

AGRARIAN TRANSFORMATIONS IN BRITISH SRI LANKA

By

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Introduction to the Period

Sri Lanka was a Crown Colony of the British from 1798 to 1802. The focus of this paper, however, is on the period from about 1830 to 1930, a century, the beginning and the end of which are close enough to the major landmarks of the colony's political and economic history for it to be treated as a distinct phase.

In political change, the commencement of the period roughly coincides with the far-reaching Colebrooke-Cameron Reforms of 1833 which, among other changes, brought the island under a unified system of administration and were the culmination of a process of consolidation of British power in Sri Lanka witnessed during the earlier decades. The Donoughmore Reforms of 1931 with which this period ends created a legislature elected on the basis of universal franchise and were thus a decisive step in the withdrawal of British power from Sri Lanka and in the evolution of democratic self-government in the country.

In economic development, this was the century characterised by the increasing importance of systematic and large-scale production of crops geared to export trade. Plantation agriculture which was confined to a few hundred acres of coffee at the commencement of the period soon became the dominant sector of the island's economy. The coffee planting industry expanded in successive spurts and reigned supreme until its sudden collapse in the 1880s when it was replaced with other plantation crops. By the end of our period, plantation agriculture covered an extent of over 2 million acres. Thereafter, in terms of its rates of expansion, government agrarian policy and the pattern of intersectoral resource allocation, the plantation economy of Sri Lanka entered a new phase — as Snodgrass (1966) calls it, "a phase of transition".

Problems and Controversies

The transformation of Sri Lanka's economy under the impact of colonial dominance has been a subject of detailed study. In the voluminous literature relating to the subject, there is hardly any controversy on the overall nature and directions of change. The annexation of the country's economy to an international system of commerce and trade, the development of capitalist economic relations and the commercialisation and diversification of economic activity have been recognised with consensus as the major trends of change. There is, however, much debate and dispute on many specific aspects of the change. On the ideologies and perceptions that moulded economic policy, on objectives of policy, on the correspondence between policy and practice and, above all, on the impact of policy on the native people, there tends to be wide divergence in opinion and interpretation.

This feature — the unanimity on generalities and controversy on specifics — is exemplified in no other field of study as clearly as it is on the subject of land legislation and agrarian change. The continuing design in the overall fabric of agrarian policy pursued by the British in Sri Lanka during the period under review was the promotion of private enterprise in agriculture, commerce and trade. Taking the period as a whole, the general impact of such policy was the disintegration of tradi-

tional tenurial relations and its replacement with a tenurial system based upon the principles of private property and product specialisation that paved the way for the emergence of capitalist relations in agriculture. The approach adopted was invariably one of pragmatic and cautious promotion of imperial economic interests. But in detailed scrutiny restricted in time or space, the individual motifs in the design appear mutually inconsistent and tend to blur the overall pattern. Over space, there were the variations in setting – those relating to the potential of the land or to the strength and resistance of the existing order. Over time, there were the varying doctrinal influences that affected policy, short-term considerations of profit or of political stability and even the outlook and temperament of those in the ruling elite. Hence, more detailed the historical source material available, greater the complexity of specific issues. Hence also the seemingly never-ending debate and the apparent irreconcilability of the different viewpoints.

This controversy on specific issues is nonetheless important. Apart from its obvious usefulness to the understanding of imperial history, it has had an influence on the evolution of contemporary attitudes towards some of the cardinal agrarian problems in Sri Lanka. On the one hand, what may be termed the “expropriation theory” on British land policy in Sri Lanka – the notion that, from the viewpoint of the indigenous people, it was sinister in objective, repressive in design and retrogressive in impact – was one of the prominent anti-colonial themes in the campaign for political independence at least since the early years of the present century. More recently, this viewpoint and its variants have found expression in the political and economic perceptions of the radical left. It also formed the basis of the so-called “Kandyan grievance” and has had a profound influence upon recent attempts at land reform. On the other hand, studies enunciating the opposing point of view – that by and large, British land policy was just, benevolent and beneficial – have also made an undeniable contribution to the clarification of many issues relating to the legacy of the *raj* in Sri Lanka. To some extent such studies have helped the separation of historical fact from popular myth, introduced an element of caution among the exponents of the “expropriation” viewpoint and also converted the discussion of the land problem, at least at an academic plane, to dispassionate assessments of evidence.

In the debate over agrarian change in British Sri Lanka, the focus of attention has been mainly on the “Crown Land Encroachment Ordinance” (Ordinances No. 12 of 1840 and No. 9 of 1841) and the effects of its operation on the indigenous peasant economy. The extreme positions in this debate may be illustrated with the brevity they deserve with two quotations. According to a recent analysis by a leader of a radical political group, “after the enactment of the Waste Land Act (sic.) of 1840, all lands for which the people did not have deeds were confiscated.....and given over to planters.....who chased the villagers from their ancestral homes.”¹ As opposed to this is a statement by a British governor of Sri Lanka that “the process of eviction (which followed the passing of the land ordinances of the 1840s) applied only to the wild beasts of the forest” (Clifford 1927:293).

Between these two extremes, one finds a series of studies, refined in approach and method, some of which nevertheless reach conclusions that are fundamentally at variance with each other².

1. An unpublished English translation of the lecture titled “The Economic Crisis” (one of a series of five) by Rohana Wijeweera, the leader of the *Janatha Vimukthi Peramuna*, as recorded in the transcripts of statements produced at the inquiry conducted by the Criminal Justice Commission on the uprising of April 1971 in Sri Lanka.
2. For a brief but balanced contribution to this discussion, one which accommodates aspects of both these points of view, see Farmer, (1963:14).

Leaning towards the contention that the Crown Land Encroachment Ordinance marks the commencement of an officially sponsored process of expropriating land owned and/or used by the local people, is the study by Vanden Driesen which reaches the following conclusion:

"It is evident then, that the acquisition of land which accompanied the development of the coffee planting industry in Ceylon had adverse effects upon a section of the indigenous population. It is clear also, that the problem arose largely out of the land sales policy of the Crown: (and) that it originated with the passing of the Ordinance No. 9 of 1841...Just how many were affected by the enactment is not known, but the available evidence suggests that while some lost their lands, many more, though suffering no loss of property, were deprived of the right of pasturage and the incomes they had previously obtained from *chena* cultivation" (Vanden Driesen 1957:51).

This conclusion is derived from a mass of evidence on the background to the formulation of the land ordinances of 1840 and 1841 and the effects of their implementation as recorded in the writings of that time (Vanden Driesen 1957:43-45). Vanden Driesen has shown that when these ordinances were drafted the extent of land over which the Crown held undisputed proprietary rights was inadequate to meet the growing demands from the coffee planting industry; that the principal cause for this short supply of land, at least in certain parts of the central highlands of Sri Lanka, was the widespread presence of native ownership claims to land potentially suited for coffee; and that the local architects of the ordinances, being themselves participants in the coffee enterprise, are likely, in drafting the legislation, to have placed priority and precedence on the interests of the planter at the expense of those of the local peasant. Vanden Driesen has further shown that once the legislation was promulgated, while on the one hand, some individuals who, for various reasons, failed to meet the stipulated requirement of producing documentary proof of ownership of the land they claimed as theirs were compelled to forfeit such claims, on the other hand, more generally and more extensively, peasant communities lost their rights to use forests, *chena* and pasture land, rights which they had traditionally exercised, but for which there had been no practice of precise documentation.

This conclusion and the evidence upon which it rests though found repeated and corroborated in many writings (Wickramasinghe 1924; Perera 1951; Pieris 1952; Kelegama 1959; De Silva, K. M. 1964; Kandyan Peasantry Commission 1951; 71-74; Hettiarachchi 1978) have however been emphatically refuted in certain others. Among this latter category, the studies by Michael Roberts (1969, 1970) and those by Jayawardhana (1963) stand out for their detail and depth. In a painstaking evaluation of a mass of evidence, including statistical and cartographic data on the coffee period, Roberts, (1963:3) discards the "expropriation theory" on the impact of the Crown Land Encroachment Ordinance and asserts that:

"The contention that there was large-scale deprivation of village land in the central highlands must, at best, be cast into the land of the unproven....With reference to the coffee period the popular view on the impact of waste lands legislation does not take sufficient cognizance of the elevation at which plantation coffee was largely grown in relation to the pre-plantation era settlement patterns of the Kandyans.... With reference to the 19th century, moreover, the expropriation theory ignores the paucity of population in the central highlands, (and) also ignores the mitigating influence of the government policy of demarcating village reserves".

The crux of the argument presented by Roberts is that the main area of coffee culture in 19th century Sri Lanka was in the "remote" higher elevation of the central highlands where there were few, if any, native settlements at the advent of plantation coffee and, hence, in that area, a question of expropriation did not arise. Further, according to Roberts, at lower elevations, less important for coffee but densely populated at the time, the ordinance was not strictly adhered to in the settlement of land claims, due either to administrative difficulties which were in the way of its precise implementation or to the benevolence of the provincial bureaucracy.

The unqualified acceptance of either of these viewpoints is beset with difficulties². If we are to ignore certain minor errors of fact and interpretation found in the elaboration of Roberts' thesis³, his assertion that the adherents of the expropriation theory have made "no effort to see how the ordinance was administered" can be accepted as a valid criticism. Likewise there is legitimacy to his claim that the concentration of plantation activity in the heyday of coffee (1860s and 1870s) was in an area sparsely populated by the local people. However, Roberts' thesis carries with it the untenable implication that the powerful body of direct evidence (from contemporary sources)⁴ upon which the expropriation theory is based is either unreliable or insignificant.

The solution to this problem is not far to seek. In the conflicting opinions under review, there is a crucial difference in the time-span to which their respective sets of evidence relate. Vanden Driesen and others of similar view use evidence drawn largely from the immediate aftermath of the enactment of the Crown Land Encroachment Ordinance, the period during which the coffee planting industry was concentrated in the area around Kandy (referred to hereafter as the Kandyan hill country) where native land claims were extensive. But, with the shift of the centre of gravity of plantations to higher elevations, at least for a time, the government was able to meet the demand for land from the coffee industry and was perhaps more liberal in its approach towards native claims. Hence, the discovery by Roberts that when looked upon in retrospect there were differences between the provisions of the ordinance and their practical application.

The cardinal problem, however, lies elsewhere. It relates mainly to the attempt to interpret and assess the agrarian impact of British land policy in Sri Lanka with reference mainly or exclusively to the land ordinances of the 1840s and with evidence relating to their operation in a limited time-span within the 19th century. Unfortunately, this feature has been inherent to both sides of the controversy. There is no doubt that the enactment of the Crown Land Encroachment Ordinance marks a decisive stage in the development of colonial land policy in Sri Lanka and that the manner of its implementation in the period that followed reflects a series of adjustments of policy to changing needs and circumstances. But there were other important processes at work. Apart from other agrarian legislation – the Temple Lands Registration Ordinance of 1856, the Waste Lands Ordinance of 1897 and the ordinances relating to the grain taxes – there were many indirect influences that require

3. For example, Roberts (1969:3) asserts that there is only one "concrete case" of confiscation of land from the Kandyan nobility, namely, the case recorded by Lawrie on the Aluwihare family of Matale. Lawrie has in fact recorded at least seven cases of such confiscation. See, Lawrie (1896:145-147; entry on Dehigama family, entry on Millewa:216; entry on Ellepola: 246; entry on Galagedera:249; entry on Galagoda:516; entry on Madugalle: 803; entry on Talagune).

4. See Vanden Driesen (1957), for a summary of this evidence.

scrutiny in an appraisal of the impact of policy upon agrarian change. There was the general commercialisation of economic activity represented by the rise of plantation agriculture, the growth of ancillary service industries and trade and the spread of commercial crop production within the native economy. Concurrently, there was the disintegration of pre-colonial societal relations—the waning of the power and prestige of the temple and the manor and the replacement of service tenures with taxes and wages in agriculture. Agrarian change in Sri Lanka during the British period, and more specifically, in the crucial century that commenced in 1830, must hence be seen as a compound product of many interacting forces and processes, some of which were present in incipient form prior to the establishment of British power in Sri Lanka, and not as a simple result of official land policy as reflected in the land ordinances of the 1840s.

Land Legislation

The Portuguese and the Dutch who ruled the maritime provinces of Sri Lanka in the two centuries that preceded the British regime did not attempt to initiate basic structural changes in the traditional system of land tenure. Their overall impact on the economy was slight and, by and large, they remained content with extracting services, revenue and products for trade through the media of existing tenurial relations. The mantle of absolute sovereignty which they claimed to have inherited from the native kings was used in such matters as changing the tenurial status of villages, confiscating land from the temples and the native nobility, and sale or free grant of land to churches, compatriots and loyal natives. They invoked tradition and convention to claim exclusive proprietary rights over the *gabadagam* of the former kings. In most parts of their Sri Lankan domain the existing service obligations of the land holders were retained with only minor modification (De Silva, C.R.1969; Arasaratnam 1958:140).

However, with the passage of time, such modification became increasingly pronounced and, in the latter part of the Dutch regime, dents began to appear in the basic framework of traditional land tenure. These took the form of expanding private property rights over land, replacement of certain service obligations with taxes and the use of wage labour in agriculture. For example, the Dutch East India Company permitted the land holding military officials in the service of the company to commute their services in times of peace with lump payments in cash (Arasaratnam 1958:127-139; Kotalawella 1967:53; Kanapathipillai 1969:2). By the mid-eighteenth century, some of the large “farms” that had been established for the production of coconut and rice were being operated directly under the company supervision with corvee and indentured labour⁵. Extensive tracts of land in the coastal belt of the southwest were allocated to individuals for the purpose of systematic cinnamon production (Bertolacci 1817:248-250; Samaraweera 1970:3-4). This, together with the practice of auction of revenue rights from certain villages, facilitated some private capital accumulation and, as Samaraweera has shown, “the emergence of large-scale private ownership in land amidst conditions of land tenure which were fundamentally feudal in character” (Samaraweera 1973:63).

It was these incipient manifestations of what may be termed “capitalist relations” in agriculture that some of the early British governors attempted to foster. For Fredrick North, the extension of freehold property rights in land and the replacement of services tenure with a land tax were justifiable both on broad economic and

5. Arasaratnam (1958:151). Extensive coconut plantations in the coastal areas of the South-West date back to at least the 16th century. See De Silva, C. R. (1975:III).

political grounds as well as on short-term considerations of revenue. Increasing property rights in land, it was believed, would promote individual initiative in agriculture. Similarly, the replacement of service tenures with taxes was expected to draw the village economy into the cash nexus, enable the peasantry to transcend the narrow confines of subsistence, increase its range of material wants and thus provide the motive force for private enterprise in commercialised economic activity.

There were, of course, periodic setbacks to these early British attempts at agrarian reform. The hostility of the local people which the reforms evoked, the British preoccupation with the Kandyan wars (1803, 1815 and 1818) and immediate considerations of political stability and profit meant that the changes introduced by the British during the early period of their rule were a wavering process. For example, a coconut tax introduced by the East India Company in 1796 was withdrawn a year later by Hobart, the Governor of Madras, in response to an upheaval of protest by the people (Mills 1964:24). A uniform system of direct taxation on agricultural production and a scheme of salaries to officials in lieu of rights to hold *accomodessan* land introduced by North in 1801 was abolished in 1809 by his successor, the more conservative Maitland, to be reintroduced in modified form by Brownrigg in 1813 (De Silva, Colvin R. 1962:343-350; Mills 1964:30-39). In 1812 a ban which had existed since 1802 on Europeans owning agricultural land in the Colony was lifted, permitting them to purchase land holdings of up to 4,000 acres (De Silva, Colvin R. 1962:369-371). Again, in the 1820s, Barnes and Horton increasingly resorted to the practice of free grant of Crown land to individuals, a discretionary power which the earlier governors had exercised with greater circumspection (De Silva, Colvin R. 1962:369-371). Thus, as Peebles has shown, by 1833, over 50,000 acres of land were in the hands of private owners who were, by this time, ".....landed proprietors on a scale not known in Ceylon earlier" (Peebles 1976:71).

During this period considerable attention was also devoted by the British government to acquiring a mastery of the intricacies of the existing system of land tenure in the country and of the precise determination of service and tax obligations of land holders to the Crown under the different tenurial arrangements. There was, for example, a series of attempts to compile accurate registers of land revenue on the basis of earlier records (the Dutch *tombos* and the Sinhala *hi-lekammity*) and contemporary surveys. A scheme of mandatory registration of temple lands was also introduced in 1819. In retrospect these appear vital aspects of setting the stage for the dramatic developments that were to follow.

With the consolidation of British power over the entire island by the end of the second decade of the 19th century, there was enhanced interest on utilizing the country's physical resources for the large-scale production of agricultural commodities for export. The construction of roads to the interior completed the "geographical factor" for attracting the required investment. Thus, following the successful pioneer efforts by Governor Barnes and some of his senior officials with coffee plantations and also the grant of generous fiscal concessions by the government to prospective investors, several European-owned plantations in both coffee and sugar were opened up in the Kandyan Hill Country (De Silva, K. M. 1965a: 5-6). Furthermore, even before the "coffee rush" of the late 1830s, extensive tracts of land (many of them in blocks of over 1,000 acres) were sold by the government to investors in areas as far in the interior as Kotmale and Pussellawa (Ceylon Observer; undated:3).

The advent of plantation agriculture provided a new dimension to processes of economic change that were already in motion. As long as the progress of

plantation agriculture was slow, as in fact it was up to about the late 1830s, and the restraining factors on its expansion were in labour and infrastructure and in the inflow of capital rather than in the availability of land, the emerging new patterns of tenurial relations could co-exist, though somewhat uneasily, with the traditional native system of land tenure. But when and where suitable land for plantations became scarce, confrontation and conflict became inevitable. From the viewpoint of the new economic interests, land had to be released from the shackles of the out-moded native system of tenure. The emergence of private property rights in land and the commercialisation of tenurial transactions which had hitherto been looked upon as desirable trends of change now became vital and imperative.

In this clash of interests, obviously, the contending forces were not evenly matched. The new economy as represented by plantation enterprise was part and parcel of a global tide, based as it was, on the might of an empire and an emerging world order. Those in its vanguard perceived its effects as "modernisation"—the extension of civilisation to primitive society. In contrast, the opposing forces were rooted in the stagnant economy of a subject people in whose defence there were only such tenuous and negative safeguards as the political expediency from the viewpoint of their rulers, their sense of justice and benevolence and the inexperience and weakness of their administrative apparatus. In open conflict, the crude use of military power (as was witnessed in 1818 and 1848) but more generally, subtle manipulations of a paradoxical mix of self-interest with principles of inherited absolute power, *laissez faire* and promotion of free trade enabled the rulers to weigh the scales in favour of the new economy.

The Crown Land Encroachment Ordinance

A critical stage in the conflict of interests between the plantation and peasant sectors was reached in about the fourth decade of the 19th century. The scene of the conflict was the hill country of moderate elevation around Kandy—the heartland of the former Kandyan Kingdom—and the adjacent parts of the corridor of access that linked it with the lowlands of the southwest. This area had at the time a relatively dense population and a legacy of settled agriculture and native agrarian institutions with their origins far back in history. Here, by the late 1830s, much of the waste land in undisputed possession of the Crown which could be made available to plantations had already been absorbed by an estimated 40,000 acres which had been sold to prospective coffee planters. To pre-empt further claims by the Crown on uncultivated and periodically cultivated land, the natives were staking their own claims by encroaching on such land. By this stage the frontiers of coffee culture had already reached the higher elevations of the central highlands, and coffee was at the threshold of a major spurt of territorial expansion. Yet, with its easy access from the lowlands, the network of roads and the urban services of Kandy, the Kandyan hill country, as Tennent (1846:238) described it in the mid-1840s, was "the richest planting district in the country".

In this principal venue of the early coffee plantations of Sri Lanka, the pioneer planter faced many problems, most of which were intimately related to the ubiquitous presence of the native system of land use and land tenure. The land that had been made available by the Crown to the planter was "interspersed with villages, fields and other property belonging to the native population (and was)...therefore much scattered" causing problems of access and of land management (Marshall 1846:6). Native cattle trespass of plantations, encroachment of estate property and damage to estate roads and boundaries were causes for more than mere irri-

tation (De Silva, K. M. 1965b:15;) As Vanden Driesen (1957:36) has shown, to confound these problems, the government itself was faced with the dilemma that, on account of the absence of a clear demarcation of its own property rights, it could not issue proper titles to considerable extents of land which it had already sold to planters.

This general scene forms the backdrop to the enactment of the Crown Land Encroachment Ordinance. The architects of the ordinance—the local bureaucracy—were themselves involved in the coffee enterprise and hence had a personal stake in clearing the decks of what they perceived as arbitrary land claims by the natives. A court decision in 1837 against the Crown and in favour of a local land claimant in a low country land dispute “caused alarm in official circles” for its ominous implications for the claims of the Crown and the interests of the coffee planters in the highlands (De Silva, K. M. 1964:28–29).

The Crown Land Encroachment Ordinance was designed clearly with the objective of establishing Crown ownership over land which was not under permanent agriculture and for which private claimants were unable to produce documentary proof of ownership or of uninterrupted use. The basic principle enunciated in the Ordinance was that “all forest, *chena*, unoccupied and uncultivated land.....shall be presumed to be the property of the Crown until the contrary thereof be proved” (Clause 6 of Ordinance No. 12 of 1840). This principle remained unchanged and effective in law for over a century and was incorporated into later land legislation, including the Waste Lands Ordinance of 1897 and the Crown Land Ordinances No. 22 of 1931 and 8 of 1947.

The effects of the Crown Land Encroachment Ordinance cannot be measured in terms of the exact extent of land which the native economy lost to the Crown and eventually to the plantation sector. Indeed it appears likely, as Roberts argues, that the extent taken away from the peasantry under its provisions constituted only a fraction of the massive acreage which coffee plantations were to cover at peak expansion three decades later.

However, in an assessment of the impact of this legislation, several points need to be reiterated. Providing documentary proof of ownership as stipulated by the Crown Land Encroachment Ordinance was not within the realms of possibility for a vast majority of the local people. On the one hand, land transactions in the days of the Kandyan kings were often informal in character, verbal declarations being common even in the case of royal land grants (Pieris 1956:96 & 99). On the other hand, in the case of the major land holders (the Kandyan nobility) whose proprietary rights over land were likely to have been documented more frequently than those of the others, it is probable that many such documents were lost or destroyed in the turbulences of the preceding decades. The Kandyan nobility itself was in total disarray and, as A. C. Lawrie generalised, “.....hardly a member of the leading families.....remained alive; those whom the sword and the gun had spared, cholera and smallpox and privations had slain by the hundreds”⁶.

Data on the extent of land which the Crown acquired under the provisions of the Crown Land Encroachment Ordinance are not available. Indirect evidence of the type which Vanden Driesen and others have used suggests that following the enactment of the ordinance, at least in the major coffee planting districts of the 1840s (the Kandyan Hill Country) the government invoked the provisions of the ordinance to establish its ownership over considerable extents of forest and *chena* land, pro-

6. Lawrie (1896:203). Allowance must, of course, be made here for possible hyperbole. See also, Pieris (1952:86–87).

prietary rights of which were in dispute up to that time. Summing up this evidence, Vanden Driesen has concluded that "as the coffee mania heightened and the demand for land increased; the Crown began to lay claim to what had previously been *chena* and pasture land, and the Kandians saw taken away from them properties which they had worked on for generations" (Vanden Driesen 1957:42). Furthermore, at this stage, it seems unlikely that the local officialdom was disposed towards impartial assessment of native claims, as evidenced by their reactions and counter-moves to attempts that were made by the Colonial Office in London to introduce mitigating amendments to the ordinance. Doubt regarding the impartiality of the authorities concerned is raised by comments made in this context by Governor Colin Campbell in 1842 on "encroachment by European settlers on land belonging to the natives" and on "the unsatisfactory conditions at which the administration of justice has arrived in this country"⁷. The situation which prevailed was placed in perspective by Governor McCarthy who wrote two decades later: "My long residence in this colony has taught me how delicate and difficult a function is that of governing an Eastern population with justice and equity in the presence of a rich and powerful minority of European settlers whose interests, opinions and prejudices are often not in accordance with those of the majority by whom they are surrounded"⁸.

The aggravating conflict between the Crown and the planter on the one side and the local people on the other during the 1840s was reflected in periodic outbursts of violence directed at the planting community, for, as Torrington remarked, "the coffee estates (have) become a source of deadly hatred to the Kandians" (De Silva, K. M. 1965b: 9-10). This conflict has been recognized as one of the major contributory causes for the rebellion of 1848, at which the peasantry involved was speedily ravaged into submission.

The aftermath of the convulsions of 1848 was a period of recovery, re-adjustment and expansion for the coffee planting industry. Cost economies achieved through the introduction of superior practices of coffee culture and the rising prices of the commodity enhanced its attractiveness as a field of investment, resulting in an avalanche of British capital into plantation enterprise in Sri Lanka.

Meanwhile there also occurred a gradual shift of the centre of gravity of plantation activity to the higher elevations in the central highlands where considerable extents of Crown land had already been sold and where more land (less encumbered by native claims than in the Kandian hill country) was still available for sale. Thus within a decade or so, the upper catchment of the *Mahaweli* emerged as the major venue of plantation coffee in Sri Lanka, causing a lowered demand for land in the pioneer plantation areas around Kandy.

These changes, along with the confidence generated by the growing economic prosperity of the colony, gave rise to new trends in land policy. More attention could now be paid to the land needs of the peasantry in the Kandian hill country—the former area of intense conflict between the planter and the peasant—and, as Roberts has shown, care was exercised in the demarcation of village reserves, a practice which was begun around the mid-1850s (Roberts 1969:5-17). It also appears that in the last few decades of the 19th century, particularly outside the main coffee areas, the Crown Land Encroachment Ordinance was either not used or not effective enough (following some judicial decisions relating to establishment of ownership through prescription) to prevent the persistence of *chena* cultivation on land over which the local people had no documentary proof of ownership as stipulated by the ordinance.

7. Cited by de Silva, K. M. (1956b:22).

8. Sessional Paper III (1862:6).

Temple Lands Registration Ordinance of 1856

When the British annexed the Kandyan kingdom in 1815, they found the 'Temple Lands' a major and widespread tenurial category within the indigenous system of land tenure. Pridham estimated in 1844 that "one-third of all land in the Kandyan provinces was ostensibly in the possession of the temples" (Pridham 1844:69). Traditionally, the temple lands enjoyed a privileged status in the sense that they normally remained inalienable and their related rights inviolable. At least in times of peace, the revenue and services derived through such rights were for the exclusive use of the temples, and neither the Crown nor the other secular institutions made any direct demands from temple properties.

At the Kandyan Convention of 1815, the British pledged to safeguard this privileged status but soon found that due to the absence of precise physical demarcation of most temple properties, the government was being deprived of what was held to be a considerable amount of revenue from the land, through false claims to the privilege of monastic tax exemption. However the early attempts by the British regime to rectify the situation by imposing a mandatory requirement for the registration of temple lands with the Commissioner of Revenue met with little success, and many temple properties continued to remain unregistered but exempt from payment of tax (De Silva, K. M. 1963:391-393).

The principles of inalienability and tax exemption attached to monastic properties meant that large extents of land potentially suited for coffee were locked up within the traditional system of land tenure, generating no income to the Crown and, in relative terms, producing little wealth. The growing resentment among the officialdom about this "anomalous" situation is reflected in a memorandum submitted to the Colonial Office by Philip Ansthruther in which he claimed that if temple lands could be made alienable "they could be speedily sold to the great advantage of the public....."⁹. In Ansthruther's opinion, the governor assuming the "power to authorise the alienation of temple lands does not exceed the powers exercised by the kings of Kandy and therefore can be considered no invasion of the rights of temples or a departure from the intention of the donors". But, despite a growing clamour for the introduction of reforms to temple tenures, the situation remained unchanged even during the initial phase of expansion of the coffee industry in the 1830s and the 40s. From the point of view of the government, the problem was certainly irksome but not yet sufficiently important to warrant decisive action. The economic benefits to be gained by reform affecting the local religious institutions had also to be weighed against considerations of political expedience - the possible repercussions on peace and stability.

It was during the second major wave of expansion of the coffee planting industry which commenced in the early 1850s, when the demand for land reached unprecedented intensity, that the temple lands problem became critical. The elevated interior of the central highlands which was emerging as the coffee area *par excellence*, though sparsely settled by the local people, nevertheless had considerable extents of land being claimed by the Kandyan temples. Further, there were vast extents of land in *Sabaragamuwa*, relatively easy of access and similar in physical potential to the prime coffee areas of the main highland mass, but, due largely to

9. Extracts from a confidential memorandum dated 23 November 1840 by Philip Ansthruther, the Colonial Secretary to the Colonial Office, cited by De Silva, K. M. (1963:317).

the widespread presence of monastic properties, remaining virtually impregnable to the forces of change.

These developments provide the background to the promulgation of the Temple Lands Registration Ordinance of 1856 and the appointment of a Commission entrusted with the task of its implementation. In its seemingly innocuous preamble, the ordinance declared its purpose as that of providing for "the settlement of claims of exemption from taxation of temple lands in the Kandyan Provinces and for the due registration of all lands belonging to such temples".

The Temple Lands Commission, at the commencement of its operations in 1857, adopted certain preliminary guidelines for its decisions, among which was the crucial principle that "in inquiring into claims for exemption from taxation for alleged temple lands (the Commission is) bound to be guided by the provisions of the 6th clause of Ordinance 12 of 1840". On this basis the decisions which the Commission had to make on acceptance or rejection of temple claims on paddy land in most areas were relatively easy in view of the availability of several previously compiled paddy land registers which the Commission regarded as authentic sources of documentary proof of ownership. In respect of temple claims on other categories of land, the situation was vastly different. The application of clause 6 of the Crown Land Encroachment Ordinance to such land invariably meant the extensive rejection of temple claims. Thus in effect, the Temple Lands Registration Ordinance of 1856 was an extension of the ordinance of 1840 to forests and *chena* land over which the Kandyan monastic establishments were claiming proprietary rights.

The Temple Lands Commission completed its task by 1865. Of a total extent of approximately 90,000 *amunu* claimed by the temples, about 40,000 were granted registration as temple property. Of the rejected claims, approximately 40,000 *amunu* were gardens, *chena* and forests – for the most part, land potentially suited for plantation coffee.¹⁰ In actual fact, the extent of rejected claims is likely to have been much larger than is suggested by the figures given above, for, the areal unit *amuna* (singular for *amunu*) varied from area to area, the usual pattern of variation being that in the more remote parts of the Kandyan Provinces (where, in fact, a bulk of the temple claims were rejected) the *amuna* was substantially larger than in the other areas.

Once again, it is not possible to determine with accuracy the extent to which the registration of temple lands constituted an exercise in expropriating land from the peasantry. That there was some expropriation in the form of eviction of temple tenants from the properties that were denied registration, however, cannot be controverted. In 1858, the Temple Lands Commission itself urged the government "to refrain from putting up for sale the land placed at the disposal of the government (through the application of the Ordinance) until a year or two has elapsed", on the grounds that "in many cases, the tenants had held undisturbed possession of these lands since the accession (ie. 1815) or shortly after it".

Waste Lands Ordinance of 1897

The Waste Lands Ordinance, No. 1 of 1897 represents yet another adjustment of land policy to the agrarian situation as it was in the closing decades of the 19th

10. These figures are based on Sessional Paper I (1956:28).

century, a period which witnessed the further spatial expansion of plantation agriculture and the emergence of an indigenous capitalist group in the plantation sector.

By the late 1870s, after nearly three decades of steady expansion, the coffee planting industry of Sri Lanka had reached its zenith. The plantation system had penetrated nearly all parts of the central highlands, covering an aggregate extent of over 300,000 acres. By this time about one million acres of Crown land had been alienated (Table 3). Wage labour was being extensively used in both plantations and ancillary activities. Taxes and tithes had replaced many types of service tenure. In most parts of the country, notably in the wet zone, barter trade typical of an earlier era had given way to cash transaction. A network of cart-roads and an arterial railway linked the plantation areas to the export outlet. A hierarchy of central places had developed at nodal points of transport. Sri Lanka's exports, derived almost exclusively from plantation agriculture, generated an income of approximately £ 800,000 each year. A large share of the basic requirements of subsistence, including nearly two-thirds of the rice consumed and cotton cloth to the annual value of over £600,000 were being imported. The new economy had thus taken root.

The devastation of the coffee plantations in the 1880s (by a fungal disease to which there was no effective remedy) had but little impact upon the general directions of economic change. Sugar cane, cinchona and tea and a host of other crops with a commercial potential had been experimented with at the time when coffee dominated the scene. They were now brought to the limelight. Although it was cinchona (which at peak expansion in 1887 covered an acreage of about 41,000) that filled the immediate void caused by the recession of coffee, its success and importance were short-lived. Meanwhile, the planters were turning their attention to tea which soon began to show the greatest promise.

Table 1—AGRICULTURAL LAND USE IN SRI LANKA: 1860 to 1930 (EXTENTS UNDER DIFFERENT CROPS) TO THE NEAREST 1000 ACRES

	1860	1870	1880	1890	1900	1910	1920	1930
Food Crops								
Paddy	464	522	583	536	673	681	757	800
Other grains	131	71	232	124	109	102	155	105
Cash Crops								
Coffee *	120	204	341	67	7	1	...	...
Tea	—	—	14	236	405	581	502	457
Coconut	n.a.	n.a.	524	650	846	943	945	1,100
Rubber	...	...	...	...	...	187	320	534
Cinnamon	n.a.	n.a.	31	35	40	47	35	26
Cacao	—	...	...	16	25	43	32	34
Tobacco	18	15	100	10	11	16	20	14
Cinchona	...	...	...	40	...	...	...	...
Citronella	...	...	...	...	...	...	...	33
Cardamom	...	...	...	...	...	...	...	6

Notes: These data, obtained from the *Ceylon Blue Books*, must be treated as very rough estimates

n.a. denotes 'data not available'

... denotes 'not cultivated or extent negligible'

* excludes coffee grown on 'native gardens'

As the data in Table 1 show, the pace at which the tea industry of Sri Lanka expanded during the last two decades of the 19th century was even more spectacular than the advances made by coffee in its heyday. Since the tea plant could be grown successfully over a wider range of climates than coffee, tea plantations soon extend-

ed beyond the areas that had been developed for coffee and covered at the turn of the century an extent of over 400,000 acres. Two other crops, coconut and cacao also made substantial headway during this period. Concurrently, agronomic foundations were being laid to the plantation rubber industry, the growth of which began in the early years of the 20th century and reached a massive extent of over 500,000 acres by 1930.

The new crops brought in their wake certain changes in the plantation system which were not only of general agrarian significance but were also crucial to the formulation and implementation of the Waste Lands Ordinance of 1897. There was, first, the vastly enlarged venue of plantation agriculture, which obviously meant that the area of direct competition for resources between the plantation system and the peasant economy became much larger than it was in the coffee era. Tea plantations were opened up in areas ranging in elevation from sea-level to over 5,600'. In parts of the central highlands tea eventually obliterated almost all traces of subsistence agriculture. Cacao became a major crop in certain 'mid-country' areas of moderate elevation. Coconut expanded rapidly into the flat hinterland of the western sea-board. Soon after the turn of the century, rubber emerged as the principal plantation crop of the southwestern interior. It needs to be emphasised that many of these areas, unlike the main coffee area in former times, had moderately dense rural populations.

Secondly, this 'era of new crops' witnessed the rapid inflow of local capital into the plantation sector, a process which was facilitated both by the financial ruin of a section of the European planting community at the coffee crash as well as by the spatial spread of plantations described above. There was by this time a group of indigenous people who had accumulated capital in trade, commerce and service industries and whose activities had hitherto remained largely in the periphery of the plantation system. At the crisis they had a buyer's market in abandoned coffee land. Perhaps even more significant was the fact that when the densely settled lower elevations became a potential venue of plantation agriculture, they enjoyed an advantage over their European counterparts in being more adept at handling the intricacies of private land transaction.

From an official point of view, these changes necessitated re-adjustments of land policy. The expansion of plantation agriculture meant a vastly increased demand for land, one which in many areas Crown land supplies alone were unable to meet. In the central highlands, forests in undisputed possession of the Crown, according to contemporary authorities, were barely adequate even for purposes of environmental conservation (D.A. Vincent 1883).

One of the main consequences of the short-supply of Crown land was the increased importance of private land transactions which, for various reasons, most officials viewed with considerable disfavour. The position taken by the officialdom was that since a large proportion of the land being sold privately did not legitimately belong to the sellers (but in the spirit of the Crown Land Encroachment Ordinance at least, was government property) and also since many such transactions involved the exploitation of a guileless peasantry by speculators and middlemen, private land sales had a harmful effect on both the government as well as the peasant. It was estimated in 1896 that in Kegalle District alone, over 150,000 acres had been bought up by speculators for sale to the planting community (A.G.A. Kegalle District 1896:17). What appears to be an outburst (possibly a carefully orchestrated one) of indignation at allegedly irregular land sales and the shady practices of speculators in the land market is recorded in the annual reports of the provincial administrators in the years

immediately prior to the enactment of the Waste Lands Ordinance (G.A. Central Province 1895:6; G.A. Sabaragamuwa Province 1895:4; G.A. Central Province 1896:5; A.G.A. Matale District 1896:17; A.G.A. Puttalam District 1896:17; G.A. Uva Province 1896:8; Acting G.A. Sabaragamuwa Province 1896:4; A.G.A. Kegalle District 1896:17; A.G.A. Hambantota District 1897:15; A.G.A. Matara District 1897:20). The issues which the officials raised are found in concise form in the following extracts from the diary of a Government Agent of the time:

“I hope the government will put a stop to the sale of land which the natives have no right to sell whatever, beyond the temptation to sell what is not their own.....I could name at least a dozen estates — and doubtless there are many more — entirely made up out of purchases of land in small blocks from the natives. Where are those natives gone to? What effect has the sale of their land had on their mode of life? What have they done with the purchase money? What effect will this process have upon the general conditions of life here?... What is the moral and physical result of this change on the people? (A.G.A. Matale District 1896:12).

The urgent need to curb private land sales, as the officials perceived it, was coupled with the necessity of preventing unrestricted *chena* cultivation. Current opinion was strongly arrayed against this type of land use on the grounds that it was ecologically destructive in the effects. Hence, what the officialdom urged, was not merely the prevention of the illegal sales of *chena* land but the regulation of *chena* cultivation as well, both of which the existing land legislation was unable to do.

The preamble to the Waste Lands Ordinance of 1879 declared that its intention was “to make provision for the speedy adjudication of claims to various *chena* waste and unoccupied land”. One of its main clauses (Section 24 a) was in fact a reiteration of the 6th clause of the Crown Land Encroachment Ordinance; namely, that “all forests, wastes, uncultivated and unoccupied land...is presumed to be the property of the Crown until the contrary is proved”. The innovative element of the new ordinance was that it made the establishment of the presumption in favour of the Crown easier than before. Thus, according to the ordinance, where the Crown sought to establish its ownership over any land, it had to issue public notice of its intention and, if no counterclaim is lodged by a private party within a period of three months of such notice being issued, the land was deemed to belong to the Crown. Officials specified by the ordinance were empowered to inquire into private claims if any, and to admit or to reject such claims or enter into an agreement with the claimants. The decisions of the inquiring officials were subject to final arbitration by the courts of law.

Despite the assurance given by Governor Ridgeway, the main architect of the ordinance, that it would be used mainly for the purpose of “amicable settlement” of land disputes (Hansard 1896:11) the ordinance evoked bitter criticism and protest from the planting community which now included a sizeable and articulate group of Sri Lankan investors. They believed that the government’s targets were set on *chena* land some of which they had already purchased privately and some still available for similar purchase if left free of government interference (The Memorial 1907). Although the protest of the indigenous planting interests was ostensibly one of championing the cause of the peasant (and his right to *chena* cultivation) it

is likely that their resentment stemmed mainly from the denial of the freedom for untrammelled private enterprise in the land market, an advantage which the pioneer European planters had enjoyed at an earlier stage.

A process of systematic "land settlement" commenced after the enactment of the Waste Lands Ordinance. Its results as at the end of 1914 are tabulated below:

**Table 2—LAND SETTLEMENT UNDER THE WASTE LANDS ORDINANCE:
UPTO DECEMBER 31, 1914**

	<i>Acres</i>
Total extent over which notice of settlement had been issued ...	1,987,267
Extent declared Crown property ...	1,659,705
Extent declared private property ...	39,199
Extent awaiting settlement (from land over which notice had been issued)	288,363

Source: *Land Settlement Officer. AR (1914:3)*

Statistical data classified as above are not available for the period after 1914. However, settlement as provided for by the Waste Lands Ordinance proceeded until the repeal of the ordinance in 1931, by which time a total extent of about 5.4 million acres had been settled (Land Settlement Officer 1931:4).

The manner in which the powers vested in the government by the Waste Lands Ordinance were exercised did not remain constant during the period in which the ordinance was in force. Official sources of information make it clear that in its early stages, the provisions of the ordinance were rigidly adhered to in the settlement of claims. In this, the hands of the government were strengthened by judicial interpretations of some of the clauses of the ordinance that lacked clarity. By about the second decade of the 20th century, however, official attitudes in the settlement of land disputes became more liberal towards private claimants. In regard to the *chena* cultivator, E. B. Alexander, the Controller of Revenue, declared in 1927 that "the villagers' rights to use *chena* land so strongly insisted upon by Lord Stanmore have become the cardinal principle on which our settlements are based".¹¹

In overall terms, measured against its objectives, the Waste Lands Ordinance was only a partial success. Its principal area of success was in the final and precise establishment of ownership rights of the Crown over vast extents of land in the dry zone which facilitated the smooth implementation of the land policies of a later period. In the main plantation areas, the ordinance was less effective. Although in law "it (was) rarely that the claimants to *chena* land... (were able to) rebut the presumption in favour of Crown ownership (Land Settlement Officer 1929:3) it appears that many encroachments were "written off" by the government "because they had reached a stage of development at which it did not pay the government to assert its title to them (Alexander 1927:517). As for the objective of protecting the peasant against the land speculator, failure was admitted even by some of the most ardent defenders of the ordinance like Alexander who stated:

"Ever since the rubber boom and the more recent high prices in tea there had been a rush for land which had outspaced every attempt at survey and settlement, and has swept aside every barrier interposed by statute and general order... The villagers have been unable to compete with the speculators and have sold

11. *Hansard* (1927 Vol. 1:434) Lord Stanmore who (as Sir Arthur Gordon) was Governor of Ceylon before Ridgeway, was one of the sternest critics of the Waste Lands Ordinance at the time of its enactment.

their land to them, and they have joined with the speculators and sold Crown lands with the result, not only that many of them have become landless, but much of the Crown land on which it might have been possible to settle them has disappeared" (Alexander 1927:434).

Other Land Legislation

Apart from the land ordinances which we have hitherto examined, there were certain others that belong to the period under review to which at least passing reference should be made. The Partition Ordinance No. 10 of 1863 made provision for any one coheir of jointly held landed property to institute legal proceedings to compel a partition or sale of such property. This ordinance had the effect of undermining one of the widespread features of traditional land tenure; namely, the communal rights of coheirs to own and use undivided shares of land. As Obeyesekera (1967:179-184) has shown, the ordinance in its operation was invariably beneficial to the larger and more affluent share owners at the expense of the poorer and the weaker whose claims were often unheard or misrepresented at court proceedings. The Land Registration Ordinance No. 8 of 1863 provided for the compulsory registration of "Titles to Land and of all Deeds affecting Land in the Colony". The *Sannases* and Old Deeds Registration Ordinance (enacted as No. 6 of 1866) extended the mandatory requirement of registration to the records of pre-British grants and other transactions in land. This ordinance stipulated that the failure to register such documents by 1875 would result in their invalidation and the expropriation of the properties concerned. These land ordinances share with the others already discussed the broad policy objective of precise demarcation of property rights over land. In various ways they contributed towards the promotion of private enterprise in agriculture.

Crown Land Alienation

The proprietary rights which the government was able to establish over extensive tracts of "Waste land" through the ordinances hitherto discussed were exercised for the overall regulation of agricultural land use, maximisation of government revenue and catering to the demand for land from those who sought to invest in the development of agriculture. Thus, in the 100-year period with which we are concerned, over 2 million acres of Crown land were alienated to the private sector. At least up to about 1920 investors in plantation agriculture and those engaged in relatively large-scale operations in the land market were the main recipients.

Table 3—CROWN LAND SALES FROM 1831-1930

		<i>Cumulative extent alienated (Acres)</i>	<i>Average annual rate of alienation in the previous decade (Acres)</i>
1850	...	318,051	15,903*
1860	...	442,843	12,479
1870	...	783,753	34,091
1880	...	1,043,670	25,992
1890	...	1,250,217	20,655
1900	...	1,426,521	17,630
1910	...	1,756,228	32,971
1920	...	1,987,834	23,161
1930	...	2,190,067	20,223

* Average annual rate for the 2 decades, 1831 to 1850

Sources: *Ceylon Blue Books* for 1831 to 1920
Surveyor General, AR, 1930, for 1921 to 1930

It seems from the data presented above that high rates of Crown land disposal were maintained during spells of rapid growth of plantation agriculture, as, for example, the periods 1860 to 1880 and 1900 to 1920. On account of the clarity and legal strength of Crown titles, Crown land invariably commanded a premium in the land market, specially when the prospective buyers were Europeans. However, administrative delays caused usually by the inadequacy of facilities for land survey and, at times, the non-availability of suitable Crown land in the areas of demand for land acted as restrictive factors on such sales.

In the alienation of Crown land, the government usually adhered to the principle that the initiative must come from the individual who wanted the land.¹² A prospective buyer had to apply for the land of his choice and (if the sale is approved in principle by the relevant authority of the area concerned and when the formalities of survey are completed) compete with others at public auctions for the right of purchase or of lease of the land. Hence, the price of Crown land was subject to considerable variation and, contrary to assertion made in certain writings, not always low. For example, in the 1870s, the price at Crown sales of "good forest land suitable for coffee" ranged from about Rs. 125/- to 150/- per acre. At times it reached as high a figure¹³ as Rs. 250/-. This system of land alienation meant that purchase and development of Crown land was an activity in which only those with considerable capital could engage. Thus, as the Land Commission of 1958 has pointed out, the policy of Crown land alienation throughout this period was generally disadvantageous to the local peasantry.

Agricultural Taxation

Among the taxes that were levied on the indigenous people of Sri Lanka by the British government during the 19th century, in terms of both duration and impact, the so-called "Grain Tax" was, by far, the most important.

Agricultural taxation in Sri Lanka was, of course, not a British innovation. It was based on the traditionally recognised right of the sovereign to demand a share of the produce from most types of agricultural land, a right which the Portuguese and the Dutch had also exercised during their occupation of the littoral. The British themselves continued to consider agriculture taxation an important source of revenue and a means by which the local people could be made to share in the cost of colonial administration and development. More significantly, it was perceived as an instrument for stimulating initiative and enterprise among the local peasantry, for inducing the peasant to channel a share of his resources for the production of commodities for sale, and, in general terms, for drawing the peasantry into the orbit of the cash economy. It was this perception along with the gradual substitution of cash for kind as the medium of tax payment that forms the innovative element in the grain tax system of the 19th century.

The writings available on the subject of the British grain tax in Sri Lanka show that during its prolonged operation, the scope of the tax, the nature of the tax demand and the techniques of tax collection were subject to periodic modification.¹⁴ Many

12. *Sessional Paper X* (1958:14) Towards the end of the period under review there were certain exceptions to this rule, when the government took the initiative and advertised the sale of blocks of land: See, for example, *Gazette* of Feb. 25, 1925. In the sporadic attempts at developing peasant settlement schemes in the Dry Zone too, the government took the initiative in land alienation.

13. *Tropical Agriculturist*, (August 1, 1981:191).

14. *Sessional Papers*, XXIX of 1878; XXIX of 1889; XXXIV of 1889; XIV of 1890; III of 1892; De Silva, K. M. (1967); Roberts (1968); Wesumperuma (1970); Ameer Ali (1970).

such modifications were directed at increasing the revenue derived from the tax and facilitating convenient collection. For instance, the fledgling attempts at fiscal reforms by some of the early British governors in the maritime provinces had the objective of making the tax system which they inherited from the Dutch more efficient and more productive. And by the time of the annexation of the Kandyan Kingdom in 1815, a measure of uniformity in the tax system had been achieved within the British possessions of the lowlands, with the focus of taxation on paddy and certain other food grains produced on land under permanent cultivation. In 1818, a similar tax system (restricted to food grain) with near uniform rates of extraction was introduced to the Kandyan Provinces. In the 1820s, a system of voluntary "commutation" which provided for direct payment to the government of a fixed amount to obtain tax exemption for a specified number of years was initiated in many parts of the country. The commutation system was intended to avoid the administrative tedium of tax assessment on each crop and to reduce the dependence on the services of private tax renters in the collection of the grain tax. The 1820s also witnessed attempts by the officialdom in certain parts of the country to persuade the peasants to pay the tax either in exportable products or in cash. A system of perpetual tax "redemption" (through the payment of a stipulated multiple of the annual assessed tax) introduced in 1835 was withdrawn a few years later, mainly for the reason that redemption was believed to result in a net loss of revenue to the government. Throughout this period, despite the availability of provision for tax commutation, a bulk of the grain tax continued to be collected on the basis of assessed production at each harvest by intermediary renters to whom the rights of tax collection were sold at public auction. The Ordinance No. 14 of 1840 strengthened the hands of these tax renters by enabling them to prosecute those in default of tax payment. By 1860, a major portion of the grain tax was being paid in cash. The efficacy of the grain tax was enhanced further in 1866 when legislation was promulgated providing for the confiscation and sale of property of those in arrears of tax payment. During this period the tax rates were also increased in most parts of the country. In the 1880s, commutation was made compulsory in most districts, on the basis of the Ordinance No. 11 of 1878. Compulsory commutation payments continued to be extracted from the local producers of paddy throughout the crisis of the coffee crash until, after much debate and deliberation, the grain tax was finally abolished in 1892.

Although the impact of the grain tax does not lend itself to precise assessment, there is little doubt about its agrarian significance. The grain tax, along with other concurrent changes that are discussed in this paper, did have the envisaged effect of promoting commercial enterprise within the peasant sector. Given the techno-economic milieu of subsistence agriculture in 19th century Sri Lanka, it seems reasonable to assume that in most parts of the country paddy production alone rarely generated the surplus required to meet the revenue demands made by the Crown.¹⁵ Thus the peasantry had to turn to other potential sources of income, either in the production of commodities for sale or in the sale of their labour.

To our present inquiry, more directly relevant than the general process of commercialisation of the peasant economy to which the grain tax was a contributory cause, is the impact it had on land ownership and tenurial relations. Here too, it could be contended that although the exact impact of the grain tax is indeterminable, it was nonetheless significant. One of the threads of reasoning relating to this contention is that the tax burden itself was such that the more impoverished sections of the local peasantry were compelled to sell or mortgage their land to meet the tax

15. See Wickremeratne (1973) for a detailed discussion.

demands. Commutation which was increasingly resorted to in the latter part of the century (and was made compulsory in the 1880s) meant that the grain tax was levied irrespective of shortfalls or failures of the crop and, thus, in disregard of fluctuations in the farmers' income. Following the introduction of Ordinance No. 5 of 1866, the government itself resorted to seizure and sale of peasant property as a means of recovering tax arrears. Besides these, in regard to the effects of the grain tax on tenurial relations, it has been claimed that mortgage and sale of village land to those outside the peasant economy resulted in the spread of such features as absentee land ownership and share-tenancy. Further, the individualised responsibility of tax payment had the effect of propagating private property relations in land in the sense that it undermined communal rights to cultivation of undivided shares.

According to an estimate made on the eve of abolition of the grain tax, on the average, a paddy grower in Sri Lanka at the time paid as tax the equivalent of 52.5 days' income in an year.¹⁶ Official statistics show further that following the introduction of compulsory commutation under the Ordinance 11 of 1878, an extent of about 36,800 acres of paddy land was confiscated and sold for default of grain tax payment in the 11-year period 1880 to 1890.¹⁷ It has also been recorded that, when voluntary commutation was in vogue "a still greater extent of land was sold" under the provisions of Ordinance 5 of 1866.¹⁸

The average and the aggregates referred to above do not reveal the full agrarian impact of the grain tax on the peasant. Details available show that in times of recession and crisis in the plantation sector and for those of the peasantry for whom, for geographical or economic reasons, there was no scope to venture into activities, outside the subsistence sector, the effect of the grain tax was one of unmitigated impoverishment (Obeyesekera 1967:119-126). According to data recorded by the district administrators of the time, in the Udukinda Division of Uva, for example, evictions and sales between 1882 and 1885 affected 2,930 heads of households; this number implies that 14,650 persons, or, 49 percent of the total population in the Division were dispossessed of their paddy land either in full or in part. It has been recorded further that about 20 percent of the number so dispossessed were compelled to leave their homes and that a majority of them became tenant cultivators.¹⁹ Data portraying a similar impact are available for other parts of the country such as the Walapane Division of Nuwara Eliya District and parts of Kalutara, Galle and Matara Districts (Obeyesekera 1967).

Changes in Agricultural Resource Allocation

It is evident from the foregoing discussions that the agrarian policies pursued in Sri Lanka during the period with which we are concerned as reflected in land legislation, Crown land alienation and the grain tax brought about a disintegration of the traditional system of land tenure in many parts of the country and caused a certain amount of expropriation of the resources of peasant agriculture and their re-allocation to plantation agriculture. Besides this 'direct' impact of policy, there were its indirect influences: namely, changes that were related to what may be termed the emulative and gravitative effects of plantation agriculture on the peasant economy. In this context, it is necessary to focus attention on both the "voluntary" sale of peasant land and labour to the plantation sector (to which passing reference has been made earlier) as well as the changes in the pattern of resource use within the peasant sector.

16. *Sessional Paper XIV* of 1890:36.

17. Based on data in *Sessional Paper III* of 1892.

18. *Sessional Paper IV* of 1891:71.

19. *Sessional Paper IV* of 1891.

Purchases from the local people were an important source of land to plantations at least from the time of the first major upsurge of the coffee industry in the late 1830s. In overall terms, as compared with purchases from the Crown, private land transactions may have been only a supplementary source of land to the planter. Nevertheless, as shown earlier, at times of rapid expansion of plantation agriculture, land sales by the local people appear to have been both extensive and widespread. These sales were in part the result of the processes of pauperisation of the peasantry already discussed but in part at least, they also reflect a peasant response to the general commercialisation of the economy which induced the indigenous land holders to voluntarily convert their land into monetary assets. The high price of land in the open market during spells of intense demand for land, the increased range of material wants among the local people and contemporary land legislation which facilitated the extension of private property rights in land were some contributory processes in operation. Apart from these, in the case of certain land holders, the disposal of a part of their properties appears to have been a means of raising capital for investment in commercial activities both within and outside agriculture.

Another related facet of the impact of plantation agriculture was in the supply of peasant labour to plantations. In the coffee era, the villages in the planting districts were not a steady source of labour supply to estates (Jayawardena 1963). But periodically, the local peasantry did constitute an important component of the plantation work force. The remark made by Torrington in 1848 that "the times not being prosperous and the money scarce, there are about 6,000 Cingalese (sic.) at work in Coffee picking"²⁰ illustrates that specially in periods of acute depression in subsistence agriculture, estate employment was an important source of livelihood to peasants in certain areas. Apart from this, during spells of rapid expansion of planting enterprise when the supply of indentured cooly labour from India fell short of demand, estates were able to attract peasant labour with higher than normal wage rates and better conditions of work. These processes became particularly evident from about the closing years of the 19th century, with the vastly enhanced labour demands of vigorous plantation industries on the one hand and a growing rural proletariat in the plantation areas on the other. The estimates made by Eric Meyer on the Sinhalese population *resident* on estates suggest that by the end of our period local villagers are likely to have comprised about 20 to 25 percent of the total plantation workforce (including the non-resident labour) (Meyer 1978).

The expanding commercial relations that came in the wake of plantation coffee provided stimulus to a commercialising process which was already under way within the peasant economy. Even by the early 19th century, a section of the peasantry had experienced the advantages to be gained by diverting their land and labour to the production of saleable commodities like cinnamon, pepper and coffee. In fact it was the peasantry that pioneered the emergence of coffee as a major commodity of export trade. The export of "native coffee" which averaged 1,116 cwt. per year during 1800-1804., rose to over 10,000 cwt. in 1822-1825 (De Silva, Colvin R. 1962:483) and to 75,000 cwt. by the early 1840s (Pridham 1844:849). At its maximum expansion in the late 1850s, though by then superseded by plantation coffee, smallholdings belonging to the local people covered an estimated 50,000 acres and produced about 325,000 cwt. for export each year (Ceylon Blue Book 1866:68-152). In the lowland districts of the Wet Zone and in a few localities in the Dry Zone, coconut cultivation recorded a steady expansion, largely as a native enterprise. Tobacco appears to have had a similar commercial significance in the eco-

20. Cited in De Silva (1965b:117).

onomy of parts of the Northern Province (Ameer Ali 1970:94). Other "minor cash crops" which, by 1930 covered an aggregate extent of about 100,000 acres (Table 1) were developed largely with local investment.

Finally, apart from the peasant inroads into commercial crop production, there was increasing participation of the local people in activities that were ancillary to plantation agriculture. In the clearing of forests local labour appears to have been preferred to that of the Indians. Peasants were a major component of the labour used in road construction. Some 15,000 licensed bullock-carts belonging to the natives were being used in the 1870s for the transport of coffee (Ferguson 1887:100). With the passage of time, the role of the local people in internal commodity transport increased in importance. They - Sinhalese, Tamils and Moors - had also entered the field of retail trade in estate supplies and consumer goods.

Agro-Ecological Impact of Plantations

The agro-ecological impact of the opening up of extensive areas in the country under plantation agriculture, though not a subject confined in respect of time to the scope of the present paper, is nevertheless relevant to its principal themes. By the end of our period, plantation crops covered an aggregate extent of over 2,000,000 acres, a large proportion of which was in areas of torrential rain and rugged terrain. Some of these lands were previously under coffee plantations and also under *chena* for varying lengths of time. Clean weeding was a universal practice on plantations up to about 1920; and, techniques of effective soil conservation were either unknown or rarely adopted. These basic facts relate to the nature of the agro-ecological changes brought about by the spread of plantation agriculture.

In Sri Lanka as well as in many other parts of the tropical world it has been observed that when plantation crops are introduced to areas under primaeval forest, the stability of the prevailing eco-system suffers a complete sweep and immediate changes occur in the pattern of soil formation. In such areas, the failure to appreciate these changes during the early phases of plantation crop production has often resulted in irreparable damage to the soil. The edaphic effects of the plantation practices that were in vogue during the period under review may be summarised as follows:

- a. direct loss of soil through removal by erosion,
- b. formation of a hard-baked upper soil surface lacking in adequate moisture.
- c. lowering of the potential nitrogen and organic matter content of the soil, and
- d. widening of the soil temperature range resulting in the enhancement of soil activity.

Some of these features are prominently displayed today in the landscape in many parts of the country. Specially in those areas that have a relatively long history of plantation agriculture, clearing of forests, repeated planting and clean weeding have often resulted in the complete removal of the upper soil horizons and the exposure of semi-weathered rock and bare rock surfaces.

In the central highlands, the disruption of the natural eco-system was not confined to land under plantation crops but extended to the valley floors to which the remnants of peasant agriculture became largely confined. In a report written in 1889 (Moir 1889:3) which described these latter effects, the conclusion reached was that:

"There cannot be a shadow of doubt that the extensive forest clearing ... within the last forty years or so has very materially and prejudicially affected the productiveness of paddy lands... both by reason of the decrease in the regular flow of water in the streams on which the fields used to depend, and also because of the diminution of the supply of fertilizing substances carried down into the lowlying rice lands from the adjacent forests during the rains."

A related aspect which is not highlighted in the foregoing comment is the effect of enhanced siltation that resulted from forest clearing. As many investigations of this problem show,²¹ the silting up of river beds increased the frequency of floods, especially in the lowland Wet Zone. In certain parts of the central highlands, as evidence which Hartshorne (1872:30-32) has recorded illustrates silting destroyed tanks and disrupted canal irrigation; in one recorded instance at least, enabling the extension of a coffee plantation into a former tank bed. Perhaps less frequently than the effects on irrigation, in some areas, excessive siltation has also led to the conversion of paddy land into uncultivable waste.

Perception of Agrarian Issues

Concern on the part of the ruling elite in British Sri Lanka about the plight of the more depressed sections of the peasantry and the stagnation of the "native economy" is a phenomenon which can be traced back at least to the regimes of the more benevolent British governors like Henry Ward (1855-60) and Hercules Robinson (1865-72) who gave expression to this concern in their sporadic restoration of village irrigation works and in their attempts to revitalise traditional rural institutions (Keane 1905; Farmer 1957; 101-139).

Since about the turn of the century, for various reasons (notably, the problems caused by the dependence on foreign sources for local food requirements), the peasant economy began to receive enhanced governmental attention. As we have already seen, the enactment of the Waste Lands Ordinance of 1897 was, at least ostensibly, an attempt to translate into concrete action the growing attitude of protectionism towards the peasantry.

During the early decades of the 20th century, the overall official policy towards agrarian affairs was relatively free of ambiguity. It rested on the belief that, while the prosperity of the colony depended largely on the fortunes and prospects of the plantation sector, and that policy must hence be continued to be geared to the promotion of plantation enterprise, for reasons of economic stability, financial profit and general welfare, the agrarian needs of the peasantry must also be satisfied and its interests protected.

In the pursuance of this policy, up to about the period of the First World War, the government faced little opposition from the leaders of the fledgling nationalist movement, many of whom were themselves entrepreneurs in plantation agriculture. In agrarian affairs, the only major point of disagreement between the British officialdom and the local leadership at this stage was on the restrictive effects of the Waste Land Ordinance on private land sales and hence on the entry of local capital into plantation crop production²².

21. *Sessional Paper XI of 1894; Sessional Paper 42-1905; Sessional paper 3-1931.*

22. Reflected in the debates in the Legislative Council on agrarian matters at that time (*Hansard*) and in writings such as Anon (1907) and Wickremesinghe (1924).

By the early 1920s, however, it is possible to discern certain new trends of agrarian thought. The nationalist movement was now more articulate; the Legislative Council had been enlarged to include more elected representatives; the franchise had been widened and the local members in the legislature were bolder in their claim to be representatives of the people. Further, the acute scaracity of food during the war and the market slump which adversely affected the plantation industries in the post war years, brought into focus the fundamental weaknesses of Sri Lanka's dependent economy. Hence, the idea that the economic stability of the country would rest upon the creation of a dynamic peasant sector, rather than on the perpetuation of the plantation system, was rapidly gaining ground.

On the need to strengthen the peasantry as a remedial measure for the country's ills there was consensus among the elite, both local and foreign. But on the causes for the prevailing ills, there developed at this time sharp differences of opinion, in the sense that the notion that the plantation system itself was the prime cause for the country's poverty and instability was gaining currency among an important segment of the local leadership.

The main elements of this new wave of thought and its exact time perspective are caught in the following remarks which governor Hugh Clifford (1927:289) made in 1927:

"I have noted with great regret since my return to Ceylon after an absence of nearly a decade and a half, that a school of thought has, in the interval, grown up in the Island which teaches with persistent reiteration the doctrine that the tea and rubber are a parasitic growth, which is battering upon the Colony's lifeblood; that they have worked no appreciable benefit to the indigenous inhabitants of the country; and that they owe their existence to a systematic series of acts of expropriation and spoilation."

The "parasitic blood-battering theory" on plantation agriculture, as the anti-plantation notions came to be referred to, was, of course, summarily rejected by the British. Nor did a significant section of the Nationalist vanguard support such notions with fervour. Nevertheless, throughout the decades that followed, this "theory" continued to have a powerful impact upon popular agrarian perceptions. It was, in fact, a prominent theme in the recent campaigns that heralded radical land reform in Sri Lanka (Peiris 1975:78-80).

The appointment of the Land Commission of 1927 and the "grand inquest" into the agrarian affairs of Sri Lanka which the Commission undertook can be seen as an attempt to reach consensus among these different viewpoints and to formulate a comprehensive land policy appropriate to the changing needs and circumstances of the country.

A further new dimension to the agrarian perceptions in Sri Lanka emerged with the origin of the Left movement in the early 1930s. The doctrinaire opposition of the Marxists to private ownership of the means of production and to all forms of exploitation meant that they stood firmly against not only large-scale capitalist enterprise, epitomised in the country by plantation agriculture, but also the feudal elements of tenurial relations within the peasant sector. In the Marxists' scheme of thinking, it is only radical agrarian reform which constitutes a part of a general socialist transformation of society that could solve the problems of the peasantry

of Sri Lanka. Thus, from the inception of their movement, they urged the nationalisation of estates, the liquidation of service tenures, the regulation of share-tenancy, the formation of peasant unions and the promotion of communal modes of agricultural production.

To generalise then, by the closing years of our period of study, it is possible to recognise four overlapping shades in the prevailing spectrum of agrarian perceptions of the country's political elite.²³ First, there were the attitudes and notions of the officialdom—at the apex, still exclusively British—which by this stage was less authoritarian and more accommodating than before, and more sensitive to the needs and aspirations of the local people. Though generally stringent in the allocation of funds for development of peasant agriculture, they recognised the need to place priority on the requirements of the peasantry in Crown land alienation. They maintained their critical concern for what they believed to be the basic institutional weaknesses of peasant agriculture exemplified in features such as fragmentation of holdings, land disputes and litigation and the insecurity of tenure in share-tenancy contracts. To them, rural indebtedness was a major problem. And, unlike their predecessors who were exasperated by the “indolence of the peasantry,” they spoke with concern about the technological backwardness of peasant agriculture and the “conservatism of the peasantry”.

The second shade in the spectrum was represented by the viewpoints articulated by the more conservative sections of the national elite. They shared in large measure the views of the officialdom on the local agrarian problems. However, in their strong and persistent advocacy of a vigorous policy of State-aided land settlement and colonization in the Dry Zone, they differed from the officialdom. They believed that the Dry Zone has the potential to make the country economically stable and independent and to create within the country “a prosperous, self-supporting and self-respecting multitude of peasant proprietors”.

In the present context, the main element of distinction between those whom we refer to here as “conservatives” and the others in the Nationalist elite was in their respective attitudes towards plantation agriculture.”²⁴ The distinction is, of course, not always, clear in the political biographies of individual leaders. In public pronouncement and debate, even some of the conservatives pledged support to the slogan “land belongs to the people”. Nevertheless, at critical points, either in pragmatism or in self-interest, they stood for the preservation of the plantation system. The less conservative among their ranks, however, positively and repeatedly advocated the break-up of plantations and the initiation of land redistribution programmes, at least in those parts of the Wet Zone where the problems associated with land hunger were acute. In their perceptions, the immediate agrarian needs of the peasantry overshadowed all other considerations in all parts of the country.

The stance of the Marxists was altogether different. While they were unopposed to relief measures directed at the poor, they had little faith in the millennial visions of the Nationalist leadership on peasant colonisation. In their ideological anti-

23. For a cross-section of this spectrum, see, the contributions by E. B. Alexander, D. S. Senanayake and E. W. Perera to the Legislative Council debate on the “Land Laws of Ceylon” in *Hansard* (1927:419-523); Corea (1925); Clifford (1927); Perera (1932); Bandaranaike (1933); Brayne (1934); Senanayake (1935); and the contribution of D. P. R. Gunawardena to the debate on the Annual Appropriation Bill in *Hansard* (1938:2312-2316).

24. In a recent study Roberts (1977) has made a distinction between these two segments of the Nationalist Leadership, referring to them as “moderate constitutionalists” and “reformists”, and identifying the differences in their attitudes and viewpoints in issues relating to constitutional change.

pathy towards the perpetuation of private property, they saw the strategy of land alienation which was being pursued in the country as an attempt to extend individual peasant proprietorship and to promote the latent *petit bourgeois* tendencies of the peasantry.

In retrospect it is seen that these different perceptions outlasted the British regime and continued to figure in agrarian policy of independent Sri Lanka, their relative impact as reflected in trends of agrarian change varying from time to time.

Abbreviations

A.G.A.	Assistant Government Agent.
A.R.	Administration Report, Government of Ceylon/Sri Lanka.
C.G.P.	Government Printer/Ceylon Government Press/Department of Government Printing, Colombo.
C.J.H.S.S.	Ceylon Journal of Historical and Social Studies
G.A.	Government Agent.

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