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Dutch and British colonial intervention in Sri Lanka, 1780 - 1815: expansion and reform

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CHAPTER TEN

BRITISH CEYLON AND THE INDIAN EXPERIENCE: CONNECTING POLICIES

It has become clear that despite the similarities in the Dutch and British approaches regarding the interior, there were some structural differences. This counted in particular for the approaches towards the native headmen in the southwest, the organization of the judiciary department and the implementation of the law and the organization of the labour force and landownership. Local responses to British policies differed, but in many cases it was impossible to directly implement the intended policies; for example, the southwest never turned into the rich rice-producing area that Dundas wanted and North and Maitland strove for. Still, despite the accommodation to many of the local practices and the foundations of colonial power as developed under the Dutch, the British remained persistent in certain instances and for example they never resorted to the practice of forced cultivation as the Dutch did.

It has been pointed out in the previous chapters that historians tend to portray governor North as a radical and idealistic reformer and Maitland as a pragmatic and reactionary ruler. However, not much attention has been paid to the actual inspiration behind both their respective policies. In this chapter, I argue that both North and Maitland were ideologically inspired and tried to accommodate their policies to contemporary political trends in Britain and India. This places North's radicalism in a different perspective, and calls into question Maitland's conservatism and his proclaimed return to the Dutch system of government.

10.1 *In search of a proper rule for India*

Colonial policy was a hotly debated issue in late eighteenth-century Britain and was much influenced by contemporary ideas on progress and development. Discussions on colonialism arose in response to two drastic developments. First was the expansion of British power in India, which had begun in earnest midway through the eighteenth century with the conquests of Robert Clive in Bengal. The violence in India, complemented by a chaotic administrative organization, often through sinister alliances with local rulers, sparked criticism in England. Second was the loss of the thirteen colonies of North America after the War of American

Independence (1775-1784). The passionate demands of self-determination by European colonists in America and their victory in the subsequent revolt against their mother country, left a deep mark on British pride.

As a consequence, the 1780s and 1790s are distinguished by significant reflections among British policymakers and intellectuals about the nature and purposes of colonial rule. In concurrence with the general intellectual tendencies sweeping Europe, people in Britain felt that colonies stimulated greed for luxury goods and corrupted the British mind. This found its expression first in the influential anti-slavery movement. Abolitionists managed to get a broad following in Britain from all sections of society, and Britain grew to be the leading European country in the anti-slavery debates of the late eighteenth and early nineteenth centuries.[567] One result was private experiments with the emancipation of slaves on the plantations in the West Indies and the establishment of the Sierra Leone Company, which offered voluntary black labour as a morally superior alternative to the slave trade in Africa. Despite the limited success of the Company, Sierra Leone, with its capital bearing the symbolic name Freetown, was to grow into a safe haven for former slaves in Africa.[568] In 1807, the slave trade was abolished, and within a few years the British managed to pressure many other European countries to do the same.[569] Many historians have sought to explain the success of the abolitionist movement, and for most of them it is difficult to believe that it was motivated only by true altruistic motives.

The British historian Linda Colley, for example, has suggested a causal connection between the development of the antislavery movement and the American War of Independence, by arguing that through the abolitionist cause the British could show off their moral superiority in comparison to the Americans.[570] The sincere belief in the economic advantages of free labour, one of the propositions of Adam Smith, is another factor. In that context, the growth of capitalism and industrialization in Britain was a necessary condition for abolitionism to succeed. Recently, historians have turned to cultural and religious factors to explain the success of abolitionism in Britain, and its concomitant failure in countries like the Netherlands.[571]

The impeachment of Warren Hastings was the other major political issue that stemmed from the general anti-colonial spirits of the 1780s that were described above. Hastings had been governor and governor-general of Bengal from 1772 to 1785 and was responsible for the expansion of British power in the subcontinent during that period. Parliamentarian Edmund Burke was the main advocate for his impeachment and in 1786 he laid before Parliament twenty-two charges of "high crimes and misdemeanours". Although Parliament did not accept all charges, Hastings was accused of ruling the Indian properties arbitrarily and consequently of

setting a bad example for his successors.[572] The emphasis in the discussion was on the moral behaviour of the British overseas and resulted in the reorganization of the administrative structure of the Company in India in 1787.

The debates regarding British rule in India were also influenced by contemporary publications on the history, culture and religion of India by Alexander Dow and others. In the 1770s and 1780s, interest in the native languages and culture had increased and men like William Jones and Charles Wilkins zealously collected and translated information regarding India's ancient history. They published their findings in *Asiatic Researches*, the journal of the Royal Asiatic Society, which they established in Calcutta in 1783. Their portrayal of ancient Indian civilization was usually very positive, and contemporary critics of colonialism like Raynal and Smith contrasted their positive descriptions of India and with the Europeans' ruthless and violent behaviour in the region.[573]

These studies gave the debate a historic twist and fitted it in the current concept of progress of civilization: India was considered stuck midway in the stages of human development. There was a strong image of a civilization that had once been great but that had declined thanks to corrupt Oriental despots who had brought the people to a stage of indolence and apathy and brought development to a standstill. The British attitude in India had not changed it for the better, since the EIC servants had copied the despotic behaviour of the native power holders, instead of ruling the country by higher British standards. In the course of the 1780s, a consensus was reached that it was the task of the British to bring "just rule" to the subcontinent. This assumption at first helped define colonial policies, but at a later stage it once again legitimized British expansion in the subcontinent.[574] The contemporary intellectual digressions on moral politics, freedom of trade and individualism helped shape the arguments and the work of intellectuals like Adam Smith much influenced the debates.

Jennifer Pitts recently analysed liberal arguments relative to colonial rule in the speeches of Edmund Burke and saw many comparisons between his line of thinking and Adam Smith's theory on moral philosophy. Smith had found a way to explain variation in societies around the world by seeing them as determined by historical developments. He described these societies in a hierarchical manner, with "improvement" as a key concept, and approached the various societies as impartially as possible, stressing the universality of moral principles and expressions like the law. This implied that all societies were capable of improvement, and in the end because of this intrinsic aspect of all societies, none could be considered absolutely superior to the other. His sympathetic attitude towards other societies and the absence of value judgements of one society over

the other are a hallmark of his work. In Smith's view, the falseness of the popular presumption of European superiority over Asian and other societies was proven by the behaviour of Europeans in the colonial contexts.[575]

Burke expressed a belief in the universality of principles like justice and humanity and like Smith he stressed the importance of sympathy for the subjects. Neither he nor Smith was against colonialism as such, both realized that opposition to colonialism was not a viable option. However, the fact that the native society of India was in a backward stage of development did not mean that the British subjects in India should be treated differently from subjects in Britain itself. In fact, the British overseas had to behave with the same moral rigor that would be expected from them in Britain itself. The fact that they worked in India changed nothing, and if they behaved morally this would work to the betterment of the Indian subjects, who would improve naturally.[576]

The Indian question remained largely a parliamentary affair and the initial popular interest in the impeachment of Hastings petered out in the beginning of the 1790s. Eventually, after many years of hearings, Hastings was cleared of the charges in 1795. Nonetheless, the affair had stirred up a substantial discussion about the future of Britain in India, which may have been its greatest legacy. It was the type of debate that, as we saw, was by and large absent in the Netherlands, and it caused a substantial divergence between Dutch and British colonial policy in the East.

Burke's point that the corrupt situation in India had a bad influence on the Company's administrators and seduced them to indulge in a form of despotic rule detested in Britain was generally accepted. Tighter control over the Indian government was needed, and Parliament installed a Board of Control to supervise the governor general in India. Secondly, it was assumed that the low salaries which the Company paid its servants discouraged better qualified people from joining the service. Because of the low wages they received, it was difficult for employees to resist the temptations that India offered in the form of private trade and private dealings with native princes. Hence, the wages of the Company's personnel were increased considerably.[577]

Last of all, the administration in India itself had to be set on proper footing. The first region to be worked on was Bengal, which formed the principle territorial base of British in India. Henry Dundas as president of the Board of Control, together with Marquess Charles Cornwallis as governor-general, set up a new system of administration in Bengal. The new arrangement found its origin in the enlightened criticisms of Burke and Smith and was based on the idea that "just rule" in India should be based on the same principles of what was considered just in Britain. Strong emphasis was laid on the universality of the principles underlying law and economics. If people's rights and property were secured, they

would automatically grow keen on increasing their property by making investments, and development would follow.[578]

Freedom was an important element in these anticipated improvements and "feudal" relations and slavery were considered absolutely detrimental to the development of society and therefore they had to be banned as soon as possible. Because of the emphasis on security of property, the judges and courts took a central position in the new system. Although native law was administered, the principles of the English court-system were considered universal. British professional judges were employed and they were assisted by natives who advised them on local laws and customs. The function of district collector was subordinated to the courts of justice and the collector or his assistants could be prosecuted if they abused the natives, for instance by collecting more than was assigned to him. This separation of powers was considered necessary to prevent that arbitrariness in the Indian administration so characteristic in the past.[579]

As for the revenue administration, the organization relied on the *zamindars*, the former tax gatherers of the Mughal court. Following the physiocratic ideal, they were to function in the new system as landlords and were seen as an engine for change and development. The revenue collection was so organized that they would naturally press for agricultural development: they paid their tax in advance and this was fixed permanently per village. Hence, once the revenue was settled, all increase in produce would be to the advantage of the landholders. If a landholder could not meet the revenue demands, his lands were put up for sale to someone capable of meeting the obligation. The new system of administration was based on the idea that the British government should not interfere in or regulate Indian society too much. The juridical and institutional framework made this unnecessary; development would come naturally and autonomously under these just circumstances. This so-called permanent settlement was passed in Parliament in 1793 and put into full effect from then on.[580]

The audience at home was content, for India was now ruled in a just and proper manner. This stood in contrast with the West Indies, where slavery was still a stain on the British Empire. India now functioned as a counterexample, where British rule was just and proper. Peter Marshall has aptly described how, for the next several decades, abolitionism diverted attention from India in the course of the 1790s. He shows how after 1793 India was not only seen as an example of morally good colony, but that in contrast to the 1780s, the conquests in India, in particular those made by Wellesley, added to the national pride. The focus of moral liberals in Britain remained on West Indies until the 1820s.[581] In India itself, however, the functioning of the permanent settlement was a matter of debate. On the one hand it was argued that the government lost out on

any increase in production; on the other hand it was said that despite the high expectations, the *zamindars* were not inclined to promote agricultural improvement, but rather did their best to evade taxes.[582] This debate resulted in the development of an alternative revenue system in the Madras presidency, the initiative for which originated in India and not in Britain.[583]

10.2 *Frederick North and the Bengal reforms*

Both the Governors North and Maitland sat in Parliament in the 1790s and witnessed the reorganization of the EIC, the settlement for Bengal, and the result of the impeachment of Hastings. They could not have missed the effect of the antislavery movement on these matters and it is likely that they took part in the discussions. When North took office as governor, the Bengal system was still held in high regard. Dundas, who played such an important role in the formulation of the policies for Ceylon, had been actively involved in the administrative modernization in Bengal. It is therefore not difficult to discern parallels between the administrational developments in India and Ceylon. Clearly, Governor North was inclined towards the approach carried out in Bengal, with its emphasis on social theory and the universality of moral values. Many of North's regulations and ideas in Ceylon echo the changes that took place within the Company's organization a few years earlier. In fact, the Bengal project helps us understand North's drive for change in Ceylon.

For example, he complained of the lack of professionalism of the civil servants, which he sought to improve by raising their salaries and organizing their pensions. He did his utmost to make sure that a colonial career in Ceylon became an attractive one. Dundas encouraged him in this matter: "I am clearly of the opinion that the same rule of patronage and promotion should be adopted in Ceylon that I have enforced with success in India."[584] Another direct influence of the Company reforms was found in the judiciary. Dundas had instructed North to follow the Bengal procedures of registration of government regulations and to organize the supreme court after the example of Bengal. It is a striking coincidence that, when from late 1799 onwards, North zealously started to reform his administration, Governor-General Wellesley decided to export the Bengal system of rule to Madras.[585] Is this what directly inspired North, or possibly reinforced his confidence?

In any case, the major judicial reforms began after personal communication with the governor-general and on the advice of the chief justice Edmund Carrington who had come from Bengal and knew the system. It was in this context that North separated the judiciary and the revenue

departments. As in Bengal he wished to divide their powers and make sure that the collectors were supervised properly in order to secure the property of the peasants. At the root of North's policies lay the idea that security of property through the application of British institutions was the best means to achieve improvement, again based on the Bengal model. To provide for the proper administration of justice, North wanted to appoint professional European judges in Ceylon after the Bengal example, not only in the supreme court but in all courts, which is why he dismissed the native *landraden* and installed the provincial courts. He also intended these to be run by British professionals rather than by the collectors and native headmen.

It is important to realize that in contrast to what is usually thought, North's reforming zeal was not unique, but fitted the spirit of the time. This also explains why he met with little opposition from home, despite the extra expenses incurred for the new judicial system. Dundas totally agreed with North's new plans for the judiciary, and repeatedly instructed him to follow the practices in Bengal.[586] The only obstacle North met was that he never got the professional judges for the provincial courts that he had asked for. Hobart, who had succeeded Dundas in March 1801, opposed their despatch for the simple reason that they would be too expensive. The administration of justice finally had to make shift with some of the civil servants that were sent out by Dundas.[587]

The reorganization of the revenue department carried out under North, with the Revenue Board henceforth controlling the agents, should be seen as part of the same effort to control and prevent abuse. And like the judicial system it was copied from the system developed on the subcontinent, and again Dundas concurred with this move and had actually instructed North in 1801 to organize the revenue department in this manner.[588] North's land policies were likewise inspired by the settlement in Bengal although there were signficant differences. The service tenures formed a particular problem, because these did not exist as such in Bengal, and they certainly stood in the way of the improvement of society as envisaged by North. In line with the current mode of thinking about property and free labour, North was certain that the people would work much harder and produce more if they reaped the fruits of their labour.

In 1803, two years after he had abolished the service tenures, he advocated the institution of a permanent settlement per proprietor rather than per village as had been the case in Bengal. After every purchase of land, a settlement was to be made for the term of possession. During that term all improvements would be to the profit of the proprietor.[589] Whereas for the rule of law, North had copied directly the instruments developed in Bengal, in the case of the revenue administration he came up with his own adjustments which were based more on theoretical ideas than on

practical experience. In relation to the ideal of free labour, North's attempts to forbid the importation of slaves and enslavement on the island, and his efforts to improve the position of slaves in relation to their masters have to be mentioned too. Unlike in the Dutch period, the evidence of slaves was admitted in court to protect them from abuse. By abandoning caste servitude on the island, the low castes in Jaffna, the *Nalluas* and *Palluas*, which had been held in virtual slavery by their caste obligations towards the higher castes, were freed from these bonds.[590]

The similarities with the Bengal system and the adoption of rule to the current ideals explain why North had a high reputation in England, where the Bengal reforms had been applauded and were in fact contrasted with the West Indies as a good example of proper and just colonial rule. It also shows that North was not the exception in colonial policy that he is often shown to be; in fact he fitted in well with the political tendencies at home. This also explains why, despite Maitland's very severe criticisms of North's administration, North was not reproached for his rule on Ceylon. The criticism did not even hamper his career: in fact, "London" stood up for North after the complaints of Maitland:

> Lord Castlereigh has not entered into the discussion of your charges against Mr North's administration. The chief expences seem to have originated entirely from the war and are solely attributable to it. His government previously does not seem to have been otherwise than economical, and you do full justice to his high honor and integrity.[591]

The same is true for North's reputation in the history books. He gained the sympathy of historians because his moral approach appealed to them. Men like Colvin R. de Silva and H.A.J. Hullugalle attribute his radical zeal to his youthfulness, and praise his intentions.[592] North's legacy in the historiography has reinforced the image that there was an absolute difference between Dutch and British policy. The Dutch government is seen as part of the *ancien régime*, that of the British is seen as influenced by modern traits. Moreover, because Maitland reversed many of North's measures and returned to the Dutch regulations, his rule is also considered reactionary and conservative.

Now that we have established that North was less exceptional than he has been portrayed, we may turn to the question of Maitland's motives. How did Maitland's policy relate to that of the Dutch in their last decade on Ceylon, and how does it relate to the developments in India? Like North he had witnessed the reorganization of the EIC, while in Parliament he had opposed Hastings and revealed an anti-expansionist attitude. As an officer in San Domingo in the late 1790s he had also witnessed the slave-liberation and the subsequent civil war.[593] As we shall see, developments in Maitland's day actually had a more progressive outlook than is usually assumed.

10.3 *Maitland and the return of the European despot*

When Maitland was sent out to Ceylon, he was urged to economize and make the colony financially healthy. Under the pretence of cutting expenses, he overturned the whole administrative establishment by reforming the revenue and judicial departments. He abandoned the principle of spreading government power over the various institution, and did away with the controlling mechanisms installed by Governor North in the Revenue Board. All power of government was now integrated in the functions of the collector, who acted as overseer of agriculture, revenue collector and judge. The provincial courts were discontinued and the *landraden* re-established, with the collectors as presidents and native headmen as judges. Moreover, Maitland restored the service tenures and caste obligations. In all, his reforms ran contrary to those of North and by extension to the ideals underlying the Bengal administration.[594]

Maitland was certainly not ordered by his superiors to take this course of action. Nobody had demanded it from him, and in fact the metropolis was not all that happy with Maitland's reforms. We already saw that Castlereigh criticized Maitland for expressing his negative opinion of North's administration. In other despatches, we find that Castlereigh opposed the re-establishments of the *landraden*, and that he wished to keep judicial power in the hands of European judges instead of with the *mudaliyārs*. He was often wary of the reforms that Maitland initiated, but realized that there was not much he could do about because of the distance and lack of local knowledge and because the Napoleonic wars occupied most of his time and attention.[595] For example with regard to the service tenures, the only aspect of North's policy that London had had reservations about, but which had been approved of anyway after enthusiastic reports from North, he wrote disapprovingly to Maitland: "With respect to the land rents we cannot form here a judgement upon the subject but we hope the line you have taken is the true one and permanently true."[596]

The question thus remains, why did Maitland make so many amendments in the colonial administration while risking the criticism of his superiors? The following quote, from Maitland's despatch to Lord Castlereigh on 13 Janyary 1806, has been cited often as a distillation of Maitland's criticism of North's policies: it is an eloquent remark made by Maitland in one of his first despatches in which he dealt with effects of North's abolition of the service tenures.[597]

> By the explanations I have already given, your lordship will perceive that the tenure on which land rested here, is not peculiar to the island, but exactly the same with what exist in every country in the world in a certain state of society; or in other words, that there being no money in the island to pay for

> the protection afforded by government, the subjects under that government agree to pay for that protection by a certain portion of their labour – The same was the base in England; the same is the base still in the more barbarious parts of Europe.
>
> If this be true, we need not look to the island of Ceylon, but exemplify what has happened here by a reference to our own country, and I think your lordship will agree with me upon reflection that it would have been a most strange and unaccountable measure supposing it possible, when we were in this state of society, if one of the ancient barons had pulled out of his pocket Adam Smith, and said, I will apply to you vassals whose situation renders it impossible to carry it into effect, all the rules and regulations laid down by him for society in the last state of civilization and wealth.
>
> Your lordship must be well aware of the natural progress from the state of society of which I am now treating to complete civilization, and the concomitant change that takes place as civilization advances in the situation of the subject towards the sovereign.[598]

The contrast between the sudden changes of which his predecessor and his own practice of encouraging moderate change was repeatedly emphasized by Maitland and turned into his pet notion. Here too, Maitland strongly contrasts his own, practical approach, with the abstract and theoretical approach of North's policies. However, it needs to be pointed out that he does not reject the essence of North's motives, namely to stimulate the progress of society, nor does he criticize the value of the work of Adam Smith. Rather, it seems that both were as much influenced by the writings of this enlightenment philosopher and the general views on progress that were popular at home. The difference in their approach towards the concept of progress lay in the question how and on what timetable this progress could be achieved.

Interestingly enough Maitland insisted that his reversal of North policies on the service tenures and bonded labour was carried out not only because it had caused chaos in the inland administration, but more important because they had undermined the principle of security of property and thus driving down the value of the land:

> It appears however that of late years, measures have been adopted inapplicable to the situation of the country, shaking in a considerable degree the tenor on which various species of property rested, and destructive of the police and the tranquility of the people. The most valuable property in that district consist partly in land and partly in a right to servitude possessed by persons of higher castes over those of inferior; viz the Covia Nallua and pallua castes, approximating nearly to a state of slavery.
>
> The proprietors' titles to both these species of property have been rendered obscure and uncertain; their rights to land by the introduction of a new plan of registration and by the means which have taken to enforce it; the right to servitude of persons of the lower castes, by the decisions of provincial courts and the abolition of those regulations which under the former system secured to each proprietor the particular services that from

> immemorial custom he was authorized to expect from those of the inferior castes bound in service to him, and he was equally bound to support.[599]

In the view of Maitland, North had looked too much for theoretical inspiration to reach this goal, without taking local circumstances into consideration, and he therefore made the mistake of commencing reforms for which the native society was not yet ready. Maitland felt that progress would come naturally to a society if it was ruled fairly and justly. In the above quotations, he clearly expressed his belief that the type of government should suit the stage of development society was in. He did not deny the universality of moral behaviour, but he found such behaviour in the responsible rule of the collector and the governor, rather than in property laws and other judicial principles. Thus, Maitland was motivated by ideological precepts and intellectual discourses at home just as North had been. One may therefore wonder whether the merely conservative and pragmatic reputation that historians have allotted him is correct.

His instructions for the collectors of Matara and Jaffna written up about a year after his arrival may give the best impression of Maitland's ideal of the strong collector. He started his instruction for the Jaffna collector by criticizing the previous practices: "It would appear that hitherto the common duties of an agent of revenue and commerce have been considered to be limited to a residence in the chief town of his district."[600] In contrast he instructed the collector that:

> You will therefore consider it as a primary part of your duty to visit every part of your district so as to be able to give government an opinion not obtained from hear-say or from black-intelligence; but from personal knowledge of the state of all the churches and provinces in your district and of the characters of the headmen […], and of all other persons possessed of influence and talent in those districts.[601]

The collector was to make a circuit once every three months and to report to the governor and held extensive criminal and civil jurisdiction.[602]

The idea was that through direct control, the power of the native headmen could be broken and that the peasants would be protected from their vexations. Had it not been for them, the country would have been in a much better state, Maitland argued:

> The power originally possessed by this class of persons was at all times a matter of extreme jealousy during the Dutch government, and the means they employed to diminish it in different ways and at different periods was various and extensive. It does not however appear they ever succeeded even to their own wish and there is the strongest reason to believe that the present uncivilized state of the island, possessed as it had been upwards of three centuries by Europeans is much owing to the continuance of their authority subversive of every amelioration and improvement and acting in the strongest sense of that time distinctly as an imperium in imperior.[603]

Maitland's instructions for the collector of Matara have been used by other historians to point out his pragmatic attitude, however from the above quotation, a distinct ideological motive is clear. Maitland did not blame the Dutch for the bad state of the country, but saw the headmen as the negative factors and as the ones who had obstructed progress. In fact, in the early years of British rule, their power had only increased, with the deterioration of the affairs on the island as a result. They were the ones who had to be kept in check, and this could only be done through the personal power of the collector. In the instructions for Matara and Jaffna we find particular information on the power relations between the headmen in the districts, the family connections and the religious institutions, and instructions on how the collector should deal with them. Maitland proposed to make use of the jealousy that existed between supporters of the various temples, and by singling out the least powerful temple, the power of the other was checked. He advised to do the same with the Buddhist orders in Matara.[604]

We already saw that Maitland made sure that he was well-informed about the general situation of the island. Schneider researched the actual state of agriculture and the villages. Alexander Johnstone made extensive tours through the interior to study the judicial circumstances and the application of the native and Dutch laws. Jacob Burnand wrote extensive treatises on the judicial organization in the Dutch period, the headmen system and a variety of other subjects.[605] All these activities bear witness to the real interest Maitland had in the state of the country and his ideas about how to rule the country on its own cultural terms and at its own pace. Maitland took an even broader view, in fact, and in 1807, after Johnston had toured through all the districts of Ceylon, Maitland sent him to Madras to compare Ceylon to the situation there.[606] The connection with Madras should be elaborated upon a bit, because at the same time Thomas Munro was promoting a form of colonial government that had many elements in common with that of Maitland, which reinforces the idea that Maitland was influenced by something more nuanced than mere pragmatism.

10.4 *Simultaneous trends in Madras*

Thomas Munro administered the "Ceded Districts of Madras" from 1800 to 1807. The region had been in the possession of the Nizam of Hyderabad and was ceded to the British as remuneration for the costs of subsidiary forces stationed in Hyderabad. Governor-General Lord Wellesley had decided in 1799 that Cornwallis' Bengal regulations had to be put into effect in all the districts of Madras. However, soon after his arrival in

the Ceded Districts, Munro concluded that a permanent or *zamindari* settlement was not a viable one for this region. The *poligars*, native officers who had gained regional power in exchange for their mercenary activities for the Nizam, were chosen to fulfil the position of *zamindar*, even though in the previous years, during the wars the British had done their best to annihilate their power. Munro did not entirely refute the basic principles of improvement underlying the settlement of Bengal, but he argued that rule in India should be based on direct knowledge of how society functioned, and not on ancient texts. Through his personal experiences with the *poligars* and investigation into the local circumstances of the Ceded Districts, namely the former practices of revenue collection, modes of land possession and practices of the administration of justice, he chose to develop an alternative system. In 1805 and 1806, a debate flared up between Munro and the governor of Madras, Lord William Bentinck, which resulted in extensive writings on the part of Munro to convince his superiors of the propriety of his alternative system of rule.[607]

The system Munro proposed for the ceded districts was based on an authoritarian form of rule, central to which was direct contact with the *ryotwar*, the peasant. In contrast to the Bengal system, there was no place for the native headmen in the system. The *poligars*, who had held villages in return for military services from the time of Vijayanagar, were considered by Munro to be responsible for the arrested development of the region and had to be removed from power as much as possible. British enlightened despotism was legitimated by India's peculiar historic development; or to put another way, India's stage of development at that moment called for enlightened despotism.

At the center of this system was the collector, who was seen as a father raising and taking care of his children who needed guidance while growing up. In other words, the function of revenue commissioner and judge that were so carefully separated in Bengal, were in Madras combined in the function of collector. Taxation was based on individual assessment, which took into account the quality of the soil and location of the fields and could be adapted to fluctuations in crops and agricultural activity. As a result, large surveys were undertaken to measure all the fields and make assessments of the agricultural produce. Native agents were used to execute this and to collect the revenue. Property was secured through the proper rule of the collector. The judicial power invested in him speeded up cases against those who collected the revenue. The lower levels of the jurisdiction would be in the hands of the native agents of the collector, since they were best acquainted with the common laws and practices in the region.[608]

On the surface the Munro system has strong similarities with that of Maitland. This accounts in particular for the central role of the collector

as revenue agent and judge, and the native engagement in the administration of justice. Also, the response of Munro's superiors was quite similar to that of Maitland's superiors: Governor Bentinck was quite easily convinced that a *ryotwari* settlement could be more fruitful than a *zamindari* settlement, but he was against the fusion of judge and collector in the same person and the engagement of native agents in the judiciary. In London most people were against the new system at first, for the same reasons. However, within a few years the sentiment turned around, and by 1813 the Munro system was fully put into practice, including the judiciary elements. In fact it became the basic system of government for most of the new British territories in India.

Historians still argue about the effects of both the *zamindari* and the *ryotwari* settlements, how they functioned in practice and whether or not they caused major changes in society. It is generally assumed that Cornwallis' and Munro's mindsets did not differ a great deal. Despite their different emphasis, in essence the two systems were not so different in outlook. Both agreed on the idea of progress in society and the singularity of India's situation. Abstinence of direct interference with society stood central, the role of the British was mainly to trigger the progress of Indian society, not to enforce it. The difference lay in their respective emphases, on institutional changes to stimulate the natural development of society in the case of Cornwallis, or personal influence to achieve the same in that of Munro. The universality of British legal institutions was not questioned by Munro, but local society was not ready for it yet. The concepts of just rule and improvement stood central to Cornwallis as well as Munro. The major difference between the two was their confidence in the capabilities of the British officials. This confidence was lacking in the 1790s, but was gradually restored in the 1800s.[609] The outlook common to both Munro and Cornwallis was fundamentally different from the one developed in the 1820s by the Utilitarians. At the outset confidence in British superiority already played a major role, but not the 1830s when Utilitarians argued that India could only succeed if it became British in a cultural sense as well did it lead to a radical assimilation policy.[610]

The connection between the policies of Maitland and Munro shows that in contrast to what is usually assumed, Maitland's policies were inspired by ideology and were not merely the work of a conservative and pragmatic bureaucrat. Central to his evaluation was the idea that Ceylon was different from Britain and had to be ruled according to its own situation and stage of development. This is the ideology that speaks out of the quote from Maitland's despatch to Castlereigh discussed at the beginning of this section. This made it possible for Maitland to even accept such "unenlightened" aspects of native society as the service tenures. It meant the reversal of a lot of measures that North had taken and a denial of

many of the celebrated Bengal principles. The early British administration on Ceylon did not stand central to the debates in England regarding the administration of the colonies, but it lifted on the same waves. The British governors on the island were much influenced by the developments and discussions at home and in the other colonies, and were thus clearly British in their colonial ideology.

10.5 *Maitland and native headmen*

Munro's *ryotwari* system and authoritarian, paternal, rule concurred broadly with Maitland's ideas and explains the difficulty Maitland had with the Sinhalese headmen who did not fit in this ideal. Just like the *poligars* in the ceded districts, these men stood in the way of development and had to be removed. In Ceylon, however, this was no simple job. They could not be done away with easily, without fear of revolt. Maitland limited the power of the headmen by taking away from them the responsibility of collecting taxes. However, in the management of the fields and, more important, in the management of labour in the maritime districts, they remained central figures. Maitland believed that in the long run strict supervision by the collector and a decrease in official appointments would diminish their powers.[611]

Maitland's attitude towards the headmen in the southwest was essentially different from that of the Dutch. Because of his ideological preoccupations, he could not even think of reaching a joint interest between government and the headmen in the island's exploitation as had Van de Graaff managed to do. He was aware of the Dutch private dealings with the headmen in the past, and could have continued on the same path, if not in the form of private engagements then in that of government engagements. Instead, Maitland wanted to encourage European enterprise on the island. This had been forbidden by Dundas who felt that Europeans settlers would be corrupted by the Asian context. However, in this time of new ideologies, when European qualities were once again contrasted with the corrupt ones of the natives, Maitland received approval for his idea. The introduction of European entrepreneurs was in Maitland's view the best way of improving agriculture, without disturbing peace and order, and without oppressing the peasants.[612]

Considering the fact that Maitland had a distinct ideological agenda for achieving progress in Ceylon which differed from those of both Governor North and the Dutch, it is curious that he is always described as a conservative governor who reverted to the Dutch system of rule. That reputation can be explained by the fact that the Dutch period was given a special and in a way sound-board position in Maitland's discourse. Jacob Burnand played an important role in the creation of that Dutch image.

10.6 *Conclusion*

It seems that the Dutch and the British on Ceylon were both affected in some way by the new ideas on political economy that had developed in Europe in the course of the eighteenth century. Their vision of society as trapped in a low level of development but capable of improvement have striking similarities. They found the situation on the island matching the descriptions in learned books. However unlike their British successors, the Dutch did not have an agenda about how to improve the situation on the island and bring the natives to what they called a higher degree of civilization.

There were clear differences between Dutch and British perceptions of good rule and progress and development on the island. These were directly related to the intellectual climate and political developments at home. The influence of Parliament in London and the increase of moral interference with colonial affairs, be it the rule of Bengal or the position of slaves in the West Indies, are exceptional. As a consequence, intellectual and political discussions on proper colonial rule were a common feature of the British politicians and high officials. This element was virtually absent in the Netherlands, where Parliament had no role in colonial affairs until 1848.[613]

The difference between Dutch and British colonial outlook lay not just in the absence of a clear formulation of Dutch ideals. In the field of law and personal freedom, the Dutch and the British held very different opinions. The Dutch left the rule of law to the natives, whereas the British saw jurisdiction as the major instrument of progress and development and kept it in their own hands. Free labour was a prerequisite to progress, and even if only temporary use had to be made of the system of service tenure, its abolition had to be encouraged. This opinion is totally absent among Dutch authors with the possible exception of Burnand. It is important to note that the same considerations played a role in Stamford Raffles's administration of Java, which shows how much Raffles owed to the prevailing ideology in the Britain of his day, something that Dutch historians tend to underestimate.

The image that Burnand created of the last Dutch rulers as enlightened and authoritarian, and which is captured in the writings of Anthony Bertolacci, Thomas Maitland, and Alexander Johnstone, reflects perhaps more the image of his own practice in Batticaloa and the ideas he had developed since the British take-over, coincidentally he had adapted this picture to Maitland's ideals. This certainly suited Maitland, because as with most regime changes, the need to achieve stability, peace and order forced him to claim a return to the proven results of the former, in this case, Dutch regime. By adopting the image of the former regime to his

own ideals, by stressing its stability, experienced and what he called "enlightened" background, Burnand legitimated Maitland's own course on the island, based on his ideas about the progress and development of societies.