence of Agent of Government, Ratnapura, answer to Q.35, 8 October 1829, CO 416/19, G-6.
103. Evidence of Agent of Government, the Seven Korales, answer to Q.35, 28 September 1829, CO 416/19, G-6.
104. Evidence of Agent of Government, the Four Korales, answer to Q.35, 10 September 1829, CO 416/19, G-6.
105. In the Maritime Provinces, the occupation allotted to the members of the salagama caste was the peeling of cinnamon. There were of course some persons belonging to the salagama caste in the Kandyan Provinces too but their number was small and services which they performed were different. In Kandy, they performed such services as working in the royal kitchen, bringing fire wood, cleaning chatties, carrying provisions and supplying dry fish to the royal stores. Davy, p.95.
106. Rates of money payment to the salagama persons when employed in the Kandyan Provinces had been fixed in the following manner:
- For every pound of the first and second sorts - $5\frac{1}{4}d$
- For every pound of the third sort - $1\frac{7}{8}d$
107. Evidence of Turnour, 2 September 1829, CO 416/20, G-11; Evidence of Downing, 15 September 1829, CO 416/20, G-13.
108. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
109. Proceedings of the Board of Commissioners, 27 April 1829, CO 416/21, G-45.
110. A seer was equal to $\frac{2}{3}$ of an English Quart measure. The value of one seer of rice was half a penny in Valapane and one and half pence in Kandy.
111. Minute by Governor, 20 October 1829, Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, p.308.
112. Eden to Board of Commissioners, 28 December 1829, CO 416/20, G-25.
113. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
114. Turnour's report on grain tax and road services, 20 October 1829, CO 416/20, G-25.
115. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
116. Barnes to Commissioners, answer to Q.9, 10 September 1830, CO 54/112.
117. Kelson to Board of Commissioners, 22 April 1829, CO 416/21, G-45.
118. Proceedings of the Board of Commissioners, 27 April 1829, CO 416/21, G-45.
119. Board of Commissioners to Kelson, 20 April 1829,

- CO 416/21, G-45.
120. Proceedings of the Board of Commissioners, 5 May 1829, CO 416/21, G-45.
 121. Board of Commissioners to Commissioners of Inquiry, 2 December 1830, CO 416/21, G-45.
 122. Turnour's report on grain tax and road services, 20 October 1829, CO 416/20, G-25.
 123. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 124. Minutes of conferences with Kandyan nobles and monks in August 1830, cited by Colebrooke in his report upon compulsory services, 16 March 1832, CO 54/145.
 125. Evidence of Fletcher, 21 September 1829, CO 416/20, G-12.
 126. Evidence of Capt. Forbes, Agent of Government, Matale, answer to Q.15, 15 September 1829, CO 416/19, G-6; Minutes of conferences with Kandyan nobles and monks in August 1830, cited by Colebrooke in his report upon compulsory services, 16 March 1832, CO 54/145.
 127. Evidence of Fletcher, 21 September 1829, CO 416/20, G-12.
 128. Evidence of Forbes, answer to Qs. 63, 64 and 65, 7 November 1829, CO 416/2, A-8.
 129. Minutes of conferences with Kandyan nobles and monks in August 1830, cited by Colebrooke in his report upon compulsory services, 16 March 1832, CO 54/145.
 130. Evidence of Agent of Government, the Four Korales, answer to Q.35, 10 September 1829, CO 416/19, G-6.
 131. A marginal comment by Colebrooke on the answer of the Agent of the Four Korales to Q.35, CO 416/19, G-6.
 132. Colebrooke's report upon compulsory services, 16 March 1832, CO 54/145.
 133. Evidence of Lt. Taylor, Agent of Government, the Four Korales, answer to Q.50, 16 November 1829, CO 416/2, A-8.
 134. Petition no.417, CO 416/31; also see, petitions no.374, 376, 397, 431, 446, 462 and 693, CO 416/31.
 135. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 136. Turnour to Eden, 11 March 1829, CO 416/21, G-42.
 137. Evidence of Agents of Government, answer to Q.36, 1829, CO 416/19, G-6.
 138. The term 'class' has been used here in the sense of a collection or in a numerical sense, not in an institutional and organizational sense.
 139. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 140. Evidence of James MacRae, Superintendent of the Botanical Garden, 25 September 1829, CO 416/2, A-8.
 141. Eden to Board of Commissioners, 28 December 1829, CO 416/20, G-25.

142. Statement of Panella Valavve Mohottala of Valapane before Turnour, 17 April 1829, enclosed with Turnour to Kelson, 18 April 1829, CO 416/21, G-45.
143. Eden to Board of Commissioners, 28 December 1829, CO 416/20, G-25.
144. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
145. Ibid.
146. Phillipus Baldaeus, A True and Exact Description of the Great Island of Ceylon, p.386.
147. V.K.Samaraweera, 'The Cinnamon Trade in Ceylon', p.425.
148. Evidence of Turnour, 24 August 1830, CO 416/20, G-11.
149. Evidence of Law, 7 September 1830, CO 416/21, G-41.
150. I.H. Vanden Driesen, 'Coffee Cultivation in Ceylon (1)', p.31.
151. Campbell to Bathurst, 31 December 1823, CO 54/84.
152. Ibid; Proceedings of the Board of Commissioners, 25 November 1823, CO 54/84; Evidence of Downing, answer to Q.31, 12 September 1829, CO 416/19, G-4.
153. Bathurst to Barnes, 19 June 1824, CO 55/66.
154. Evidence of Turnour, 25 September 1829, CO 416/20, G-11.
155. Regulation of Government no. 4 of 21 September 1829, A Collection of Legislative Acts of the Ceylon Government from 1796 (hereafter referred to as A Collection of Legislative Acts), Vol.I, pp.359-60.
156. Evidence of Turnour, 2 September 1829, CO 416/20. G-11.
157. Ibid.
158. Lennox A.Mills, Ceylon under British Rule 1795-1932, p.227.
159. Patrick Peebles 'The Transformation of a Colonial Elite: The Mudaliyars of Nineteenth Century Ceylon', p.130.
160. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.

CHAPTER FIVE
SOCIAL POLICY AND SOCIAL CHANGE
1815-1832

British social policy in the newly acquired Kandyan Provinces was formulated in an atmosphere teeming with rapid changes both in the realm of ideas and practical action. The British themselves were facing problems at home due to their inability to react quickly and adequately to changing socio-economic and political needs. It was an age in which, Evangelicals, Utilitarians and Radicals appealed for the equality of man and in which reforming groups called for more humanitarian attitudes in dealing with social problems. It was natural that in such circumstances colonial policy should also come up for review, or at least that the policy makers would be influenced by the ideologies currently gaining ground. For instance, in considering problems such as caste, slavery and polyandry, the British were influenced by concepts such as those of liberty, equality, individualism and so forth. On the other hand, local problems called for local solutions, the maintenance of political security being the most important.

Political changes invariably bring about an element of social change. The British administration in the Kandyan Provinces involved both indirect and direct social changes. Such indirect changes were closely related to broad political, economic, judicial and administrative policies. In carrying out these policies, although they tried to maintain the traditional social order intact, the tendency to modernize brought about indirect changes in Kandyan social institutions. Besides, they themselves made conscious efforts to change and, in some instances, to abolish certain Kandyan social institutions, on two grounds. One was the impracticability of fulfilling their broad political, administrative and economic objectives without some such changes. When they attempted to carry out these policies they found that certain social institutions were not compatible with them. In such instances, they concluded that changes were inevitable and unavoidable. On ideological, humanitarian and cultural

grounds too, they were induced to change or, in some instances, to abolish certain local social institutions. Most of the British officials, who were conditioned by European ideologies and cultural values, regarded certain native institutions as primitive. Some of them thought that they had a moral obligation to change such institutions on humanitarian grounds. All these indirect and direct modes of action worked towards certain changes in Kandyan society. But the British rulers were not prepared or were not in a position to make a complete change in the traditional society because they were mainly concerned with their economic interests and the stability of their political power. This situation led to a duality in the overall British social policy adopted in the Kandyan Provinces during the period under review. The final outcome of this policy was a certain change, although not a complete breakdown of the Kandyan social system.

The dilemma that the British facedⁱⁿ social policy was inherent in the political settlement of 1815 itself. As we have seen, the Kandyan administrative and judicial systems and Buddhism were assured of protection and continuance. By implication, these provisions of the Convention, although they did not include specific sections regarding Kandyan social institutions, affirmed the perpetuation of the social order, since the Kandyan administrative and judicial offices and institutions were closely correlated with it. But this does not mean that they approved of Kandyan social institutions in toto. In fact, under the Convention itself they abolished some institutions which were not acceptable to them. For example, all forms of torture and mutilation were prohibited. In addition, the British assumed the 'inherent Right' to redress grievances and reform abuses. This right was considered as an opening for improvement, when circumstances permitted.¹ However, the British were not in a position to make sudden and radical changes in the social system, as is evident from Brownrigg's statement to the Secretary of State.² The Governor was planning to make gradual changes, after a careful study of the traditional system. Thus, British policy involved a reluctant

continuation of the Kandyan social order.

However, the Convention itself marked the beginning of a social change. Under the monarchy, the entire social order was centred around the King. The King was not only the political authority but he was also the symbol of the national identity of the Kandyans. The abolition of Kingship by the Convention created a vacuum in this social order and a psychological void among the Kandyans. Although the British administrative superstructure was linked with the former social institutions, the absence of the King did make a difference. On the part of the British, apart from the obligatory position in which they were placed in 1815, there was no immediate necessity for them to make radical changes. They were aware that radical changes could disturb political stability and their economic interests. As a result, no change of importance took place in Kandyan society immediately after the British succession.

As in British administrative and economic policies, so in social policy, the year 1818 marked a turning point. Since a large number of Kandyans rose against British authority in the rebellion of 1817-18, the rulers considered themselves absolved from the obligatory position of protecting Kandyan institutions. However, although they made considerable changes in the administrative and economic spheres,³ they were still reluctant to make far-reaching changes in social institutions. This was mainly owing to the fact that such changes in deep-rooted social institutions could have created a greater discontent among the Kandyans and affected the stability of British power. The existence of such social institutions did not threaten British power, but to change them involved risks. Under these circumstances, even after 1818, British social policy generally tended towards the maintenance of Kandyan social institutions. However, two factors which led to a slight disturbance in the Kandyan social order should be noted. One was that the modifications which were made in the administrative and economic spheres indirectly led to alterations in the character of certain interconnected social institutions. The other was that, since the British were no longer bound to

protect the native institutions after the outbreak of the rebellion, they were not as reluctant as before to modify or even to abolish some institutions when they found incompatible with their ideals or political and economic goals and interests.

The caste system

One important social institution which was integrated with the administrative and judicial systems, the relationships between various social groups and the state, the land tenure system and economy was the caste system. Although in theory caste was contrary to tenets of Buddhism, in fact Sinhalese Buddhism too accommodated caste. The caste system was vital in all political, economic, social and cultural relationships and in the functioning of the monarchical system.⁴ The rigidity of caste relationships had been one important means of protecting and ensuring stability. British policy as a whole also tended to protect the system. However, because of the collision of the caste system - a traditional social institution of a pre-modern society - with the policies followed by and the institutions introduced by the British who both deliberately and unwittingly acted as agents of modernity, certain disturbances and dislocations were inevitable.

According to the system prevalent under the monarchy, the superior administrative and other offices of the central government were held exclusively by the radala nobles. Most of the other subordinate offices were held by some members of the rate atto people of the goyigama caste while the headmen of lower rank castes belonged to those particular castes. The British did not make any change in these caste involvements in the administrative machinery. In fact the practices followed by the British when making superior appointments tended to stabilize and strengthen such caste involvement. The last Kandyan King was said to have appointed 'men of inferior condition' to the high offices of the monarchical administration.⁵ These may have meant the appointment of Muslims or of goyigamas other than radala nobles to high offices. However, the British were

particularly careful to select persons from among the radala nobles for high offices.

Some modifications did occur, especially after the rebellion. A number of radala nobles were either executed or exiled because of their direct involvement in the rebellion and a number of offices which were attached to the King's household were abolished as redundant. This limited the opportunities for radala participation in the administration, while involvement in the rebellion debarred certain noble families from holding office. As a result, the British appointed to high office some new men who were considered loyal. These changes, however, cannot be considered to have made much difference in the traditional caste system because these new men were also selected from among the radala grade of the goyigama caste. But when the British began to pay salaries to these superior local officials they changed the character of the relationship between them and the Government. Until 1818, the holding of such administrative positions was a part of the rajakariya obligations of the nobles to the Government, and it was entirely based on caste and land. After 1818, although caste considerations persisted persons who held office became entitled to salaries paid by the Government in addition to the privilege of holding lands free of tax. However, since the British were particularly careful about caste when they made appointments, the goyigama domination of the offices of all superior and most inferior headmen continued. The important factor which should be noted here is the continuation of the radala domination by the British.

Why were the British inclined towards such a policy? As noted elsewhere, even under the new administrative arrangements, the British did not try to weaken the social position of the radala nobles to any significant extent, although they tried to undermine their political authority in the administrative hierarchy by reducing the administrative and judicial powers attached to their offices. Thus, for example, by the proclamation of 21 November 1818, they themselves specified the honours to which the adigars and disavas were entitled and made arrangements to provide persons for the

performance of their personal services. The main reason for this line of action was political. By protecting the social predominance and influence of the radala nobility, the British rulers obtained their collaboration and support and through them, the subordination of the people.

The relationship between the caste system and the administration of justice similarly underwent little change. An important development in the Kandyan judicial system was the introduction of courts partly based on the British model. The judicial procedures followed in the functioning of the courts and the interconnections between the Agents' courts and the Judicial Commissioner's court which functioned as an appellate court were similar to those found in the English judicial system. But cases were heard to a very large degree according to the existing traditional Kandyan law. The dichotomy created by this situation will be evident from an examination of the role of caste in the Kandyan judicial administration under the British rule. Caste affected the judicial proceedings in several ways. One was that the rules of caste were taken into consideration in the hearing of cases. As there was no written law among the Kandyans, the rules of caste were determined by custom.⁶ However, in the proclamation of 1818, it was declared that justice would be 'accessible to every Man High or Low, Rich or Poor, with all practicable convenience and the confident knowledge of impartiality of decision.' Some British officials therefore considered that the proclamation, by declaring equal rights to every Kandyan, did away with the distinction of caste.⁷ This meant equality before the law. But in practice there was an acceptance of the rules of caste in law suits. John Downing, the Judicial Commissioner, stated before the commission of inquiry that the castes into which the Kandyan Sinhalese were divided were so distinctly defined that questions of caste seldom or never came before a court of justice but the laws of caste were recognized to their full extent.⁸ His successor, H. Wright, also considered 'rules of caste as matter of law' of which he was bound to take judicial notice.⁹ The Agents of Government in the Kandyan Provinces entertained similar views on the subject.¹⁰

These caste laws had to be taken into consideration particularly in cases involving marriage, the connection of women of goyigama caste with low caste men, the wearing by low caste people of dress to which they were not entitled by custom, slander or abuse of caste and negligence in the performance of services to Government or temples.

Caste considerations were brought forward in law suits by the Kandyan assessors who were considered as 'expounders' of Kandyan law. Caste also operated in the appointment of assessors. These were officially introduced into the Kandyan judicial system at the end of 1818.¹¹ They were appointed from among the holders of senior offices ranging from adigar to korala.¹² They all belonged to the goyigama caste,¹³ and most of them were chosen from the radala grade. Almost all of those who functioned in the Judicial Commissioner's court were radala nobles.¹⁴ The assessors were not only 'expounders' of the traditional, customary Kandyan law but also acted as 'permanent jurors' in the sense that the same persons were frequently summoned and that in coming to a judgement the opinion of the majority had to coincide with that of the judges (the Judicial Commissioner or the Agents of Government).¹⁵ If there was no agreement, the case was referred for judgement from the Agent's court to the Judicial Commissioner's court or from the Judicial Commissioner's court to the Governor. The decisions of the courts of the Judicial Commissioner and the Agents were almost entirely guided by the opinion and advice of the assessors when cases were directly related to Kandyan law and custom.¹⁶ Besides, these goyigama assessors were consulted as authorities in cases relating to caste, and they were considered competent to sit as assessors in cases involving questions between their own and inferior castes.¹⁷ However, there were some instances where they gave contradictory or conflicting opinions upon what they stated to be the custom of the country: they were then suspected of partiality.¹⁸ In 1830 there was a Muslim protest alleging bias on the part of the assessors. As a result of their official opinion, a goyigama woman who had married a Muslim was disinherited. According to the assessors Muslims were equal in status to

the 'five nayide castes' ¹⁹ or those who performed certain essential services to the goyigama caste. But ninety-seven Muslims alleged that the statement of the assessors which determined the verdict was totally false. ²⁰ Whether the allegation was valid or not, the important point to be noted here is that the institution of assessors strongly influenced the interpretation of caste laws in the judicial courts.

Besides, caste distinctions were taken into consideration in the punishments imposed by the British courts. This does not mean that persons of high and influential castes were not punished and others were punished for similar offences. In fact, there were no rules laid down with regard to the punishment of persons of different castes, and persons of both higher and lower castes were punished when they committed offences. ²¹ But the punishments differed according to the caste of the offender. For example, hanging was the general mode of capital punishment for both males and females but radala nobles were decapitated. A Buddhist monk or a superior headman was not flogged. A fine was imposed on a high caste person while corporal punishment was inflicted on a low caste person for the same offence. ²² Cases in which radala nobles were the defendants were heard only before the Resident and the Judicial Commissioner.

The role of caste in judicial proceedings was perpetuated by some bureaucratic elements in the English system. Unlike in the judicial courts of the monarchy, the proceedings of all civil and criminal cases were recorded in the judicial diaries of the Agents and the Judicial Commissioner. The civil and criminal diaries of the Agents were at first examined every three months and latterly monthly by the Judicial Commissioner. These diaries were preserved for future reference. In making judgements most Agents of Government referred to earlier decisions. ²³ Thus, although there were no written laws among the Kandyans, legal codes and written judicial precedents were gradually emerging under the British. Since even the proceedings and decisions pertaining to caste were now written, the rules of caste which had existed earlier in an unwritten, oral and customary manner received formal and written legal recognition.

A very important aspect of the caste system was the caste services rendered to the state, those rendered exclusively to the goyigama caste - especially to the radala nobles - and those rendered to the temples. These caste services were invariably connected with the rajakariya and land tenure systems. Their economic aspects have been dealt with in the previous chapter. It is here intended to examine the social aspect of the problem - the manner in which British policy affected the caste system, as a determining factor in social relationships based on the land tenure and rajakariya systems.

Under the monarchy, the caste services to the state were based both on caste and on the land tenure system. In other words, persons of different castes performed to the Government, in return for the lands they enjoyed, different services which were determined by their caste. The introduction of the general grain tax, in lieu of all contributions and gratuitous services formerly rendered to Government, and the introduction of direct and indirect payments for caste services to the Government in 1818 led to some changes in social relationships. Most important of all was the weakening of the close tie which had existed between caste services and the land tenure system. Simultaneously, there was a persistence or even a strengthening of caste involvement in those services. This can be seen at several levels.

First, one can see it at the level of the Kandyan radala nobles. Earlier their relationship with the Government in the form of holding superior offices was based both on caste and on the lands, more precisely nindagam, they enjoyed. But the payment of salaries weakened the relationship based on the land tenure system and emphasized the caste basis of their services. The exemption of their lands from taxation also as a kind of remuneration for their services led to a further weakening of the land tenure basis of their appointments. Caste considerations however persisted. With regard to the inferior offices in the Kandyan administrative hierarchy a similar change took place. Persons were appointed to those offices taking caste into consideration: as a payment for their services their lands were exempted from

tax, and they were allowed to receive one twentieth part of the paddy revenue which they collected from the people under them. Secondly, one can see a partial separation of caste services from the land tenure system and a greater emphasis on the rajakariya obligations based on caste at the level of the low castes such as palanquin, talpat and torch bearers, who were entitled to direct payments. Earlier they had performed such services on account of the lands which they enjoyed. Now they were bound to perform these services to the Government according to their caste, but in return they were paid for them, and in return for the lands they held they were made liable to the grain tax. Besides, even in the instances where these compulsory, directly-paid caste services became unpaid services to Government,²⁴ it could be said that the relationship between such services and the land tenure system was weakened because such persons paid the grain tax in consideration of their lands and performed services according to their caste. Thirdly, also in the category of caste services which were entitled to indirect payments, one can see a slight weakening or disturbance of the relationship between the caste services and the land tenure system because the lands were exempted from tax as a remuneration for service.

Although caste services to the state were subject to certain changes under the British, those due to the radala nobles by low castes remained almost unchanged. According to Kandyan custom, the goyigama caste was in general entitled to the services of certain non-goyigama castes.²⁵ These caste services did not undergo any change because the policies of the Government did not affect them at all. In addition, as noted in the previous chapter, even after the imposition of the grain tax a radical change did not take place with regard to the tenure of land and the social relationships which had subsisted between the nindagam holders and their tenants except for the confiscated nindagam where the tenurial system and social relationships were subject to certain disruptions.²⁶ In other words, in most of the nindagam, the system of cultivating the muttettu lands of the nindagam holder and of performing various services to him by the tenants in return for their lands continued to prevail

with little change. Furthermore, the British themselves assigned persons for the personal service of the superior chiefs, exempting their lands from the grain tax. They also declared that the service of the washers to the radala nobles was to be gratuitous.²⁷ In these circumstances, caste services to the radala nobles remained unchanged. Therefore, even fourteen years after the British succession in Kandy, George Turnour, the Revenue Commissioner, noticed the services which were exacted from the people by the Kandyan radala nobles thus:

The services are of two kinds, those rendered by them as a retinue attached to a chief, in upholding his station and those of a menial kind. The former class are generally divided into three reliefs, each party serving for twenty days alternately. Their service consists in carrying Messages, in attendance on the chief himself. On certain occasions the chief will call out the whole of his retinue to attend him. The menial classes are engaged in duties performed by domestics about his house, in carrying burthens, and in other species of labour. They are usually divided into two reliefs and consist of persons of inferior Castes. If the whole should be called out they are generally fed by the chief; otherwise they feed themselves. 28

These services were of great benefit to those nobles. If they had had to pay for them, they could not have hired even half of the number of people whom they retained, from the amount of tax which had been remitted to them. The first adigar had the largest official retinue. His landed possessions and the services of his personal attendants were valued at £800 per annum, estimated at the price of grain in 1829. Even the Government found the continuance of those services beneficial because, if they had been abolished, it would have had to employ a large number of hired messengers.²⁹

Caste services to the temples were enforced by the British Government itself. The protection which was assured for Buddhism by the Convention in 1815 was allowed to continue although there was a slight diminution of emphasis in 1818.³⁰

However, this did not make any considerable change in the customary caste services to the temples. Regarding these services, Turnour remarked in 1829:

The services rendered by the higher castes consist of certain annual payments, in some cases in money, in others in produce of various kinds, which are appropriated to current expenses and to the repairs of Temples. The personal services of these superior castes are exclusively on state occasions when they have to take a part in public processions. The inferior castes have seldom dues to pay either in money or produce and their personal services are chiefly exacted from them, for cultivating lands, and for the construction and repair of Temples and Buildings attached to them. 31

Caste services were indispensably required for religious ceremonies, and therefore could not be commuted into money payments. The holders of temple lands could provide substitutes but they could not otherwise evade the services without forfeiting their lands. It is thus clear that caste services to radala nobles and temples did not undergo any considerable change under the British.

However, an important change has to be noted with regard to caste services under the British - a change in the nature of such services. The British asserted the right of commuting services which were not, under the existing circumstances, usefully applicable to the 'Public good to such other as may be beneficial' ³² although they did not directly interfere with caste status. ³³ Accordingly, they made certain commutations or conversions of services. As we have seen, after the abolition of many offices attached to the royal household in 1818, the low caste people attached to some of them were assigned the duty of collecting cinnamon, which had become very advantageous to the commercial interests of the British. ³⁴ In certain provinces, the assignment of low caste people to the duty of peeling cinnamon affected some other castes too. For example, in Sabaragamuva, after the low caste people who had performed services such as carrying loads were registered as cinnamon peelers, they were never required for any other public duty and the consequence was that the demand for coolies was subsequently supplied from

goyigama people of inferior grades and members of other castes. ³⁵ In Matale, the goyigama people were often employed in services they would not have been called on to perform under the Kandyan Kings such as building and repairing rest houses, court houses, offices, granaries, tappal (post) stations, cutting and dragging timber, driving and watching elephants. ³⁶ However, in the conversion of these caste services the British tried their best to abide by the principle that the new services should not be derogatory to the caste status of the persons who were made liable to them. ³⁷ In any event, these conversions of traditional caste services to services which were more advantageous to the British Government resulted in changing the nature of the services of some castes. The British tended to exact customary services according to caste in many instances and to protect that system in important spheres of their administration. As a result, the effect of the conversion of caste services in bringing about a fundamental change in the caste system was very slight.

On the whole, caste services to the state, to the radala nobles and to the temples remained largely intact during the period under review. One reason is that the administrative and economic policies carried forward by the British did not directly affect the caste system in Kandyan society. Another reason is that British social policy was in general aimed at protecting rather than weakening Kandyan social institutions.

An important problem which has to be examined at this juncture is whether there was a lessening of the rigidity of caste under the British and whether their policies supported such a tendency. The rigidity of caste was visible and was reflected in several caste conventions, social taboos and ritualistic practices such as the determination of one's caste by birth, the forbidding of intermarriage between castes, segregation in eating, forms of address, seating arrangements, clothing and the wearing of ornaments and in punishments which we have already dealt with. It appears that the rigidity of caste in these spheres did not undergo much change. This is made clear from an examination of certain

incidents which took place in the Kandyan Provinces.

The intermarriage of persons of different castes was unconditionally disallowed by custom.³⁸ According to the Kandyan custom, when a woman had sexual connections with a man of a lower caste than her own, she lost her caste and forfeited all her hereditary rights.³⁹ In all instances the child inherited the mother's caste.⁴⁰ While birth determined caste, endogamy strengthened it. In fact, endogamy was the medium through the differentiations based on caste passed on from generation to generation, strengthening them. The strictness of endogamy within different caste groups did not undergo any change under the British. However, in spite of all the conventions, restrictions and taboos ensuring endogamy, there were occasional instances where caste endogamy was violated. One could observe those violations at two levels during the period under survey, i.e. in connections between a woman and a man of lower caste than her own or a man who was an outsider to the Kandyan social system. Several instances were reported where women had connections with men of lower castes. Under the monarchy, this was an offence for which the family of the woman put her to death. If they failed to do so, the whole family would be degraded to such a degree that they would be excluded from all future intercourse with the other people of their caste. However, it was necessary to obtain the permission of the King to put the woman to death.⁴¹ Under recent monarchs, the extreme penalty was said to have been avoided.⁴² But there were instances where some members of the family of such a woman got together and killed her. Even under the British, there were similar instances. For example, in 1817, a hakuru girl who was raped by a man of padu caste was stabbed to death by her relatives and her corpse was left unattended for three months.⁴³ Because of the brutality and severity of this caste taboo, the British Government prohibited 'any person putting another to death on pretence of violation of caste without being entitled thereto.'⁴⁴ But it is very unlikely that these legal enactments changed the stringency of this type of caste sanction and the caste mentality among the Kandyans. For example, even

in the late nineteenth century, in answer to a question asked by an English civil servant as to what he would do if a woman of his caste married a man of different but high caste, an elderly chief replied: 'In the Kandyan times we would have killed her at once, but now - humph! well, I don't know what else we do with her now either.' ⁴⁵

Besides, violation of caste by women having sexual connections with men who were of inferior caste was severely punished even in the British courts. An incident was reported in 1824 when a goyigama woman had 'voluntarily associated' with men of the outcaste rodi, 'the vilest of all castes'. The villages had got hold of her and shaven her head before they produced her to the Agent of Government. She was found guilty of a gross violation of the customs of the country and was sentenced to be degraded from her caste and put to labour as a slave in any one of the royal villages or be banished from the Kandyan Provinces for life. Eight persons of the outcaste rodi were tried before the court. The assessors pointed out that such an offence would have been followed by the indiscriminate slaughter of the whole family during the Kandyan monarchy and that timely severity alone could check the progress of such daring violations of the laws of the country. By its own legal principles and humanitarian standards, the British court could not accept such an attitude to the problem and impose such a severe punishment. But the punishment imposed by the court was still quite severe. Two persons were sentenced to receive one hundred lashes each and to be imprisoned with hard labour in chains for two years and three persons were sentenced to be imprisoned and put to labour for one year; the rest were acquitted. ⁴⁶ In addition, there were two instances where two goyigama women were expelled from the Kandyan Provinces by the sanction of the Government for connecting themselves with low caste men. ⁴⁷

Apart from these instances of women having connections with low caste men, there were some instances where women had connections with men who were not considered to belong to Kandyan society. Such women lost their caste and their rights to inherit parental property. The case which we

referred to earlier could be given as an example. A goyigama woman who connected herself with a Muslim claimed the inheritance of her parent's estate. The case was brought before the Judicial Commissioner's court in Kandy in 1829. The assessors expressed their opinion that the Muslims had always been considered inferior to the goyigama in point of birth and that no intermarriages between persons of the goyigama caste and Muslims had ever been sanctioned according to custom. They further pointed out that if a goyigama woman married a Muslim, she would be deemed to have totally lost her caste and station in society, which by law barred her from inheriting her parent's land. The court gave judgement to that effect. Although an appeal was made, the Governor confirmed the judgement.⁴⁸ It is thus clear that there was hardly any loosening of the strictness of endogamy during the period under review. Instead, although the British prohibited the killing of anyone on the ground of violation of caste, the general proceedings in the British courts tended to maintain the rules regarding endogamy.

It could also be said that there was hardly any change in the segregation of eating. According to caste conventions eating in the house of low caste persons was an offence which could have led to loss of caste. The Agent of Government of the Seven Korales remarked in 1829 that the violation of such a custom never came to his cognizance.⁴⁹ Even in other areas the situation was similar. It could therefore be inferred that the taboos on commensality were taken for granted. Similarly, the forms of address used by the Kandyans, which contained caste overtones, did not undergo any change. For example, Turnour, while serving as the Agent of Government, Sabaragamuva, noticed that the rodiyas spoke a separate language which was slightly distinct from that of the others and they were addressed by the high caste people in separate terms.⁵⁰

Likewise, even under the British there was very little change in the seating arrangements which separated high castes from low. Instead, in certain instances, the British upheld such customs. For example, it was declared in 1818, that those who could sit in the Hall of Audience or in

the presence of the Agents of Government were the nobles who bore commissions signed by the Governor or to whom special licence might be given by him to that effect. Of these only the two adigars and persons who had the Governor's letter of licence could sit on chairs. The others had to sit on benches of different heights according to their different ranks, the height determining the status. When mohottalas and koralas served as assessors in the courts of the Agents, they had to sit on mats on the ground.⁵¹ These mohottalas and koralas did not generally belong to the radala grade, who were entitled to sit on chairs or benches. A complication arose, some time later, when certain persons of the radala grade were appointed to these inferior offices of headman. For example, in 1829, five out of the seven koralas in Sabaragamuva were sons or nephews of the disava but they were not entitled to sit on benches in the judicial court of the Agent according to their official rank while persons of the same caste but who held superior offices were entitled to sit on benches. As a result, the rule about seating arrangements was changed in accordance with caste lines. Every person of radala family who was in office or who had been appointed as extra official assessor was allowed to sit on a bench while he served in office or as an assessor.⁵² Thus even the British supported and confirmed the differences in seating arrangements based on caste lines.

Clothing and the wearing of ornaments which had been regulated on caste lines also appear to have undergone no change. There were some instances where certain low caste persons violated the restrictions on clothing. But in all such cases, they were compelled to return to the former position either by being compelled to do so by the villagers or by the enforcement of old usages by the British rulers themselves. For example, in one instance, some low caste persons in the Four Korales wore a dress which they were not entitled to and they were assaulted by some other villagers.⁵³ In another instance, several headmen and persons of 'good family' of Lower Bulatgama complained to the Agent of Government that some durayas and other low caste people were in the habit of wearing cloths of a superior kind to which they were

not entitled according to their caste. The Agent requested instructions from the Judicial Commissioner and also inquired whether low caste women should be compelled to go with their bosoms bare.⁵⁴ The Judicial Commissioner ruled that all classes of people were bound to adhere to the ancient customs of their respective castes unless especially exempted by the Government and were liable to be punished for any breach of these conventions. He further stated that in a few instances the late Kandyan Government had allowed women of the lowest castes to cover their bosoms but that this indulgence had been conceded only under peculiar and urgent circumstances.⁵⁵ Ironically, the British had shown a more faithful adherence to the traditional practice than the Kandyan rulers themselves. Finally, as we have already seen, although differentiations in inflicting punishment were not accepted in theory, in practice they continued to prevail even in the British judicial courts. It is thus clear that there was hardly any loosening of the rigidity of caste in the Kandyan Provinces even under British rule during the period under review, although a tendency to disregard caste conventions was observable among people of lower caste. Caste consciousness among the Kandyans was so strong and the accepted caste conventions so rigid that the Agent of Government of the Three Korales noticed that, in the performance of government service, goyigamas objected to mixing with durayas, hakuras and pannayas and that the latter never mixed with the former.⁵⁶

The British did not by any means encourage the weakening of the caste system. For instance, even in the implementation of their economic policies where a disregard of caste restrictions might have been expected, the British were careful not to violate caste prejudices. The way in which they introduced the option of paying the grain tax in cinnamon in lieu of paddy under the commutation system provides a clear example. Turnour noticed that 'the principal obstacle encountered' was the prejudice attached to the collection of cinnamon because it was a service allotted to low castes.⁵⁷ The British therefore assured the people that the voluntary sale of cinnamon by the goyigama and other castes was not considered 'in the light of Rajakariya nor

[would it] hereafter be converted into a compulsory duty.'⁵⁸

However, certain direct and indirect measures adopted by the British could be said to have led to slight changes in the caste system. On humanitarian grounds, the rulers took some legal measures which directly involved caste matters. As we have noted, putting someone to death or violating someone's property on the ground that she had offended against caste was prohibited. Also, certain caste services were changed to others considered beneficial to the Government: this was a direct interference with the caste system.

But these direct and indirect measures did not make any fundamental change in the caste system. This could be attributed to two factors. One was that the Kandians themselves, in particular, those of the higher castes were not yet prepared for any change in it. As it was so vital to their economic life, social and political relations and cultural activities, the minds of the Kandians were conditioned to accept the system in its pristine purity. Having been conditioned by the system for generations they were not much inclined to question its validity. On the other hand, the British rulers too, although they took a very few inescapable steps with regard to caste, were inclined to maintain the system intact.

Their policy towards caste in the Kandian Provinces was certainly not compatible with their ideological concepts and values. In general, they were opposed to caste. This was a period when Utilitarian, laissez-faire and humanitarian ideologies were gaining ground in Britain. The caste system seemed incompatible with them. Therefore British policy towards caste in Kandy was determined by local factors. Political considerations were paramount. The maintenance of the caste system seemed likely to ensure the stability of British power. Through the maintenance of the rigid hierarchical order of caste and by rendering patronage to radala nobles who constituted the highest and most influential group of the social pyramid, the British maintained a submissiveness and a sense of obedience both among the higher and lower orders. By developing a political partnership with

the radalas, the rulers could also avoid any threat to their authority. There were of course several instances where this principle of sharing power did not work as they expected. The clearest example was the rebellion of 1817-18. In addition, in the years 1820, 1823 and 1824 comparatively insignificant attempts were made against the British Government.⁵⁹ All of them showed a weakness in the political partnership between the British and the radala nobles. On the other hand, on all those occasions, except for the 1817-18 rebellion, a large number of nobles supported the British. Thus the policy of maintaining the caste system and favouring the radala nobles generally helped to ensure the stability of British power.

The continuation of caste services such as those of palanquin, talpat and torch bearers was also politically advantageous to the British. Under the monarchy, these services were utilized not only for the personal comfort of the King and the higher officials, but also to create a sense of dignity and authority among the ruling class and submissiveness and obedience in the minds of ordinary people. Through the continuation and manipulation of caste services, the British also attempted to assert and maintain a sense of their own authority and power in the minds of the people. Furthermore, the utilization of some caste services was economically beneficial. For instance, through the assignment of low castes to peel cinnamon, the British could readily obtain it. In other words, they could fulfill some of their economic interests through the caste system, following upon Portuguese and Dutch practice and their own experience in the Maritime Provinces. They utilized caste for their own ends, and their need for the support of the influential Kandyan nobles prevented them from making fundamental changes in all social institutions including the caste system.

John Downing, the Judicial Commissioner, instructed a subordinate Agent in 1829 as to the best policy to follow on caste matters:

In enforcing these usages ... care should be taken that the higher castes are not endeavouring to exact distinctions they are not legally

authorized to do, as it is not either the interest or wish of Government to hold lower castes in a more degraded state than the laws and customs of the Country absolutely require. 60

Downing expressed well the attempt made by the British in general to reconcile the incompatibility of their policy of maintaining the caste system with western ideas. On the one hand they intended to maintain traditional social structures on political grounds so as not to arouse influential opposition to British rule. At the same time, they had regard for western ideas so far as they did not threaten British rule. However, this utilization and manipulation of caste involved a certain change in the system although it was not a fundamental one.

Buddhism

The dilemma in which the British found themselves is best exemplified in their policy towards Buddhism. Matters were complicated by the fact that there were people who believed that to uplift the natives in the colonies called for a policy of Christianization. They thought that Buddhism was a superstitious religion. The Evangelical movement led by outstanding persons such as Wilberforce was becoming a pressure to be reckoned with in formulating colonial policy. The Evangelicals criticized British religious policies in the colonies and the Evangelical political lobby in Parliament was gaining in strength. However, a complete surrender to Evangelical demands would have been the surest means of alienating people with long-established institutionalized religions. In spite of Evangelical pressures political considerations predominated in the formulation of religious policy, particularly in view of the undertakings given in the Kandyan Convention. The British were reluctant to make changes in the relations between the state and the local religion. However, the transfer of political power from the native rulers to the British brought about in its wake an unavoidable change in the established and institutionalized religious organization in turn disturbing the relationship between the state and religion.

Although the British rulers did not have any faith in Buddhism or entertain any respect for it, they followed a very favourable policy towards Buddhist institutions from the inception of their rule. When they signed the Convention in 1815, Buddhism was declared 'inviolable' and its rites, monks and temples were assured of protection. Ironically, the British, who considered Buddhism a superstitious religion, became its guardians. Brownrigg, the Governor, himself felt uncomfortable about this article of the Convention and told Bathurst, the Secretary of State, that it confirmed 'the superstition of Boodhoo in a manner more emphatical than would have been my choice'. However, he defended his action by explaining the circumstances which led him to come to such an agreement. ⁶¹

This policy was chiefly determined by circumstances such as the inadequacy of British military power, British indebtedness to the Kandyan nobles for the success of the conquest and the promises and the pretensions made during the Kandyan expedition and in the Convention. Consequently, the motives and interests behind British policy towards Buddhism were political. One could argue that these political motives were more dominant in the formation of their policy towards Buddhism than in other aspects of their social policy. The patronage and protection they extended to Buddhist institutions can be viewed as an attempt to win over a powerful and influential social group - the Buddhist monks - to their side and thereby utilize the religious sentiments of the Kandyans in general in support of their rule.

The British rulers also tried to manipulate certain beliefs and concepts regarding the legitimization of political power through their connection with Buddhism and to create a psychological acceptance of their rule in the minds of the Kandyans. Immediately after signing the Convention, the British were successful in inducing the nobles and monks to bring back to the Temple of the Tooth at Kandy the Tooth Relic of the Buddha which had been secreted at the time of the invasion. There was a deep-rooted and long-standing belief among the Sinhalese that the possession of the Tooth Relic legitimized the right of a King to rule the country.

At times when there were several rulers, the person who possessed the Tooth Relic was considered to be the legitimate King. In other words, the possession of the Tooth Relic by a ruler gave him a religious sanctity and legitimized his position. In these circumstances, the act of the British rulers in bringing back the Tooth Relic can be viewed as an attempt to obtain religious legitimization for their political overlordship. ⁶²

Brownrigg felt that the Kandyans identified strongly with Buddhism, and that for the maintenance of British control over Kandy patronage towards Buddhism was essential. ⁶³ The British were also aware of the close relationship which had existed between Buddhism and the Kandyan state, the deep-rooted belief that Buddhism had protected the independence of the Kingdom from the invasions and influence of the foreigners and the tremendous power and influence exercised by the Buddhist monks over the entire Kandyan society. Brownrigg wrote:

It is currently received that there existed a close connection between the Independence of the Kandyan Kingdom and the Reign of Buddhism. Budha it is believed had engaged to protect their Monarchy against all foreign power and influence. ⁶⁴

He noticed the influence of the monks on society and attributed it to the seclusion of the Kingdom from European influence and to the cultural and mental backwardness of the Kandyans:

The Kandyans have for three Centuries maintained a barbarous independence by the great natural strength of their Extraordinary Country, and a systematic exclusion of all Europeans, scarce allowing the least intercourse in Peace, and always displaying most rancorous Hostility in War - They are extremely ignorant and superstitious, and consequently the Power of their Priesthood is considerable. ⁶⁵

He perceived that hasty and injudicious attempts at 'great Religious and Moral improvement, in a Country which has for

ages been consigned to barbarous ignorance ... might do serious mischief, and much retard the great Work of Conversion.' Therefore he thought that measures likely to offend the 'prejudices and superstition [of the Kandyans] . . . assuredly require circumspection and prudence.'⁶⁶

Although to many British officials in Sri Lanka this arrangement appeared to be the most expedient, politic and practicable course of action, it was not compatible with the prevalent religious notions and beliefs in England. Especially the Evangelical Wilberforce and some other protestants objected to the article of the Convention, which ensured unconditional protection for Buddhism. They feared that this article might operate against the propagation of Christianity in the Kandyan Provinces and the admission of Kandyans into the Christian Church. They anticipated that the Buddhist monks might in the future complain of the circulation of the Bible or the conversion of Buddhists to the Christian faith as a violation of the Buddhist religion, unless this article of the Convention was explained as intending only the toleration and free exercise of that religion.⁶⁷

The undertaking to protect Buddhism created a problem for Brownrigg. Immediately after the war, the British were faced with the task of protecting temple treasures from their own camp followers, since the army attempted to acquire certain valuables belonging to the Temple of the Tooth as prize property. There was a conflict between the Governor and the army officers. On the approach of the British expedition, gold, silver, brocade dresses, jewels, precious stones, money and other valuables belonging to the Temple, along with the moveable royal treasures had been removed to the jungle and various villages under the orders of the King. A large part of these valuables was seized by the army. The claims made by the nobles and monks for their return created a problem for Brownrigg. The controversy threatened his policy of winning over the Kandyans by patronizing the sangha and the temples. The nobles and monks demanded the immediate restoration of the valuables to the Temple because those articles were considered indispensable for the annual religious ceremony which was to

be held in April. The army officers, however, were not prepared to restore them.⁶⁸ The Prize Agents, though admitting that many of the articles claimed by the nobles and monks had belonged to the Temple in Kandy, argued that they had acquired the character of state property under certain circumstances. Firstly, since the property had been removed from the Temple into the jungle by the express orders of the King, the property was completely at his disposal and was consequently 'not only Royal or State Property, but applicable at his will and pleasure for purposes of War and aggression.'⁶⁹ Secondly, the removal of property into the jungles from either houses or temples amounted to an abandonment which placed it out of the protection held out either to temple or private property by the proclamation of 10 January 1815. It was also argued that no temple or sacred place had been entered or approached in search of property. Lastly, during the previous government, all title to private property emanated from the absolute power of the King, and so his order for the removal of the property from the Temple was in fact a resumption of former donations. In short, the articles fell under the description of goods which were liable by the definitions of the Prize Act to be seized as private property.⁷⁰

The Governor rejected all these arguments and declared his 'inflexible conviction' that his 'conscience as well as the Honor of His Sovereign and His Country' equally required the solemn pledge of protection held out by the manifesto of the war to be construed in a manner totally different, 'that is to say with simplicity and good faith adhering to the substantive meaning of terms offered by the British Government and abstaining from all refinements tending to narrow their plain sense and fair interpretation.'⁷¹ Incidentally, he pointed out that certain property of the Temple of the Tooth which had been secreted in the village of Pettigoda on the approach of the British army had been removed from there by some Malay soldiers and others and brought into the custody of the Prize Agents.⁷² Finally, he ordered the immediate restoration of what was proved to be the property of the Temple - proved by inscriptions or other evidence. He

also ordered the delivery of the articles which were considered necessary for the ceremony of the Temple on the occasion of the Sinhalese New Year in April.⁷³ Thus amidst the objections of the army, Brownrigg took steps to restore most of the valuables to the Temple. Although the army officers complied with the order, they criticized it with reference to an act of Parliament on army prize money passed on 14 July 1814. In reply, the Governor pointed out to the Secretary of State that his decision was an 'act of justice to the Temple' and an indispensable condition for satisfying the monks, and therefore was 'a political object of the first importance.'⁷⁴ This conflict between the Governor and the army officers over the restoration of temple property was actually a conflict between the political interests of the civil power and the personal interests of military officers. The ideas expressed by the Governor and the final prevalence of his opinion clearly showed the political significance attached by the British government to the protection of temple property.

The religious policy followed by the British placed them in the position of the Kandyan King in the sphere of religious functions. Under the monarchy, the King was the chief economic benefactor and chief guardian of Buddhist institutions; the principal custodian and supporter of the education and discipline of the monks, the person who made the highest appointments in the religious hierarchy and the final judge who decided on disputes among the monks. The measures taken by the British after the signing of the Convention showed the continuance of some of these functions. For example, in 1815 the nayaka theras, or the head monks of the Malvatta and Asgiriya chapters, and the anunayaka theras, or their deputies, were appointed by Brownrigg on the recommendation of D'Oyly, the Resident. In making these appointments, the British took particular care to remove an innovation which had been made by the previous King and reverted to an older custom. The last King had appointed three nayaka and three anunayaka theras over the Malvatta chapter instead of one for each office. Reverting to the older practice, the British appointed one nayaka thera and one anunayaka thera over the Malvatta and Asgiriya

chapters respectively. Besides, the last King, a few months before his dethronement, had levelled some charges against the nayaka thera of the Asgiriya chapter and dismissed him from office. These charges were re-examined by the British before the monks of the two temples and high-ranking nobles. Since the charges were deemed to contain no evidence that the nayaka thera had acted against religion or the laws governing the priesthood, he was re-appointed to the office.⁷⁵ In addition to these actions concerning the sangha, high lay dignitaries of the Buddhist organization such as the maliga diyavadana nilame and the basnayaka nilames, or chief lay administrators of the four principal devala in Kandy, were also re-appointed.⁷⁶ Besides making the highest religious and lay appointments in the religious organization, Brownrigg on a very few occasions personally tried some cases involving temple property.⁷⁷

However, in spite of these acts, the absence of the King and the ascendancy of foreign rulers invariably led to a certain weakening of the relationship which had existed between the state and the religious organization under the monarchy. Under British rule, the state's economic patronage to Buddhist institutions was limited because the new rulers refrained from making land grants to temples. Their assistance was confined to the maintenance of the temples and their rites and to the due performance of ceremonies. The responsibility of the rulers to support the education and to keep the discipline of the monks faded away almost completely since the British did not take any interest in such matters on the ground that it was not a part of their duty. This does not mean that every previous Kandyan ruler had taken a special interest in such matters. But responsibility had rested with the King. Actually, towards the end of the Kandyan monarchy, the Buddhist organization had suffered a great decline. This decline was perhaps hastened under the British rulers, who did not consider themselves responsible. Besides, even in judicial matters, although the Governor tried some cases concerning temple property, they were usually adjudicated by British officials residing in the Kandyan Provinces. Finally, the absence of the King created a psychological vacuum in the minds of both monks and laymen

because the new rulers were foreigners and Christians. On the other hand, the British were also not in a position to understand the true sentiments of the Kandyans. With the absence of the King as head of the religious organization, the Kandyans felt a sense of insecurity almost immediately after the conquest. Brownrigg remarked upon the changed situation as it appeared to Buddhist monks:

... it was found that the Priests had great fear and scruples lest their Religion should be disparaged and the sacred Relick carried away and they even ventured to suggest that a Sinhalese King would be necessary for the Protection of the Temple and of the Budha Faith, an Idea which ... [was] natural enough to occur to them. 78

At the same time, the monks demanded the undisturbed possession of the lands and other property of the temples. ⁷⁹

The British patronized and supported Kandyan Buddhist institutions in several ways. They tried their best to abide by the promises given in the Convention. The superintendence of the affairs connected with the temples and the lands attached to them was personally entrusted to the Resident, D'Oyly. This involved recommending to the Governor, at first personally and later through the Board of Commissioners, the names of religious and lay candidates for high office in the religious organization. The Resident also supervised the attendance of people bound to the temples by service tenure and the payment of their contributions in money, in produce or in other articles. After the death of D'Oyly in 1824, since the office of Resident was not continued, those duties were entrusted to the Judicial Commissioner. ⁸⁰ As under the monarchy, temple lands were exempted from tax. The Government took care to protect temple property from administrative mistakes on the part of British officials who were ignorant of local customs. For example, the Commanding Officer at Ratnapura stopped the cultivation of a field belonging to the Angamma viharaya because he wanted to dig there for precious stones. When the monks of the viharaya complained, the Governor, on the recommendation of the Resident, ordered the Commanding Officer not to interrupt the

cultivation of that field. ⁸¹ Moreover, although the British did not grant lands to temples, they rendered their patronage and support to religious ceremonies. Elephants, and articles such as cloth and ivory which were considered necessary for religious ceremonies were given by the Government to the monks and temples. ⁸² The British administrators intervened to procure from the persons who enjoyed temple lands the payments due in kind and in cash, and the labour services for religious ceremonies, rituals and repairs to temples. Besides, when preparations were made to bring the Tooth Relic into the Temple, Brownrigg gave the monks a building within the palace adjacent to the Temple - 'a Tower or Pavilion of some elegance consisting of an upper and lower room.' He also told Bathurst that 'the relinquishment of the Building tho[ugh] a great donation to the church, was little or no sacrifice on the part of Government.' ⁸³ The act of bringing back the Tooth Relic itself was of immense political importance. This is clear from the observations made by D'Oyly:

It is apparently a mere matter of Religion, but is in truth of the highest Political importance ... and I may repeat here the sentiment ... that we have this day obtained the surest Proof of the Confidence of the Kandyan Nation and their acquiescence in the Dominion of the British Government. ⁸⁴

Hardinge Giffard, the Advocate Fiscal, who later became the Chief Justice, remarked:

To gratify their priests, who rule the Headmen, the British resident (Mr. D'Oyly) went in solemn procession to their principal temple in Kandi, walked barefooted up to the altar and made offerings to their idol - all in his official character. This I believe is the first instance for four centuries of a representative of a British Government - publicly sacrificing in an Heathen temple. ⁸⁵

The British also provided other signs of their respect for Buddhism. In the course of a procession of Muslims on 12 December 1815, an attack was made, in the streets of Kandy, upon a Buddhist monk of the Asgiri viharaya

by casting ashes or dust on his face and by breaking his fan into pieces. D'Oyly took immediate steps to hold an inquiry but the offenders could not be identified. But in order to 'manifest the sense which the Government entertains of the outrage done to the Priest and its desire to afford redress' an advertisement was published offering a reward of fifty rix dollars for the apprehension of the offender. Immediately after the incident, such Muslim processions were prohibited in the future since they were found to be 'gross violations of the Public Peace.'⁸⁶ In another instance, a Buddhist monk of the Seven Korales presented to the Governor an ola signifying his desire to abandon Buddhism and embrace Christianity. The Governor who was 'fully sensible of the delicacy attendant on such a measure' rejected the application.⁸⁷ Besides, Brownrigg was careful not to allow missionaries to propagate Christianity in the Kandyan Provinces.⁸⁸ All these acts make it clear that the British rulers tried to maintain the confidence of the Kandyans at the expense of Christianity and Islam. This favourable policy of the British towards Buddhism was confined to institutionalized practice. Except for Sir Alexander Johnston, the Chief Justice at the time, no other British official took any interest in Buddhist doctrines, precepts and teachings, as some of British administrators did towards the latter period of their rule in Sri Lanka.⁸⁹ This too indicates that the motives behind the policy were purely political. However, in spite of this favourable policy, the relationship which had existed between the state and the Buddhist organization during the monarchy was disturbed under the British, although the links were not completely broken.

British policy after the rebellion of 1817-18 led to a further disturbance in this relationship. The protection which was ensured for Buddhism in 1815 was extended to other religions as well in 1818 by the declaration that while the Buddhist monks, ceremonies and processions were to receive the respect which they had previously received, 'it is in no wise to be understood that the protection of Government is to be denied to the Peaceable exercise by all other Persons of the Religion which they respectively profess

or to the erection under due License from His Excellency of Places of Worship in proper Situations.' ⁹⁰

This modification of the British stand with regard to Buddhism could be attributed to several reasons. It could be argued that this modified position was a personal attempt by Brownrigg to escape from the embarrassment which he faced in 1815 by promising protection for Buddhism in 'the most unqualified Terms'. As we have seen, the fact that this particular clause of the Convention was subject to some questioning on the part of the Home Government and to serious criticisms on the part of the Protestants made Brownrigg uneasy. He consoled himself and the Secretary of State:

I am so far from considering the Kandyan People as permanently debarred from the light of Christianity, that I think it is required to predict, that the gloom of ignorance and superstition which has hitherto enveloped that unfortunate Region, will at no distant period be materially dissipated, by the gradual and insensible diffusion of religious knowledge. ⁹¹

Thus it appears that he was looking forward for an opportunity to change the strong terms of the legal document in order to escape from Protestant criticism, while at the same time being consistent in his policy on Buddhism. He got this opportunity after the outbreak of the rebellion since the British Government considered that the involvement and support of a large number of Kandyans relieved it from the promise to protect local institutions. The solution to the Governor's problem coincided with Christian missionary interests in the colony. In the context of broad Christian missionary activities in the Maritime Provinces of Sri Lanka at the time, ⁹² the extension of protection to other religions was in effect an opening of the Kandyan Provinces to Christian missionaries, because they were eager to propagate the gospel in those areas and because this protection did not mean much to other local religions, namely, Islam and Hinduism, whose adherents were numerically small and politically insignificant. Thus this measure can be regarded mainly as a step taken by the rulers to satisfy the Christian missionaries. After about 1823, the British rulers allowed Christian missionaries

to enter the Kandyan Provinces for their activities, but missionary activity was never extensive during the period surveyed here. The missionaries made requests before 1823, but they were refused. For example, in 1820, the Church Missionary Society made an application to the Governor requesting permission to establish a school in the Seven Korales, but the Governor turned it down on the ground that 'it is not deemed under existing circumstances particularly advisable to sanction the measure for the present.'⁹³ Similarly, a request made by the Wesleyan Mission to proceed to the Kandyan Provinces to open a school was refused on the ground that the interior provinces were not sufficiently tranquillized to justify the attempt.⁹⁴

In the political context immediately following the rebellion, the guarantee of protection for all religions can also be related to the broad British policy of reducing the power and influence of the Kandyan nobles. Brownrigg had an unfavourable opinion of Buddhist monks. He knew that they had a tremendous influence over the laity and saw them as the grand movers of plots.⁹⁵ The fact that a large number of monks strongly supported the rebellion confirmed his views. Besides, certain nobles who were lay administrators of temples also took part in the rebellion. In these circumstances, the Government's withdrawal from the responsibility of protecting only Buddhism can be viewed as an attempt to loosen its connection with Buddhism and thereby to reduce the influence of the monks and the nobles.

However, the article in the proclamation declaring the protection of the British Government for other religions too, did not prevent the rulers from continuing their patronage towards Buddhism on a somewhat reduced scale. This was done on the ground that the influence of the monks was still immense. Therefore the former policy of the British towards Buddhism did not undergo a fundamental change even after 1818. The proclamation of 21 November 1818 itself made the Buddhist monks and religious institutions a privileged sector. The monks as well as all Buddhist ceremonies and processions were to continue to receive due respect. In addition, only the Buddhist monks were allowed to give

evidence in the judicial courts while seated.⁹⁶ Besides, the lay administrators or the diyavadana nilame and basnayaka nilames were allowed to receive the usual fees called dakum when making appointments in the temple villages although such fees were abolished with regard to all other appointments.⁹⁷ Moreover, 'desirous of shewing the adherence of Government to its stipulations in favour of the Religion of the people' the authorities exempted the temple lands from the grain tax to which all other paddy lands were liable.⁹⁸

In addition to the privileges legally enacted by the proclamation, the other aspects of the policy hitherto followed towards Buddhism persisted to a large degree even after 1818. The head monks and deputy head monks of the sangha organization and the lay administrators of temple lands continued to be appointed by the Governor on the recommendation of the Board of Commissioners.⁹⁹ The names of the candidates were brought before the Board by the Resident until 1824 and subsequently by the Judicial Commissioner, and their respective opinions were vital when making recommendations. Even in the judicial sphere the Buddhist monks continued to be given special privileges. For example, except for capital offences, they were not punished with imprisonment for offences for which laymen would suffer such punishment. Instead, they were fined.¹⁰⁰

In addition, the British Government continued to extend its patronage and support to religious ceremonies and festivals. For example, in 1829 an amount of £30 was advanced to the diyavadana nilame for the two elephants that he bought for religious ceremonies.¹⁰¹ For the celebration of the vesak festival on the full moon day in May, articles such as salt, cloth, oil, jaggery, curry stuff and fruits were delivered on government account. Salaries amounting to about £9 were paid to the men and women who were employed in taking care of and dressing the provisions, and paddy or rice was issued every year to the Temple of the Tooth and the monks according to custom.¹⁰² The Government gave its financial assistance to other festivals and ceremonies in a similar manner. It also provided items and articles necessary for the

maintenance of the Temple. ¹⁰³ It also granted allowances either in money or in kind to several monks in Kandy. ¹⁰⁴ Moreover, as under the monarchy, the Tooth Relic which was under the charge of Board of Commissioners was exposed to view from time to time under the patronage of the British rulers. For example, in 1828, the Relic was exhibited in the presence of the Governor and other British authorities. 'This ceremony which was conducted with great pomp, had been but rarely renewed by the Kandyan Kings, from the manifest inconvenience of drawing so large a concourse of people from their districts.' ¹⁰⁵ The British extended their patronage and support even to Buddhist ceremonies such as pirith chanting which they themselves considered superstitious. Such ceremonies were performed, according to the beliefs of the Kandyan, 'for the purpose of propitiating the Gods in favor of rain and for the prevention of sickness.' They were of course not frequent, but whenever they were performed, they were patronized and supported. ¹⁰⁶

Furthermore, the British administrators continued to act as mediators in exacting rajakariya for the principal religious institutions. For example, the Judicial Commissioner, on the request of the lay administrators of the temples (namely, diyavadana nilame and basnayaka nilames), submitted orders through the provincial Agents to procure from temple land holders labour services for the repair of the temples and for religious ceremonies, festivals and processions in Kandy. ¹⁰⁷ In addition, persons in the temple villages who were employed in road service were released from it to enable them to perform their services to the temples. ¹⁰⁸

Even after 1818, the motivation behind British policy towards Buddhism was purely political. As late as 1829, Turnour, summarizing the motives which had led to the formation of British policy on Buddhism, stated:

I consider that the natives in general are still very decidedly attached to their religious Institutions, so much so that the local Government has hitherto considered it politic to give them every support and countenance, with the object of conciliating the people and of preserving the tranquillity

of the Country. Any interference with a view to change would certainly be regarded by the chiefs and people as well as by the Priests as subversive of those Institutions. 109

Despite the implementation of this policy, the relationship between the state and Buddhism was further disturbed and Buddhist institutions were subject to further weakening, after 1818. This situation was caused to a large degree not so much by deliberate policy but as a consequence of some of the political and economic measures adopted by the British themselves such as the reduction of the power of the nobles and the extensive exaction of gratuitous labour for government service. This shows the close interconnection between Kandyan social institutions: measures taken in one direction affected the other. Thus, although they took deliberate steps to protect certain institutions, other steps taken by them, which had different objects in view adversely affected those institutions which they tried to protect and maintain. The total outcome was a further weakening in all the institutions associated with Buddhism.

Certain measures adopted by the British slightly disturbed the service relationship between the persons who enjoyed temple lands and the administrators of such lands, namely, the diyavadana nilame and basnayaka nilames. As we have seen, as a consequence of the deprivation of political authority and especially the loss of judicial powers after 1818, these lay administrators had now to depend on British administrative officials for the exaction of services and dues from the people in the event of the negligence on the part of the latter. On such occasions, the lay administrators had to depend on British officials to enforce traditional Kandyan customs.¹¹⁰ For example, on a complaint made by the diyavadana nilame to the Judicial Commissioner that the inhabitants of certain maligagam in Sabaragamuva, the Seven Korales and the Four Korales had failed to attend with their dues for the perahara festival, the Judicial Commissioner sent orders to the headmen of those villages through the respective Agents of Government calling for an explanation and directing immediate payment.¹¹¹ Besides, the exaction by the British

Government of some compulsory paid services for public works and compulsory gratuitous services for the building of roads from the people who enjoyed temple lands greatly affected their labour services to the temples. The lay administrators and incumbent monks of the temples repeatedly complained on this matter to the Judicial Commissioner. On many occasions, the latter attended to these complaints and took measures for procuring uninterrupted labour services to the temples. For example, when the basnayaka nilame of the kataragam devalaya in Kandy complained that he was left without the means of carrying out even the indispensable daily duties of the establishment after the inhabitants of a certain village which was exclusively allotted to the devalaya had been summoned for road service, the Judicial Commissioner, with the consent of the Revenue Commissioner took steps to exempt that village. ¹¹²

In spite of these steps taken by the British rulers in favour of the temples, it is clear that this type of incident which arose as a result of their political and economic measures led to a disturbance in the relationship between the holders of the temple lands on the one hand and the incumbent monks and lay administrators of the temples on the other, and also to a certain weakening of the link between the Government and the religious institutions. That such a change took place is supported by the evidence that services to the temples of Kandy from persons living in remote provinces were not much pressed under the British. John Downing stated before the commission of inquiry that although there were many people who ought to come from great distances and perform the services at Kandy, he had never enforced them. He further said that he had never compelled people from Sabaragamuva or Uva to attend, although the general notice had been issued to them as well as to the others. He also stated that he did not impose any penalty for non-attendance although such people were liable to fines according to the Kanyan law. ¹¹³ This official attitude certainly affected temple services. Turnour also noticed that the religious festivals were not 'so numerously attended as they used to be'. ¹¹⁴ Thus, there was a certain slackening of the

rigidity formerly exercised in the enforcement of services to the temples. As far as the incumbent monks and lay administrators were concerned it involved a weakening of their position.

The policy adopted by the British regarding the registration of temple lands further weakened the relationship between the temples and the Government.¹¹⁵ In the point of view of the Government, the success of this policy in checking the abuses and irregularities prevailing in the temple lands was very doubtful because Turnour later discovered many others when preparing the commutation registers. However, the incumbents of the temples did not willingly accept this process of registration, although they did not offer any direct resistance to it. Even in this matter, the British were careful not to implement the requirement in its entirety. Although they came across persons who had not registered, they did not make any attempt to punish them.

In conclusion, it may be said that the British rulers were confronted with a religio-cultural and political dilemma in formulating a policy towards Buddhism. While missionary pressure and their own Christian convictions led them to be reluctant patrons of Buddhism, political and social stability called for Government assistance and interference in activities related to the Buddhist establishment, although on a limited scale.

Slavery

The dilemma in which the British found themselves when formulating a social policy for the Kandyan Provinces is also seen in their attitude towards Kandyan slavery.¹¹⁶

The principal slave owners were the King and the nobles.¹¹⁷ The King had absolute rights and powers over his slaves. Even the other masters enjoyed somewhat unconditional rights and powers over their slaves but could not kill or mutilate them.¹¹⁸ Slaves were personal property and were not attached to the soil. The master could employ and dispose of his slaves in any manner he pleased. He retained some of them for domestic purposes and employed the others as tenants

or in any other manner in his lands. ¹¹⁹ Slaves were liable to do all services to their master however low and base those services might be. The master had the power to punish them with flogging, confining them in stocks or in irons and cutting off their hair and could torture them even with a red hot iron. ¹²⁰ He could sell them for money, give them away as a gift or as dowry or set them at liberty. ¹²¹ All these rights and powers of the master over his slaves may suggest that the Kandyan slaves belonged to the category of 'chattel slaves.'

However, the actual position of the slaves seems to have been better than the legal position. Although there were occasional instances where cruelty was practised by the masters, ¹²² Kandyan slaves were often treated mildly. ¹²³ In some instances, the masters advanced their slaves even to positions of caretakers of their lands or petty headmen of low castes, although such arrangements were not considered permanent. The fact that the slaves were not entirely deprived of their civil rights also made the position of the Kandyan slaves fundamentally different from that of 'chattel slaves'. They could acquire and possess landed and movable property independent of their masters who could not deprive them of such property. They were also in every respect considered equally competent with a freeman to give evidence in a judicial court and were very often called upon to witness transactions in which their masters were concerned. ¹²⁴ In the words of Knox, 'except in Dignity they are not far behind their masters'. ¹²⁵ Furthermore, the persons who fell into slavery due to their inability to pay back debts could in theory obtain their freedom by paying them. However, the emancipation of the others depended entirely on the discretion of the masters.

Kandyan slavery has been viewed from different angles. Dr. P.E. Pieris, a modern, nationalist historian, holds the view that the English word 'slavery' is a misnomer in the Kandyan social context. Referring to the opinion of the Board of Commissioners that Kandyan slavery was the mildest form of slavery in the world because they were, in general, kindly treated, ¹²⁶ he wrote:

Had other countries been able to accept this attitude the world would have been saved a sordid page in the history of human suffering. 127

Implicitly, he is of opinion that the mildness of Sinhalese slavery was a national virtue. Subsequently, an objective and more acceptable opinion has been expressed by another social scientist. Referring especially to the persons who fell into slavery due to their insolvency, he thinks that Kandyan slavery was 'the pledging of one's labour in return for a loan.' He stresses an idea that the concept of 'labour as an economic commodity' is basic to the institution of slavery and concludes:

A Kandyan slave was one who had exchanged his/her labour usually for a loan. The 'slave owner' did not possess absolute rights over the person of the 'slave' - he only owned the rights to the labour services of the 'slave' until the original debt was repaid. The rights had an economic value - they could be bought and sold, given as dowry or as inheritance. 128

Even this second view does not give a complete view of the position occupied by slavery in the Kandyan socio-economic and political system.

Slavery could basically be considered as a system, or institution of procuring labour and its relative importance varied from one period or era to another and from one society to another. Kandyan slavery did not fundamentally differ from this general theory. In Kandyan society, slavery as a medium of procuring labour occupied a somewhat less significant position compared to the rajakariya and caste systems through which labour services to the state, to the nobles and to the temples, in other words, the labour services which were essential for the continuous existence of the entire socio-economic and political order, were chiefly exacted. However, a difference should be made between the labour services exacted under slavery and those under the rajakariya and caste systems. The former were unfree labour in the sense that the slaves were not attached to the soil and were liable

to perform, irrespective of their caste, any service their masters required of them, however low and base that service might be. A free goyigama person, although hired, could not be compelled to dig a privy, carry water thereto or carry a palanquin or a corpse all of which a slave of the goyigama caste was liable to do. ¹²⁹ They were disposable in any manner the masters wished. Labourers employed under the rajakariya and caste systems were at least theoretically free because they were liable to perform their services only as long as they enjoyed their lands. In practice, however, no one could evade the performance of these services since all lands were service lands and since all the Kandyan except for rodiyas were land holders. However, in the procurement of this 'free labour' caste considerations had to be strictly observed. The comparatively smaller significance of slavery over the rajakariya and caste systems is more evident from the fact that slavery was independent of caste. When slavery came into conflict with caste, the demands of the latter were prominent. For example, a goyigama female slave could not be compelled to marry a person of an inferior caste. Similarly, a person of low caste could not possess slaves of a superior caste. When a goyigama person was liable to become a slave of a creditor of lower caste on account of his inability to pay back a debt, a noble generally paid the debt and made the debtor his slave. ¹³⁰ Besides, the smallness of the slave population shows that slavery did not occupy a very important position in Kandyan society as a medium of procuring labour. In a census of slaves taken a short time after the rebellion of 1818, there were not more than 2894 male and female slaves in the Kandyan Provinces. ¹³¹

It is thus clear that as a means of procuring labour for the state and other social groups and institutions, slavery was a less important institution than rajakariya and caste. Rather than characterizing it as a national virtue, the mildness of Kandyan slavery could be attributed to this factor. However, it should be noted that although slavery was not a very important institution for procuring labour, slaves were essential for the nobles to maintain the pomp and dignity of their rank.

The dilemma with which the British were faced in formulating a social policy is shown in their policy on Kandyan slavery. By this time, there was a very strong protest movement in England against the slave trade and slavery. The accepted policy of England was also in the direction of the abolition of slavery. Even in Sri Lanka, the British had adopted some definite measures against slavery in the Maritime Provinces.¹³² Some British officials thought that the Government should take steps to abolish slavery in the Kandyan Provinces as well.¹³³ Despite all these circumstances, the Government did not take any step against Kandyan slavery or at least did not attempt to extend to the Kandyan Provinces the operation of the regulations which were effective in the Maritime Provinces. Since the Government generally recognized the laws and customs of the Kandyans by the Convention and subsequently by the proclamation of 21 November 1818, they were bound to protect and maintain slavery which formed a part of the laws and customs of the country.¹³⁴ As a result, the British officials tried to be faithful to the Kandyan laws of slavery. An incident which took place in Matale in 1829 provides a clear example. The widow of the Ratvatta adigar laid a claim with the Agent of Government for the custody of a woman and her five children regarded as slaves. Having considered the claim to be justifiable, the Agent ordered the woman and her children to serve the claimant. However, a complication occurred because the claimant refused to receive the husband of the woman who was the father of the children and who was a free man. Basing himself on the law on Kandyan slavery that the marriage of a slave woman to a free man did not free the former from slavery, the Agent compelled the woman along with her children to submit to the authority of the owner, although at the penalty of being separated from the husband.¹³⁵ The Judicial Commissioner also approved the order.¹³⁶ Thus the actions of the British worked in the direction of maintaining Kandyan slavery.

Even in British policy towards Kandyan slavery the motivation was political. After the rebellion of 1817-18 the British considerably depended on the nobles for the

protection of their political power and authority in the Kandyan Provinces. Slavery was important to the nobility as a source of labour - mainly domestic labour - and perhaps more important as a means of maintaining their social position, pomp and dignity. Thus a disturbance of their rights to the ownership of slaves could have antagonized them against the British and could have been politically detrimental. This becomes quite clear from the circumstances which led Robert Wilmot Horton (Governor of Sri Lanka, 1831-1837) to postpone his plans for the immediate abolition of slavery in the Kandyan Provinces in 1834. The evidence collected at the State Trial of 1834, at which some of the foremost Kandyan nobles were unsuccessfully tried for an alleged attempt at revolt, suggested that one of the main fears of the nobles was that slavery would be abolished. Horton therefore believed that 'a frontal assault on slavery would only give a handle to rebellion'.¹³⁷

However, under the British administration, a certain weakening was inevitable in the institution of slavery. The British conquest of the Kandyan Provinces in 1815 made the slaves attached to the royal household redundant, and the Government emancipated them soon afterwards.¹³⁸ The Board of Commissioners noticed that the practice of purchasing children from their parents in times of great scarcity and the seizure of free persons in satisfaction of pecuniary claims had entirely ceased since the rebellion of 1817-18.¹³⁹ This may be attributed to the fact that the nobles lost much of their power and authority after 1818. The obligatory law of personal services in cases of insolvency also became obsolete mainly because such persons were now tried in British judicial courts and punished chiefly with imprisonment.¹⁴⁰ Thus, although the British were careful not to disturb the institution of slavery, it was weakened as an indirect result of other policies.

Polyandry

Another social institution which was subject to the severe criticism of the British was polyandry. Both polygamy and polyandry were recognized and approved in

Kandyan society, and the latter was 'more or less general amongst the high and low, the rich and poor', although the former was rare. Both were allowed without limitation as to the number of wives or husbands, but the most common practice, particularly with regard to polyandry, was to have a joint wife for two husbands, who were, in most cases, brothers.¹⁴¹ Polyandry was more than a mere marriage custom. It had a social significance and relevance in the broad Kandyan socio-economic context. It strengthened the economic and social position of the nobles. It united their families and prevented or rather minimized the subdivision of their landed property from which they chiefly derived their consequence, influence and respectability.¹⁴² It was also in accord with the social and economic conditions of the other orders of society. A recent study points out a link between polyandry and the rajakariya system, because many persons were required to be away on public service leaving their families sometimes for several months of the year. Polyandry in the traditional Kandyan society had thus become a practicable arrangement under which one husband could till the fields and look after the joint wife and children.¹⁴³ Besides, polyandry made marriage possible for the brothers of a poor family who could not afford to have separate wives.¹⁴⁴ The excess of males over females which appeared to be very great in the poorest parts also helped this practice to prevail.¹⁴⁵

Influenced by their own religious concepts and cultural attitudes, the British saw polyandry as 'barbarity'.¹⁴⁶ Some British officials thought that it should be abolished. As an initial step in this direction, the Judicial Commissioner proposed in 1819 that nobles who entered into polyandrous marriages should not be employed by Government. But the Board of Commissioners collectively declined to accept the proposal on the ground that such a measure would be 'impolitic and an interference with the universal custom of Kandyans contrary to the agreement'.¹⁴⁷ The Government also thought that its immediate abolition would be a 'considerable innovation in the customs of the country.'¹⁴⁸ One could argue that even here the policy of the Government was motivated by political factors. The British did not want to create discontent among the Kandyans by disturbing such a

well-established and deeply-rooted social institution as polyandry although they could not approve of it on cultural grounds.

This is also evident from the fact that they expected its gradual extinction with the economic development which could result from their broad policies such as the growth of commerce and the cultivation of commercial crops. It was thought that 'the redundant agricultural population will thereby find the means of subsistence and the common feelings of humanity will no longer be perverted'.¹⁴⁹ It is doubtful whether these expectations were realized during the period under survey because even after the prohibition of polyandry in 1859, there were ^{instances where} two or more brothers made a polyandrous connection with a woman who was registered as the wife of one of them.¹⁵⁰ The fact that no change took place in polyandry during the period under survey also suggests that political considerations dominated British policy towards it.

Infanticide

Although British social policy generally worked in the direction of maintaining the indigenous social institutions with the least possible change, mainly on political grounds, there were a few instances where they took direct steps to change and abolish certain institutions on humanitarian grounds. An examination of the attitudes of the British towards infanticide and their policies against it provides a clear example.

It was a fairly common practice to expose to death new born children, both male and female, but more generally the latter, in some of the remote and 'wildest parts' of the Kandyan Provinces.¹⁵¹ It was quite common in Valapane, Uva and Sabaragamuva but rare in other provinces and the districts near the capital. Although it was frequently done, it had been forbidden under the monarchy and the offenders were punished with severe corporal punishment. However, at that time it was not treated as a capital offence.

Infanticide in the Kandyan Provinces could be

viewed as a reaction to economic privation and a consequent product of social demoralization. It was prevalent chiefly among the poorest people in certain provinces. Davy observed that it was committed 'never from choice, but necessity- when the parents themselves ... [were] on the brink of starving ... [they] must either sacrifice a part of the family or die together.' ¹⁵² D'Oyly too noticed that it was committed as a result of poverty. ¹⁵³ Some British officials thought that very poor persons of the lower castes committed it. ¹⁵⁴ Perhaps infanticide was more prevalent among such people because they were not only economically but also socially downtrodden. But the castes which were more prone to commit this offence cannot be identified with any degree of certainty. However, it appears that the practice was not confined to any particular caste. People committed it mainly on account of their poverty, which cut across caste distinctions.

But poverty was not the only factor. The fact that the practice was 'too common in the remoter and wilder parts of the Kandyan Provinces' shows that extreme poverty combined with cultural and moral backwardness induced people to resort to it. ¹⁵⁵ For example, at the trial of a case of infanticide in Kandy in 1822, not only the Judicial Commissioner but also the nobles who acted as assessors thought that the defendants, two of whom were found guilty, were ignorant and half-civilized. ¹⁵⁶ Infanticide was also associated with cultural beliefs and taboos. When a child was thought to have been born under an inauspicious or evil planet which could threaten with misfortune either itself or the whole family, or when it was the fruit of an illicit connection, the child was liable to be killed. ¹⁵⁷ However, such cases were not very common. Especially in the former case, it was customary to give the child to someone of the same caste for adoption or to ordain him, if he belonged to the goyigama caste. Thus it could be said that infanticide in the Kandyan Provinces had mainly been caused by extreme poverty coupled with cultural and moral backwardness among the people of some remote districts.

An ideological explanation could also be added to this. It could be said that in a male-dominated society

female children were more liable to be killed. The disproportion of male and female populations could be given in support of this argument. According to the returns of 1820 there was an excess of 27,193 males in a population of 475, 883. The disproportion was greater in the poorest areas.¹⁵⁸ In 1824, Turnour also noticed a large excess of the number of males over females and attributed it to the destruction of female children.¹⁵⁹

The British rulers saw infanticide as a barbarous, unnatural and inhuman practice. They were strongly opposed to it partly because it checked the growth of population but mainly on humanitarian grounds. Even here, it could be argued that there was certain political consideration and that the British were straight forward in their views regarding infanticide because it concerned the poorest people who were not politically powerful. But humanitarian considerations were much stronger. The measures adopted by the British against infanticide were mainly legal. They were not a treatment of the cause of the problem: that is to say, those measures were not aimed at an improvement of the social and economic conditions of the people. At first, when incidents of infanticide came to the knowledge of the British, they were thoroughly investigated and tried in their judicial courts. The offenders were generally punished with imprisonment. As the crime recurred, it was declared by a proclamation issued in September 1821 that any person who killed a child would be punished with death as for the murder of an adult.¹⁶⁰ Even after this, some committed the crime but pleaded ignorance of the enactment. As a result, another proclamation was issued in October 1822, to the effect that the plea of ignorance of the provisions of the proclamation of September 1821 would not be admitted as an excuse. The Board of Commissioners and the Agents of Government were ordered to issue specific directions to headmen to read the proclamation publicly on three different days in every village.¹⁶¹ Although these legal measures provided a check on infanticide, they did not prove themselves to be successful in stopping the practice altogether, mainly because there was no change in the conditions which led people to commit child murder. Besides, even these laws could not be

properly implemented because of the reluctance of the headmen who were generally of the goyigama caste to visit some of the persons who committed infanticide on account of the low social status of the latter and the prejudice that recently—delivered woman were polluted. Therefore the crime persisted without the knowledge of the Government. In 1824, some headmen avowed that it was still committed in Sabaragamuva.¹⁶² Although there was a decrease in the rate of infanticide about 1829, it was still committed even then.¹⁶³ Therefore the British authorities were contented with the idea that

it is not likely that any checks can be given to it beyond the execution of the Law already in force on the one hand, and the gradual improvement which is likely to follow the change of Government in the condition of the people on the other hand. 164

However, British policy against infanticide is important as a direct step taken against a Kandyan social institution and it was successful at least in reducing the practice.

Punishments

Another important change was the reduction of the harshness in the Kandyan system of punishments. Under the Kandyan monarchy, the harshness of punishments was one means of maintaining social order and securing the stability of the political power of the rulers.¹⁶⁵ Although the British tended towards a subtle policy of maintaining most of the social institutions and thereby ensuring confidence of the nobles and common people, and depended mostly on their military strength for the protection of their political power, they did not completely abandon the traditional use of harsh punishments for such purposes.

On humanitarian grounds, however, they could not agree with certain punishments. In some instances, the British altered the Kandyan law when they found it 'repugnant to British principles.'¹⁶⁶ On this basis, the harshness of Kandyan punishments underwent considerable change under the British. The Convention itself prohibited 'every species of bodily torture and all mutilation of limb, member or organ.'

The methods of inflicting capital punishment also underwent a change under the British. Except for the decapitation of radala nobles with a sword, other modes of capital punishment, namely whipping through the streets and hanging or impaling, which were inflicted on the rest of the Kandyans according to their rank, were replaced by hanging.¹⁶⁷ However, it should be noted here that even in punishment the British were careful to maintain the hierarchy and social distinctions between the radala nobles and the rest of the people. Women who were convicted for capital offences were usually drowned by being bound hand and foot and weighted with stones.¹⁶⁸ The British saw this as a 'mode of execution so contrary to that established and observed in England' and abolished it in 1826 replacing it with hanging.¹⁶⁹ Banishment too took a different character under the British. Under the monarchy, it was usual to banish the offenders to distant, unhealthy provinces such as Vellassa and Bintanna, but after the British accession many were removed from this island.¹⁷⁰ In addition, cutting off the hair of offenders, which was considered a disgrace in the minds of the Kandyans, was also abolished by the British in order to 'encourage as much as possible the assimilation of the Native Inhabitants to European habits and to destroy their prejudices.'¹⁷¹ The British also took steps to repeal all punishments which were inflicted according to Kandyan usage on persons who were accused of having caused others to commit suicide.¹⁷² Corporal punishment too, although it continued, became milder under the British. Whipping through the streets was completely abandoned. Whipping with a cat-o-nine tails was not inflicted as much as it had been under the monarchy. Some time later, the Government itself declared that whipping should not very often be used as a mode of punishment.

In spite of these changes, the British retained certain harsh elements of traditional punishments to maintain political and social stability. For example, criminals were executed in the presence of large crowds where the crime had been committed.¹⁷³ In certain instances of the execution of notorious criminals, even under the British, as under the monarchy, ^{their} bodies were left hanging in chains after they had been hanged by the neck.¹⁷⁴ Persons who were found guilty of

rebelling against the Government were also executed in the place where they had made their attempt. Their property was also confiscated. Especially during the rebellion of 1817-18 the families and property of some of the rebel chiefs were sequestered to enforce their submission. Besides, whipping was executed in public.¹⁷⁵ Thus, the British too, on certain occasions, manipulated the harsh elements of Kandyan punishments to create a sense of fear in the minds of the Kandyans in order to prevent them from committing political and other criminal offences.

In conclusion, it may be said that the British were faced with a moral and political dilemma when formulating a social policy in the Kandyan Provinces. They came at a time when the Industrial Revolution in England was advancing capitalist development and undermining feudal notions. Utilitarian and radical ideas were leading to reformist movements in England itself, such as the movements for electoral reforms, legal reform and so forth. The Evangelical lobby led by Wilberforce had a powerful influence especially in the formation of colonial policy.

Against this ideological background, the British were faced a dilemma. While ideological considerations led them to consider certain social institutions in the Kandyan Provinces as being despicable, political considerations arising out of the Convention as well as a concern for stability led them to maintain the Kandyan social structure fundamentally intact. However, the disestablishment of the Kandyan monarchy itself and the rebellion of 1817-18 made certain political and administrative changes imperative. Even these changes did not fundamentally alter the Kandyan social structure. The need to share power with the Kandyan radala nobles was a strong political factor influencing the formation of social policy in the Kandyan Provinces. The dichotomy created by this situation led to a dislocation of the Kandyan social structure without fundamentally altering it.

NOTES FOR CHAPTER FIVE

1. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
2. See above, p.101.
3. See Chapters, Three and Four.
4. See above, pp.20-7.
5. Ceylon Government Gazette, 8 March 1815.
6. Evidence of Capt. Wynn, Sitting Magistrate of Kandy, answer to Q.66, 26 September 1829, CO 416/19, G-5.
7. For example, evidence of Agent of Government, the Four Korales, answer to Q.96, 10 September 1829, CO 416/19, G-6.
8. Evidence of Downing, answer to Q.27, 12 September 1829, CO 416/19, G-4.
9. Evidence of Wright, answer to Q.130, 20 November 1830, CO 416/19, G-4.
10. Evidence of Agents of Government, answer to Q.142, 1830, CO 416/19, G-6. The only Agent who did not consider that he was not bound to take notice of rules of caste as a matter of law was the Agent of the Four Korales. But in a case where some low caste people wore a dress to which they were not entitled, he stuck to the Kandyan customary caste laws.
11. For the origin and nature of this institution, see ^{pp.133; 136-7,} above, A
12. In 1829, this privilege was extended to the others who had family connections with the persons who were actually in such offices.
13. Evidence of Agents of Government, answer to Q.4, 1829, CO 416/19, G-6.
14. Evidence of Downing, answer to Q.47, 12 September 1829, CO 416/19, G-4.
15. The Commissioners of Inquiry commented on the answer of the Agent of Matale to Q.4: 'The Assessors are a permanent jury.' CO 416/19, G-6.
16. Evidence of Agents of Government, answer to Q.5, 1829, CO 416/19, G-6.
17. Evidence of Agents of Government, answer to Qs. 96 and 143, 1829 and 1830, CO 416/19, G-6; Evidence of Wright, answer to Q. 131, 30 November 1830, CO 416/19, G-4.
18. Evidence of Wright, answer to Q.121, 26 August 1830, CO 416/19, G-4.
19. The group of 'five nayide castes' contained achari (smiths), badahala (potters), madinno (toddy-drawers), karava (fishers) and marakkalayo (Muslims). Nayide is a honorific term which was used to address all these persons in general.
20. Petition signed by 97 Muslims presented to the commission of inquiry dated 27 August 1830, CO 416/20, G-28. For details of this case, see below, p.216.
21. Evidence of Wynn, answer to Q.89, 26 September 1829,

- CO 416/19, G-5.
22. Evidence of Downing, answer to Qs. 66 and 69, 12 September 1829, CO 416/19, G-4; Evidence of Agents of Government, Ratnapura and Matale, answer to Q.122, 1829, CO 416/19, G-6.
 23. Evidence of Agents of Government, answer to Qs. 20-21, 1829, CO 416/19, G-6.
 24. See above, pp.173-4.
 25. See above, p.22.
 26. See above, pp.155-7.
 27. Proclamation of 21 November 1818, article 30.
 28. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 29. Ibid.
 30. See below, pp.230-1.
 31. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 32. Proclamation of 21 November 1818, article 30.
 33. Evidence of Downing, 15 September 1829, CO 416/20, G-13.
 34. See above, pp.174-5.
 35. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 36. Evidence of Forbes, answer to Qs. 28-30, 7 November 1829, CO 416/2, A-8.
 37. Proceedings of the Board of Commissioners, 27 April 1829, CO 416/21, G-45.
 38. Evidence of Agents of Government, answer to Qs. 47 and 49, 1829, CO 416/19, G-6.
 39. Ekenekgedara Dingiri Menika vs. Udagedara late Korle Atchile, Judicial Commissioner's court, 21 March 1829, CO 416/20, G-28.
 40. Evidence of Downing, answer to Q. 28, 12 September 1829, CO 416/19, G-4.
 41. Sawers to D'Oyly, 8 September 1815, SLNA 6/521.
 42. Sawers, p.38.
 43. The King vs. Pannawinne Hienkira and Yayinne Kiri Hatana, Judicial Commissioner's Court, 17 October 1820, CO 54/79.
 44. Proclamation of 3 January 1821, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, pp.60-1.
 45. Quoted in Ryan, p.76.
 46. The King vs. eight rodiyas of Sabaragamuva, Agent's court at Ratnapura, 2 April 1824, CO 416/21, G-32.
 47. Evidence of Agent of Government, Ratnapura, 8 October 1829, CO 416/19, G-6.
 48. Ekenekgedara Dingiri Menika vs. Udagedara late Korle Atchile, Judicial Commissioner's Court, 21 March

- 1829 and 19 December 1829; Dingiri Menika's petition to the Governor dated 7 January 1830, CO 416/20, G-28.
49. Evidence of Agent of Government, the Seven Korales, answer to Q.29, 28 September 1829, CO 416/19, G-6.
 50. The King vs. eight rodiyas of Sabaragamuva, Agent's court at Ratnapura, 1 April 1824, CO 416/21, G-32.
 51. Proclamation of 21 November 1818, article 15.
 52. Proceedings of the Board of Commissioners, 18 August 1829 CO 416/21, G-42.
 53. Evidence of Agent of Government, the Four Korales, answer to Q.97, 10 September 1829, CO 416/19, G-6.
 54. Myleus, Agent of Government, the Three Korales to Downing, 30 December 1828, CO 416/19, G-6.
 55. Downing to Myleus, 2 January 1829, CO 416/19, G-6; Proceedings of the Board of Commissioners, 6 January 1829, CO 416/21, G-42.
 56. Evidence of Agent of Government, the Three Korales, answer to Q.31, 15 October 1829, CO 416/19, G-6.
 57. Board of Commissioners to Anstruther, 11 November 1830, CO 416/ 21, G-43.
 58. Circular of Revenue Commissioner, addressed to the Minor Agents, 5 November 1830, CO 416/21, G-43.
 59. Brownrigg to Bathurst, 22 January 1820, CO 54/76; Barnes to Bathurst, 21 July 1820, CO 54/74; Campbell to Bathurst, 5 March 1823, 16 March 1823, 12 May 1823 and 16 August 1823, CO 54/84; Barnes to Bathurst, 26 October 1824, CO 54/86.
 60. Downing to Myleus, 2 January 1829, CO 416/19, G-6.
 61. Brownrigg to Bathurst, 15 March 1815, CO 54/55; also see above, p.70.
 62. Colebrooke noticed that the possession and exhibition of the Relic was regarded by the Kandyan as the most important of the prerogatives of the Kandyan King to which the British Government had succeeded. Colebrooke's report upon the administration, 24 December 1831, CO 54/122.
 63. Brownrigg to Bathurst, 15 March 1815, CO 54/55.
 64. Brownrigg to Wilberforce, 13 June 1816, CO 54/60.
 65. Ibid.
 66. Ibid.
 67. Butterworth to Bathurst, 9 October 1815, CO 54/58.
 68. Proceedings of the sub Prize Committee, 25 March 1815, enclosed with Brownrigg to Bathurst, 21 July 1815, CO 54/56.
 69. Ibid.
 70. Ibid.
 71. General orders of Governor dated 6 April 1815, enclosed

- with Brownrigg to Bathurst, 21 July 1815, CO 54/56.
72. Ibid.
 73. Ibid.
 74. Brownrigg to Bathurst, 24 June 1816, CO 54/60.
 75. Ceylon Government Gazette, 15 March 1815; D'Oyly's Diary, entry of 10 March 1815, p. 231.
 76. Ceylon Government Gazette, 8 March 1815 and 15 March 1815; D'Oyly's Diary, entries of 10 March 1815, 14 March 1815 and 18 March 1815, pp. 229, 233 and 235.
 77. Governor's speech on 20 May 1816, A Collection of Advertisements, General Rules and Circular Letters, p.351.
 78. Brownrigg to Bathurst, 20 July 1815, CO 54/56.
 79. Ceylon Government Gazette, 15 March 1815.
 80. Evidence of Downing, 15 September 1829, CO 416/20, G-13.
 81. D'Oyly to Sutherland, 14 May 1815, SLNA 6/521; Lt. Malcolm to Capt. Prager, 21 May 1815; Sutherland to D'Oyly, 25 May 1815, SLNA 7/262a.
 82. D'Oyly to Sutherland, 14 May 1815 and 12 June 1815, SLNA 6/521; D'Oyly to Sutherland, 30 September 1815, SLNA 6/524.
 83. Brownrigg to Bathurst, 1 April 1815, CO 54/55.
 84. The Tooth Relic was brought back on 24 April 1815. Brownrigg quotes a letter addressed to him by D'Oyly dated 24 April 1815, in his dispatch to Bathurst, 20 July 1815, CO 54/56.
 85. Giffard to Croker, 28 November 1817, cited in P.E.Pieris, Sinhale and the Patriots, 1815-1818, p.652.
 86. D'Oyly to Sutherland, 14 December 1815, SLNA 6/521; Sutherland to D'Oyly, 26 December 1815, SLNA 7/262a.
 87. Sutherland to D'Oyly, 5 July 1816, SLNA 7/215.
 88. Because there was a Catholic community in certain villages near Matale and Kurunagala, some Roman Catholic priests were allowed to visit their flock. However, they were required to obtain official permission from the Government.
 89. Sir Alexander Johnston, after he returned to England, had the following Sinhala chronicles translated and published : mahavamsaya, rajavaliya and rajaratnakaraya. f. 118, CO 54/96 and f. 242, CO 54/100.
 90. Proclamation of 21 November 1818, article 16.
 91. Brownrigg to Bathurst, 1 June 1816, CO 54/60.
 92. For Christian missionary activities in Sri Lanka during the early British period, see C.N.V. Fernando, 'Christian Missionary Enterprise in the early British Period' (in four parts), pp.198-207; 269-81; 110-15 and 203-6.
 93. Lusignan to Rev. Lambrick, 20 January 1820, cited in T. Ranjit Ruberu, Education in Colonial Ceylon, pp.127-8.

94. Ruberu, p.128.
95. See above, p.80.
96. Proclamation of 21 November 1818, article 50.
97. Ibid., article 17.
98. Ibid., article 21.
99. Proceedings of the Board of Commissioners, 17 February 1829 and 30 June 1829, CO 416/21, G-42.
100. Agent of Government, Madavalatanna to Judicial Commissioner, 15 June 1830 and Judicial Commissioner to Agent of Government, Madavalatanna, 16 June 1830, Proceedings of the Board of Commissioners, 22 June 1830, CO 416/21, G-42.
101. Proceedings of the Board of Commissioners, 7 April 1829, CO 416/21, G-42.
102. Proceedings of the Board of Commissioners, 5 May 1829 and 27 April 1830, CO 416/21, G-42.
103. Proceedings of the Board of Commissioners, 7 July 1829, CO 416/21, G-42.
104. There was a statement of these allowances in Wright to Commissioners of Inquiry, 6 September 1830, CO 416/21, G-37.
105. Colebrooke's report upon the administration, 24 December 1831, CO 54/122.
106. Proceedings of the Board of Commissioners, 2 March 1830, CO 416/21, G-42.
107. Proceedings of the Board of Commissioners, 31 March 1829, 21 July 1829, 11 August 1829, 13 October 1829, 17 November 1829, 19 January 1830, 26 January 1830 and 1 June 1830, CO 416/21, G-42. The principal ceremonies and festivals of the year were the new year ceremony in March, the asala perahara in July or August, the katti mangallaya in November and alut sal mangallaya in January. In addition, there were minor ceremonies.
108. Judicial Commissioner to Agents of Government, Yatinuvara Madavalatanna and Maturata, 1 June 1830, Proceedings of the Board of Commissioners, 8 June 1830, CO 416/21, G-42.
109. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
110. Ibid ; Evidence of Downing, 15 September 1829, CO 416/20, G-13.
111. Judicial Commissioner to Agents of Government, Sabaragamuva, the Seven Korales and the Four Korales, 10 October 1829, and their replies, Proceedings of the Board of Commissioners, CO 416/21, G-42.
112. Proceedings of the Board of Commissioners, 10 February 1829, CO 416/21, G-42.
113. Evidence of Downing, 15 September 1829, CO 416/20, G-13.
114. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
115. See above, pp.158-9; 161.

116. According to Niti Nighanduva, there were four categories of slaves:
- (a) antojato or those who had been born and bred in the same family for generations.
 - (b) dhanakkito or those who had been purchased from their parents or masters.
 - (c) karamaranito or those who had been stolen from a foreign country captives of war taken by Kings and women who, having been expelled from their families for losing their caste had become the property of the King.
 - (d) saaman dasaviopagato or those who for their livelihood or for their protection had, of their own accord, agreed for a certain sum of money to become slaves; those who stole the property of others or burnt the house or granary of others became their slaves; those who borrowed money and were unable to pay the principal and the interest became slaves of the creditors. (Niti Nighanduva, p.7) In the last case, no interest was allowed to accumulate to the principal as the labour of the slaves was considered equivalent to the former. If an insolvent slave died with his debt unpaid, his children inherited it and became slaves. (Davy, pp.137-8)
117. Proceedings of the Board of Commissioners, 25 August 1829, CO 416/19, G-4 and CO 416/20, G-20.
118. Ibid; Sawers, pp.31-2.
119. Proceedings of the Board of Commissioners, 25 August 1829, CO 416/20, G-20.
120. Sawers, p.32.
121. Niti Nighanduva, p.10.
122. For example, a slave girl at Vattegama valavva who had to take care of her master's children buried eight of her own children soon after their births by the order of her master. The Lawrie MSS., Vol.III.
123. Knox, p. 102; Proceedings of the Board of Commissioners, 25 August 1829, CO 416/19, G-4 and CO 416/20, G-20; Evidence of Turnour, 2 September 1829, CO 416/20, G-11; Evidence of Fletcher, 21 September 1829, CO 416/20, G-12; Davy, P.138.
124. Proceedings of the Board of Commissioners, 25 August 1829, CO 416/19, G-4 and CO 416/20, G-20.
125. Knox, P.111.
126. Proceedings of the Board of Commissioners, 25 August 1829, CO 416/19, G-4 and CO 416/20, G-20.
127. P.E.Pieris, Sinhale and the Patriots, 1815-1818, pp.30-1.
128. Wickremasekera, pp.140-1.
129. Sawers, p.32.
130. Knox observed: 'Slaves that are born of Hondrew Parents, retain the Honour of their degree.' Knox, p.111

131. See Appendix VII.
132. At the beginning of British rule in the Maritime Provinces of Sri Lanka there were slaves under the Burghers in the Sinhalese districts. In the Tamil districts three low castes, namely koviyars, pallas and nallavars, were regarded as slaves. By a series of regulations enacted between 1806 and 1818 attempts were made to compel the slave owners to register their slaves. It was also declared that the penalty for non-registration was the forfeiture of the slaves, but such penalties were not imposed. In 1816, Sir Alexander Johnston, the Chief Justice, persuaded a large number of slave owners, chiefly Burghers, to emancipate slave children born after 12 August 1816. In 1818, a provision was made to annul all joint ownership in slaves and to enable all slaves to redeem their freedom by purchase. In 1821, by a Government proclamation, the right of the Tamil slave owners to kill or maltreat their slaves was abolished. In the same year, a regulation was passed for the emancipation of all female slave children of the koviyar, nallavar and palla castes born after 24 April 1821 by purchase at their birth. The Government paid to their owners a sum of two or three rix dollars according to the caste of the mother. According to the returns of 1824, there were 15,350 slaves in Jaffna alone, but the number in the Sinhalese districts of the Maritime Provinces did not exceed 1000. Colebrooke's report upon the administration, 24 December 1831, CO 54/122; Colvin R. de Silva, Vol.I, pp.272-7; H.W. Tambiah, The laws and Customs of the Tamils of Jaffna, pp.83-6.
133. For example, Davy stated: 'It would be worthy of our government to emancipate these people [slaves] and altogether abolish slavery.' Davy, p.138.
134. Downing to Forbes, 19 February 1829, CO 416/21, G-42.
135. Forbes to Downing, 15 September 1829, CO 416/21, G-42.
136. Downing to Forbes, 17 September 1829, CO 416/21, G-42.
137. K.M. de Silva, Social Policy and Missionary Organizations in Ceylon 1840-1855, p.211.
138. Proceedings of the Board of Commissioners, 25 August 1829, CO 416/19, G-4 and CO 416/20, G-20.
139. Ibid.
140. Evidence of Downing, answer to Q.36, 12 September 1829, CO 416/19, G-4; Evidence of Agents of Government, 1829, CO 416/19, G-6.
141. Knox, P.150; Davy, pp.214-5; Sawers, 36-7.
142. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
143. Ralph Pieris, Sinhalese Social Organization, p.207.
144. Davy, p.215; Remarks made by Sawers on Turnour's report on Sabaragamuva, CO 416/20, G-16.
145. Davy, p.81; Evidence of Fletcher, 21 September 1829, CO 416/20, G-12.
146. Turnour's report on Sabaragamuva, 18 June 1824,

- CO 416/20, G-16.
147. Proceedings of the Board of Commissioners, 17 August 1819, cited in Hayley, p.171.
 148. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 149. Remarks made by Sawers on Turnour's report on Sabaragamuva, CO 416/20, G-16.
 150. Hayley, p.172.
 151. Davy, p.216; Barnes to Bathurst, 4 September 1821, CO 54/80; Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16. Some methods used to kill infant children were burying alive, crushing them with a stone, drowning and starving. Knox, p.151; D'Oyly's Diary, entry of 13 January 1812, pp.80-1.
 152. Davy, p.216.
 153. D'Oyly, A Sketch, p.55; The King vs. Punchirala, 2 January 1821, CO 54/80; The King vs. Gullia, et.al., 27 June 1822, CO 54/82; Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 154. For example, Turnour's report on Sabaragamuva, 18 June 1824 and Wright's remarks on it, CO 416/20, G-16.
 155. Barnes to Bathurst, 4 September 1821, CO 54/80.
 156. Paget to Bathurst, 2 November 1822; The King vs. Gullia, et.al., 27 June 1822, CO 54/82.
 157. D'Oyly, A Sketch, p.56.
 158. Davy, p.81.
 159. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 160. Proclamation of 25 September 1821, A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, p.63.
 161. Proclamation of 10 October 1822, enclosed with Paget to Bathurst, 2 November 1822, CO 54/82.
 162. Turnour's report on Sabaragamuva, 18 June 1824, CO 416/20, G-16.
 163. Evidence of Fletcher, 21 September 1829, CO 416/20, G-12.
 164. Remarks made by Wright on Turnour's report on Sabaragamuva, CO 416/20, G-16.
 165. See above, pp.34-6.
 166. Evidence of Turnour, 2 September 1829, CO 416/20, G-11.
 167. Evidence of Downing, answer to Q.66, 12 September 1829, CO 416/19, G-4.
 168. The King vs. Gangapahalagedara Dingiri Menika, 26th, 27th, 28th and 30th of January, 1826, CO 54/92; Barnes to Bathurst, 25 April 1826, CO 54/92.
 169. Proclamation of 23 March 1826, A Collection of Legislative Acts, Vol.I, p.331.

170. Evidence of Downing, 12 September 1829, CO 416/19, G-4.
171. Minute by Lt. Governor addressed to the Council, enclosed with Barnes to Bathurst, 8 April 1820, CO 54/77; Regulation of Government no.4 of 6 March 1820. A Collection of Proclamations and other Legislative Acts affecting the Kandyan Provinces, p.51.
172. Proclamation of 28 August 1829, in 'Proclamations Affecting the Kandyan Provinces from 1822 to 1831'.
173. Evidence of Downing, 12 September 1829, CO 416/19, G-4; The King vs. Kapugedara Menikrala; Downing to Eden, 18 May 1829, CO 416/20, G-9.
174. Governor's warrant of 13 January 1823 on the case, the King vs. Malmiwala Punchirala, et.al., CO 54/84.
175. Evidence of Agents of Government, answer to Q.132, 1829, CO 416/19, G-6.

CHAPTER SIX

THE COLEBROOKE-CAMERON REFORMS AND
THE KANDYAN PROVINCES

The reforms made on the recommendations of the commission of inquiry mark an important phase in the economic, social and political development of Sri Lanka. The extension of the scope of the Commission of Eastern Enquiry, which was originally appointed for the Cape of Good Hope and Mauritius, to Sri Lanka in 1823 pointed to a change of colonial policy towards Sri Lanka, involving closer supervision over its administration with a view to making it a more profitable part of the empire.

The commission was occasioned by the current financial situation in Sri Lanka, which had become burdensome to England. From 1802 onwards, there was in most years a recurrent budget deficit, which had to be covered by financial aid given by England. Under pressure from the Secretary of State, successive local Governors did make attempts to reduce expenditure, but they were not successful in reducing it to the level of the island's revenue yield. During this time, the Government of England was also undergoing severe financial difficulties. There was a recurrent budget deficit and an increase in the national debt. In this situation, the financial systems of the colonies which caused heavy expenditure were subject to severe criticisms, especially from some radical members of Parliament who agitated for a reduction in colonial expenditure. In the words of Joseph Hume, 'colonies, instead of being an addition to the strength of the country, increased its weakness'.¹ Sri Lanka was singled out as a colony where 'profuse and lavish' expenditure had been incurred.² Its financial system was also subject to the criticisms of the Colonial Audit Office and the Treasury.

There were other reasons, too, for an investigation. The economy of the colony was undergoing changes such as a greater emphasis on plantation agriculture, mainly coffee, and the development of trade. Changes taking place in England were also of significance in this connection. The

Industrial Revolution was changing the character of the English economy and paving the way for the emergence of new classes, different social relationships and economic needs. Simultaneously, Evangelicalism and Utilitarianism were gaining strength. Above all, after the defeat of Napoleon the British empire was to a large degree securely established. In the face of all these developments, the need arose to make reforms in socio-economic and administrative systems in the colonies to suit the emerging interests of England.

Having completed investigations in the Cape of Good Hope and Mauritius, the commission of inquiry arrived in Sri Lanka in April 1829. Of the original members, only William Macbean George Colebrooke³ now remained to begin the inquiries in Sri Lanka. After he had nearly completed the preliminary inquiries, Charles Hay Cameron⁴ joined him in March 1830. The commissioners divided the work among themselves: Cameron undertook to investigate and report on the judiciary, and Colebrooke on other aspects of the government and general administration. They left Sri Lanka in 1831 and, as expected, submitted reports to the Colonial Office on separate subjects - Colebrooke on the general administration, revenues, establishments and expenditure, with a confidential report on compulsory services, and Cameron on the judicial establishments and procedure.⁵

The recommendations of the commission of inquiry have been viewed from different angles. Dr. G.C.Mendis writes:

... impelled by a desire to change radically the conditions of the Island ... the reforms recommended by Colebrooke and Cameron have contributed greatly to the advancement of Ceylon. They have turned the course of the history of Ceylon in the modern directions and enabled Ceylon to fall in line in many ways with modern developments.⁶

Mendis' view that the recommendations were radical and revolutionary has been contested by several others.

Professor K. M. de Silva, for example, writes:

The achievement of Colebrooke and Cameron is much less solid than the author [Mendis] thinks it is. These reforms were not remarkably or in any way strikingly original. At no point do their reforms

proposals go beyond the commonplaces of Benthamism. 7

A subsequent study made by Dr. V.K. Samaraweera refutes both views. He points out that Colebrooke was more a pragmatist and a man of action and that some of his proposals were anti-Utilitarian in character. If there was any doctrinaire or other influence on Colebrooke, it was that of the Reverend Richard Jones (1796-1855), an anti-Utilitarian and a forerunner of the historical school of political economists, and that of Thomas Stamford Raffles, the Lieutenant-Governor in Java (1811-1816), whose reforms⁸ he became acquainted with when he served as a military officer there. In contrast to Colebrooke, Cameron was a strict doctrinaire, a dogmatic Utilitarian to the core. After thus making a clear distinction between the character and temperament of the two commissioners and between the theories, assumptions and personalities that influenced them, the author offers a balanced view: although some of the proposals of Colebrooke could be termed radical, they are in general less radical than they are claimed to be; they were in keeping with the changes that were already under way at this time in Sri Lankan society and merged with a continuing transformation; on the other hand, those of Cameron were more doctrinaire and laid the foundation of the modern legal system of Sri Lanka.⁹ However, taken as a whole, the recommendations of the commission could be considered as an embodiment of liberal ideas, intellectual movements and the influence of prominent personalities at the time combined with a certain understanding of local conditions.

In spite of the differences between the attitudes of the commissioners and the influences to which they were susceptible, one can observe a certain uniformity in their recommendations. These can be viewed as an attempt to introduce a laissez-faire economy with the administrative institutions suited to it. It is intended here to examine the proposals in this broad context and perspective. Special attention will be paid to the extent to which they were in line with socio-economic and political changes which were already taking place in the interior, mainly with a view to determining the manner in which the reforms paved the way for the further weakening of the Kandyan system.

Economic recommendations and reforms

The proposals made by Colebrooke for economic development provide the key to an understanding of the recommendations concerning the other aspects of the administration of the colony. He had not only to propose a solution to the formidable and urgent problem which the colonial Government was faced with, namely, the long standing budget deficit in its finances, but also to frame proposals to make the colony prosperous and profitable to the mother country in the future. He found the solution in laissez-faire and private enterprise. The withdrawal of the direct interference of Government from economic activities - a deviation from the economic policy hitherto followed - necessitated immediate retrenchments in the government establishments which had led to an increase in the expenditure of the colony. At the same time, it was necessary to review the entire economic structure and to change its basis. A free economic development based on private enterprise involved the abandonment of monopolies and of direct modes of taxation and a reliance on indirect sources of taxation for its revenue. The Government had also to create a favourable environment helpful to the growth and development of private enterprise.

'Capital, a spirit of enterprise, industry and labourers' were the main requisites for the improvement of the whole island particularly through agriculture and other economic activities.¹⁰ But there seemed to be no natives capable of investing capital in agriculture. Even among the Europeans, there were no investors who could successfully invest capital in agriculture without the support of the state. Moreover, the liability to be called on for compulsory services prevented investment in agriculture by Indians who might otherwise have been attracted by the comparatively low rents imposed by Government on lands in Sri Lanka.¹¹ In these circumstances, when the Government was to withdraw from direct economic involvements, it was necessary to bring in foreign investors with capital for the development of agriculture.

Colebrooke wrote:

In the present state of the country there is no private capital applicable to the restoration of ancient works, or the clearing of lands; nor can the government afford assistance to any extent in the execution of these useful works. The policy, therefore, of giving the utmost encouragement to settlers from abroad is unquestionable. 12

The settlers he had in mind were European and Indian capitalists.

Colebrooke noticed that certain government regulations had discouraged the application of capital in agriculture. One such regulation, imposed in 1822¹³ and extended to the Kandyan Provinces in 1826,¹⁴ restricted the felling of timber without government permission, even on private lands. He saw this as a great obstacle 'to the improvement of uncleared tracts of jungle or forest' and proposed that 'this unjust and impolitic regulation ought to be repealed by which the timber trade would be encouraged and clearing of lands promoted'. In addition, by a regulation imposed in 1812, the Government allowed land grants to Europeans of up to four thousand acres,¹⁵ but its policy tended to limit grants to natives to one hundred acres. Colebrooke observed that since very few Europeans had made applications, such grants had been 'of rare occurrence' and that the limitation on grants to others had 'checked the application of capital to land and the improvement of agriculture'.¹⁶ In order to encourage capitalists, Colebrooke proposed to remove these distinctions. The only criterion to be taken into consideration in making land grants was the possession of capital to develop the land. In addition, other restrictions which prevented private enterprise were to be removed.

With the removal of all restrictions on trade, on the free disposal of labour, and the liberty of cultivating all descriptions of produce, I anticipate that the regulations recommended for the granting of lands, will include every necessary encouragement which the government can be required to hold out for the settlement and improvement of the country. 17

He thought that the exertions of foreign capitalists would

lead to the accumulation of capital among the native inhabitants and to the development of agriculture.

The application of capital to agriculture will gradually remove the inconvenience arising from the poverty of the cultivators, and the subdivision of lands.

The rice-lands are usually cultivated in fields of moderate extent, and the produce divided; but it would be in the power of intelligent persons possessing capital to extend the farms and to execute works that would augment their produce. 18

Colebrooke's proposal was related to developments already taking place, especially in the Kandyan Provinces. The colonial Government had already taken initial steps to encourage Europeans in large scale agriculture in the interior. This is best exemplified by the role played by the Government in facilitating and fostering private enterprise in coffee cultivation. 19

But he deviated from the current policy of the Government in several ways. He objected to the active participation of Government in agriculture and to the way in which it helped an exclusive and privileged class of European planters.

In the case of European settlers, all claims to the assistance or favour of government should be discountenanced, experience having shown that such dependance, while unjust towards others, has been unfavourable to the settlers themselves, from the jealousy it has excited in the native holders.... If European colonization in Ceylon should be effectually promoted, the benefits to be expected from it would depend, in a great degree, on the impartial spirit of the government, and the discontinuance of those distinctions in society which have hitherto led the natives to regard Europeans and their descendants as a caste imbued with many of their own prejudices, and entitled to certain privileges from which they are systematically excluded. 20

Not content with withdrawing the Government from its favourable policy towards European planters, Colebrooke further proposed that it should dispose of the coffee plantations which had been formed and 'abstain in future from speculations of that nature'. 21

It should be noted that Colebrooke did not intend to confine foreign capitalists to cash crops or plantation agriculture, although that had been the policy of the colonial Government at the time. Particularly on account of the large quantities of grain, principally paddy or rice, annually imported from India, ²² Colebrooke was conscious of the need to develop paddy cultivation. Even with regard to paddy cultivation, he expected investment by foreign capitalists, especially from India. He observed:

... there is adequate inducement for the agricultural classes in Malabar to seek a settlement in the island, and for those who possess capital to employ it in repairs of tanks by which extensive tracts of waste lands would be reclaimed and rendered productive. ²³

In order to promote 'this branch of Agriculture' he proposed 'to remove every impediment which may hitherto have operated to retract it, or to check the influx of settlers.'²⁴

Colebrooke's proposal regarding the grain tax ²⁵ was closely related to his idea of promoting free enterprise in paddy cultivation. Only the lands cultivated with paddy had been subject to the grain tax, which was collected in several ways. In the Kandyan Provinces, in areas remote from the capital, the tax was collected by local headmen under the direction of provincial Agents of Government and in areas around the capital, the collection was made under the commutation system - a later innovation - which it was proposed to extend to other areas. ²⁶ Thus paddy cultivation alone was subject to a direct tax and different systems were utilized to collect it.

Colebrooke criticised these different systems on theoretical, practical and humanitarian grounds. He was clearly influenced by the reasoning of Richard Jones to the effect that the Government's recurrent interference in agriculture in the guise of peasant rents 'prevented the productive powers of the earth from realizing their full potential' and affected both tenants and land lords by increasing the poverty of the former and by changing the income of the latter due to the 'fluctuating fortunes' of the tenants. ²⁷ Accordingly, Colebrooke thought that the

grain tax retarded the growth of agriculture by discouraging the application of capital to the improvement of land.²⁸ Even under the commutation system, as the periodical assessments might increase the tax, they were 'calculated to deter Agriculturists who have capital from applying it to improvements'.²⁹ Moreover, he objected to a tax collected only on grain crops and not upon other articles of colonial produce because of its undue pressure on one branch of agriculture and on the subsistence of the inhabitants which it was 'of the first importance to encourage'.³⁰ He further noted that the people were 'much too poor' for direct taxation.³¹ He held that 'when property is minutely subdivided, and the people indigent, the collection of any direct tax from a great number of small proprietors or tenants is attended with greater expense and inconvenience than that of an equal amount by means of duties on the articles consumed by them'.³² In addition, the methods of collection increased Government expenditure. The collection of the tax through local headmen at each crop was open to fraud and was expensive because it involved the employment of a large number of headmen. Even under the commutation system, which relieved the cultivators in some degree from the interference of native headmen, it was still necessary to employ a considerable number of them, to consult, at each assessment, numerous petty landholders. Moreover, its success was also dependant on the interest and energy of individual Agents of Government, on favourable climatic conditions and on the fertility of the soil. Although the Government was compelled to remit the tax in arid provinces such as Nuvara Kalaviya in the event of a failure of the crops, it did not gain any additional income in the years of abundancy.³³ In view of all these circumstances, Colebrooke concluded:

The policy, therefore, of encouraging the application of capital to land by relieving it from those burthens will need no further illustration.³⁴

His proposal was a gradual redemption of the grain tax. The land holders of the entire island were to be afforded 'the option of redeeming, at an equitable rate, by instalments, the whole amount of rents chargeable upon their

lands In regulating the instalments to be paid, it should be left optional with the landholders to discharge them in consecutive years, or in years when their crops may be most productive, in other seasons paying no higher rate than the ordinary tithe or other assessment imposed on their land'. On account of the smallness and minute subdivision of the holdings of land and of their poor returns, he suggested redemption schemes ranging from ten to twenty year periods. ³⁵

On the assumption that limiting the Government demand would lead to increased productivity Colebrooke thought that the redemption of the grain tax would encourage capitalists to invest in paddy cultivation. He also thought that 'by rendering the grain tax redeemable, encouragement will be given to the application of capital to the repairs and execution of works for irrigating the lands, and securing them from inundation'. ³⁶ Thus, in the proposal to redeem the grain tax one can find a meeting point between the attempt to promote private enterprise in agriculture by limiting the Government demand - a laissez-faire policy - and the immediate need to cut down expenditure in order to balance the colonial budget by reducing the costs of collection. However, the proposed scheme of redemption marked a deviation from previous developments aiming at the regularization of the grain tax - the introduction of the general grain tax and the commutation system - because the maintenance of the grain tax as a source of government revenue was seriously challenged.

In order to create an atmosphere conducive to a laissez-faire economy, land and labour were to be freed from the rights of the Government to call for gratuitous labour services from people based on the traditional Kandyan land tenure system. In other words, ideologically, it was necessary, on the one hand, to create individualism in land, more specifically, to establish private land ownership, in order to pave the way for a land market, and on the other hand, to open a free labour market. These aims were contained in his proposal to abolish rajakariya. ³⁷ He sanguinely expected that

the abolition of the system of compulsory services will give effect to the measures taken for the gradual redemption of the land tax, for promoting the settlement of the country, the liberation of the trade, and the free cultivation of cinnamon as a new and important branch of industry. 38

Whatever theoretical considerations may have led Colebrooke to propose the abolition of rajakariya, they were also in line with developments which were taking place in contemporary Kandyan society. A sense of private land ownership and a free labour market were slowly and gradually gaining ground.³⁹ In fact, the British policy of continuing the rajakariya system and manipulating it to their economic and political advantage may have acted as an obstacle to such developments. In Colebrooke's words:

The constant demand for voluntary labourers on public works, and in the government service, would, if justly remunerated, constitute in itself an effective stimulus to industry, which the present coercive system has chiefly tended to discourage. 40

The humanitarian and economic reasons which induced Colebrooke to recommend a total abolition of the rajakariya system appear to have been more influenced by conditions prevalent in the Kandyan Provinces. There is reason to believe that the objections to rajakariya found in his report on compulsory services were based largely on local evidence collected in the interior. Rajakariya in the Kandyan Provinces had become extremely oppressive, especially on account of its utilization for road building. It had been much abused by the headmen, who were now less bound by customary restraints.⁴¹ It had also been 'very unfavourable to agricultural industry and improvement, except in cases where that labour had been applied in the repairs or execution of works required for the cultivation of rice'.⁴² Colebrooke believed that it interfered with their occupations, retarding every little project of improvement and limiting agricultural production to what was requisite to satisfy their actual wants.⁴³ On some occasions, it was a waste of human labour because works that had been assigned to men 'could have been performed with less sacrifice by animals. The people thus

detained from their agricultural pursuits, and worked without remuneration...[were] much less efficient than the government pioneers ... or... hired labourers generally would be.' ⁴⁴ The claims to public labour had given 'an interest to government in upholding distinctions of caste.'⁴⁵ Rajakariya also fostered inequality in society, since the Europeans were excluded from it. Moreover, it had prevented the settlement of Indians. The system of rajakariya was so onerous that Colebrooke warned that any delay in the abolition of the system would 'tend to weaken the confidence of the people in the protection of the King's Government and thereby to hazard the tranquillity of the country.'⁴⁶ He proposed that labour required for public works should be hired voluntarily. For the construction of roads and bridges, and for their maintenance, a tax was to be 'assessed indiscriminately on all occupied lands in the district ... without any exception whatever arising from the nature of the produce or the tenure of the land, an option however being afforded to the landholders of giving their daily labour in discharge of the assessment at a regulated rate'. ⁴⁷

This proposal to abolish rajakariya was especially important because the colonial Government had not previously been even prepared to relax the ways in which the system was operated in the Kandyan Provinces, although there was such a tendency in the British policy towards rajakariya in the Maritime Provinces. ⁴⁸ As we have seen, the system of exacting gratuitous labour for government service was more oppressive under the British than it was under the monarchy. ⁴⁹ In addition, Barnes thought that the maintenance of rajakariya was essential on account of the indolence and backwardness of the people and that its abolition would come in time with the improvement of social and economic conditions and a change in popular attitudes:

I do not see upon the whole, that the system can be altered - Time and general improvement have already done a great deal and the total abolition of the system can only be looked for with advantage to the public interest by a further advance towards improvement - When the Country becomes wealthy enough to increase the number of foreign labourers, or when the people value money more than indolence, then there will be no necessity for resorting to compulsion. 50

Although Barnes' successor, Horton was prepared to reform it gradually, he also thought that 'compulsory gratuitous service has been and still is unavoidable' in the Kandyan Provinces, especially for the building and maintenance of roads. ⁵¹

Colebrooke's economic recommendations were accepted to a large degree by the Colonial Office and substantially implemented. The distinctions which prevailed between Europeans and others with regard to land grants were abolished and the Secretary of State ordered that 'all lands granted in future should be regulated wholly with reference to the means of the applicant'. ⁵² Thus a liberal policy was to be followed on land sales. Government plantations were also to be abandoned. Horton was ordered to 'give directions for the disposal of these Plantations without delay.' ⁵³ The duties on timber which were 'in point of Revenue of very little importance to Government' were removed. ⁵⁴

More importantly, the Secretary of State objected to the grain tax on the same grounds which led Colebrooke to oppose it. ⁵⁵ He ordered 'the adoption of a combined measure in the sale of the Waste Lands, and in allowing the redemption, at an equitable rate, of the Tithe, or Grain Tax, now chargeable on the Corn Lands.' ⁵⁶ Particularly referring to the commutation settlements, he further pointed out that as they were due to terminate in 1833, 'the measure of allowing the redemption of the Tithe will obviate the necessity of renewing them in those Provinces, or extending the same arrangements to other parts of the Country'. ⁵⁷ Like Colebrooke, he sanguinely hoped:

By allowing the redemption to be effected by Instalments, to be paid at the convenience of Land-holders, a remedy will be afforded against all the inconveniences felt or complained of, under the present modes of collection, and the fund raised from the sales of waste lands to the improvement of which they will so directly contribute, will be properly applied to the opening of Roads, to the repairs of ancient Tanks, and water courses, and to the execution of other Public Works of equal utility. ⁵⁸

As a result of Colebrooke's vigorous criticisms,

the compulsory labour services were abolished by the Order-in-Council of 12 April 1832.⁵⁹ The Secretary of State expressed regret that it had hitherto fallen chiefly on the people of the Four Korales:

I lament also to observe that ... this incessant and unpaid labor should have chiefly fallen upon a Province, which adhered to the British Government through the Kandyan Rebellion ... and that the complaints should thus have been the most numerous from those who have had the strongest claims to protection. 60

He agreed with Colebrooke that rajakariya was liable to great abuses in practice by headmen and that it led the Government to uphold caste distinctions. He also agreed that the system of compulsory labour which allowed the Governor to exercise 'a discretionary command over the labour or ... the resources of the People' was an obstacle to the emergence of a system of voluntary labour.⁶¹

However, Colebrooke's recommendation was not implemented in toto. Although he had recommended the total abolition of rajakariya, this measure was not extended to the nindagam or the lands of the nobles, the royal lands and the temple lands. The tenants of those lands were bound to serve gratuitously the nobles, the Government and the temples respectively as long as they continued to be tenants of such lands.⁶² The provision regarding the royal lands was, however, not enforced, on the instructions of the Secretary of State, in order to set an example to the nobles and monks by placing the crown tenants on the same footing as the owners of praveni or hereditary lands.⁶³ Consequently, service relationships based on land and rajakariya were to linger on only in nindagam and temple lands.

Colebrooke's reforms further weakened the traditional Kandyan economic structure. The abolition of rajakariya had an immediate impact on the land tenurial obligations in the gabadagam or royal lands. In effect, the tenants who enjoyed shares of lands in gabadagam in lieu of cultivating muttettus (the fields sown on account of the crown), or performing gratuitous services were freed from those obligations and were to pay the grain tax for their

holdings. As a result, a sense of private land ownership was created with regard to the holdings of the tenants of the gabdagam. Thus the abolition of rajakariya paved the way for a further extension of individual rights over land which had hitherto been developing in the Kandyan Provinces as a result of the economic and administrative policies of the British.

Besides, the land sales policy adopted after 1833 had, in the long run, an impact on the Kandyan village economy. With regard to land sales, Colebrooke did not provide a clear policy. He recommended, on the one hand, that 'the system adopted in other colonies of disposing of waste lands for sale might be advantageously introduced into Ceylon'.⁶⁴ But, on the other hand, he did not object to the continuation of land grants in certain circumstances. For example, he recommended that free grants should be made of all unreclaimed lands, but the claims of the local inhabitants to resume their lands which had become waste owing to the neglect of ancient irrigation works ought to be equitably considered.⁶⁵ The Secretary of State was reluctant to continue the system of granting land and was more inclined towards the need to introduce the principle of land sales.⁶⁶ In search of a land sales policy for Sri Lanka, the Colonial Office appear to have been largely influenced by the policy followed in the Australian colonies based upon the theories of Wakefield.⁶⁷ However, unlike in Australia, Horton was instructed to put up crown land (muttettus of the gabdagam and waste lands) for sale 'in smaller lots.'⁶⁸

Periodical sales of crown lands were begun in 1833. The Government however bore the survey costs. In subsequent years, land sales grew rapidly. Although the main intention behind Colebrooke's economic recommendation was to encourage private enterprise and the application of capital to agricultural development it can be seen in retrospect that land sales to European capitalists and the subsequent expansion of plantations adversely affected the Kandyan villagers. They lost most of the lands which they had earlier used for shifting cultivation while due to the import of Indian labour they did not benefit from the labour

opportunities which the plantations created. 69

In general, Colebrooke's reforms had the effect of maintaining and expanding the economic dichotomy already visible in the Kandyan Provinces as a result of British policies since 1815. After the implementation of the reforms, economic development did not take place in the ways he anticipated. Although he expected widespread individual investment in paddy cultivation and the repair of irrigation works, in addition to the plantation sector, such efforts were confined only to plantations. Within the plantation sector, coffee was the only crop which was immediately successful. As a result, while subsistence agriculture remained on its traditional footing, coffee plantations expanded rapidly on capitalist lines thereby further promoting the dichotomous development in the economy of the interior.

Political and administrative recommendations and reforms

Having anticipated the development of a laissez-faire economy based on private enterprise, Colebrooke proposed radical changes in government and administration to suit it. He thought that the Governor occupied too powerful a position in the colonial Government.

Some beneficial measures have from time to time been adopted, but no regular control has been exercised over the acts and proceedings of the Governor, nor has his recognized responsibility for the measures adopted by him on his own judgement been rendered practically efficient. From the remoteness of the settlement, the nature of the government, and the absence of all open discussion of public affairs, the Governor has been almost the exclusive organ through whom authentic information has been derived, and with whom any measures of improvement have originated. Without his co-operation no beneficial change could be effected, and the inhabitants have been accustomed to regard his authority as absolute. 70

With regard to the Kandyan Provinces his power was almost absolute. He exercised supreme legislative, executive and judicial power and authority. In the Maritime Provinces, some checks had been imposed in the form of an Advisory Council

and a partially independent judicature. But even here the Council was too subservient to the Governor and several Governors had assumed extra-judicial powers.⁷¹ The Governor exercised the power of banishing individuals without trial and invalidating the power of the Supreme Court to issue writs of habeas corpus. In this connection, it should be noted that this power was liberally made use of during and immediately after the Kandyan rebellion. Colebrooke thought that arbitrary powers of the Governor hindered economic development. He pointed out that

the general spirit and tendency of it [the system of government] has been unfavourable to the improvement of the country ... [and that] besides the system of monopoly maintained, and in some cases extended, by the government, the power exercised by the Governor of regulating duties and imposing taxes has been injurious to commerce and to the influx and accumulation of capital.⁷²

Colebrooke therefore proposed measures to reduce the powers of the Governor and to introduce certain liberal institutions. Having noted that the power exercised by the Governor of banishing individuals without trial was incompatible with the interests of the country, particularly, 'in the encouragement ... [of] the settlement of Europeans',⁷³ the commission recommended the immediate repeal of the Government Regulations⁷⁴ which empowered the Governor to banish and imprison without trial, in order to protect the 'personal liberty' of the people.⁷⁵ Colebrooke went on to suggest institutions for 'a liberal government'. His most important proposal in the sphere of the central government was that of the creation of two Councils - an Executive Council and a Legislative Council - in place of the existing Council. The Executive Council was to be exclusively composed of ex-officio members.⁷⁶ The Legislative Council was to be composed of both officials and unofficials: provision was to be made for 'the admission of any respectable inhabitants, European or native', to represent the interests of Europeans and local inhabitants respectively.⁷⁷

Colebrooke appears to have also considered administrative unification as essential for the creation and

encouragement of a laissez-faire economy. He was opposed to the maintenance of separate administrative establishments for the Maritime and Kandyan Provinces on several other grounds as well. Politically, it had contributed to the autocracy of the Governor by allowing him unrestricted powers over the Kandyan Provinces. Besides, although the powers of the Kandyan nobles were considerably curtailed in 1818, the separate administration had supported the growth of their power and influence to the prejudice of the ordinary people and to the detriment of the British Government. Colebrooke came to the conclusion that the entire island had been arbitrarily divided into two administrative regions, having taken into consideration the fact that the interior provinces which were situated below the mountains had a nearer and more natural connection with those of the coast. He considered that the maintenance of separate administrations was 'impolitic' because it had checked the assimilation which it was 'on every account desirable to promote between the various classes' of whom the population was composed. He also found that the whole country was divided into a greater number of districts than were required and that their boundaries were imperfectly demarcated without reference either to the convenience of the inhabitants or to the transaction of public business or to the conduct of trade and other economic activities.⁷⁸

On these grounds, Colebrooke proposed to unite the Kandyan and Maritime Provinces and to place the entire island under the administration of the Governor and Council.⁷⁹ Parts of the Kandyan Provinces below the mountains and the Maritime Provinces were to be joined together and instead of the existing sixteen provincial administrative units (Agencies and Collectrates), the whole country was to be divided into five main provinces, the five principal stations being situated at Colombo, Galle, Jaffna, Trincomalee and Kandy. A senior officer, known as 'Government Agent', was to be placed at the head of each station to be in charge of revenue administration.⁸⁰ Assistants subordinate to the Government Agents were to be placed in other places within the provinces according to the needs of each area.

Colebrooke's proposal to incorporate the Kandyan and Maritime Provinces was closely related to his recommendations concerning the reduction of expenditure. He found that it was practicable to reduce the number of officers employed as Agents of Government in the Kandyan Provinces and Collectors in the Maritime Provinces mainly on the ground that their duties would be diminished after the implementation of the measures which he proposed in the economic field, namely, the simplification of the system of revenue collection, the abolition of compulsory services and the establishment of a separate department for the direction of all public works.⁸¹

The union of the interior and littoral was in line with the developments which were taking place in the Kandyan Provinces too. It has been argued that Colebrooke proposed a superficial unity for the island ignoring the different developments which had taken place in its several regions.⁸² It is true that there were still differences which persisted between the Kandyan and Maritime Provinces. Nevertheless, in spite of such differences, several developments under British rule had been working towards a unification of the entire island. The roads connecting the Maritime and Kandyan Provinces had broken down to some extent the aloofness of the latter and expanded communications between the two areas. More importantly, trade had been expanding considerably between the two regions after the removal of the barriers which had existed in the form of gravet duties and particularly after the opening of the roads connecting Colombo and Kandy. Besides, the imposition of the grain tax in the Kandyan Provinces and the eventual regularization of its collection created a certain uniformity in the taxation system of the entire island. Moreover, the traditional Kandyan socio-economic and administrative structure was gradually weakening under British rule. In this situation, the final fruition of the unification of Kandyan and Maritime Provinces was but a matter of time.

Having proposed for the entire colony a unified system of government centred around two Councils and a less powerful Governor, Colebrooke went on to propose measures to reform the administrative machinery. Again, his

recommendations were closely related to the original task assigned to the commission - to balance the budget. Colebrooke found that an increase in revenue could not be expected under the prevailing system. He therefore proposed, on the one hand, changes which were required for 'the relief of the island from the effects of a system which has checked the industry of the people and the prosperity of the settlement.' ⁸³

In recommending a reform of the system of Revenue with a view of relieving the people as far possible from the effect of the monopolies and the pressure of the taxes I have endeavoured to point out those resources from which an adequate revenue may be raised with greater economy and with less inconvenience to the people. ⁸⁴

On the other hand, 'with a view to the most indispensable and urgent reforms' he proposed the reduction of the expenses of the existing establishments. ⁸⁵

Colebrooke contemplated economy in expenditure in two ways: (a) by reducing offices in the civil establishment and (b) by lowering salaries. Once the Government was withdrawn from direct economic activities and its revenue system, which had sustained a large civil establishment, was altered, it was possible to curtail a considerable number of offices without impairing efficiency. However, because of the abolition of the system of rajakariya, it was necessary to form a responsible and efficient department for the execution of public works which had hitherto devolved on the Collectors and Agents of Government. This department was to be amalgamated with the existing establishment of the Colonial Engineer and Surveyor-General and that of the Pioneers and Artificers and placed under a qualified and experienced officer designated as Civil Engineer and Surveyor-General. ⁸⁶ As we have seen earlier, the Kandyan Provinces were to be incorporated with the Maritime Provinces, reducing the total number of Agencies and Collectorates from sixteen to five provinces, the head of each province being a Government Agent. In practice, this meant a reduction of the principal offices in the civil establishment. Colebrooke considered that the army officers who were employed in civilian duties in the Kandyan Provinces had performed 'these duties efficiently and creditably upon small salaries in addition to their military

allowances'.⁸⁷ He saw no objection to uniting civil duties with military command and observed that such officers had discharged their civil duties on salaries which civil servants would not have considered adequate. On these grounds, he considered it economic and advantageous to provide for their continued employment.⁸⁸ All these recommendations, aimed at retrenchments, were based on the assumption that the administration could be conducted with fewer officials, by changing the economic policy which the Government had carried out, by modifying the revenue system, by administrative unification and by transforming the administrative system to suit such changes.

Apart from the reduction of offices, Colebrooke proposed to reduce the salaries of all officials, including the Governor. Colebrooke was aware of the argument that it was necessary to maintain high salaries to attract men from England. The solution he proposed was twofold. One was to permit 'public servants to acquire lands free of encumbrance' making them the partners in the free economy based on private enterprise through which he hoped for the future development of the colony.⁸⁹ Land grants were to be made to them as a supplementary means of income in addition to their salaries. In addition, when civil servants bought land, they were to receive a discount. Thus, civil servants were not only to be capitalists themselves but they were to be the vanguard of the new capitalist class.

Apart from compensating for the reductions in the salaries of civil servants by permitting them to engage in private enterprise, Colebrooke recommended a radical change in the policy which had hitherto been followed with regard to civil service recruitment. The exclusive principle of the civil service was to be abandoned and it was to be opened to qualified local inhabitants, as well.⁹⁰ Colebrooke realized that it was very difficult to maintain from local revenues a highly-paid civil service based on the exclusive principle and he also found that such a principle by itself recognized and maintained distinctions between the Europeans of the civil service and other officers employed in civil duties. The maintenance of such distinctions by European

governments in Sri Lanka, in his opinion, appeared to 'have had a very injurious effect upon the people and to have fostered prejudices which ... [had] retarded the improvement of the Country.'⁹¹ On these grounds, Colebrooke believed that the Government 'would derive much advantage from the acquirement of a competent class of candidates for general employment in the Public Service, who would unite local information with general knowledge, and would eventually be capable of holding responsible situations upon reduced salaries'.⁹²

Colebrooke believed that the appointment of local inhabitants should in no degree depend upon their caste or on any other qualifications than respectability and fitness for employment.⁹³ This marked a radical deviation from the prevalent British policy. Particularly in the Kandyan Provinces, on political grounds, caste was deliberately taken into special consideration in making high appointments in the local administration.⁹⁴ The Government tended to favour the pretensions of the goyigama caste in state appointments throughout the colony. British officials tended to think, with Barnes, that 'the subject of caste had much better be left to the progressive effect of civilization'.⁹⁵ But Colebrooke's proposal was to abandon caste considerations in state appointments and thereby to disentangle the Government from its close partnership with the goyigamas.

Colebrooke's proposal to relax the exclusive principle of the civil service and open it to competition without reference to race and caste was an important undertaking, particularly in the contemporary colonial atmosphere where Barnes, representing the general opinion of British officials at the time, warned the commissioners that 'Indian Natives' were the people 'governed and not Europeans' and considered that such a policy was virtually impossible.⁹⁶ However, Barnes denied the existence of caste considerations in making appointments from among the local inhabitants:

... that natives in particular castes are alone eligible to certain situations under Government as Headmen ... is a mistake [on the part of the

commissioners], the Government is not bound by any restriction whatever - merit is the chief claim As to the propriety, of gradually introducing Natives into those situations at present held by Europeans, I should be glad to know where you would propose to draw the line; admitted to one situation they would have an equal claim to another, so that unless you contemplate the supercession of all European Authorities, not excepting the Governor, I do not see when you could stop.

My opinion is that the line is now well defined, that the natives are perfectly content, and that it ought not to be invaded. 97

English education was the means by which the civil service was to be thrown open to the local inhabitants. Colebrooke observed that the people in general wanted education, especially in English. In order to 'afford to native youths a means of qualifying themselves for different branches of the public service', the Government should bring English education under more direct control. ⁹⁸ 'The future appointment of Natives to the Service of Government', Colebrooke emphasized, 'should depend upon their having availed themselves of those opportunities of instruction which would be open to them.' ⁹⁹ He also thought that the policy of opening the civil service to local inhabitants without reference to caste, by itself, would eventually bring about a social reform by encouraging people to abandon their caste prejudices:

The prospect of future advancement to situations now exclusively held by Europeans will constitute a most powerful inducement with the natives of high caste to relinquish many absurd prejudices, and to qualify themselves for general employment. 100

Through English as the medium of official communication, it was not only intended to open the civil service to the local candidates, but also to establish a closer connection between the two administrative structures - the British administrative superstructure or the civil service and the subordinate indigenous administrative machinery or the headman system. The commissioners proposed

to incorporate the two. A competent knowledge of the English language was to be made compulsory for the principal local officials and they were to be promoted according to their ability and qualifications and irrespective of their caste, to civil service posts currently held exclusively by Europeans, thereby allowing and fostering mobility from the upper ranks of the subordinate indigenous administrative system to the superimposed administrative structure and making a closer link between the two. ¹⁰¹ However, by this measure, Colebrooke did not intend to weaken the civil service. The superimposed administrative structure was to retain its existing strength as a superior body, the Government Agent being at the head of each province.

In each District where a ... Government Agent has resided or in the Korles which have been under the charge of a ... Native Headman, an Assistant whether European or Native may if required be stationed. To these Assistants the Inhabitants would immediately refer, although the chief authority would be in the Government Agent of the Province. ¹⁰²

In fact he expected to weaken the position of local officials in the administration by strengthening the super-structure and by implementing measures which directly affected their powers. As we have seen caste was not to be taken into account in making appointments. With the abolition of rajakariya, the headmen were to cease to be employed in pressing the people and superintending their labour on public works thereby depriving the former of the 'advantage of working the people for their own emolument'. ¹⁰³ The incorporation of the Kandyan and Maritime Provinces was to lead to the assimilation of the various classes of officials who were then separately employed in those areas and the local officials were to be gradually superseded 'without prejudice to their honorary and titular appointments'. ¹⁰⁴ At the village level, there was to be a 'return to those economical Arrangements by which the Inhabitants of each village or Community elected their own Municipal Officers'. ¹⁰⁵ Accordingly, the headmen were to be elected by the majority of the inhabitants of each village community who were owners of land or houses, the Government Agents or their Assistants

conducting elections. The qualification for the office of village headmen was to be the possession of a certain amount of property in the village and the office was to be subject to renewal every three years.¹⁰⁶ Colebrooke proposed to rejuvenate and extend throughout the country the gamsabha or village councils which had been operating in the Kandyan Provinces without official recognition, and which, with a headman presiding over each council, would attend to police duties and decide upon small village disputes.¹⁰⁷ These recommendations were, on the one hand, aimed at decreasing the powers and weakening the influence and position of the headmen. On the other hand, Colebrooke wanted to win the support of the headmen for the reforms by making them a group of collaborators.

The cooperation of the Headmen in effecting any change of system can however only be expected where advantages are held out to them equivalent to the loss of influence or profit they may sustain, and these advantages will necessarily consist in the prospect of advancement in the public service for themselves or their families, or in the means of establishing themselves independently as may suit their habits by attention to agriculture and commerce. 108

The measures proposed by Colebrooke to reform the political and administrative system were largely implemented. Some of the proposals were not accepted by the Colonial Office itself; several others, although they were ordered to be implemented, were not carried out because of lack of interest on the part of colonial officials; even among the recommendations which were implemented, some were not enforced in the way Colebrooke anticipated. However, in the measures for administrative unification and retrenchment, Colebrooke was faithfully followed. It could be argued that the limited implementation of some recommendations weakened the vigour of those which were put into practice because all of them were closely interrelated. It is not intended here to detail the political and administrative reforms made on Colebrooke's recommendations and to explain the extent to which they followed or went against the original proposals. However, it is necessary to examine the main reforms briefly with a view to determine the manner in which they affected the

Kandyan administrative system and power groups.

The powers of the Governor were considerably reduced. The power exercised by him to 'arrest and detain in custody any person or persons' was removed by the Order-in-Council of 1 November 1830¹⁰⁹ and his power of banishing persons was also disallowed.¹¹⁰ In 1833, Executive and Legislative Councils were ordered to be established to help the Governor for a better administration of the colony.¹¹¹ As Colebrooke proposed, the Executive Council was to consist exclusively of ex-officio members. However, contrary to Colebrooke's proposal, instead of the Government Agent of Colombo, the Government Agent for the Central Province was to become a member of the Legislative Council. This has a dual significance. On the one hand, the special importance and needs of Kandy would be expressed in the Legislature. On the other hand, Kandy was brought into a closer relationship with the British governmental system for Sri Lanka as a whole. This body was to advise the Governor on any subject of the

executive government which might be proposed by him for its deliberations. However, the Governor was given a discretion to act in opposition to the advice of the Council provided that in such instances he was to report fully to the Secretary of State 'every such proceeding with the grounds and reasons thereof'.¹¹²

The establishment of the Legislative Council was also an important administrative reform as a means of reducing the powers of the Governor. Here too, although Colebrooke's proposal was not implemented in its entirety, it was considerably followed. The Legislative Council was to consist of fifteen members - nine officials and six unofficials. The unofficials were to be selected 'as far as possible in equal proportions from the respectable European Merchants or Inhabitants and the higher classes of Natives'.¹¹³ While ordering Horton to appoint unofficials, the Secretary of State, closely following Colebrooke, wrote:

The Introduction into this Council of a proportion of European and Native Inhabitants of the Island, will, I trust, secure at once the advantage of the most exact local information, and the still greater benefit of convincing the

population that the laws made for their Government, proceed from persons participating in their own interests. 114

The decisions were to be taken by majority vote. Every enactment was to be submitted for the approval of the Secretary of State. Except in special circumstances, no enactment was to be implemented without such prior approval. All the minutes were to be sent to England. Contrary to Colebrooke's proposal, the Governor was made the president of the Council and given the sole power of originating legislation; however, the members were allowed to record minutes on any subject. ¹¹⁵ The Executive and Legislative Councils were constituted on 1 October 1833. Although the powers of the Governor were not curtailed to the extent Colebrooke anticipated, they were reduced to a certain degree.

The new government, which has been termed crown colony government, was based on the administrative unity proposed by Colebrooke. Even before the implementation of this measure, in 1831, a step had been taken to introduce legislative unity for the entire island by extending the powers of the Advisory Council over the Kandyan Provinces. ¹¹⁶ In October 1833, while the separate administrative systems in the Kandyan and Maritime Provinces were amalgamated under one unified system of Government, a Central Province was established with a Government Agent at Kandy. The other provinces were the Western, Eastern, Northern and Southern, for which Government Agents were placed at Colombo, Trincomalee, Jaffna and Galle respectively. ¹¹⁷ It was through this administrative unification that the reforms of the system of Government of the entire colony merged with the changes of the administration of the Kandyan Provinces.

The incorporation of the Kandyan and Maritime Provinces brought about immediate changes in the nature of the superimposed British administrative structure. The Board of Commissioners was abolished and a new administrative machinery was established. In the new machinery, particularly at the level of its high officials, there was a clearer division between judicial affairs and civil and executive business. As we have seen, a limited separation of judicial

affairs from other branches of the administration had been attempted with the Board of Commissioners assigning judicial and revenue administration to the Judicial and Revenue Commissioners respectively, although the Resident had been assigned a superintending authority with certain definite judicial powers. ¹¹⁸ This separation was widened with the discontinuance of the office of Resident in 1824 because the judicial duties and functions assigned to that office were abandoned. Even in 1824, the separation of judicial affairs from other branches of the administration was largely limited by the fact that most of the civil duties of the Resident were entrusted with the Judicial Commissioner. ¹¹⁹ Moreover, the Board continued to act as a collective body in presenting the judicial proceedings of criminal cases to the Governor and in carrying out the civil administration in the Kandyan Provinces. However, with the new arrangements in 1833, the division between civil and judicial administration was made clearer by the appointment of a Government Agent for the civil administration in the Central Province and a District Judge in Kandy. However, the abolition of the Board of Commissioners did not involve any change in the personnel who were employed in the highest civil and judicial positions because George Turnour who held the office of Revenue Commissioner and Henry Wright who held the office of Judicial Commissioner were respectively appointed the first Government Agent and the first District Judge in Kandy, although both of them now served on reduced salary scales. In the lower levels of the administration, however, the union of not only civil and judicial duties, but also of civil, judicial and military duties persisted because the former army officers who were employed in civilian duties were reappointed in 1833 as Assistant Government Agents and District Judges, combining those threefold duties under the new arrangements. ¹²⁰

Although administrative unification under the Executive and Legislative Councils and the consequent abolition of the Board of Commissioners reduced the supreme authority and power of the Governor over the Kandyan Provinces new administrative arrangements resulted in further strengthening the British administrative superstructure there. The administration within the area now known as the Central

Province which constituted the heart of the Kandyan Provinces was centralized in the Government Agent who was a member of both the Executive and Legislative Councils, further strengthening the hold of the central Government over that Province. This can be shown by an examination of the changes in administrative divisions after unification. The increased number of Agencies of 1818, which were largely based on the traditional disavani divisions, was severely curtailed by unifying a number of them in the Central Province and by joining the rest to other Provinces in the way proposed by Colebrooke. Thus, in the formation of the Central Province, the districts around Kandy, namely, Yatinuvara, Udunuvara, Harispattuva, Tumpane, Dumbara, Hevahata, Kotmale, Upper Bulatgama and Viyaluva¹²¹ and several disavanis of the traditional Kandyan administrative organization, namely, Uva, Matale, Udapalata and Valapane, were united together; the other disavanis were incorporated with other Provinces of the island in the following manner - Nuvava Kalaviya to the Northern Province, Sabaragamuva, Lower Uva and Vellassa to the Southern Province, Tamankaduva and Bintanna to the Eastern Province and the Seven Korales, the Four Korales, the Three Korales and Lower Bulatgama to the Western Province.¹²²

This immediately resulted in a reduction of the number of British officials employed in the Kandyan Provinces. As shown in the Appendix VIII, immediately before these new administrative changes, in the entire Kandyan Provinces, apart from three members of the Board of Commissioners, there were eleven Agents of Government, one Judicial Agent and one Sitting Magistrate, and in the area which became the Central Province there were nine officials. Under the new arrangements only one Government Agent was employed in Kandy and four Assistant Government Agents in Kandy, Badulla, Matale and Madavalatanna.¹²³ Thus, while the number of officials was reduced, an attempt was also made to centralize the administration in the Central Province in a more powerful Government Agent. Such a measure could easily be carried into effect because the extent of the area which was brought under the Central Province was smaller than that of the former Kandyan Provinces.

These administrative changes and the further strengthening of the British administrative superstructure made heavy inroads into the subordinate Kandyan administrative system. New administrative arrangements led to the immediate abolition of a set of officials formerly attached to the King's household and retained by the British mainly on political grounds.¹²⁴ Even high offices such as adigar, disava and rate mahatmaya became less important. Apart from the strengthening of the British superstructure, such a situation was caused particularly by the disruption of the traditional system of administrative divisions. As we have already noted, a number of disavanis were incorporated into other provinces. Even in the Central Province itself, with the centralization of administration in the Government Agent at Kandy, although a few Assistant Government Agents were appointed at several provincial stations to assist him in administrative matters, the administrative divisions of the traditional Kandyan organization were not taken into account. As a result, high offices in the local administrative system became further redundant. But they were not immediately abolished. Although in the incorporation of certain disavanis to other Provinces, a few offices of disava ceased to exist, most of the high local offices were retained, but those in the disavanis which were joined with the Western, Eastern, Northern and Southern Provinces were attached to them and they were filled by nobles living within those areas.¹²⁵

The offices of adigar were not filled after the dismissal or death of the current holders, and although other offices were continued mainly on political grounds, they were totally deprived of the limited judicial powers which had been attached to them. Moreover, they were put on fixed salaries. Hitherto, in addition to the salaries paid by the Government, the lands of these office-holders were exempted from tax as an extra remuneration. This practice was allowed to continue only in the case of the current office-holders. It was declared that the lands of the new appointees would be liable to the grain tax. Even those who were currently holding office could only be promoted on the condition of their lands being liable to the grain tax.¹²⁶ Furthermore, the

Government decided to abandon the system of providing retinues for the superior chiefs and exempting lands from the grain tax as a remuneration for service to such officials. The lands of those who formed retinues were made liable to the grain tax.¹²⁷ However, the British were careful not to weaken the nobles totally.¹²⁸ They gave the nobles compensation allowances, 'sufficient to enable them to maintain half of the number of their followers so as to support in some degree their rank and dignity in the country'.¹²⁹

All these changes brought about a further weakening of the subordinate Kandyan administrative super-structure. However, a complete integration between the two structures did not take place. Following Colebrooke's proposal, the Secretary of State ordered the Governor that 'the Civil Situation will henceforth be open to all classes of the native community'.¹³⁰ But the Governor did not take any interest in implementing the measure. The plan proposed by Colebrooke for fostering mobility from the local administrative system to the civil service and making a closer link between the two was totally neglected and the exclusive principle was continued without any change. As a result, the dual structures continued, the British administrative super-structure however being further strengthened consequent on the new administrative changes.

These administrative changes coupled with the abolition of rajakariya further weakened the Kandyan nobility. Although the abolition of rajakariya affected only the services performed for the Government, the nobles in particular and the headmen, in general, who had acquired a vested interest in the continuance of the system, lost an important source of profit and a significant means of influence over the rest of the people. Immediately after its abolition the Board of Commissioners noticed:

The present altered circumstances of the Country not only deprive the chiefs and headmen of the power of exacting public services of any kind from the people but deprive themselves of many indirect perquisites and emoluments, which the

exercise of that power heretofore
procured for them. 131

Some nobles protested that although they had supported the British against the King their position was worse than under the former regime:

The principal motive of the Kandyan Chiefs for transferring their allegiance to the eminent British Government was the hope of being enabled thereby to maintain and also to augment their honors and emoluments, but contrary to their expectations their hereditary advantages and privileges have been since gradually diminished although in other instances His Majesty Sri Vikrama was tyrannous and unjust and incited the chiefs to abandon him, yet His Majesty did not deprive the chiefs of any part of the honors and emoluments appropriate to their respective stations by ancient usage, but he rather augmented them. 132

Besides, the incorporation of the Kandyan and Maritime Provinces was by itself meant largely to reduce the powers of the Kandyan nobles. It therefore naturally provided their opposition. Apart from their strong prejudices and their disappointment at the disruption of the unity of the Kandyan Provinces, the nobles objected on several grounds to 'the new subdivisions and partitions of the Kandyan Territory by which portions thereof were incorporated with different Seaport Districts and placed under Government Agencies in the maritime provinces'.¹³³ They found that they had now been transformed into a weaker group of participants in the administration and feared that the offices of disava might be abolished on the ground that they were incompatible with the new administrative arrangements. In such a situation, they argued, the offices of adigar would be unnecessary. They pointed out that the offices of adigar and disava were 'coeval with the oldest institutions of this Country and [that] on the attainment of which dignified offices always depended the perpetuation of the honour and consideration of the noblest families of this Country' and affirmed that the abolition of these offices would cause 'in the minds of all classes of Kandyans the deepest sorrow and regret'.¹³⁴ Besides, they characterized the administrative changes which made high local offices redundant, as a further

step in a long drawn-out policy which was aimed at punishing the Kandyan nobles because of their participation in the rebellion of 1817-18, and they argued that the incorporation of the Kandyan Provinces with the littoral was against the promises given by the Convention of 1815. They also argued that although the inhabitants had access to the Assistant Government Agents for their ordinary business they had to travel a great distance to call on the principal Government Agents. This was to be worse when the nobles had to appear before an Agent of Government of a Province other than the Central Province on account of their lands which were situated in disavanis that were detached from the Central Province. ¹³⁵

The grounds on which the Kandyan nobles reacted against the new administrative changes thus appear more like personal grievances at losing powers, authority and influence. Perhaps because they knew that their representations would not have any favourable result they desperately made claims for immediate employment in the office of Assistant Government Agent, on the grounds that they were 'already conversant with the main duties of such offices, such as the collection of the Grain Revenue'. They also requested other higher appointments later, after qualifying themselves by obtaining 'in process of time ... a competent knowledge of the English Language'. ¹³⁶ The above discussion makes clear not only the attitude of the Kandyan nobles towards the new administrative arrangements but also the fact that their power and influence were further weakened and that they became a less powerful political group.

Judicial recommendations and reforms

The investigation of the judicial administration of the colony had been particularly entrusted to Cameron who was, unlike his colleague, Colebrooke, a dogmatic Benthamite. The report which embodied the recommendations for the reform of the judicature of the island has been seen as marked with an 'unmistakable imprint of Benthamite thinking'. ¹³⁷ Nevertheless, many of his recommendations for judicial reform were closely related to those made by Colebrooke in the economic and administrative fields. Even for the future economic development of the colony, Cameron like Colebrooke,

perceived that the encouragement of private enterprise was essential and he expected that European capitalists would largely take part in such investments. He wrote:

I do believe that, if the Administration of the affairs of this island were such as to encourage the settlement of European Capitalists, such an enterprise might, and would be, successfully carried on by private Speculators. 138

It is intended here to examine the main recommendations made by Cameron and their implementation in the context of the judicial administration in the Kandyan Provinces. He saw several serious defects in the judicial system of the Kandyan Provinces. He disliked the role played by the Governor in the judiciary. The Governor appointed the judges who in turn were entirely dependant on his pleasure for their continuance in office. He observed that in the Kandyan Provinces the control of the executive Government over the local judges was 'more complete' than in the Maritime Provinces, and he found that the relations between the local judges and the executive Government were 'incompatible with a proper degree of judicial independence'.¹³⁹ In addition, the role played by the Governor as an appellate court seemed objectionable. In Cameron's opinion, the Governor was 'in no respect the proper officer to exercise the appellate function. He does not hold any court of appeal, but refers the papers sent up to him from the judicial commissioner's court to the deputy-secretary or the master of equity, who prepares them for his consideration, and then, without any discussion, and generally without any assignment of reasons, the Governor gives his directions of affirming, reversing or altering the decree of the court below'.¹⁴⁰ Cameron found that the 'privacy of this tribunal' was the more objectionable because the Governor declared that he possessed an equitable jurisdiction and 'an equitable jurisdiction, where there are no positive rules of equity, means an unlimited discretionary power over the law'.¹⁴¹ There was no appeal in criminal cases but certain sentences in criminal cases were to be meted out only with the confirmation of the Governor and the conviction for capital offences was solely vested with the Governor. 142

Apart from the drawbacks and irregularities involved in the Governor's authoritarian role in the judiciary in the Kandyan Provinces, Cameron found that the appellate system itself was defective. 'The proceedings', he observed, 'are still more insufficiently controlled by appellate judicatures than those in the Maritime provinces'.¹⁴³ When the majority of the assessors differed from the Agent of Government, the proceedings were transmitted to the Judicial Commissioner's court without any decision taking place in the Agent's court.¹⁴⁴ Besides, civil cases where the object in dispute was either land or personal property exceeding one hundred and fifty rix dollars in value could be appealed from the courts of the Agents of Government to that of the Judicial Commissioner. Cases of the same description could also be appealed from the Judicial Commissioner's court to the Governor. In practice, this meant that all cases which might be carried up by appeal from the courts of the Agents to the Judicial Commissioner's court might be further carried up from there to the Governor. Cameron questioned whether there was any sufficient reason why cases in the Kandyan provinces should be carried through two stages of appeal.¹⁴⁵

Besides, according to the manner in which the judicial machinery was operated, the officials who were employed as judges were not only unconnected with the profession of the law, but their education had also been 'in no degree adopted to the special purpose of qualifying them for the administration of justice'. He also criticised the system of pleading and the procedure in the lower courts:

The causes tried before the local judicatures all over the island are not reduced, by any rational and methodical system of pleading, to one or more disputed points of fact or law.

The court is generally obliged to give judgment without any previous separation of the matters really at issue, and the proofs applicable to them, from the confused mass of statement and evidence with which the

passions and ignorance of the parties induce them to encumber the case; and ... the judge does not sum up the evidence nor give in general the reasons for his decision. 146

He criticised other aspects of the judicial system in the Kandyan Provinces. The functions of public prosecutor and judge were combined in one person. Since there was no public prosecutor, the Judicial Commissioner, as the chief criminal judge, acted as the public prosecutor as well. ¹⁴⁷ Cameron also found that military persons were not amenable to the civil courts for any offences. Besides, although he realized the necessity of the extension and improvement of the institution of assessors, he saw several weaknesses in it. The assessors were selected 'from too small a class' and not from those who were 'best adapted to the purpose'.

They are more in the nature of judges than jurors, or rather they unite the defects of both. They unite that official permanence, which renders a judge unfit to decide many sorts of questions without the check imposed by the presence of some recognized representatives of the public at large, together with that want of professional skill which makes a juror unfit to decide any question without the assistance and control of some more disciplined mind. 148

Moreover, the persons who held assessorships were unfit for any occupation which demanded 'laborious attention and laborious preparation'. ¹⁴⁹ Apart from the deficiencies in the institution of assessors, Cameron saw that stamp duties which had been introduced as a means of abating the 'litigious spirit', in other words, the increase of litigation, ¹⁵⁰ and which had to be paid at every stage were 'avowedly imposed not for the legitimate purpose of raising a revenue but for the monstrous purpose of rendering the courts of justice inaccessible'. ¹⁵¹

Cameron critically reviewed the separate judicial systems of the Maritime and Kandyan Provinces and realized that the continuance of this separation was superfluous in a country which had been subject to 'one and the same Government'. Accordingly, the new judicial system was to be based on the principle of uniformity. Therefore, in keeping

with the administrative uniformity proposed by Colebrooke, Cameron recommended that 'complete uniformity should be introduced throughout the whole island' in both judicial establishments and procedure.¹⁵² On this basis, he proposed to establish a uniform system of courts of original jurisdiction throughout the island; these were to have 'exclusive jurisdiction over all causes, civil and criminal'.¹⁵³ Apart from the establishment of 'local omnicompetent courts' according to the ideas of Bentham,¹⁵⁴ Cameron believed not only that these courts would be more practicable but also that they would remedy the defects which had arisen under the existing system. He thought that the existing practice of dividing judicial business among several judicial officials according to its nature as civil or criminal, legal or equitable was in all respects much less expedient than the division into integral portions according to districts. He argued that as it was impossible to mark out the 'boundaries of contiguous subjects of judicature, as precisely as the boundaries of contiguous districts', many complicated questions of jurisdiction which had 'fruitlessly consumed' the time and money of the suitors had arisen. Supported by Justice Marshall's opinion on the merits brought about by the union of criminal and civil jurisdictions in the Sitting Magistrate's court, Cameron hoped that the implementation of his proposal would save the people from the trouble and expense of finding out the competent court for the trial of their cases and that it would also enable them to refer all their grievances to the same arbitrator.¹⁵⁵

The courts of original jurisdiction, thus constituted, were to individually consist of one judge and three assessors. Cameron criticized the lack of legal training of the judges who, in his opinion, 'by the usual course of promotion in the civil service, are practically acknowledged to be equally fit for the discharge of any other functions'.¹⁵⁶ This situation was worse particularly in the Kandyan Provinces, because most of the judges, being army officers, lacked training not only in judicial business but also in civil affairs. But Cameron did not suggest any specific way of remedying this deficiency. In the face of the financial difficulties of the colony, he presumably thought

that civil servants and military men would continue to be employed as judges.

The introduction of a panel of three assessors who were to sit with the judge in courts of original jurisdiction was a combination of the practices prevalent in the Kandyan and Maritime Provinces. On the one hand, this was an extension of the institution of assessors which operated in the Kandyan courts. On the other hand, they were to be chosen in the same way in which jurymen were chosen in the Maritime Provinces.¹⁵⁷ Cameron thought that these assessors would constitute 'a legitimate organ for the tranquil and effectual expression of public opinion upon judicial matters'.¹⁵⁸ When the parties concluded their pleadings, evidence and arguments, the judge was required to sum up the evidence and to state his opinion of the law to the assessors who thereupon were to give such verdict as any two of them could agree. The judge, however, was to have power to give a contrary decision if he thought fit. Except for the absence of the binding effect of their verdict, the assessors were to have all the privileges of a jury. As a Benthamite, Cameron thought it very difficult to defend the institution of a jury as the organ of a judicial decision, but he also thought particularly in 'our Indian possessions' such an institution was invaluable because it provided 'the only check and the only stimulus which can be applied to a judge placed in a situation remote from a European public, and necessarily almost insensible to the opinion of the native public, with whom he does not associate'.¹⁵⁹

Perhaps influenced by Colebrooke's proposal to relax the exclusive principle of the civil service and to throw it open to the local inhabitants, Cameron later made a slight modification in his scheme. With the view of 'giving to a class of Native functionaries the skill and integrity necessary to render them fit for becoming Judges of original jurisdiction, Cameron proposed that one of the three assessors should be made a permanent official on a moderate salary, appropriate to a full-time, native public servant and should have the prospect of becoming a District Judge.¹⁶⁰ He believed that this measure would bring about two results.

Economically, it would be profitable because a native judge could be 'amply remunerated' with a trifling amount in comparison to that necessary to tempt a competent European to undertake such an office. Politically, it would be far-sighted because it would ensure the 'future stability of our Dominion in the East' in collaboration with influential local inhabitants. Cameron calculated that

... by such an appointment four-fifths of the salary necessary to remunerate a European Judge will be saved to the public, the honourable ambition of the upper classes of Natives will be safely gratified, and, the great mass of the people will be bound by ties of affection to a Government which ceases to withhold offices of power and emolument from its Native subjects, as soon as they become qualified to fill them with advantage to the Native community.¹⁶¹

According to the reforms proposed by Cameron, the Supreme Court was to become a more powerful and important institution. The strengthening of the Supreme Court could be viewed as an attempt to ensure the independence of the judiciary. It was to act as the only appellate court with 'an appellate jurisdiction of the most comprehensive kind over all the courts of original jurisdiction'.¹⁶² In practice, this was to mean not only the recognition and maintenance of judicial uniformity in the colony, but also a regular control over the local judges in the exercise of their judicial functions and a preservation of the unity of law, which would certainly be impaired by the decisions of a number of independent judges. The Supreme Court was also to have original criminal jurisdiction in higher criminal cases.¹⁶³ It was to consist of three judges, a chief justice and two puisne judges who, however, were not to sit together except for taking decisions on points of law.¹⁶⁴ To give parties and their witnesses the 'same cheap and easy access' to the appellate court, as they had to the court of original jurisdiction, the whole island was to be divided into three circuits, Northern, Eastern and Southern, and each judge of the Supreme Court was to go on circuits twice a year, provided that one judge should always remain in Colombo.¹⁶⁵ The judges in circuit appellate courts were to hear all appeals for redress against the decisions of the lower courts. They

were also required to look over the records of the courts of original jurisdiction and advise the judges in of such courts on legal matters. If they came across any different practice, or a variation of a prevalent practice, they were to consult together and draw a draft of such a declaratory law and submit it to the Governor for legislation. ¹⁶⁶

Most of the major recommendations made by Cameron were favourably received by the Home Government and the judicial reforms based on them were incorporated into a new Charter of Justice issued on 18 February 1833. ¹⁶⁷ However, not totally agreeing with Cameron's recommendations, the Charter gave both the District Courts and the Supreme Court on circuit a concurrent jurisdiction for the trial of criminal causes; ¹⁶⁸ the recommendations for the abolition of all fees of court and stamps and payment of the witnesses on both sides by the public were totally rejected; and recommendations for the punishment of malignant litigants, although they were not included in the Charter, were left to the discretion of the Supreme Court and the Legislative Council either to implement or to modify or to reject. ¹⁶⁹

The rest of Cameron's recommendations were incorporated into the Charter. Moreover, two additions were made in the Charter. On the recommendation of Colebrooke, ¹⁷⁰ a provision was included making it lawful for persons to submit their differences to the arbitration of gamsabha. Besides, there was another provision for appeal to the Privy Council of England in cases exceeding £500 in value. All these reforms, embodied in the Charter, were implemented in October 1833 along with the other administrative reforms which we examined earlier.

The judicial reforms of 1833 had an immediate impact on the Kandyan Provinces. The principle of uniformity on which the new reforms were based radically changed the judicial administration in the interior. The Governor lost to the Supreme Court his appellate, equitable and criminal jurisdiction over the Kandyan Provinces. The office of Judicial Commissioner was abolished. The Sitting Magistrate's court in Kandy, the Judicial Agent's court in the Seven Korales and all other courts of the superior and inferior

Agents of Government were also abolished.

With the ending of the separate judicial administration in the Kandyan Provinces, the entire island was divided for judicial purposes into the Colombo District and three other circuits, Northern, Eastern and Southern. Each division was further divided into several districts and District Courts were established in every district.¹⁷¹ In practice, this too meant a further disruption of the unity of the Kandyan Provinces. Under the new arrangements, the disavanis of the Three Korales, Lower Bulatgama and Sabaragamuva were brought under the Colombo District, that of Nuvarakalaviya under the Northern circuit and that of Vellassa under the Southern circuit; the others were retained under the Eastern Circuit. In the area which came under the Central Province, District Courts were established in Kandy, Badulla, Matale, Madavalatanna and Nuvara Eliya.¹⁷²

These changes in the judicial administration contributed to a further strengthening of the British administrative superstructure resulting from the administrative reforms made on the recommendations of Colebrooke. This is evident from several developments and changes which took place as a result of judicial reforms in 1833. As we have seen earlier, in Kandy, the capital of the Central Province, a clear division had been made between judicial and civil administrations, despite the fact that in other areas the union of judicial business not only with civil duties but also with military functions persisted. Besides, the judiciary now functioned in a more orderly manner. The District Courts were closely supervised by the judges of the Supreme Court. Even under the Board of Commissioners, there was a system of supervision under which the Judicial Commissioner regularly examined the judicial diaries of the Agents with the view of checking abuses and rectifying wrong decisions of Agents' courts and of ensuring judicial uniformity in the entire Kandyan Provinces. But, being civil servants, the officials who were employed in the position of the Judicial Commissioner had not been trained in the field of law. On the other hand, the Judicial Commissioner's court was not supervised by any superior court or any professional judge

except for referring the proceedings of certain civil and criminal cases to the Governor for decision. Under the new system, the District Courts were supervised by the judges of the Supreme Court, who were educated, experienced and distinguished men of the legal profession and who were required to advise on all matters of law and practice and to take special care in maintaining uniformity of law in the entire colony. In addition, the Supreme Court judges heard all appeal cases in civil matters and a part of the original criminal cases concurrent with the District Court judges, imposing a further check on the latter.

These reforms and changes seriously affected the role played by the Kandyan nobles in the judiciary. The judicial powers which had hitherto been vested in the high-ranking officials of the subordinate administration were totally removed from them. Therefore their role in the judiciary was confined to that of holding assessorships in the courts of law under the new arrangements. All these reforms and consequent changes meant not only a further strengthening of the British administrative superstructure but also a further regularization of the judicial administration in the interior.

A significant feature in this process of change was the further extension of European forms and procedure. In the establishment of judicial uniformity for the entire island, provision was made for a public prosecutor for cases of serious crimes. In addition, the method of procedure was further anglicized. Two innovations in this direction were the extension of the system of assessors into a jury system and the summing up of evidence by the judge before the court. In December 1834, it was declared that English rules of evidence were to be in force in the entire island.¹⁷³ But this policy of Europeanization was not followed to its logical conclusion. As a result, although the forms and procedure were further anglicized with an English judge at the centre of each judicial court, the law which was utilized to hear most of the civil cases was largely Kandyan. Therefore, the assessors who were to act as jurors in judicial courts continued their former role as 'expounders of the law'.

Besides, under these new judicial arrangements the

gamsabha or village councils were also allowed to exist. Although the informal procedure of arbitration in these village courts was close to the hearts of the Kandyan, it was not compatible with the formal procedure of the English law courts, and village courts seemed incompatible with the entire British judicial administrative system. These village councils did not possess any judicial powers except for settling disputes by arbitration. But such settlements did not have the binding effect of a decision of an English court of law. As a result of these developments the duality of the British and local Kandyan legal institutions continued without a complete integration between the two: in fact, the former gained at the expense of the latter.

In conclusion, it could be said that the Colebrooke-Cameron reforms were a land mark in the history of the Kandyan Provinces. They completed the process of administrative unification of the entire island, weakened the political partnership between the British and the Kandyan nobility and promoted economic development in a new direction. Although the commission was immediately occasioned by the recurring budget deficits, the commissioners took a long range view of the political and socio-economic problems of the entire island and made recommendations which had both immediate effects and a long term impact on British colonial rule. The commissioners brought a fresh outlook to the analysis of the problems of Sri Lanka, as was evident from the conservative reaction they evoked from both local colonial representatives and the indigenous ruling classes. Viewed in retrospect there is also room to think that their recommendations were a further forward step in the tendencies already operating in the colony. The administrative superstructure established in the Kandyan Provinces which involved a corresponding reduction of the power and authority of the radala nobles and headmen was already bringing the Kandyan Provinces in line with the Maritime Provinces, thus paving the way for administrative unification. The judicial changes introduced by the British since 1816 also facilitated some form of judicial uniformity. The establishment of the Executive and Legislative Councils for the administration of

the entire colony completed these tendencies. The changes in the rajakariya system in the Kandyan Provinces since 1815 made its partial abolition a feasible proposition.

The long-term effects of the Colebrooke-Cameron reforms on the Kandyan Provinces could be the subject of further study. It can only be noted here that political and administrative unification greatly removed the political threat to the British from the radala nobles, while the implementation of the other reforms in the tradition-bound society led to developments such as the growth of the plantation sector at the expense of subsistence agriculture and the introduction of Indian immigrant labour and created new social problems.

NOTES FOR CHAPTER SIX

1. Speech of Joseph Hume, on a motion calling for separate accounts of the revenue and expenditure, civil and military, of Sri Lanka, Mauritius, Trinidad, Malta and the Cape of Good Hope, Hansard's Parliamentary Debates, New Series, Vol.VIII, February to April 1823, p.250.
2. Speech of Joseph Hume approving Wilmot's motion of appointing the commission of inquiry, Hansard's Parliamentary Debates, New Series, Vol.VII, April to August 1822, p.1805.
3. W.M.G.Colebrooke (1787-1870) was educated at Woolwich Military College. He entered the Royal Artillery in 1803 as a First Lieutenant and from then served in various parts of the Empire, including Sri Lanka from 1805 to 1809 and India. He accompanied the British expedition to Java in 1811 and served there as Deputy Quatermaster-General till June 1813. Then he was sent as Political Agent and Commissioner to Palembang in Sumatra. In 1814, he went on a mission to Bengal. In 1815, he resumed his duties in Java and served there till the restoration of Java to the Dutch in 1816. After his work on the commission of inquiry was over, he served as Governor of a number of West Indian islands. He was knighted in 1835.
4. C.H. Cameron (1795-1880) was called to the Bar in 1820. After the work of the commission of inquiry, he went to India in 1835 as a member of the Law Commission. In 1843, he became the fourth member of the Supreme Council of Bengal. In 1875, he came again to Sri Lanka as a coffee planter.
5. Among these five reports, four are found in CO 54/122 and the one on compulsory services is found in CO 54/145. Three major reports, namely, those on general administration, on revenues and on judicial establishments, were printed as a continuous Parliamentary Paper (Parliamentary Paper, House of Commons, No.274 of 1832). The five reports, together with the related documents are printed in G.C.Mendis (ed.), The Colebrooke-Cameron Papers, 2 Vols.
6. G.C.Mendis (ed.), The Colebrooke-Cameron Papers, Vol.I, pp. xxxv and lxiv; Cf. his Ceylon Today and Yesterday - Main Currents of Ceylon History, pp.65-70.
7. K. M. de Silva, 'The Colebrooke-Cameron Reforms', pp.248-9. 'It would have been surprising', Professor E. F. C. Ludowyk argues, 'had the Commissioners' recommendations really been radical, for they were in line with attitudes associated with Bentham who was by no means a radical.' However, he makes a distinction between Colebrooke and Cameron. Ludowyk, The Modern History of Ceylon, pp.52-4; Cf. his The Story of Ceylon, pp.167-8.
8. The reforms made by Raffles in Java have been analysed

in John Bastin, The Native Policies of Sir Stamford Raffles in Java and Sumatra: An Economic Interpretation.

9. V. K. Samaraweera, 'The Commission of Eastern Enquiry in Ceylon 1822-1837: A Study of a Royal Commission of Colonial Inquiry' pp.320-7. The influence of Raffles and Jones on Colebrooke is discussed respectively in pp.115-8 and 207-9, 214-20 and that of Bentham on Cameron in pp.125-76. Also see, Samaraweera, 'The Colebrooke-Cameron Reforms' in K. M. de Silva (ed.), University of Ceylon, History of Ceylon, III, pp.85-7 and his 'The Ceylon Charter of Justice of 1833: A Benthamite Blueprint for Judicial Reform', pp.263-77.
10. L. De Bussche, Letters on Ceylon, Particularly Relative to the Kingdom of Kandy, pp.95-6.
11. Colebrooke's report upon the administration, 24 December 1831, CO 54/122, (hereafter referred to as 'Report upon Administration').
12. Ibid.
13. Regulation of Government no.2 of 9 January 1822, A Collection of Legislative Acts, Vol.I, p.273.
14. Proclamation of 8 August 1826, in 'Proclamations Affecting the Kandyan Provinces from 1822 to 1831'.
15. Government Advertisement of 21 July 1812, G.C.Mendis (ed.), The Colebrooke-Cameron Papers, Vol.II, pp.314-5.
16. Report upon Administration.
17. Ibid.
18. Ibid.
19. See above, pp. 188-9.
20. Report upon Administration.
21. Colebrooke's report upon the establishments and expenditure, 28 May 1832, CO 54/122, (hereafter referred to as 'Report upon Establishments and Expenditure').
22. The value of grain imported between 1816 and 1828 exceeded £ 150,000. In 1813, a year of scarcity, the value of the rice imported was calculated at £ 374,852. Colebrooke's report upon the revenues, 31 January 1832, CO 54/122, (hereafter referred to as 'Report upon Revenues').
23. Report upon Administration.
24. Colebrooke to Barnes, 28 January 1831, CO 54/121.
25. Colebrooke used the term 'land tax' very often and the terms 'land rent' and 'grain tax' at times. From among all these terms, 'grain tax' was the most appropriate term in the context of the policy followed by the Government because the tax applied only to the lands sown with paddy. See above, p.152.
26. See above, pp.163-6. The Government's shares of royal lands were either farmed out or cultivated gratuitously or crop share basis. See above, p.154.

27. V. K. Samaraweera, 'Land Tax in Ceylon: Doctrinal Influences in the Controversy Between William Colebrooke and Charles Cameron', p.240.
28. Colebrooke's observations on Turnour's report of 3 October 1831 and Barnes' dispatch of 11 October 1831, and on the land tax, 2 May 1832, CO 54/121.
29. Ibid.
30. Report upon Revenues; Colebrooke's memorandum on 'Ceylon Revenues', 14 April 1832, CO 54/121; Colebrooke's observations on Turnour's report of 3 October 1831 and Barnes' dispatch of 11 October 1831, and on the land tax, 2 May 1832, CO 54/121.
31. Colebrooke to Hay, 24 December 1832, CO 54/121.
32. Marginal note in Report upon Revenues.
33. Colebrooke's observations on Cameron's memorandum on 'Ceylon Finance', 21 December 1832, CO 54/121; Report upon Revenues.
34. Report upon Revenues.
35. Ibid.
36. Ibid.
37. Not only by Colebrooke, but his colleague Cameron also strongly objected to the system of rajakariya and recommended its total abolition.
38. Report upon Revenues.
39. See above, pp.170-1;184-5.
40. Report upon Administration.
41. See above, pp.180-1.
42. Report upon Administration.
43. Colebrooke's report upon the compulsory services, 16 March 1832, CO 54/145, (hereafter referred to as 'Report upon Compulsory Services').
44. Report upon Administration.
45. Ibid.
46. Report upon Compulsory Services.
47. Report upon Revenues.
48. For example, by the Regulation of Government no. 5 of 28 June 1830, Muslims and Chetties were freed from the obligation of personal service and of payment of uliyam duty, a payment in lieu of forced labour, although they were still liable to be employed in common with the other inhabitants on payments or gratuitously in repair of roads and bridges. (G. C. Mendis (ed.), The Colebrooke-Cameron Papers, Vol. II, pp.288-9) Besides, Barnes abandoned 'the system now pursued of compelling certain classes of labour in the cinnamon plantations' and took steps to introduce voluntary labour to the cinnamon department in October 1831. Barnes to Goderich, 11 October 1831, CO 54/113

49. See above, pp.178-84. However, with regard to the Maritime Provinces, Colebrooke observed that 'the system was progressively ameliorated' under the British. Colebrooke to Secretary to the Royal Asiatic Society, 12 September 1834, enclosing 'A Proclamation by the Governor in Council of Ceylon dated 11 August 1686', Journal of the Royal Asiatic Society of Great Britain and Ireland, V, 1839, p.102.
50. Barnes to Commissioners, answer to Q.9, 10 September 1830, CO 54/112; Eden to Board of Commissioners, 28 December 1829, CO 416/20, G-25.
51. Minute by Governor, 23 June 1832, enclosed with Horton to Goderich, 1 October 1832, CO 54/118.
52. Goderich to Horton, 17 April 1832, CO 55/72.
53. Goderich to Horton, 22 June 1832, CO 55/74.
54. Goderich to Horton, 4 May 1832, CO 55/74; Regulation of Government no.1 of 7 January 1833, A Collection of Legislative Acts, Vol.I, p.374.
55. Goderich to Horton, 23 March 1833, CO 54/74.
56. Ibid.
57. Ibid.
58. Ibid.
59. Order-in-Council of 12 April 1832, enclosed with Goderich to Horton, 3 May 1832, CO 55/72; This is also available in A Collection of Legislative Acts, Vol.I, pp. 371-3.
60. Goderich to Horton, 3 May 1832, CO 55/72.
61. Ibid.
62. Order-in-Council of 12 April 1832.
63. Goderich to Horton, 3 May 1832, CO 55/72.
64. Report upon Establishments and Expenditure.
65. Report upon Revenues.
66. Goderich to Horton, 14 September 1832, CO 55/74.
67. The influence of Wakefieldian theories on land sales policy in Sri Lanka is discussed in K.M. de Silva, 'The Third Earl Grey and the Maintenance of an Imperial Policy on the Sale of Crown Lands in Ceylon, c. 1832-1852: Some Influences of Edward Gibbon Wakefield's Doctrines in a Tropical Society', pp.5-20.
68. Goderich to Horton, 29 November 1832, CO 55/74.
69. A.P.S. Bandarage, 'British Colonialism in Ceylon: The Impact of the Plantation Economy and the Colonial State on the Central Highlands, 1833-1886', pp.133-6, 224-5.
70. Report upon Administration.
71. Kannangara, pp. 7-22.
72. Report upon Administration
73. Ibid.

74. Regulation of Government no.12 of 14 August 1806 and Regulation of Government no.1 of 10 January 1824, A Collection of Legislative Acts, Vol.I, pp. 90 and 303.
75. Colebrooke and Cameron to Murray, 30 April 1830, CO 54/121.
76. Report upon Administration.
77. Ibid.
78. Ibid.
79. Ibid.
80. Report upon Establishments and Expenditure; Colebrooke to Barnes, 12 January 1831, CO 54/112.
81. Report upon Establishments and Expenditure.
82. K. M. de Silva, 'The Colebrooke-Cameron Reforms', p.255.
83. Report upon Revenues.
84. Report upon Establishments and Expenditure.
85. Report upon Revenues.
86. Report upon Establishments and Expenditure.
87. Report upon Administration.
88. Report upon Establishments and Expenditure.
89. Ibid.
90. Report upon Administration.
91. Colebrooke to Barnes, 12 January 1831, CO 54/112.
92. Report upon Establishments and Expenditure.
93. Ibid; Report upon Administration.
94. See above, pp.204-5.
95. Barnes to Commissioners, answer to Q. 5, 10 September 1830, CO 54/112.
96. Barnes to Commissioners, answer to Q. 1, 10 September 1830, 54/112.
97. Barnes to Commissioners, answer to Q. 5, 10 September 1830, CO 54/112.
98. Colebrooke recommended a reorganization of the Government sponsored education structure, but totally ignored the traditional educational systems of the colony. The government schools which had hitherto been under the charge of the Missionaries, were to be placed under a commission composed of the archdeacon and clergy of the island, provincial Government Agents and some of the principal civil and judicial officials at the seat of Government. It was the duty of the commission to inspect and superintend the schools. The school masters were required to possess a competent knowledge of English and were to be appointed on the recommendation of the commission. In addition, a college was to be established in Colombo under a Professor appointed from England. (Report upon

Administration and Report upon Establishments and Expenditure).

99. Report upon Establishments and Expenditure.
100. Report upon Administration.
101. Ibid.
102. Report upon Establishments and Expenditure.
103. Colebrooke's observations on the establishments in Sri Lanka, 17 July 1834, CO 54/145.
104. Report upon Establishments and Expenditure.
105. Colebrooke's observations on the establishments in Sri Lanka, 17 July 1834, CO 54/145.
106. Report upon Administration.
107. Colebrooke's observations on the establishments in Sri Lanka, 17 July 1834, CO 54/145.
108. Colebrooke to Barnes, 12 January 1831, CO 54/112.
109. Murray to Barnes, 18 November 1830, CO 55/72; Order-in-Council was enclosed with this dispatch.
110. Regulation of Government no.3 of 27 July 1832, A Collection of Legislative Acts, Vol.I, p.374.
111. The King's Supplementary Commission to Governor Horton, 19 March 1833, CO 55/74.
112. The King's Additional Instructions to Governor Horton, 20 March 1833, CO 55/74; Goderich to Horton, 14 September 1832, CO 55/74.
113. Goderich to Horton, 14 September 1832, CO 55/74.
114. Ibid.
115. Ibid; The King's Additional Instructions to Governor Horton, 20 March 1833, CO 55/74.
116. See above, p.135.
117. Proclamation of 1 October 1833, The Ceylon Almanac, 1834, p.25; Goderich to Horton, 14 September 1832; 23 March 1833, CO 55/74
118. See above, pp.119-20;126-8.
119. See above, p.228.
120. For example, in Badulla, Matale and Nuvara Eliya, military officers served both as Assistant Government Agents and as District Judges. The Ceylon Almanac, 1834, pp.243 and 248; 1835, pp.82-3.
121. These were traditional rata divisions which ceased to exist after the administrative changes in 1818.
122. Proclamation of 1 October 1833, The Ceylon Almanac, 1834, p.25.
123. The Ceylon Almanac, 1834, p.243. Later another Assistant Government Agent was appointed to Nuvara Eliya as well. The Ceylon Almanac, 1835, pp.82-3. Although a separate District Judge was appointed in Kandy, except for the Assistant Government Agent in Kandy, all the other

Assistants served as District Judges as well.

124. See Appendix VIII
125. Board of Commissioners to Anstruther, 24 November 1832, CO 54/128.
126. Ibid; Anstruther to Board of Commissioners, 14 December 1832, CO 54/128.
127. Board of Commissioners to Minor Agents of Government, 28 January 1833, CO 54/128.
128. Anstruther to Board of Commissioners, 14 December 1832, CO 54/128.
129. Proceedings of the Board of Commissioners, 18 December 1832; Anstruther to Board of Commissioners, 16 January 1833, CO 54/128
130. Goderich to Horton, 14 September 1832; 23 March 1833, CO 55/74.
131. Board of Commissioners to Anstruther, 24 November 1832, CO 54/128.
132. Memorial to the Governor signed by Molligoda and several other Kandyan nobles, 8 December 1832, CO 54/128.
133. Memorial transmitted to the Governor by Kandyan nobles in May 1834, n.d. CO 54/137. This could also be found in Ceylon Literary Register, Third Series, III, 1933-4, pp.561-9.
134. Ibid.
135. Ibid.
136. Ibid; Memorial to the Governor signed by Molligoda and several other Kandyan nobles, 8 December 1832, CO 54/128.
137. Samaraweera, 'The Ceylon Charter of Justice', p.265. K. M. de Silva says that it was 'a brilliant summary of Benthamist legal thinking'. K. M. de Silva, 'The Colebrooke-Cameron Reforms', p.251.
138. Cameron to Hay, 3 November 1830, CO 54/131.
139. Cameron's report^{upon} the judicial establishments and procedure, 31 January 1832, CO 54/122, (hereafter referred to as 'Report upon Judicial Establishments and Procedure').
140. Ibid.
141. Ibid.
142. See above, p.125.
143. Report upon Judicial Establishments and Procedure.
144. See above, p.130.
145. Report upon Judicial Establishments and Procedure.
146. Ibid.
147. Colebrooke and Cameron to Murray, 23 November 1830, CO 54/121.
148. Report upon Judicial Establishments and Procedure.

149. Ibid.
150. Proclamation of 25 March 1824, in 'Proclamations Affecting the Kandyan Provinces from 1822 to 1831'.
151. Report upon Judicial Establishments and Procedure.
152. Ibid., recommendation 1.
153. Ibid., recommendation 2.
154. Samaraweera, 'The Ceylon Charter of Justice', pp.265-6.
155. Report upon Judicial Establishments and Procedure.
156. Ibid.
157. Cameron to Goderich, 10 August 1832, CO 54/145.
158. Report upon Judicial Establishments and Procedure.
159. Ibid.
160. Cameron to Goderich, 10 August 1832, CO 54/145.
161. Ibid.
162. Report upon Judicial Establishments and Procedure, recommendation 14.
163. Ibid., recommendation 19.
164. Ibid., recommendation 15.
165. Ibid., recommendations 16 and 17.
166. Ibid., recommendations 18 and 25.
167. Ceylon Charter of Justice, 1833, CO 55/74 or CO 54/145. This can also be found in A Collection of Legislative Acts, Vol.I, pp.382-95.
168. Ibid; Goderich to Horton, 23 March 1833, CO 55/75.
169. Goderich to Horton, 23 March 1833, CO 55/75.
170. Colebrooke to Barnes, 12 January 1831, CO 54/112; Colebrooke's observations on Judicial Administration in Sri Lanka, 24 September 1832, CO 54/122.
171. Proclamation of 1 October 1833, The Ceylon Almanac, 1834, pp.26-30.
172. Ibid; The Ceylon Almanac, 1834, pp.248-9
173. Ordinance no. 6 of 12 December 1834, Ceylon Government Gazette, 20 December 1834.

CHAPTER SEVEN

CONCLUSION

This study attempts to examine the impact of radical political change on society in the Kandyan Provinces of Sri Lanka during the period 1815-1833. The political change was radical in that the cession of the Kingdom in 1815 to the British gave power to those who differed from the Kandyans in aims, interests and methods of Government. The year 1833 too marks an important landmark not only in the history of the Kandyan Provinces but also in that of the entire island because most of the reforms proposed by the commission of inquiry were implemented in that year. During this period, the pre-modern Kandyan monarchy was replaced by a laissez-faire state. Throughout this period there was a confrontation between the Kandyan and British systems. This, on the one hand, gradually weakened the entire Kandyan political, social and economic system. On the other hand, it created a dichotomy, politically, administratively and economically, while British ideas and institutions gained more and more dominance over the Kandyan system. The transformation which Kandyan society underwent during the period under review constitutes a stage in the transition from tradition to modernity. This transition was in keeping with the general pattern of transition in other pre-modern societies into modern ones under European colonialism, although there were certain peculiarities in the Kandyan case.

Georges Balandier, with particular reference to colonized Africa, distinguishes five main immediate political consequences of the colonial situation: (a) the denaturation of the traditional political units: on many occasions, the frontiers created by the accidents of colonization did not coincide with the traditional political frontiers; (b) degradation by depoliticalization: the traditional political unit was reduced to a conditional existence and colonization transformed every political problem into a technical problem which was to be dealt with by the administration; (c) the break in traditional systems of limiting power: the very existence of the colonial administrations disturbed the

relationship between power and public opinion, the mechanisms that ensured the consent of the governed, particularly those involving the sacred; the relationship between local chiefs and the people was distorted; the economic, social and cultural transformations brought about by colonization caused indirect consequences of the same kind; (d) the incompatibility of the two systems of power and authority: the establishment of colonial power originated a process of transition from the traditional type of authority to the bureaucratic type; the colonial situation necessitated the co-existence of a strongly sacralized, personal traditional system and a modern system based on the impersonal bureaucracy, but their partial incompatibility remained, despite the attempts of the colonial administration to rationalize the mode of traditional government by bureaucratizing it and by bringing a precise regulation of duties, taxes and tribute; (e) the partial desacralization of power: the desacralization of the offices of king and chief combined with other consequences of colonization weakened the power and authority with which their holders were formerly invested; the power of the sovereign and chiefs was legitimized more by reference to the colonial government than by reference to the ancient procedures.¹ As the author himself says, these 'immediate political effects of modern colonization in Africa are to be found in other countries that are better armed - by virtue of their history, their highly developed culture and technology - to resist colonial constraint However, because the traditional political systems ^{are very} varied, we should be aware of the possibility that they may react differently to the experience of transformation begun by colonization'.² This model has considerable relevance to our subject.

In common with the general pattern of modern European imperialist expansion, the establishment of British power in the Kandyan Provinces took place with the assistance of a group of local collaborators. The British were able to find collaborators in the Kandyan nobility because of intense internal tension that arose from the power struggle between the Kandyan King and the first adigar, who was supported by a large number of nobles. Although this power struggle involved

the personal interests of those who were involved in it, it may be mainly attributed to the lack of fit among political, economic and social positions - an important element in pre-modern personal monarchies. For example, the King enjoyed supreme political rights but when a King died without issue, the first adigar's decision was vital in the appointment of a new King. Besides, the nobles possessed large extents of land but all economic rights were derived from the King and there was no right to land independent of the King.

However, in addition to this general tendency, there were two peculiarities in Kandy. One was that the Kandyan King was a foreigner. This 'foreignness' was at times helpful to the Nayakkar Kings in Kandy in maintaining their authority because it enabled them to keep a social distance from the Kandyans. Therefore they could control the Kandyan nobility without any obligation resulting from any marriage or blood relationship. But the Nayakkar Kings attempted to identify themselves with Kandyan national interests, particularly by patronizing Buddhism. However, Sri Vikrama Rajasinha, the last King, totally abandoned this policy of his predecessors, particularly towards the end of his reign. This not only created a racial antipathy among the Sinhalese against him but also made him isolated. The other peculiarity was the presence of the British in the Maritime Provinces. They were prepared to interfere in Kandyan politics and to make use of internal tension for their advantage in order to obtain a favourable opportunity to conquer the Kingdom. The British employed spies to obtain information about the Kandyan political situation, carried on secret correspondence with the nobles who had been discontented with the King and subtly encouraged them against him. Moreover, Kandyans who were victims of the King's anger could seek refuge in the British territories. The important point is that all these factors combined to intensify internal tension of the Kingdom.

This situation resulted in transforming the Kandyan nobility into a group of collaborators. In fact, the nobles ceded the Kingdom to the British. The cession was accomplished by the Kandyan Convention of 1815. Contrary to the tendency in colonized Africa, in Kandy, Kingship - an

important element of the traditional political unit - was abolished and supreme political power was transferred to the British.

This may be explained as a step taken by the British to directly establish their supreme political authority by manipulating the circumstantial situation. Since the Kingdom was ceded to the British, there was no need on their part to retain the monarchy.

On account of the collaboration of the nobility and of the limitations of their own economic and military resources, the British were not in a position to overthrow the entire Kandyan system or to make radical changes in its other spheres. Therefore, in common with colonized Africa, the traditional politico-administrative units were largely retained with the exception of the monarch. At the same time, the British, who wished to secure their political overlordship and showed a preference for their own administrative institutions, set up an administrative superstructure over and above the Kandyan administrative system. The Residency, the pivot of this superimposed British administrative structure, which was connected with the central imperial administration in England through the Governor in Sri Lanka, contained the main features of an impersonal bureaucracy.

This situation brought about several changes which were largely similar to those in colonized Africa, as analysed by Balandier.

Firstly, there was a degradation by depoliticalization. As we have seen, the traditional Kandyan political and administrative system was largely retained even after the cession. British policy tended to preserve and continue the Kandyan system as far as seemed politically necessary. In other words, political considerations were foremost in its formation. By such a policy, the British rulers attempted both to maintain a political partnership with influential, local power groups and to retain the confidence of such power groups and through them that of the rest of the Kandyans. Thus their attempt at partially maintaining the status quo was actually one very important means of ensuring the

stability of their political power and authority in the Kandyan Provinces. The stability of their political power in Sri Lanka was particularly essential on account of its strategic importance for the defence of their power in India. In spite of this policy of the British, the traditional Kandyan politico-administrative structure was reduced to a conditional existence, as in colonized Africa. Under the monarchy, the entire political and administrative organization was centred around the King. The absence of the King therefore created a void which the British were unable to fill. In addition, the abolition of the monarchy disturbed the traditional power structure. Under the British, who maintained their own army, the nobles, who had occupied high ranking administrative positions, totally lost their traditional military powers and functions. Many offices attached to the royal household became non-functional. Appointments in the local administrative organization were made by the British, and the nobles derived their power from the British. All important political and policy decisions were taken by the British with or without consulting traditional power groups, and a large number of headmen became mere technicians who carried out such decisions. Above all, the continuance of the traditional system was dependent on the British as evident from the radical changes made by them in the Kandyan politico-administrative system in 1818 and 1833.

Moreover, within the framework of the colonial situation real political life was expressed partly in a clandestine way. With regard to colonized Africa Balandier observes that politically significant reactions operated in an indirect way and appeared where they could find expression, notably in new religious movements and prophetic and messianic churches. In comparison, in the Kandyan Provinces political events such as the conspiracy in 1816, the rebellion of 1817-18 and attempts at rebellion in 1820, 1823 and 1824 could be considered as a type of political reaction to foreign rule. The Kandyan nobles found that they could not participate in active political life under the British and share the administration with the colonizers to the extent that they had done under the monarchy. The discontent that resulted from this situation was projected in these political reactions.

Moreover, they broke out under the cover of tradition. This is best exemplified from the rebellion - the most significant event among all the reactions - because a large number of nobles participated in it and because it received widespread popular support, conveying a severe threat to British political authority in the Kandyan Provinces. Its main purpose was to re-establish the traditional monarchy. However, certain peculiarities could be stressed in the Kandyan situation during the period under survey. One was that, although there was a clandestine element in these traditional reactions - particularly in their organization - some of them directly confronted the British power. Besides, these were politically-motivated movements rather than religious movements. Certainly, there was a religious element in them. For example, certain Buddhist monks organized the conspiracy of 1816 and a large number of them openly supported the rebellion. Besides, the rebels obtained the sacred Tooth Relic in order to assert their right, sanctioned by the customary political beliefs associated with it, to re-establish the monarchy. But Kandyan reactions during the period under review were not religious movements. In these reactions, religious sentiments and institutions were manipulated as far as they were politically necessary. Moreover, these reactions could also be considered as a part of the Kandyan tradition of resistance to the foreigner, which was moulded by the invasions of the Portuguese, Dutch and English who successively ruled the Maritime Provinces from the end of the sixteenth century onwards.

Secondly, there was some incompatibility between the traditional and modern systems of power and authority. This situation in the Kandyan Provinces was similar to the colonial situation in Africa. The imposition of the British administrative superstructure over the Kandyan administrative structure necessitated a co-existence of the traditional and modern systems and also marked the origin of the transition from the personal monarchical type of authority to the impersonal bureaucratic type, but the partial incompatibility of the two remained. What were considered personalized relations and therefore legitimate in the first became corrupt

and illegitimate under the second. For example, the British considered the custom of obtaining presents from the superior headmen at the time of their appointment 'as unworthy of the British Government' and abolished them immediately after the cession.³ What was considered customary obedience in the first became oppression under the second. In addition, the customary, generally understood and therefore undefined rights, powers and privileges of the Kandyan officials were not compatible with the clearly defined rules and regulations of the British or with their political and economic interests. Above all, certain offices, particularly those associated with the King's household, were totally non-operative under the new system. In short, the traditional administrative system which was geared to the maintenance of the monarchy and which was based on personal criteria was not totally compatible with the modern British administrative structure which catered for the political and economic aims and interests of the empire and which was based on foreign assumptions and impersonal criteria.

In this situation, British administrative policy tended further to widen, steadily to strengthen and gradually to regularize their own superstructure and also to rationalize the traditional system by bureaucratizing it. The involvement of the British in more detailed administration and their introduction of more system and impersonal regularity was clearly visible in the administrative changes made in 1816 with the establishment of the Board of Commissioners and in 1818 after the suppression of the rebellion. The changes made in 1818 were particularly important because they were intended to directly rationalize the traditional local bureaucracy. A large number of traditional offices which had become redundant under the British were abolished; even in the offices retained, powers and privileges were drastically curtailed. In addition, not only the powers of the offices retained but also the honours to which their holders were entitled were clearly defined. Moreover, native officials were brought under the supervision of British Agents. It is important to note here that these changes were mainly led by the political need of curtailing the power and authority of

the Kandyan nobility and strengthening the British superstructure at the expense of the Kandyan administrative system. This process of change culminated in 1833 with the disruption of the borders of the Kandyan Provinces in the administrative unification of the entire island and in the simultaneous strengthening of the administrative superstructure. The changes which took place in traditional borders seem to have constituted a situation similar to that which has been characterized as the denaturation of traditional political units with regard to colonized Africa. However, an important limitation, namely the radical difference between the geographical extent of the two areas, has to be taken into account. In Africa, as a continent which was divided among several European powers, the incompatibility of the frontiers created by the accidents of colonization with the political frontiers established in the course of African history, or with areas possessing cultural similarities, was immense and clearly visible. In Sri Lanka, an island, the incompatibility that resulted from the changes in the borders between the Kandyan and Maritime Provinces in 1833 was comparatively small. In addition, although the littoral had undergone certain social, economic and political changes in consequence of European rule from the sixteenth century onwards, such changes were not strong enough to make it a separate political and cultural unit distinct from the interior. However, this should not lead us to underestimate the partial incompatibility of the traditional borders of the Kandyan Provinces with the new ones created by the British. The changes in 1833 resulted in breaking traditional administrative divisions and thereby further disturbing the isolation of the Kandyan Provinces. They also marked another stage in the penetration of the British administrative structure. In spite of all these developments, the partial incompatibility of the traditional Kandyan and modern administrative systems remained. On the whole, this resulted in dual administrative structures without a complete integration between them. However, the balance increasingly shifted towards the British, and their concepts and ideas gained ascendancy over those of the Kandyans.

Thirdly, there was a break in traditional systems

of limiting power. Like the colonial administrations in Africa, the British administration in Kandy disturbed the traditional relationship between power and public opinion. In Kandyan society, this was visible as a loosening of the close, traditional link between the local power groups, particularly the Kandyan nobles, on the one hand, and the inferior headmen and the rest of the people on the other hand. The nobles derived their power from the British and were subject to the control of the British so that they became less responsible to the people. They were entirely dependant on the British Government for their appointments to high offices in the local administrative system. In addition, the British Government exercised a power not only to dismiss office holders but also to abolish the offices themselves. The British at first attempted to define the powers of the nobles and thereby not only to reduce their authority but also to release the people from their control. But later on, particularly in 1818 and 1833, they took more direct steps to curtail administrative and judicial powers of the nobles and clearly defined the powers and functions assigned to them. The Government took from the nobles even the power of appointing inferior headmen and the system of receiving customary presents was totally abolished except for temple lands. Above all, the superior headmen were made a salaried group. In this situation, the acquiescence of the colonial power was important to the local power groups. The people too tried to relieve themselves from the control of the local power groups. For example, very often they brought their complaints to British officials and British courts, ignoring the local officials and local courts such as gamsabha and ratasabha: this indicated a growing acceptance of British judicial institutions. In addition, inferior headmen and people sometimes showed a reluctance to obey and show respect to the nobles. Similarly, some people failed to perform customary services to temple. Ironically, in these instances, the British came forward to preserve the tradition purely on political grounds, in other words, with the intention of ensuring stability of their political power by preserving the status quo and thereby perpetuating their political partnership with local power groups. Moreover, the British tended

to protect Kandyan social institutions such as caste, slavery and polyandry, for the same political purposes. In spite of these policies traditional relationships and reciprocal obligations were disturbed.

The economic, social and cultural changes brought about by the British had indirect consequences of the same kind. In colonized Africa, the fall in the prestige of the chiefs was due to the conditional character of their power and to the weakening of their economic position. A similar change can be seen in Kandy during the period under review. In addition to the fact that the political power of the nobles was largely dependant upon the British, their economic position was also adversely affected by certain steps taken by the British. For example, the abolition of gravet duties and royal monopolies deprived certain superior headmen of one means of income. Similarly, the imposition of the grain tax and the subsequent process of regularizing it paralysed the economic position of certain nobles based on land.

Fourthly, there was a partial desacralization of power. Even here one can see several close parallels between developments in the Kandyan Provinces under the British and in colonized Africa, with certain variations brought about by different circumstances and varying traditions in the two areas. The close relationship between Buddhism and the traditional Kandyan state, in other words, the legitimization of political power by religious beliefs and by institutionalized religion, was disturbed. This was similar to certain changes which took place in colonized Africa. In certain African countries, the Kings, who were considered divine, were overthrown by the colonizers, disturbing traditional religious concepts and beliefs associated with legitimizing political power. Similarly, with the cession of the Kandyan Kingdom to the British and with the consequent abolition of the monarchy, traditional religious beliefs which not only legitimized the political power of the monarchy but also provided an ideological sanction for the maintenance of Kandyan independence were shattered. For example, particularly after the failure of the rebellion of 1817-18, the Kandyans could no longer see much validity in the traditional belief that no foe could

conquer their country, because of the protection of the four gods.⁴ However, it is important to note here that the British manipulated traditional Buddhist beliefs that sacralized and legitimized political authority to their advantage and that they attempted to perpetuate the traditional link between Buddhism and the state largely intact, purely on political grounds. For example, there was a belief that the possession of the sacred Tooth Relic gave a ruler a religious sanctity for his political right. Therefore, when it was removed from the Temple of the Tooth during the British invasion and during the rebellion, the British took deliberate steps to bring it back to the Temple and to create an acceptance of their rule in the minds of the Kandyan by manipulating the traditional belief associated with it. Disregarding their own religious convictions as Christians and the pressures from the Evangelicals, the British supported Buddhism, maintained and patronized its rituals and followed a policy very favourable towards Buddhist monks and institutions, purely on political grounds, in other words, with the intention of ensuring the stability of their power. In spite of this policy, the partial desacralization of political life was inevitable. The British could not replace the Kandyan King in the religious institution too. The traditional relationship between Buddhism and the state was also weakened. On the other hand, as the head monks of the sangha organization and the lay administrators of temple lands were appointed by the British Government, their power was now legitimized more by reference to the colonial government which could control them than by reference to traditional procedures.

The model which has been developed by Balandier with regard to the immediate consequences of colonization in Africa is mainly concerned with the political transition, although he pays a certain attention to social change. However, in addition to such types of transition, the process of modernization under colonialism brought about a transformation in the economic sphere. This facilitated the growth of capitalism and other institutions suited to capitalist economic development. These changes had an impact on traditional economies and resulted in the emergence of new social

classes and new social relationships.

In this broad context, under the incipient process of modernization in the Kandyan Provinces, several changes could be identified. Firstly, there was a regularization of the traditional land taxation system. This was particularly evident in the imposition of the general grain tax in lieu of the traditional land tax and the commutation system under which the grain tax was commuted into a fixed annual payment on the theoretical assumption that the fixed tax would lead to increased productivity. This process not only disturbed tenurial systems but also resulted in such an important change as the creation of a sense of private land ownership. Secondly, there was the emergence of new economic roles in traditional Kandyan institutions. For example, traditional caste services which were non-functional under the British were converted into such services as cinnamon peeling which was directly important to their commercial interests. Besides, the traditional compulsory obligation of the Kandyans to render gratuitous labour services was extensively utilized by the British for the building of modern carriage roads. Thirdly, there were innovations in the economic field, which were based on European capitalistic assumptions, as in the pioneering attempts made by the British to introduce crops and large scale plantations. Coffee was the most important crop which attracted investors. These plantations were cultivated and maintained by hired labourers, a large number of whom were brought from India; their produce, which was aimed at the European market, was exported.

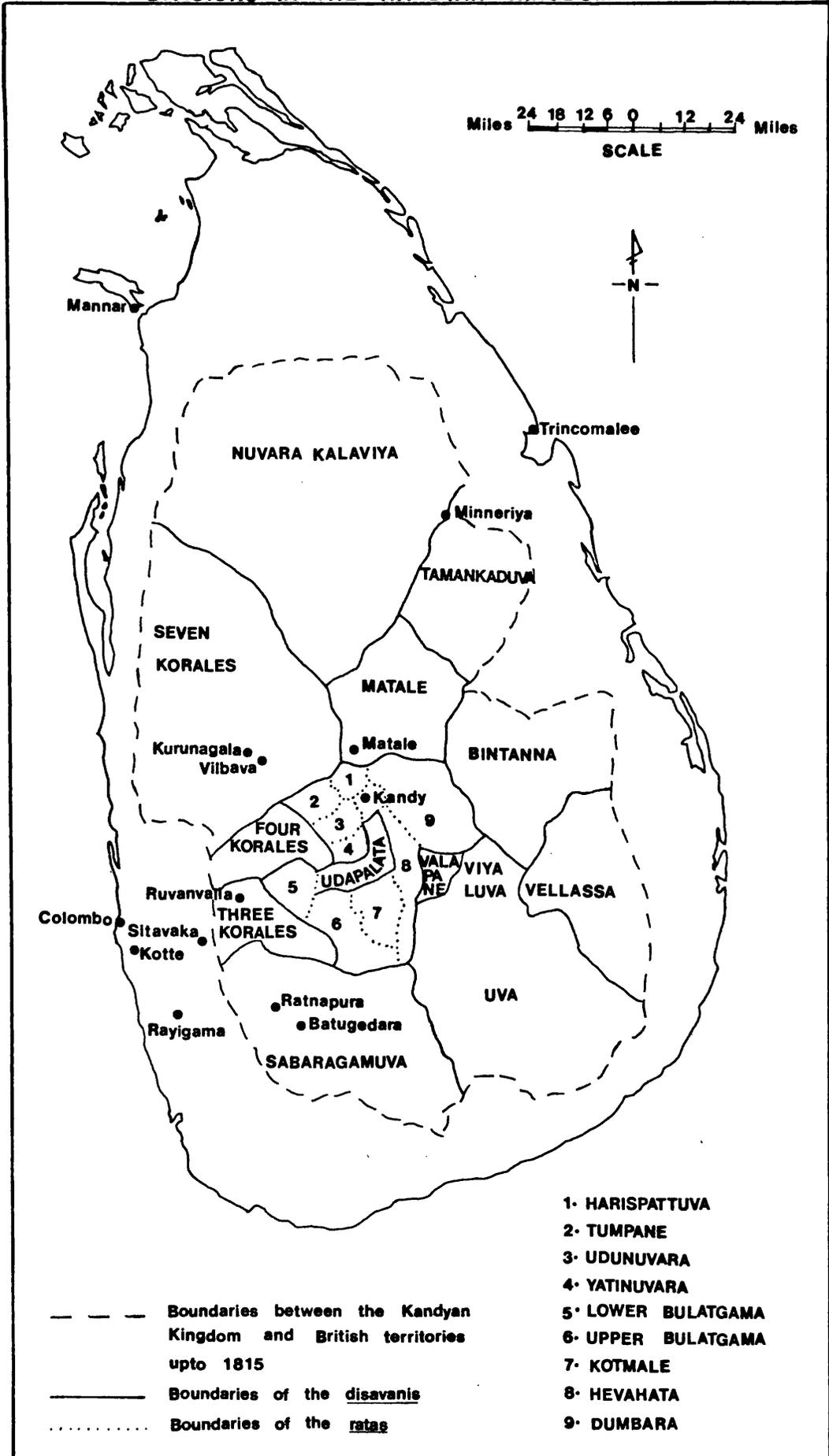
Although these changes disturbed certain existing economic relationships, they did not make any fundamental change in the traditional Kandyan economy. The final outcome was a dichotomous economic development. This was further widened by the implementation of Colebrooke's proposals such as the abolition of rajakariya and the encouragement of foreign investments.

In the final analysis, the transformation that the Kandyan Provinces underwent from 1815 to 1833 involved the gradual weakening of the entire Kandyan political, administrative, economic and social organization and the gradual strengthening of British political authority, administrative superstructure and economic interests. This resulted in dual administrative structures, a dichotomy in the economy and a duality in certain other Kandyan institutions. This transformation was accelerated and broadened by the Colebrooke-Cameron reforms which were prompted more by economic than by the political considerations which had hitherto frequently determined British policy towards the Kandyan Provinces.

NOTES FOR CHAPTER SEVEN

1. Georges Balandier, Political Anthropology, pp.159-63.
2. Balandier, pp.163-5; emphasis is in the original.
3. Memorandum on the sources of revenue in the Kandyan Provinces, enclosed with Brownrigg to Bathurst, 15 March 1815, CO 54/55.
4. Ahālepola to D'Oyly, 27 November 1811, CO 54/42.

MAP 1 SRI LANKA AROUND 1815: DISAVANI AND RATA DIVISIONS IN THE KANDYAN KINGDOM



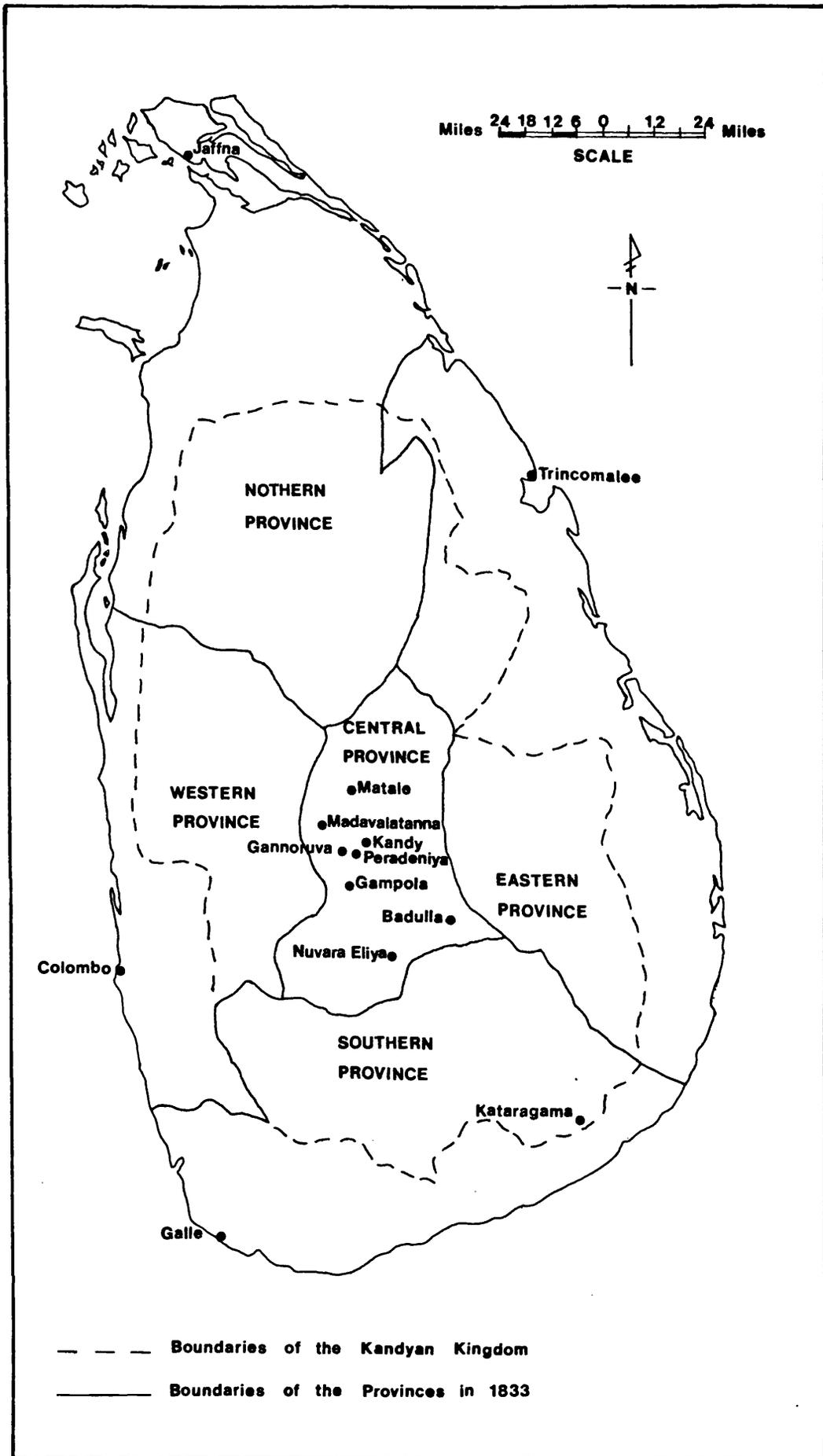
- 1- HARISPATTUVA
- 2- TUMPANE
- 3- UDUNUVARA
- 4- YATINUVARA
- 5- LOWER BULATGAMA
- 6- UPPER BULATGAMA
- 7- KOTMALE
- 8- HEVAHATA
- 9- DUMBARA

--- Boundaries between the Kandyan Kingdom and British territories upto 1815

— Boundaries of the disavani

..... Boundaries of the ratas

MAP 2 SRI LANKA IN 1833



APPENDIX I

Tables of Caste Precedence

Robert Knox 1681

1. goyigama* Knox referred to this caste as 'Noblemen called Hondrews'. He took the term 'Hondrews' from the Sinhalese form of address 'hamuduruvane' - which means 'Your Lordship' - an honorary term used by low caste people to address high caste persons.
2. achari* Knox referred to these as 'smiths' (goldsmiths, blacksmiths, carpenters and painters).
3. kuruve atto or elephant catchers and keepers, who were reckoned equal with smiths.
4. ambatta* or barbers.
5. badahala* or potters.
6. rada or washers.
7. hakuru or jaggery-makers.
8. padu
9. berava* or weavers, who were also astrologers, drummers, pipers and dancers.
10. kidi or basket-makers.
11. kinnara or mat-makers.
12. rodi or beggars.

* These caste names had not been given by Knox

John Davy 1821

I Vaisya vansa [a term not used in Sri Lanka]

1. goyivansa - cultivators
2. nilamakkara - shepherds

II Sudra vansa [a term not used in Sri Lanka]

1. karava - fishermen
2. chandos (or durava) - toddy-drawers
3. achari - smiths
4. hannali - tailors
5. badahala badda - potters
6. ambatta - barbers
7. rada badda - washermen
8. hali
9. hakuru - jaggery-makers
10. hunu badda - chunam or lime burners
11. panna - grass-cutters

12. villidurayi
13. dodda vaddas
14. padu - padu, iron-smelters, executioners
15. berava badda or maha badda - tom-tom beaters
16. handi
17. pallaru
18. oli
19. radayo
20. pali
21. kinnara badda

III Outcastes

1. gattaru
2. rodi

IV Of no caste, but attached

1. Sinhalese Christians to the goyivansa
2. Marakkala or Moormen to the karava

Niti Nighanduva

1. goyigama caste

subdivisions:

radalakam peruva or mudali peruva

painda peruva or rate atto

vadi vansa

nilamakkara

patti

viramestara

porovakara or kunammaduve gamayo

atvalapanikki

malkaru

kuttanvala atto

balibatgamayo

gattaru

tibillo

2. karava
3. navandanna
4. hannali
5. ambatta
6. badahala
7. durava
8. rada
9. hali

10. hakuru
11. vellidurayi
12. panna and hinna
13. hunu
14. batgam padu
15. palhoru padu
16. batgam berava and gahala berava
17. oli and pali
18. kinnara
19. rodi

APPENDIX II

The Offices associated with Kingship and the King's Household and their gradual abolition under the British

- (a) The officers who were responsible for defence, treasures and military and public duties of the King:
1. maha lekam or the chief secretary and the archivist of the palace.***
 2. maha aramudale vannaku nilame or the King's grand treasurer.**
 3. gajanayaka nilame or the officer in charge of the King's elephants.***
 4. atapattuve lekam or the officer in charge of the King's bodyguards and guards within the palace. There were two offices. **

 5. kodituvakku lekam or the officer in charge of the people who carried the King's gingsalls.***
 6. vedikkara lekam or the officer in charge of the King's musketeers.***
 7. maduve lekam or the officer in charge of the guards who kept watch around the palace and capital, with armed muskets.**
 8. padikara lekam or the officer in charge of the salaried soldiers of the King.***
 9. nanayakkara lekam or the officer in charge of royal emissaries.***
 10. dunukara lekam or the officer in charge of body of archers.**
 11. bondikulama lekam or the officer in charge of iron canon belonging to the King.*
 12. ayudage vannaku nilame or the officer in charge of the King's muskets and swords and of iron and brass instruments.**
 13. ran ayudage maduve lekam or the officer in charge of the golden arms of the King.**
 14. aspantiye muhandiram nilame or the officer in charge of the royal stables.**
 15. vahalkada muhandiram nilame or the keeper of gate of the palace.**
 16. vadanatuvakkukara lekam.***
- (b) The officers who were in charge of the royal stores and the supply of provisions:
1. maha gabada nilame or the officer in charge of the maha vahala gabadava or the principal storehouse of the King.***
 2. uda gabada nilame or the officer in charge of the uda gabadava or the private storehouse of the King.***
 3. palle vahala gabada nilame or the officer in charge

of the palle vahala gabadava or the storehouse of the queens and princes.**

4. pattividane nilame or the officer in charge of the King's cattle in general under the care of patti people.**
 5. suduharak pattiye muhandiram nilame or the officer in charge of the King's white cattle.**
 6. kuttaha lekam or the officer in charge of the persons who provided oil cakes for the King.**
 7. porovakara muhandiram nilame or the officer in charge of supplying wood.**
- (c) The officers who were responsible for personal comforts and recreation of the King:
1. maha satapenage muhandiram nilame or the officer commanding the appuhamis or gentlemen-in-waiting on the King.**
 2. diyavadana nilame or the officer in charge of the ulpange or the King's bath.**
 3. haluvadana nilame or the officer in charge of the King's wardrobe who attended the King, when dressing.*
 4. batvadana nilame or the King's caterer.**
 5. betge muhandiram nilame or the head of the King's physicians and the superintendent of the medical stores.**
 6. panividakarana nilame or the officer who prepared dalumura or betel and presented it to the King when required.*
 7. kunam maduve lekam or the officer in charge of the persons who carried palanquins of the King. There were two offices.**

 8. singakkara muhandiram nilame or the officer in charge of a company of drummers performed in the palace.*
 9. tamboru purampittukara muhandiram nilame or the officer in charge of the King's tambourine play and trumpeteers.*
 10. vahala ilangame muhandiram nilame or the officer in charge of the court magicians and acrobats.*
 11. kavikara maduve muhandiram nilame or the officer in charge of the King's singers.*
 12. natum ilangame muhandiram nilame or the officer in charge of the King's troupe of female dancers.*
 13. sudaliye muhandiram nilame or the officer in charge of the fencers, performed in the court.**
 14. maruvaliye muhandiram nilame or the officer in charge of the gladiators, performed in the court.**

- * Offices which were not continued in 1815.
- ** Offices which were abolished in 1818.
- *** Offices which were abolished in 1833.

Sources: Davy; D'Oyly, A Sketch; Diary of John D'Oyly; Lawrie MSS.; Proceedings of the Board of Commissioners in October 1818 (SLNA 21/115); Board of Commissioners to Anstruther, 24 November 1832, CO 54/128; The Ceylon Calender and The Ceylon Almanac.

APPENDIX III

The offices of Badda Nilames or the heads of traditional caste departments and their gradual abolition under the British

1. kottalbadda nilame** or the head of the artificer's department which included navandannas.
2. madigebadda nilame** or the head of the carriage bullock department which consisted karavas and Muslims.
3. badahalabadda nilame** or the head of the potter's department which included badahalas.
4. radabadda nilame** or the head of the washer's department which was composed of radas.
5. kuruve lekam** or the head of the elephant department which was manned by pannas.
6. mahabadda nilame** or the officer in charge of the services exacted from beravas (tom-tom beaters).
7. hunubadda nilame** or the officer in charge of the services exacted from hunus (chunum burners).
8. handabadda nilame* or the officer in charge of the services exacted from handis (basket-makers and inferior carpenters).
9. kinnarabadda nilame** or the officer in charge of the services exacted from kinnaras (weavers of mat).
10. anilabadda nilame** or the department which was composed of some beravas. (With available information it is difficult to distinguish this department from the mahabadda.)
11. rahubadda nilame* or the officer in charge of berava dancers at festivals.
12. lunubadda nilame** or the head of a department which was composed of padus whose duty was to provide onions and garlic to the royal kitchen.
13. vi badda nilame.*

* Offices which were not continued in 1815.

** Offices which were abolished in 1818.

Sources: Davy; D'Oyly, A Sketch; Diary of John D'Oyly; Lawrie MSS.; and Proceedings of the Board of Commissioners in October 1818, SLNA 21/115.

APPENDIX IV

Traditional Territorial Divisions

(a) <u>Disavanis</u>	(b) <u>Ratas</u>
Four Korales	Udunuvara
Seven Korales	Yatinuvara
Uva	Tumpane
Sabaragamuva	Harispattuva
Matale	Dumbara
Three Korales	Hevahata
Valapane	Kotmale
Udupalata	Upper Bulatgama
Nuvarakalaviya	Lower Bulatgama
Vellassa	
Bintanna	
Tamankaduva	

Source: D'Oyly, A Sketch.

APPENDIX V

Maha Kodi or flags in different Disavanis

- | | |
|-------------------|---|
| 1. Four Korales | - Irahanda Maha Kodiya (sun and moon) |
| 2. Seven Korales | - Sinhaya Maha Kodiya (lion) |
| 3. Uva | - Hansaya Maha Kodiya (swan) |
| 4. Sabaragamuva | - Kaha Pataredi Maha Kodiya (yellow sik) |
| 5. Matale | - Sudu Maha Kodiya (white) |
| 6. Three Korales | - Bherunda Pakshiya Maha Kodiya (two-headed bird) |
| 7. Valapane | - Mayura Maha Kodiya (peacock) |
| 8. Udapalata | - Nelummal Maha Kodiya (lotus flower) |
| 9. Nuvarakalaviya | - Gajasinhaya Maha Kodiya (elephant-headed lion) |
| 10. Vellassa | - Kotiya Maha Kodiya (leopard) |
| 11. Bintanna | - Girava Maha Kodiya (parrot) |
| 12. Tamankaduva | - Valaha Maha Kodiya (bear) |

Source: Kirialle Nanavimala (ed.), saparagmuve parani liyavili.

APPENDIX VI

The rates of commuted money payments per parrah
of paddy in the districts under the immediate
management of the Revenue Commissioner in 1830

<u>District</u>	<u>The reduced rate of money payments within the first year</u>		<u>The rate of money payments after the first year</u>
	<u>fanams</u>	<u>tuttu</u>	<u>fanams</u>
Udunuvara	6		8
Yatinuvara	6		8
Tumpane	6		8
Harispattuva	6		8
Udagampaha, Pallegampaha, Palispattuva, Udispattuva and Madasiyapattuva in Dumbara	5	1	7
Vendaruva, Gampola and Gandekana in Dumbara	3	3	5
Egodatiha in Hevahata	4	2	6
Megodatiha in Hevahata	5	2½	7½
Kotmale	4	2	6
Udapatala	5	1	7
Upper Bulatgama	4	2	6
Four Korales	6		8
Malale Korale and Gantuna in Matale Disavani	4	2	6
Udugoda, Asgiriya, Kandapala, Vagapanaha and Iaggala in Matale Disavani	3	3	5
Valapane	4	2	6
Kiravalapattuva, Matombapattuva, Unduravapattuva, Kalaganpattuva and Maminiyapattuva in Nuvarakalaviya	3		4

Hurulupattuva and
Mahapotana in
Nuvarakalaviya 2 1 3

Source: Turnour's advertisement of 5 November 1830
CO 416/21, G-43.

APPENDIX VII

The slave population of the Kandyan Provinces in
1821

	<u>Male</u>	<u>Female</u>
Town of Kandy	6	17
Suburbs of Kandy	4	8
Yatinuvara	97	115
Udunuvara	73	89
Udapalata	21	32
Upper Bulatgama	2	0
Kotmale	3	7
Harispattuva	57	52
Tumpane	11	12
Dumbara	119	104
Hevahata	22	19
Valapane	0	0
Viyaluva	5	4
Uva	81	101
Vellassa	85	84
Bintanna	33	50
Sabaragamuva	275	225
Three Korales and lower Bulatgama	15	12
Four Korales	174	162
Seven Korales	222	228
Matale	110	109
Nuvarakalaviya	23	26
Tamankaduva	<u>0</u>	<u>0</u>
	1438	1456

Total slaves - 2894

Total population of the
Kandyan Provinces - 254,411

Source: Peebles, Sri Lanka: A Handbook of Historical
Statistics.

APPENDIX VIII

Officials employed in high administrative positions in the Kandyan Provinces at the beginning of 1833Board of Commissioners

- | | |
|---|------------------------|
| 1. Commander of the troops in the interior* | - Col. Miller Clifford |
| 2. Judicial Commissioner* | - Henry Wright |
| 3. Revenue Commissioner* | - George Turnour |

Superior Agents of Government

- | | |
|---|----------------------|
| 4. Uva and Bintanna* | - Major H.N. Douglas |
| 5. Sabaragamuva | - W. Moir |
| 6. Seven Korales and North Part of Nuvarakalaviya | - J. S. Rodney |
| 7. Three Korales | - Capt. R. Law |
| 8. Tamankaduva | - John Bennet |

Inferior Agents of Government

- | | |
|---|------------------------|
| 9. Four Korales | - Capt. C. Pearson |
| 10. Matale and East part of Nuvarakalaviya* | - Capt. J. Forbes |
| 11. Harispattuva and Tumpane* | - Capt. E. McPherson |
| 12. Hevahata and Valapane* | - Capt. C. Kelson |
| 13. Lower Uva and Vellassa | - Capt. T. W. Rogers |
| 14. Nuvara Eliya* | - Capt. J. D. Bagenall |

-
- | | |
|-----------------------------------|----------------------|
| 15. Judicial Agent, Seven Korales | - Capt. W. Firebrace |
|-----------------------------------|----------------------|

-
- | | |
|----------------------------------|-----------------|
| 16. Sitting Magistrate of Kandy* | - Capt. J. Wynn |
|----------------------------------|-----------------|

* The officials who were employed in the provinces which were brought under the Central Province, after the administrative changes in October 1833.

Source: The Ceylon Almanac, 1834.

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