



Universiteit
Leiden

The Netherlands

An empire in disguise: the appropriation of pre-existing modes of governance in Dutch South Asia, 1650-1800

Schrikker, A.F.; Sur, B.

Citation

Schrikker, A. F., & Sur, B. (2023). An empire in disguise: the appropriation of pre-existing modes of governance in Dutch South Asia, 1650-1800. *Law And History Review*, 41(3), 427-451.
doi:10.1017/S0738248022000554

Version: Publisher's Version

License: [Creative Commons CC BY 4.0 license](https://creativecommons.org/licenses/by/4.0/)

Downloaded from: <https://hdl.handle.net/1887/3590272>

Note: To cite this publication please use the final published version (if applicable).

INVITED ARTICLE

An Empire in Disguise: The Appropriation of Pre-Existing Modes of Governance in Dutch South Asia, 1650–1800

Alicia Schrikker¹ and Byapti Sur²

¹Leiden University and ²Thapar Institute of Engineering and Technology
Email: a.f.schrikker@hum.leidenuniv.nl

Abstract

This article presents an analysis of the paper- and office work at two South Asian corners in the early modern Dutch empire. The article engages with current approaches to the histories of bureaucracy and empire that emphasize the lived experience of “paperwork” in order to gain a localized understanding of what constituted empire. The article focuses on the production and use of *pattas*, *olas*, and *thombos* in the offices of the Dutch *zamindar-fiscaal* in Chinsurah (Bengal) and the Dutch *disāva* in Jaffna (Sri Lanka). Dutch bureaucracy in these spaces was entrenched in local practices, and created through processes of layering and blending, as evidenced by material and linguistic characteristics. The deeds and registers recorded essential aspects of life such as labor, marriage, and transactions of property, and the article shows how such paperwork mattered to villagers in Chinsurah and Jaffna. The production of the deeds and registers itself could include a public spectacle, and we argue that this performative aspect of the local bureaucracy added to the perceived relevance of the paperwork. Furthermore, through an analysis of legal cases we reconstruct the use and abuse of these bureaucracies by Dutch officials and local inhabitants, which signifies a parasitical relationship that is characteristic of so many imperial and colonial spaces. Through a focus on the local bureaucratic practices, the authors shed new light on questions about the character of the Dutch empire, where things never turned out to be exactly as they appeared at first sight.

At the core of this contribution lies the paperwork produced in the eighteenth-century offices of the *zamindar saheb fiscaal* in Chinsurah, Bengal and the *disāva* in Jaffna, Sri Lanka (Ceylon). Although the vernacular titles might suggest that we would be dealing here with Bengali and Tamil or Sinhalese bureaucracies, the officials holding these offices were actually Dutchmen. These Dutchmen held the rank of (junior) merchants within the organization of the Dutch East India Company (VOC). Certainly when looked at from the present day,

© The Author(s), 2023. Published by Cambridge University Press on behalf of the American Society for Legal History. This is an Open Access article, distributed under the terms of the Creative Commons Attribution licence (<https://creativecommons.org/licenses/by/4.0/>), which permits unrestricted re-use, distribution, and reproduction in any medium, provided the original work is properly cited.

these offices are sites that confuse: in the early modern imperial contexts, people, offices, and functions were not what they appeared to be at first sight; in other words: a Dutchman, sent out as *koopman* (merchant) could in practice be *zamindar* and rule as a village chief and magistrate or if he was a *disāva*, he would act as a judge, police magistrate, and tax-collector at once.

Offices like those of the *zamindar fiscaal* and the *disāva* form perfect spaces to rethink what constituted empire in the early modern world. These offices were essentially bilingual spaces, where scribes produced and translated paper and palm-leaf documents in different languages. Land grants, title deeds, verdicts, registers of *corvée* services were the types of paperwork that mattered to people locally, whether they were local peasants, merchants, or Dutch officials. When visiting the offices of the *zamindar fiscaal* or the *disāva*, local men and women entered the world of the VOC, an empire that encompassed distant places such as Amsterdam, Cape Town, Batavia (Jakarta), and Deshima in Japan. Yet the language they used in these offices, when addressing empire, was, more often than not, the local vernacular. In the early-modern Dutch empire things were not what they appeared to be at first sight.

In this article, we analyze the ways in which the tentacles of the Dutch empire penetrated village life in South Asia, in particular the villages surrounding Chinsurah and Jaffnapatnam. We call these spaces the “fringes of empire,” because even if colonial activity and interaction there was intense, it was peripheral to the initial central aims of the Dutch empire. While the core business of the VOC was trade in spices and textile, their personnel was often engaged in all sorts of more mundane imperial business. In the villages of Jaffna and Chinsurah, we witness the initial transformation of the VOC from a trading corporation to a land-based empire, along lines similar to those of the English East India Company (EIC). The difference is of course that with the bankruptcy of the VOC in 1799, the Dutch empire crumbled and eventually disappeared from the South Asian stage. Yet prior to the dismantling of the VOC, the Dutch became entrenched in bureaucracies of land management, a process that was not peripheral or incidental, but rather symptomatic of a broader transition from commercial to land-based empires.

And therefore, during the century prior to its bankruptcy, Dutch merchants, disguised as landlords, police magistrates, and tax-collectors, were holding an empire together that was otherwise fragmented, and in their operation they relied heavily on pre-existing bureaucratic practices. In their offices, the *zamindar fiscaal* and the *disāva* produced the type of paperwork that generally remained invisible to the central officers who steered the VOC, primarily the directors in Amsterdam and the High Government of Batavia. This part of the Dutch overseas presence has been subsequently overlooked by the historians of the Dutch empire.

It is only recently that historians have seriously undertaken the task of studying the Dutch empire as a historical entity. In a recent article, Catia Antunes provides us with a historiographic explanation of the late “discovery” of the Dutch empire among historians. The Dutch Companies, the VOC (and West India Company or WIC for the Atlantic) were generally studied from the perspective of business history. At the same time, the local processes of

contact, economic extraction, warfare, and colonialism were mainly viewed from the perspective of the national histories of the respective regions where the Dutch left a lasting imprint, such as Indonesia, South Africa, and Surinam. Cátia Antunes' call for an all-encompassing understanding of the Dutch empire goes hand in hand with questions about Dutch imperial ideologies and characteristics. Antunes, along with Arthur Weststeijn and others, conceive of the Dutch empire as being driven by a company-state. They base their analysis on legal strategies and debates in the Dutch Republic at the time, as well as on the global performance of the Dutch companies.¹

In contrast, Piet Emmer and Jos Gommans recently presented a very different approach to the Dutch empire. They criticize the new emphasis on the empire as being driven by general Dutch imperial strategies. Instead, they argue that the Dutch empire should be understood as a "rather fluid conglomerate of overseas activities based on an amalgam of very different rights and privileges managed by a relatively small circle of Dutch regent families."² They emphasize once more the mercantile essence of the Dutch empire. As a consequence, they view the imperial relations that were forged in the process and the emerging forms of colonialism as a mere byproduct of the company's commercial aims and subsequent local entanglements. In contrast to scholars like Antunes and Weststeijn, they reject the notion of the company-state.³

The local bureaucracies we present as case studies in this article do not neatly fit either side of this debate. On the one hand, they do represent localized forms of rule that might fit better with the observation of Emmer and Gommans that the Dutch empire was a "fluid conglomerate." At the same time, these bureaucracies very clearly represent the state-like character of the company, which is manifested in its daily operation overseas rather than at its center in the Dutch Republic. The company as a "fluid conglomerate" absorbed local bureaucracies and law throughout its empire, but it did so in very diverse manners. The case studies of Chinsurah and Jaffna illustrate precisely this slippery character of the Dutch empire that makes it so difficult to be grasped through a single model. Perhaps the Dutch empire can best be characterized as a chameleonic entity: it had the outlook of a commercial empire, but usurped governmental duties and rights; at times its adaptive and reactive

¹ Cátia Antunes, "From Binary Narratives to Diversified Tales Changing the Paradigm in the Study of Dutch Colonial Participation," *TVGESCH* 131 (2018): 393–40; Cátia Antunes, "Birthing Empire: The States General and the Chartering of the VOC and the WIC," in *The Dutch Empire Between Ideas and Practices, 1600–2000*, ed. René Koekoek, Anne-Isabelle Richard and Arthur Weststeijn (London: Palgrave, 2019), 19–36; and Arthur Weststeijn, "The VOC as a Company-State: Debating Seventeenth-Century Dutch Colonial Expansion," *Itinerario* 38 (2014): 13–34. See also more broadly Cátia Antunes and Jos Gommans, *Exploring the Dutch Empire: Agents, Networks and Institutions, 1600–2000* (London: Bloomsbury Academic, 2015); René Koekoek, Anne-Isabelle Richard, and Arthur Weststeijn, *The Dutch Empire between Ideas and Practice, 1600–2000* (London: Palgrave Macmillan, 2019); and René Koekoek, Anne-Isabelle Richard, and Arthur Weststeijn, "Visions of Dutch Empire: Towards a Long-Term Global Perspective," *BMGN - Low Countries Historical Review* 132 (2017): 79–96.

² Pieter C. Emmer and Jos J.L. Gommans, *The Dutch Overseas Empire, 1600–1800* (Cambridge: Cambridge University Press, 2021), 3.

³ *Ibid.*

capacities on the ground gave the empire a highly localized character, but when looked at up close, its performance was never just local.

Over the past years, local bureaucracies in South Asia have been a subject of study among historians of the Mughal and British empires. The work of Bhavani Raman and Miles Ogborn on the role that local scribes in company's service had in the shaping of law and bureaucracy has been highly influential. Nandini Chatterjee's work on Persianate record-keeping traditions in both the Mughal and British spheres has helped in understanding how cultures of bureaucracy persist over time and can carry trans-imperial characteristics.⁴ Our analysis of the local entrenchment and of Dutch imperial bureaucratic practice draws from their sensitivity to vernacular practices of rule.

Furthermore, our focus on the production and the daily use of Dutch imperial paperwork speaks to broader questions about the workings of global empires. In the words of historians Crooks and Parsons: "bureaucracy played a role in providing empires with a means of articulating social power and marshalling resources in regions remote from the imperial core." What they propose is a view of empire from the inside that brings to life "the 'lived experience' of imperial bureaucratic rule, the identity of bureaucrats, the role of bureaucracy in shaping historical memory and creating a shared imperial space, and the social and ideological impact of bureaucracy on subject peoples."⁵ Such an approach helps in understanding the workings of Dutch imperial bureaucracy from its daily operation in South Asia.

Our analysis of the paperwork in Chinsurah and Jaffna then seeks to understand the more mundane meaning of paperwork within the context of the Dutch empire. We will first map out and compare the record-keeping traditions in the two regions. This will particularly focus on two themes: first, the character of land administration in both areas through an analysis of the bilingual *pattas* from Bengal and *olas* and *land-thombos* of Jaffna. Second, we will look at the process of *doing* bureaucracy in the village: who was involved, what languages were used, and what ritual practices encompassed the bureaucratic administration. In both cases we will underline the importance of lineage in the shaping of imperial bureaucracies. At the same time, the comparison reveals substantial differences in forms and degrees of bureaucratic blending that took place in both places.

In the third section, we will address the performance of village bureaucracy in both regions through an analysis of civil cases and disputes that were brought before the village tribunals called the *katcheri* and *landraad*. The cases show that while some villagers used the colonial bureaucracy to their advantage, the same institutions became a hotbed of abuse of power by

⁴ Miles Ogborn, *Indian Ink Script and Print in the Making of the English East India Company* (Chicago: University of Chicago Press, 2007); Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012); and Nandini Chatterjee, "Mahzar-namas in the Mughal and British Empires: The Uses of an Indo-Islamic Legal Form," *Comparative Studies in Society and History*, 58 (2016): 379–406.

⁵ Peter Crooks and Timothy H. Parsons, "Empires, Bureaucracy and the Paradox of Power," in *Empires and Bureaucracy in World History: From Late Antiquity to the Twentieth Century*, ed. Peter Crooks and Timothy H. Parsons (Cambridge: Cambridge University Press, 2016), 3–28.

individual Dutchmen and local powerholders. Use and abuse are two integrative forces that were intrinsically bound up in these layered histories of South Asian village bureaucracies and expanding colonialism. And as such they contributed to the shaping of the Dutch empire.

Bureaucratic Entrenchment in Dutch Bengal

The Dutch Zamindar Fiscaal Saheb in Bengal and the Bilingual-Pattas

The three villages of Chinsurah, Baranagar, and Bazaar Mirzapur were leased out to the VOC toward the end of the seventeenth century. Chinsurah fell under the *pargana* of the district of Arsa, Baranagar was under the authority of the region of Calcutta, and Bazaar Mirzapur fell in the area of the *pargana* of Bakshbandar.⁶ This was officially approved by the *firman* granted by the Mughal Emperor Aurangzeb to the company in 1662, which was supplemented by the *parwana* of Shaista Khan.⁷ According to the Dutch translation of this *firman*, the company was to pay the usual land revenue for the villages leased (*grondpacht*) and the count of houses and the amount was to be ratified by Shaista Khan's *perwana* and the instructions of the *diwan*.⁸ The director, Louis Tallefert wrote in his *memorie* that for these three villages that specific amounts were to be paid annually to the Mughals.⁹ The "zamindari or inheritance" of Baranagar, according to Tallefert, belonged to the company's interpreter, Rameshwar, who sold it to the VOC in 1681.¹⁰ This was, he wrote, because of Rameshwar's inability to protect himself from the "vexation and violence of the Moors."¹¹

The process of acquiring these villages by the company from the Mughal state was, however, more layered than these Dutch accounts suggest. The VOC entered into a contract with the state that was approved by the *firman* of Aurangzeb through the intervention of the Mughal *subahdar*, Shaista Khan, and the *diwan* in 1662, wherein the company secured a lease over these villages in return for a stipulated sum as land revenue. Such arrangements, in the Mughal administrative space, often translated as *ijaradari* rights (*lessee*), although they could be embraced within the larger fold of intermediary *zamindars*.¹² Bearing such rights, it was the custom of the VOC not just to pay revenue to the state but also to enjoy other privileges such as maintenance of law and order.¹³ It provided an entry to the company within the administrative structure of the Mughals. But the agreement between the company and the Mughal officials was not a smooth process and often involved negotiations.

⁶ NA, VOC inv. nr. 2849, *Memorie about Bengal, Bihar and Orissa for Adriaan Bisdorn* by Louis Tallefert, Bengal, Hooghly, October, 27, 1755: f. 177r.

⁷ NA, VOC inv. nr. 2849, *Memorie left by Tallefert for director Bisdorn*: f. 176r., 177r.

⁸ For the Dutch translation of the *firman*, see NA, VOC 2849, *Memorie of Tallefert*: f. 177r.

⁹ NA, VOC 2849: f. 155v.

¹⁰ NA, VOC 2849: f. 155r.

¹¹ *Ibid.*

¹² Nandini Chatterjee, *Negotiating Mughal Law: A Family of Landlords across Three Indian Empires* (Cambridge: Cambridge University Press, 2020), 20; and Syed Nurul Hasan, "The Position of the Zamindars in the Mughal Empire," *The Indian Economic and Social History Review* 1 (1964): 114.

¹³ Hasan, "The Position of the Zamindars," 115.

This is evident from the negotiation between the company's *gomastas* and the Mughal officials over the amount to be paid as revenue, as had happened in 1686 for the villages of Chinsurah and Bazaar Mirzapur.¹⁴ There were changes in the annual rent from the villages that the VOC collected and paid to the state with every change of government.¹⁵ Taillefert wrote that later these villages were taken over as hereditary property (*onversterfelijke leen*) by the company during the time of the director, Jan Albert Sichterman.¹⁶ By the mid-eighteenth century therefore, the company had evolved as *zamindars* with hereditary rights over the villages, and they continued into the later years until the VOC ceased to operate and the British took over.

During their changing roles and power dimensions in these three villages of Bengal, the Dutch in their capacity as *zamindars* started working with the local officials to lease out land on a hereditary basis by issuing *pattas* against the payment of rent from the *patta*-holders. These *pattas* are contracts of lease or title-deeds which were issued from the Mughal times at different levels of administration and were also present at local levels throughout northern India as issued by the regional authorities.¹⁷ The *pattas* that have been studied here are those issued by the VOC for the inhabitants of the villages of Chinsurah, Baranagar, and Bazaar Mirzapur in Bengal. Over the course of years, the contents and appearance of the *pattas* changed and most of them were title-deeds that pertained to property and land. Preserved in the West Bengal State Archives and available digitally through the National Archives in the Hague, they are contained in ten bundles and include, besides *pattas*, deeds of sale, *kabuliyats*, and petitions.¹⁸ The issuing of Dutch and Bengali *pattas* are interspersed with periods in which the English East India Company took over the control of the Dutch settlements in Chinsurah and continued issuing *pattas* between 1781–84 and 1795–1818. They give us insight into the different aspects of bureaucratic blending that took place during the period of Dutch *zamindari* rule in these villages in Bengal (Figure 1).

These *pattas* usually contained information about the boundaries of land, quality and quantity of land, lease period, rate of rent, and mode of payment of rent. A typical eighteenth-century *patta* in Bengal would be written in a combination of Dutch and Bengali. All *pattas* studied here have, however, a brief English description on the cover, which was added by the British authorities after 1824 when the archives came under their possession. The entire

¹⁴ NA, VOC inv. nr. 1422, Translated missive written in Persian by the Nawab Shaista Khan to Hendrik Adriaan van Reede, June 6, 1686: f. 1256.

¹⁵ NA, VOC 1422, Translated from Persian and extracted from the missive of the Nawab of June 6, 1686 to Hendrik Adriaan van Reede from Dhaka to Kasimbazaar, December 28, 1686: f. 1256r.v.

¹⁶ NA, VOC 2849, *Memorie of Taillefert*: f. 155r.

¹⁷ For the etymological explanation of the word *patta* and its colonial presence see Chatterjee, *Negotiating Mughal Law*, 134; for local level *pattas*, see Rajasthan state archives, <https://rsad.artand-culture.rajasthan.gov.in/content/raj/art-and-culture/rajasthan-state-archives-bikaner/en/services/digitization-and-microfilming.html?q=patta#>, last accessed on February 1, 2023

¹⁸ For more information on this, see Lennart Bes, "Gold-Leaf Flattery, Calcuttan Dust, and a Brand-New Flagpole: Five Little-Known VOC Collections in Asia on India and Ceylon," *Itinerario* 36 (2012): 94–95.

A

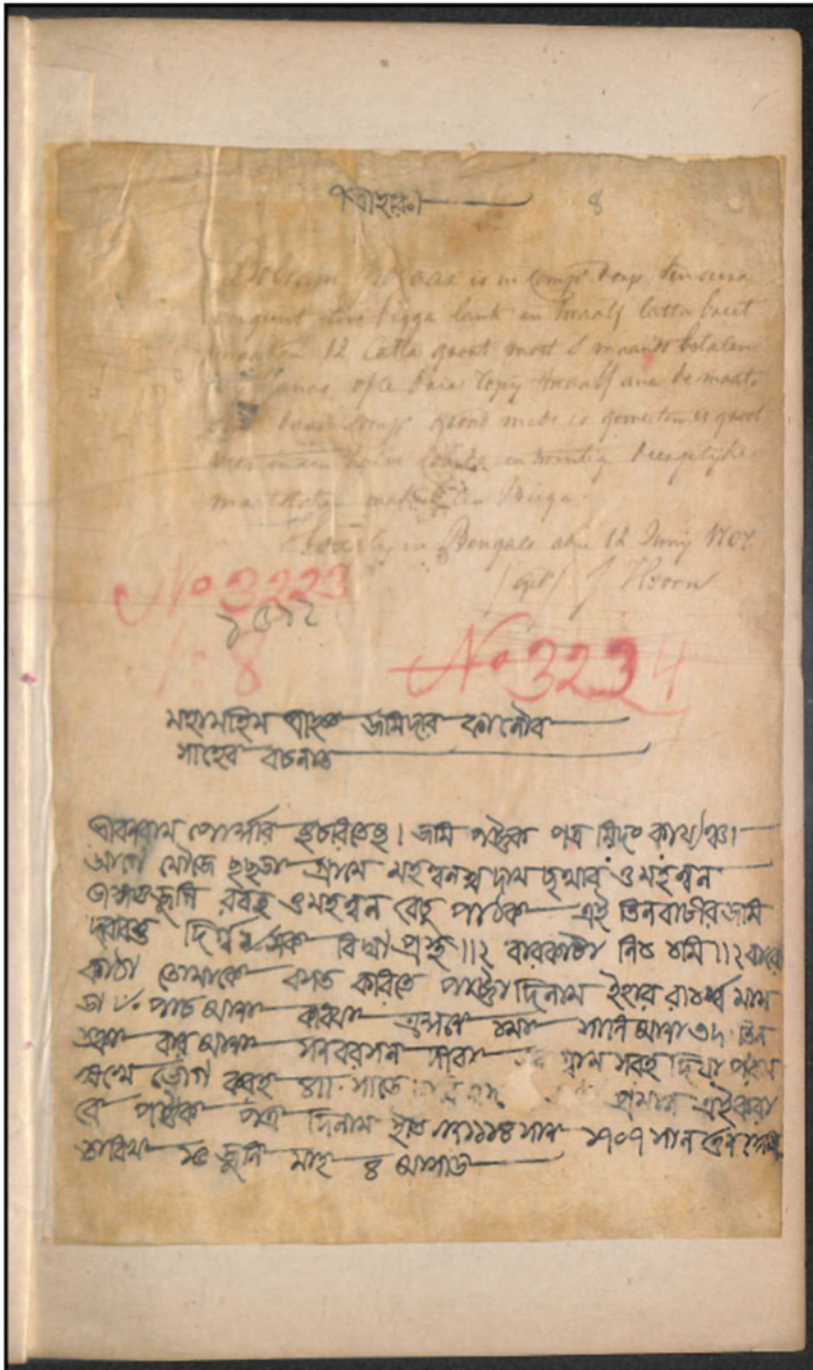


Figure 1. Two examples of Dutch-Bengali pattas. **(A)** Given to Boloram Poddar for a plot of land in mauza Chinsurah by the Dutch zamindar on June 12, 1707 (bundle 1A, patta nr. 8) and **(B)** Given to Bhabananda Bose on December 11, 1819 in mauza Chinsurah by the collector (bundle 8, patta nr. 3942).

B

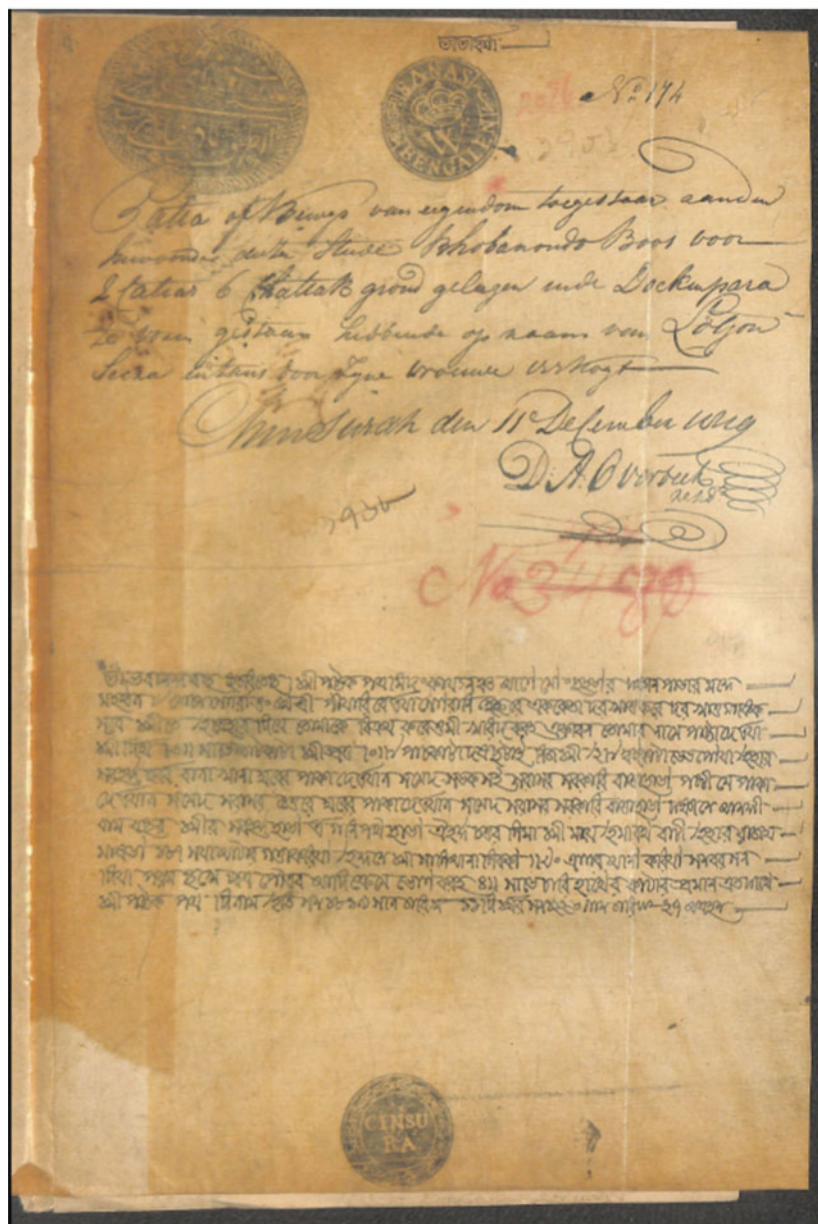


Figure 1. Continued.

organization of the *pattas* revolved around the *katcheri* of the zamindar. It was the custom for the zamindars to issue *pattas*, and the Dutch simply continued this practice. We have established that there was a *katcheri* at Baranagar and

another at Chinsurah, where the locals visited for matters related to disputes over *pattas* concerning property.¹⁹ The *pattas* were maintained for record-keeping and entered into a register, which is evident from the fact that they were numbered at the time. Some of these *pattas* bore seals, some were stamped, and others had seals drawn by hand on them. The use of seals was commonplace in the Mughal and the Dutch empire alike. Like the texts on the *pattas*, the seals were bilingual, although most of them were in Persian rather than Bengali. The hand-drawn seals were usually meant for record-keeping. There are possibly stamps that were used in some *pattas* by the Dutch in the eighteenth century, sometimes along with a Persian seal, but the stamps that cost 8 annas (a currency unit of British India that was equivalent to 1/16 of a rupee) were used under the English colonial government for land that was sold at public auctions, while later this was taken over by the Dutch with the stamp bearing the royal insignia “W” of King William I (Figure 2).²⁰

It is from these *pattas* that we come to know the way in which the Dutch perceived their position among the villagers. The Dutch officials who issued and signed the *pattas* were referred to as “*zamindar fiscaal saheb*” in the Bengali translation. For example, when the VOC official, Anthony Hardy, signed a *patta*, the Bengali translation started with the following text: “*Mahamahim sri-jukta zamindar fiscaal Hardy shaheb bochonato*” (said by Honorable zamindaar fiscaal Sir Hardy). In a report written by Willem Danckelmann to the governor-general and council in Batavia in 1781, he mentioned being in the service of the office of *dorpsmeester* and *fiscaal*. The function of the *dorpsmeester* in the Dutch Republic was equivalent to that of the *burgemeester* or *dorpmannen*, which loosely translated as “mayor” in the administrative setting of the city or village in the seventeenth century. It involved law and order responsibilities as well as taxation duties.²¹ The function of *fiscaal* in the context of the seventeenth-century Dutch Republic and the VOC can be best described as law enforcement officer or public prosecutor.²² While the English East India

¹⁹ NA, HR inv. nr. 268 II, Documents related to the charges brought against the *fiscaal* and *dorpsmeester* of Baranagar W. Baron van Danckelmann owing to extortion in alliance with the village banya Parbotti Charan Ray, Hooghly, Bengal, 1780, 1781: folio not numbered.

²⁰ West Bengal State Archives (hereafter WBSA), Kolkata, India, Records Part I, 1758–1858, F. Dutch *pattas* relating to Chinsurah, bundle 1A, *patta* nr. 20, *patta* nr. 75; bundle 2B, *patta* nr. 761.

²¹ For more information, see the website of Rijckheyt on the regional histories of the Netherlands, updated on January 21, 2023 and last accessed on February 1, 2023, <https://www.rijckheyt.nl/cultureel-erfgoed/bestuur-17e-en-18e-eeuw>

²² For the definition of the *fiscaal* in the VOC, see Om Prakash, *The Dutch East India Company and the Economy of Bengal, 1630–1720* (Delhi: Manohar Publications, 2012), 41. In the context of the Dutch Republic, it appears that the mandate of offices like that of the *fiscaal* or the *dorpsmeester* varied from place to place. The Dutch dictionary indicates that the *fiscaal* is an office related to the enforcement of laws, but the examples given refer to specific fields and institutions. For instance, the office of the *waterfiscaal* is related to the laws of trade on sea and such other administration in the Dutch Republic. It is possible that the office of the *fiscaal* acquired a new meaning in the context of the VOC. For the dictionary meaning of *fiscaal*, see <https://gtb.ivdnt.org/iWDB/search?actie=article&wdb=WNT&id=M016549&lemma=fiskaal&domein=0&conc=true>, last accessed on February 1, 2023

A



B



C

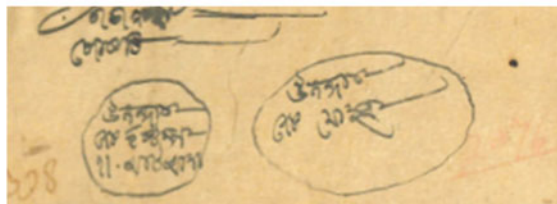


Figure 2. (A) A Persian seal and 8 anna stamp. (B) The seal of Chinsurah during the nineteenth century. (C) The hand-drawn seals with Bengali written inside them.

Company was embroiled in the debate of understanding *zamindari* rights in India in the familiar feudal context of England, the role of the *zamindar fiscaal* was comparable to that of the Dutch village administrator of the seventeenth and eighteenth centuries.²³

People in the Pattas

The *pattas* issued by the Dutch were title-deeds that granted the inhabitants of the villages of Chinsurah, Baranagar, and Bazaar Mirzapur leases of land for various purposes. As *pattas* were bilingual and were possibly worked upon by multiple scribes, the Dutch bureaucratic language when juxtaposed with its

²³ Chatterjee, *Negotiating Mughal Law*, 74.

Bengali translation provided a glimpse of their relationship with their leaseholders. The Dutch text, for instance, mentioned the measure of the land leased out in units of *kata* against the stipulated monthly and annual rent to be paid to the company. Alongside this was provided an explanation for the standard of measurement of the company's land, which was enumerated in *kata* with 20 *katas* being mentioned as comprising 1 *bigha*. Often the word used was *vergunt* (granted) by the company. In contrast to this, the Bengali text was slightly more detailed and had a personal note about the *zamindar fiscaal* leasing out land to his tenant. It contained similar information about the name, place of residence, the measurement of land in *kata* and the due amount to be paid monthly and annually. But the language resembled the style of a *zamindar* giving a *patta* to his leaseholder for dwelling on land, which sometimes contained details such as how many houses were present on the land and to whom it had formerly belonged, along with the Bengali date and year.²⁴ The Dutch official did not sign the *patta* as the *zamindar* although the Bengali translation addressed him as the *zamindar fiscaal*, which indicated that the local *patta*-holders recognized this tradition of the *zamindar* giving land for lease to the inhabitant of his village. This was probably not reflected in the Dutch bureaucratic vocabulary, which maintained the impersonal tone of a *patta* being granted under the VOC director's orders with the name of the official granting it. The taxation rights of the *zamindar* are evident from these documents, but the nature of the property changed following the brief period of English rule from 1785. The *pattas* were now recorded in the Dutch text as landed property and described as being evidence of ownership. The Bengali translation sometimes included details about the kind of property; for instance, a plot of land with a shop or a house. The way the Dutch maintained their record of the *pattas* shows the bureaucratic language in which they described themselves as *fiscaal*. While for themselves they chose terms that were closer to their familiar world of the republic, the language in which they connected to the villagers demonstrated their relationship with these people and their entrenchment into the pre-colonial Mughal world.²⁵

The names and identities of the people who formed a part of this world of *pattas* were registered in different ways by the authorities, as is evident from the descriptions next to their names. Connotations of *firangi* or *firangini*, or mention of caste and *jati* hierarchies such as *Bagdi* or Brahmins were sometimes added to the documents along with the names of the people.²⁶ A number of different occupations could also be discerned from the surnames of those who were given *pattas*, which included professions such as *subarnabanik* (gold-merchant), *sarnakar* (goldsmith), *darji* (tailor), and *majhi* (someone who rows boats). Women from all social backgrounds, such as Anna de Rosario, who had a plot of land in Bazaar Mirzapur in 1819 or Srimati Asoni bibi and

²⁴ WBSA, bundle 1A, *patta* nr. 8.

²⁵ Willem Danckelmann mentioned being the *dorpsmeester* and *fiscaal* in his report to the governor-general and council, but this was not mentioned in the *pattas*.

NL-HaNA_1.04.17_268 I, Report of Willem Danckelmann to the governor-general and Raad van Indië, Batavia, 1781: f. 6,7.

²⁶ WBSA, bundle 1B, *patta* nr. 417; WBSA, bundle 1B, *patta* nr. 420; and WBSA, bundle 1B, *patta* nr. 360.

Noor bibi, who were granted *pattas* for land in Chinsurah in 1768 and 1776 respectively, could buy and sell land and avail themselves of *pattas*.²⁷ *Pattas*, therefore, marked land and property and bound them in the Dutch taxation records not just to people but also to their social identities and professions.²⁸

At Work in the Katcheri

There were a range of officials who worked at the *zamindar's katcheri* but there were also several scribes who drafted the *pattas*.²⁹ Among the officials whose positions are evident at the *katcheri* are the *mutasaddi*, such as Parbati Charan Ray, who assisted the Dutch *zamindar* in his functions.³⁰ Apart from this, the sources mention the offices of the *sikdaar*, the *sarkar*, and the *mahel-daar*, and a secretary.³¹ The *pattas* conformed to the style of being drafted as governmental papers, with attributes of *sri sri durga*, *sri sri hari*, *sri sri ramji*, *sri sri durga shorong*, and *sri radhakrishnaramji*.

It is possible to get a glimpse of the interaction that took place between the villagers and the company in obtaining their *pattas* through the contestations involved in claims of ownership, in which the *pattas* were used as evidence in legal cases from the *Raad van Justitie*, containing allegations brought against the VOC *dorpsmeester* and *fiscaal*, Willem Danckelmann and Parbati Charan Ray, which are available in the archives of the *Hoge Regering* of Batavia.³² A few of them as narrated here show to what extent the *katcheri* was involved. Take, for example, the case of the brothers Bishnu and Chand Rani, who lived in Chinsurah with their mother Ganjeshwari.³³ Ganjeshwari had, before her death, arranged for the inheritance of her house through a *patta* in the names of Bishnu and Chand Rani and a girl (less than 18 years of age) through the *katcheri* of *zamindar*, Radermacher, in 1778. When Ganjeshwari died at the time of Danckelmann's *zamindari*, men from the *katcheri* came and made an inventory of all the goods, ornaments, and papers, including the *patta* of the land with the house. Parbati Charan Ray, in order to settle matters, negotiated with them for a *salami* of 150 rupees, but there were still accusations and threats of punishment resulting in the brothers' and the young girl's flight from the village until the change of the next *zamindari*.

²⁷ WBSA, bundle 8, *patta* nr. 3952; WBSA, bundle 9, *patta* nr. 4071.

²⁸ Farhat Hasan, "Property and Social Relations in Mughal India: Litigations and Disputes at the Qazi's Court in Urban Localities, 17th-18th Centuries," *Journal of the Economic and Social History of the Orient* 61 (2018): 871.

²⁹ It has been shown by Kumkum Chatterjee in her research how scribes in Mughal Bengal evolved as a professional class, and Nandini Chatterjee showed that some of them continued to serve the colonial government under the British in the later centuries. Kumkum Chatterjee, "Scribal Elites in Sultanate and Mughal Bengal," *The Indian Economic and Social History Review* 47 (2010): 445-72; Chatterjee, "Mahzar-namas in the Mughal and British Empires": 401.

³⁰ NL-HaNA_1.04.17_268 II: folio not numbered.

³¹ *Ibid.*

³² NL-HaNA_1.04.17_268 I, Report of Willem Danckelmann to the governor-general and Raad van Indië, Batavia, 1781.

³³ NL-HaNA_1.04.17_268 II, Report about the charges against Danckelmann with Parbotti Tsjern Raay, Hooghly, Bengal, 1780, 1781: folio not numbered.

This process of establishing claims to property through negotiations between the family and the *zamindar* and his officials at the *katcheri* was part of the world of *pattas*, although local power-holders had always been involved in the sale of property.³⁴ The act of deciding what belongs to someone, especially during times of contested claims such as inheritance after death rested with the local power-holders who opened it up in the public space through the process of drawing up lists of belongings and holding auctions. While being a source of income for the company, this also meant that Dutch bureaucracy penetrated the private world of the villagers and influenced their interpersonal transactions. There were instances in which *pattas* had to be renewed to establish claims of ownership repeatedly under different *zamindaris* through fresh payments. For example, Jagannath Gonde Bania, who was an inhabitant of Chinsurah, had bought a small alley (as land) attached to his house, which was enclosed with the walls behind the houses of his neighbors, and it gave him access to his own house.³⁵ But this alley was repeatedly used by others and he had to claim his ownership back during the *zamindari* of Radermacher by paying 400 sicca rupees, and again at the time of the *zamindari* of Hardy. His ownership had to be reasserted again at the time of the *zamindari* of Danckelmann, for which he had to make a *patta* and bear the costs of the same. The production of the *patta* for claims of ownership was, however, indispensable, and houses or lands could not be bought and sold without legitimate *pattas* easily. As such, the work of issuing a *patta* at the *katcheri* was as much a personal affair as a public spectacle of Dutch colonial bureaucracy in these villages.

Bureaucratic Blending in Jaffna

Olas, Pareesses, and the Dutch Disāva in the Jaffna Secretarie

The Jaffna peninsula in the north of Sri Lanka (Ceylon) with Jaffnapatnam as its main port, was an Indian Ocean trading hub during the days of the Jaffna kingdom. The Tamil Jaffna kingdom was ruled separately from the other kingdoms to the southwest of the island, such as Kotte and (later) Kandy. In the middle of the sixteenth century, the Portuguese violently extended their rule on the island over the Jaffna kingdom; they destroyed Jaffna's ancient temples such as Nallur and forced the Tamil-Hindu inhabitants to convert to Catholicism. In 1658, the VOC fought the Portuguese and claimed sovereignty over the Jaffna kingdom.³⁶ The Dutch position as sovereign in Jaffna thus differed from that in Bengal, where they were mere landlords under the Mughal

³⁴ Farhat Hasan points out how local power-holders ratified and intermediated the sale of property in sale deeds. Farhat Hasan, "Property and Social Relations in Mughal India," *JESHO* 61 (2018): 855, 863.

³⁵ NL-HaNA_1.04.17_268 II: folio not numbered.

³⁶ Mudaliyar C. Rasanayagam, *Ancient Jaffna: Being a Research into the History of Jaffna from Very Early Times to the Portuguese Period* (New Delhi: Asian Educational Services, 1984); Sinnapah Arasaratnam, "Social History of a Dominant Caste Society: The Vellalar of North Ceylon (Sri Lanka) in the 18th Century," *Indian Economic and Social History Review* 18 (1981): 377–91; and Tikiri Abeyasinghe, *Portuguese Rule in Ceylon, 1594–1612* (Colombo: Lake House Publishers, 1966).

empire. Jaffna was not a spice-producing region, but it was densely populated and the main source of income for the VOC was their inland revenue derived from land rent, poll-tax, and customs duties.³⁷

Like elsewhere on the island, the Dutch treasured the Portuguese and pre-colonial bureaucratic inheritance, in particular the registers of land ownership (*landthombos*) and of people (*headthombos*).³⁸ These records were generally maintained by local headmen, called *mudaliyars*. The situation in Jaffna differed from that in other regions on the island, in that here the records were originally written in the vernacular; that is, in Tamil. Presumably, the practice of recording land and people in registers to facilitate taxation and keep people in place was a pre-colonial practice that was amended by the Portuguese. During the first decades after the Dutch takeover, the Dutch made several attempts to renew these *thombos*. Keeping the records in Tamil was efficient for the sake of tax collection, since the collectors were local chiefs (*mudaliyars*). But the Dutch administrators were generally not versed in Tamil, so eventually Tamil and Dutch *thombos* were kept simultaneously, which gave the Dutch a sense of control over the records.³⁹ Unfortunately, most of the Dutch-period records from Jaffna are lost. Our analysis of the paperwork in Jaffna will necessarily be largely based on contemporary descriptions of the records, rather than on the records themselves.

The *secretarie* or record chamber of the company in Jaffna must have been a bilingual space. It contained records in Tamil as well as in Dutch, and local *kanakapillai* (referred to as *kannekappels* in Dutch) were employed as scribes, in addition to the Dutch *pennisten*. Presumably this group functioned in a manner similarly to that of the *katcheri kanakapillais* in Madras (Chennai) about whom Raman has written such an exquisite social history.⁴⁰ Furthermore, this situation will have compared well with that of the *katcheri* in Chinsurah described previously. After the first 40 years of rule, the record *secretarie* was quite in chaos, as the Dutch commander of Jaffna complained,

[...] that a large number of old and useless olas, which were kept at the secretariate and were a great encumbrance, should be sorted, and the useless olas burnt in the presence of a committee, while the Mallabaar and Portuguese documents concerning the Thombo or description of lands were to be placed in the custody of the Thombo-keeper. [...] In this way the Secretariate has been cleared, and the documents concerning the Thombo put in their proper place, where they must be kept in future;

³⁷ Sophia Pieters, ed., *Instructions from the Governor-General and Council of India to the Governor of Ceylon, 1656 to 1665: to which is Appended the Memoir Left by Anthony Paviljoen, Commandeur of Jaffnapatam, to his Successor, in 1665*. (Colombo: Cottle, Government printer 1908).

³⁸ See the contributions by Dries Lyna and Luc Bulten and Nadeera Rupesinghe and Bente de Leede in this *Law and History Review* special issue.

³⁹ Sophia Pieters, ed., *Memoir of Hendrick Zwaardcroon, Commandeur of Jaffnapatam, (Afterwards Governor-General of Nederlands India), 1697; for the Guidance of the Council of Jaffnapatam, during his Absence at the Coast of Malabar*. (Colombo: Cottle Government Publishers, 1911)

⁴⁰ Raman, *Document Raj*.

so that the different departments may be kept separately with a view to avoid confusion.”⁴¹

Control over bureaucracy and legal documentation was a great concern for the commander at the Jaffna fort. For example, he complained that the people outside the formal offices were giving out deeds on stamped paper or *olas* (palm leaf) that were not authenticated by the company:

There are also brought to the Secretariate every year all sorts of native protocols, such as those kept by the schoolmasters at the respective churches, deeds, contracts, *ola* deeds of sale, and other instruments as may have been circulated among the natives, which it is not possible to attend to at the Dutch Secretariate. But I have been informed that the schoolmasters do not always observe the Company's orders, and often issue fraudulent instruments and thus deceive their own countrymen.⁴²

Forgery was a driving factor in cleaning up paperwork and extending bureaucratic control in Jaffna in ways similar to in Bengal, where, for example, both Dutch and British ambitions to control exports led to a dispute with Mir Qasim over *dastaks* or passes.⁴³ In Jaffna, the Dutch commander advised that extra care be taken to secure that only formally appointed officials authenticated contracts, claims, and title deeds. The Dutch used both watermarked paper and locally produced palm leaves for this purpose. Like in Chinsurah, the *secretarie* of Jaffna had its own stamp, to authenticate such papers. Stamped *olas* and papers were given out for all sorts of matters, usually upon payment. For coolie-workers it was regulated; for instance, those “who have performed their labor receive an *ola* from the Cannecappul, which is called a *Sito*, and is marked with a steel stamp, which serves them as a receipt” (Figure 3).

Such a *sito*, or “coolie-*ola*,” was a bureaucratic tool that served both the company and the worker. The latter would keep it as proof, so that he could not be called again for work that month. Such a document was yet another product of blended bureaucracy; the writing on the *ola* would have been in Tamil, the stamp represented the Company. To what extent the giving out of the “*sito*” was based on pre-colonial practices is difficult to say; it might also have been a Dutch or Portuguese colonial adaptation to oral practices. What is of interest here, though, is that this example shows that such (palm leaf) paperwork could enter the personal sphere in a very direct manner.⁴⁴

Not all encounters with Dutch officials were captured in writing. The pre-colonial practices of taking *paresses* (tribute) were described by the Dutch as moments when the village-chief could orally present complaints of villagers to the Dutch *disāva*. At the same time, the *paresses* were moments when the local chiefs paid their respects and tribute to the Dutch official, thus

⁴¹ Pieters, *Memoir of Hendrick Zwaardcroon* [...] 1697.

⁴² *Ibid.*

⁴³ Prakash, *The Dutch East India Company and the Economy of Bengal*, 24–53.

⁴⁴ Pieters, *Memoir of Hendrick Zwaardcroon* [...] 1697.



Figure 3. Drawing of the stamp from the Jaffna office used to authorize documents.

confirming hierarchies of rule, rights, and obligations. The complaints were most often related to matters of taxation. But in other instances, cases brought forward by villagers could also involve petty conflict about all sorts of matters, often private ones such as *massebadoe* (adultery or unregistered cohabitation), trespassing, public insults, forgery, or false accusations. This usually resulted in fines given by the *disāva*, or occasionally, if the villagers had no money, they received lashes.⁴⁵ Figure 4 shows a map indicating the sixty-one villages and hamlets mentioned in the journal.⁴⁶

Hearing such complaints was an explicit part of the duties of the *disāva*. In an instruction of 1784 it is stipulated that the *disāva* should spend “a couple of hours” hearing and deciding cases on the spot for at least 4 days of the week. He had to administer the cases and the fines in a journal (*boekje*) and give out an *ola* as proof of the verdict and the reception of the sum.⁴⁷ Uniquely, one such diary of the Dutch *disāva* from the late eighteenth century has been preserved in the Sri Lankan National archives. During the 18 months’ time that he kept the diary, he fined more than 1200 individuals in sixty-one hamlets and villages, and took *paresses* around 400 times. For example, on August 30, 1779, Naddia Parana and Sadasawa, two *mudaliyars* (chiefs), from the village of Uduvil, close to the town of Jaffnapatnam, were fined 12 rixdollars each for scolding each other and squabbling (*backeleien*). A year later, when another man from Uduvil, called Winasie Kanden, was charged for same offense, he received lashes (*gesjambokt*) because he could not afford the 12 rixdollar fine. In that same year, carpenter Wari Winasie from the same village was fined 6 rixdollars for trespassing someone else’s field at night. On March 21, a man called Peritambiaan Caderen from Kanderode was fined 24 rixdollars for breaking the promise to allow his son to marry a girl from Uduvil and for signing an *ola* on behalf of his son.⁴⁸

These are but a few of the more than 1200 fines that were given over 18 months between 1779 and 1781. In total, this provided the *disāva* with 15,000 rixdollars, a considerable sum when taking into account that the yearly revenue from the land rent was set at around the same amount. He was allowed to keep half of it, the other half being meant as alms “for the poor.” The practice

⁴⁵ Sri Lanka National Archives (hereafter SLNA) Lot 1 / 6868.

⁴⁶ The map was made by Pouwel van Schooten.

⁴⁷ Lodewijk Hovy, *Ceylonees Plakkaatboek, Deel II* (Hilversum: Verloren, 1991), ordinance no. 573 “vernieuwde instructie voor de *disāva* van Jaffna,” para. 10–18, pp. 821–22.

⁴⁸ These data are taken from the diary of *disāva* Thomas Nagel, which is kept in the SLNA, Lot 1 (VOC), inventory number 6868. All entries have been transcribed and entered into a database by Pouwel van Schooten, which enabled us to make a spatial and thematic breakdown.

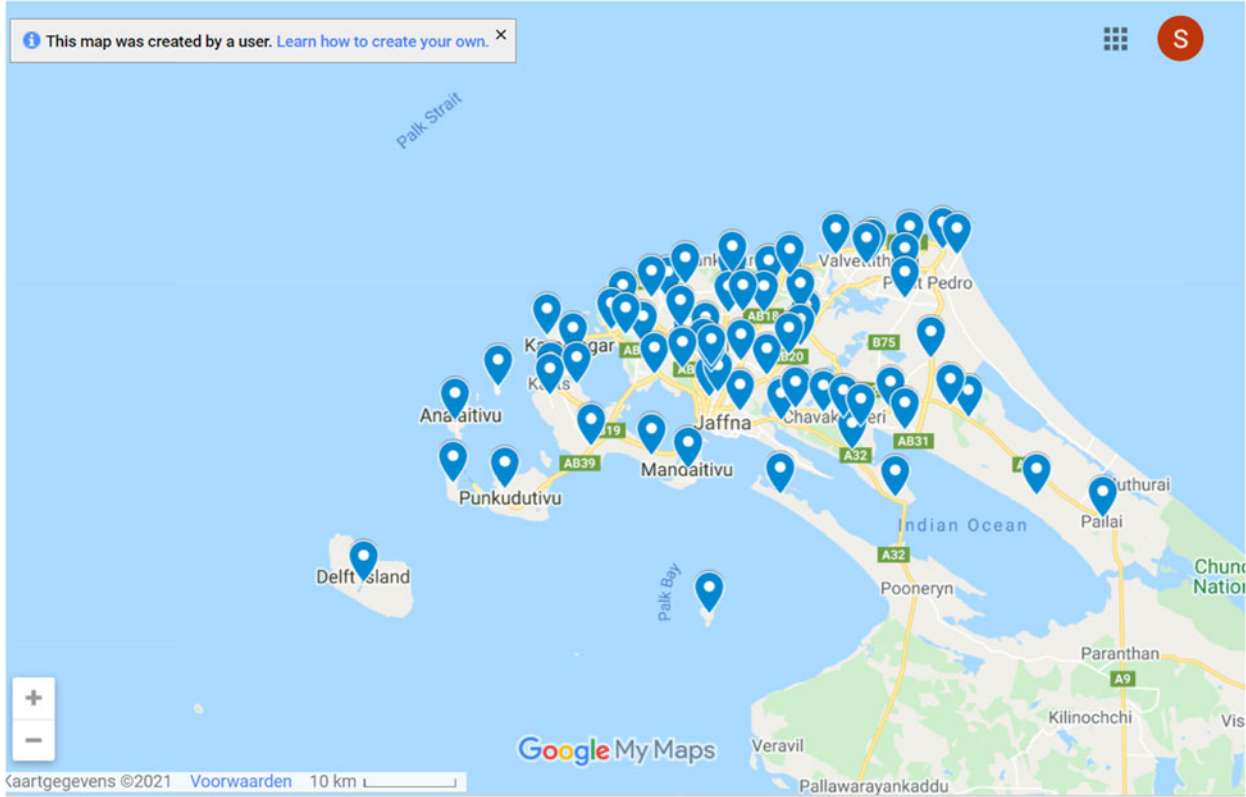


Figure 4. A map indicating the sixty-one villages and hamlets mentioned in the journal.

of taking *paresses* and mediating in minor village conflicts probably dates back to the pre-colonial (i.e., pre-Portuguese) period, but had evolved by the end of the eighteenth century into a routine source of income for the Dutch official in charge, and was administered as such.⁴⁹

*The Theater of the Thombos*⁵⁰

An important feature of the inland administration of the Dutch *disāva* in Jaffna was the regulation of the poll-tax. Information on all male villagers about caste, family, and social status were entered into the *headthombo* for the sake of the poll-tax and the extraction of caste-bound services. Every 3 years, this *headthombo* needed to be checked and renewed and there was a committee that consisted of the Dutch and Tamil thombo-keepers, their *kanikapillai* and *pennisten*. On some occasions, the Dutch *disāva* joined this committee as well. From an instruction in 1790 we get an impression of the spectacle that such a *thombo* tour would have made in the village.⁵¹ Writing the *thombos* was not only a bureaucratic act, but also a ritual of state in which the relationship between the villagers and the company, as well as the social hierarchy in the village, was confirmed. This activity also created space for resistance and negotiation as we will see.

The renewal of the *thombo* always started in the month of October and was announced on time, to make sure that the villagers could prepare the rest house and the church and decorate these with white linen. Men of all different castes who were of an age to perform services for the company stood ready for reception. By the end of the eighteenth century, language was still an important issue, and the *thombo* had to be written in both Tamil and Dutch, to avoid confusion. The indigenous schoolmaster, who was attached to the village church, played a crucial role in the organization of this activity and he formed an important link between society and the company.

There was a fixed following order. First, the sick and infirm who had been registered as such in the previous *thombo* were checked. Next came the schoolmasters with the village children, after which the rest followed. The schoolmaster would read out the names of all adult males in the villages from the Tamil *thombo*. Caste and social status mattered here. He started with the

⁴⁹ The etymology of the word *parasse* suggests a pre-Portuguese origin, as it was probably derived from the Tamil word *parisu* (பரிசு), meaning “gift,” as Dennis McGilvray has kindly pointing out to us; The journal is unique among the Dutch records in Sri Lanka, and the only type of documents that we found that might bear resemblance to this are the diaries from the district officers in Pune from the Maharashtra archives from the same period, which are used as examples by Sumit Guha to show how over the course of the eighteenth century, centralized administration entered the household. Sumit Guha, *Beyond Caste Identity and Power in South Asia, Past and Present* (Leiden: Brill, 2013), 133–34.

⁵⁰ Please note that this paragraph is largely based on an article that Alicia Schrikker has written in Dutch: Alicia Schrikker, “‘Op de dijk gezet’: schuld, onrust en bestuurlijke onzekerheid en onrust in Jaffna in de achttiende eeuw,” in *Aan de overkant: ontmoetingen in dienst van de VOC en WIC (1600–1800)*, ed. Lodewijk Wagenaar (Leiden: Sidestone Press, 2015), 145–63.

⁵¹ SLNA 1/6816. This paragraph is based on this analysis of these instructions. For a context of the creation of this document, see: Schrikker, “‘Op de dijk gezet,’” 145–63.

highest village officials, after which caste hierarchy was adhered to. He would start calling out the members of the highest caste and work down to those of the lowest. If someone was absent, this had to be noted down as well. Such a situation could be a cause for friction among the responsible village heads, who would try to disguise the absence of their villagers.

The instruction explains although that the *thombo* was held in some esteem by the villagers, it was considered a bad omen to be registered dead while still alive. However, other than that, the instruction warns, people would use all sorts of tricks to be registered in a favorable way. An example is given of men who pretended to be too sick or too old to work. In such cases, the instruction advises to call out loud and clear: "please leave us old man, because if you want to cease working, that means you are ready to die?" Whether this really worked we do not know, but it is what the Dutch believed to be effective.

To check those who claimed to be sick, the company's Tamil physician was also brought along. Apparently one of the "tricks" people were suspected of was to drink an enormous amount of water, which would make the belly swell. Others would not eat for a period, and let their hair grow, so that they would look miserable. The Tamil physician would then check their bodies in public. It is not difficult to imagine that the writing of the *headthombos* very much preyed on the minds of the villagers. The instructions reveal a great degree of mistrust between both parties. Clearly the villagers tried their best to be registered in a way that was most advantageous to them. The Dutch suspected the villagers of manipulating the process in all sorts of ways. Apart from manipulating their own bodily appearance, villagers were suspected of moving temporarily to villages that were obliged to perform fewer services to the company. Think, for example, of the elephant hunt or the care of the church buildings. Marrying outside your own village was discouraged by the company. All of these instructions were set in place for the sake of taxation.

Through these instructions, we get the impression of the tri-yearly *thombo*-description as a village spectacle, a theater. All male villagers were involved, and everybody played their part in order to be registered in a manner as advantageously as possible. Evading service labor and taxation was their major aim. The company officials in turn approached the villagers with mistrust and played their part as authoritarian rulers. Crucial figures in this negotiation process were the indigenous schoolmasters, the writers, and the physicians. These were men who only appear in the records occasionally, but about whom we would certainly like to know more, as they were crucial to the workings of this blended bureaucracy. And although there are no remains of the "*malabar thombo*," and only a few fragments of the Dutch *thombo*, it is clear that language and translation remained an important issue throughout the Dutch period. Unlike in Bengal, where records were bilingual, the Dutch in Jaffna developed a system of parallel record-keeping that incorporated ancient practices, but was presumably transformed and amended to Dutch needs along the way.⁵²

⁵² It goes beyond the purpose of this article to go into the question of identity formation in relation to these registration practices. For an analysis of local and colonial perceptions of slavery and its long-term impact see: Nira Wickramasinghe and Alicia Schrikker, "The Ambivalence of Freedom:

The Dutch bureaucracy in Jaffna was more labor intensive than in Bengal; the forms of governance were inherently different. In Bengal, where the Dutch leased the rights over the villages of Chinsurah, Baranagar, and Bazaar Mirzapur, land rent was the main form of taxation. There was no poll tax, and service labor was not extracted in the same rigorous manner as in Jaffna. In Bengal, Dutch bureaucracy remained entrenched in local practices until the end. While in Jaffna, where the Dutch claimed sovereignty, a more blended form emerged, which was neither explicitly Dutch nor Tamil in origin or in outlook. In Jaffna, layers of pre-colonial Tamil and colonial Portuguese and Dutch bureaucratic practices blended into an administration geared toward the control over land and the extraction of labor and revenue. In both cases, the paperwork did not directly serve the commercial needs of the company, but rather reinforced local governance and thus fuelled the company indirectly.

Documents and Legal Processes

Although the institutional basis of empire differed considerably in Bengal and Jaffna, the documents so produced entered the legal system as evidence in both cases. As such, they were consumed and mobilized by locals to their own ends. In Jaffna, we find references to the *thombo* and other documents derived from the Dutch bureaucracy in conflicts between villagers, while *pattas* appear in cases heard in Bengal.

In Jaffna, disputes within and between families over landownership, use of trees, debt, inheritance, and dowries occurred frequently and were tried in the *landraad*.⁵³ This rural court was headed by the Dutch *disāva*, who was advised by local headmen. For Jaffna, three bundles of *landraad* minutes from 1750–53 remain, which give an impression of the way in which villagers engaged the company in their legal disputes. An overview of the cases shows that people of all sorts of backgrounds, castes, and genders, were engaged in court: most common were litigants from the *velalar* caste, which is not surprising as this was the largest social group; however, *chettiyars*, *brahmins*, *muslims*, and even *nalavar* litigants appeared before court as well.

Often the cases evolved around the issue of legal proof. For example, often in court, private *olas* were presented as proof of landownership that contradicted the *landthombos*.⁵⁴ On different occasions, the village schoolmaster played a crucial role in court, sometimes because “unauthorized” *olas* (meaning not stamped or signed at the *secretarie*) such as in the case between the *chettiyars* Ananden Caylayen from Ponnerin and Poeden Maijlen and Poeden Chiettambleven from ‘Colombogammo’ had been produced. Here *dotij-olas*

Slaves in Jaffna, Sri Lanka, in the Eighteenth and Nineteenth Centuries,” *The Journal of Asian Studies*, 78 (2019), 497–519.

⁵³ See SLNA 1/6818–6820.

⁵⁴ Alicia Schrikker and Dries Lyna, “Threads of the Legal Web: Dutch Law and Everyday Colonialism in Eighteenth-Century Asia,” in *The Uses of Justice in Global Perspective, 1600–1900*, ed. Griet Vermeesch, Manon van der Heijden, and Jaco Zuijderduijn (London New York: Routledge, 2019), 42–56.

(*ola* stipulating the transfer of property as dowry) and unauthorized *olas* were produced as evidence of ownership of a group of slaves, against *olas* that had been authorized in the *katcheri*.⁵⁵ The earlier mentioned Dutch attempts to limit privately recorded transactions were clearly never completely successful. In other inheritance cases, the schoolmaster was asked to provide evidence from the church records and *thombos*, such as during the case between the *vellalars* Waaie Naranem Vellale from Caredivoe and Nitchingaar Wissewenaden Vellalar from Changane. Again, the dispute was over the ownership of a group of enslaved persons, and a report on the basis of the records was drawn up in Tamil by two commissioners, and translated into Dutch to advise the *landraad*.⁵⁶

Language issues continued to play a role in the court as well. Occasionally, the translation of an *ola* that was used as proof in court was disputed by the opposing party. And in such instances, the *ola* was sent back to the official translator and the case would be protracted for another 2 weeks.⁵⁷ Perhaps we should understand this as a form of legal procrastination from the side of the Dutch *disāva*, as the Dutch clearly felt uncomfortable in cases in which proof did not originate from their own bureaucracy. Interestingly, this uneasiness also signifies the boundaries of Dutch colonial bureaucracy: even though the Dutch paperwork was of a blended nature and carried local characteristics, the Dutchmen in charge remained outsiders. This partly explains the difficulty that they had in judging legal proof that emerged from outside their own organization.

In Bengal, we see how the *zamindar fiscaal* himself and his *mutasaddi* could manipulate the situation to their advantage. The cases in the *Raad van Justitie* mentioned earlier concerned allegations brought against Willem Danckelmann, who was accused of extortion by the villagers in collaboration with Parbati Charan Ray in Hooghly, which led to their flight from the villages and resulted in a letter of complaint that reached the governor-general in Batavia.⁵⁸ Amidst more than 100 such cases that occurred at the time of Danckelmann's *zamindari*, one sees civil disputes over property and how Parbati along with Danckelmann appropriated houses, belongings, and land from the villagers. In some of these cases, *pattas* played various roles as

⁵⁵ SLNA 1/6819 April 1751, f 3–4.

⁵⁶ SLNA 1/6820 February 16, 1752, ff 63–66.

⁵⁷ For questions of translation, see, for example, the case between two *velalar mudaliyars* Don Paulo Eddiwiresinga Adiwira Pagoetuwe and Wellawapa Aroe Mogetaaij over a piece of land, April 24, 1751. Here the litigants were requested to submit their *olas* to the *secretarij* for translation.

⁵⁸ The Governor-General, Willem Arnold Alting, decided to examine this and formed a committee composed of an official in the position of *opperkoopman* named Pieter Brueijs and another in the position of *koopman* named Anthony Bogaardt, who were both sent to Chinsurah to investigate the matter. The committee's reports were used for the trial of Danckelmann at the *Raad van Justitie* in 1780–81. It included the testimonies of local villagers who were allegedly mishandled by Danckelmann and Parbati as well as the testimonies of those officials who had been in the service of the *katcheri* and were thereby involved in these cases. See, NL-HaNA_1.04.17_268 I, Letter written by Willem Danckelmann to the governor-general and Raad van Indië, Batavia, 1781: f. 4–5 and NL-HaNA_1.04.17_268 II: folio not numbered.

narrated through these testimonies. The case of Nimmodas shows how *pattas* were essential in the buying and selling of houses.⁵⁹ Nimmodas had given 325 rupees over a period of 8 months to Chand Mani against the mortgage of her house; in return for the rent he could withdraw from the house. After Chandmani's death, Parbati Charan Ray intervened and claimed that the house now belonged to the *fiscaal*. Nimmodas wanted his money back, for which Parbati had to sell the house and acquire the *patta* from Nimmodas. But Parbati did not return the money, and Nimmodas later provided his testimony. Such a case reveals the importance that *pattas* had gained in the lives of the ordinary villagers as well as in that of the higher officials. Parbati could not have sold the house without the *patta*. The fact that Nimmodas too was willing to give it to Parbati in return for his money shows that he too was aware of its indispensability in getting the work done.

Some of these cases showed how the reliance of the villagers on the Dutch *zamindar* and his *katcheri* officials presented opportunities to them for taking advantage of the *patta*-holders. Nolita's case is a strong example of how some of these cases escalated to the level of the Dutch director. Nolita was an inhabitant of Chinsurah and had fled with her husband to Calcutta during the Maratha raids in her village. As a young woman, she had had her differences with her husband, and they were then separated. Shortly thereafter, she met another man named Balaram, with whom she lived as his wife and had four children. Before his death, Balaram chose her as the universal inheritor of all his belongings, and the legal papers were approved by the then presiding VOC official, Saumaise, who is referred to in her testimony as a *zamindar*.

After Balaram's death, there was a ceremony for his cremation. Following this ceremony, some men from the *katcheri* of the *zamindar* (implying Danckelmann), named Bhowani Thakur, Santosh Thakur and Assek Mahmed, came to her house along with others, and made an inventory of all the property and goods. These goods were then sealed in a room to which they alone had the keys. When Nolita complained that this was unjust, she was taken by the neck and thrown outdoors. After the completion of the inventory, everything was left under the vigilance of two guards named Lalu and Dinu. Twenty days from that event, Parbati visited her house again along with the men from the *katcheri* who had been present earlier, and auctioned all her belongings. The auction lasted for 3 days and on the 4th day, the house was put up for sale, but it could not be sold. This was because Nolita had anticipated that Parbati would seize her *patta*, and had therefore cautiously hidden it.

She went to the VOC director silently and lodged a complaint in the presence of Danckelmann and Parbati. On hearing her plea, the director granted her the right to retain her house. The case unfurled further as Nolita alleged that Danckelmann and Parbati had come to her house the day after and had threatened her to tell them the name of the person who had instigated her going to the director. She replied that it was her own decision and thereafter, she was put under house arrest. It is important to notice here how Nolita as a woman tried to assert her ownership rights. She was aware of the value and

⁵⁹ NL-HaNA_1.04.17_268 II: folio not numbered.

legal worth of the *patta*. Not only was she able to hide it as a piece of evidence, but she was also able to reinforce her agency by bringing the *patta* to the VOC director to seek justice. Nolita's approaching the VOC director by bypassing the authority of Parbati Charan Ray and Danckelmann showed the availability of the dual legal space of the company and the local *zamindar* that these villagers had access to. While Danckelmann disapproved of her presence before the director with legal evidence, the director heard her appeal and judged in her favor.⁶⁰ It was a proof of how important the *patta* was and how it became a vital weapon in the lives of the ordinary villagers in maintaining their claims to their properties against the colonial authority through its use in alternative legal spaces or through cautiousness in revealing it, as in the case of Nimmodas.

Conclusion

In this article, we investigated the role of local bureaucratic practices in two distinct areas of the Dutch empire in South Asia. In both cases the Dutch inherited imperial administrations that had already been blended, either through Mughal-Bengali or Portuguese-Tamil practices. As a result, the Dutch developed in each area very different forms of bureaucracies to manage land and people, which built upon earlier imperial foundations. The concern of government and bureaucracy in both locations was geared toward the administration and taxation of property, but in Jaffna, Dutch administration reached further and became more directly concerned with issues of labor and personal services. In both cases the administration was bilingual, either through parallel administrations as with the *thombos*, or through direct on-record translations. The analysis of the Dutch version of the Bengali *pattas* shows how much could be lost in such translation. Although the Tamil-*thombos* are lost, we do get a glance of the problems with translation in Jaffna through the bickering over translations of *olas* in the *landraad*.

A focus on the production and the use of these locally produced records reveals the blended character of Dutch imperial bureaucracies on the ground. Furthermore, the production of these records was not merely an act of writing, but also encompassed ritual practice. Perhaps this was even more so in Jaffna than in Bengal, as witnessed from the head-*thombo* instructions and the personal trying of petty crimes and village conflict by the Dutch *disāva*. In such instances, the Dutch empire was center-stage in the village, and decisions made at those moments were highly influential on private lives. It emphasizes the personal and parasitical character of the Dutch empire on the ground.

Control over paper recordings of land, labor, and people was a powerful instrument that was made use of not only for the sake of the company's treasury. The Dutch *disāva* also could make a huge personal profit out of taking *par-esses* and fines in the village. The indigenous schoolmaster issued *olas* in the name of the company, which would earn him some money, even if the

⁶⁰ For a similar example of legal pluralism see Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400–1900* (Cambridge: Cambridge University Press, 2004), 140–49.

documents were not considered authentic at the *secretarie*. The Dutch *zamindar fiscaal* and his collector could use their knowledge and position to take control over land through their control over the *pattas*. What both cases then show is that the transition from company to (colonial) state was not a matter of unilinear progress: even if at its most local level Dutch paperwork aimed at recording rights and to clarify procedures of governance, commerce kept entering the matrix, even if the Dutch formally delegitimized it as “corruption,” a situation not unlike that in the Madras/Chennai *katcheri*, as analyzed by Bhavani Raman.⁶¹

Local bureaucratic practices were incorporated and reshaped through translation and practical (ab)use to optimize fiscal gains and to control production. While the outcome may seem uniform in the sense that this process led to the expansion of the colonial empire, it differed greatly in practice. Through a focus on Bengal and Jaffna, northern Sri Lanka, this article has shown how the European officials worked and coexisted with the local actors to effectively run a system of bureaucracy that not only essentially required the knowledge of pre-existing bureaucracies, but also incorporated and adapted to the new desires of colonial governance. Comparing this process of bureaucratic layering in the villages of Jaffna and Bengal makes it possible to disentangle the role of local cultures of legality and Dutch practices. While it is by no means our intention to overstate the structural impact of Dutch presence on local society, the records do reveal that the Dutch presence and bureaucratic control most certainly impacted families and individuals.

Furthermore, this article emphasizes the chameleonic character of the Dutch empire, where commerce and state-making went hand in hand in ways that even contemporaries in the Dutch Republic could probably not quite comprehend. This explains also why the expression of Dutch local governance, through the day-to-day paperwork and daily bickering over property and personhood have generally been overlooked by historians of empire and does not quite fit the models thus-far proposed. We should after all not mistake the local entrenchment of Dutch paperwork in Bengal, and the bureaucratic blending in Jaffna, as being disparate local regimes. They were connected via Batavia, not only through the appointments and rotation of officialdom and the alignment of procedural instructions, but as the cases from Bengal show, local villagers also recognized the imperial center of Batavia as a place to petition to. That a special investigator was subsequently sent to Bengal to hear the complaint and solve the matter reinforces this image of imperial moral connectivity. Uncovering such threads across the empire will lead to a better understanding of the degree to which the Dutch empire was perceived by contemporaries in Asia as an integrated entity, despite the local guise in which it presented itself.⁶²

⁶¹ Raman, *Document Raj*; Jonathan Saha, “Paperwork as Commodity, Corruption as Accumulation: Land Records and Licenses in Colonial Myanmar, c.1900,” in *Corruption, Empire and Colonialism in the Modern Era A Global Perspective*, ed. Ronald Kroeze, Pol Dalmau, and Frédéric Monier (London: Palgrave Macmillan, 2021), 293–315.

⁶² Schrikker and Lyna, “Threads of the Legal Web,” 42–56.

Acknowledgments. This study is a result of the Dutch Research Council (NWO) funded project “Colonialism Inside Out: Everyday Experience and Plural Practice in Dutch Institutions in Sri Lanka, 1700–1800,” led by Alicia Schrikker, and which is set up as a collaborative project between Leiden University, Radboud University, and the Sri Lankan National Archives. The authors thank Nandini Chatterjee, as well as the anonymous reviewers, for feedback. Pouwel van Schooten helped in transcribing and mapping data on Jaffna.

Alicia Schrikker is an associate professor in colonial and global history at Leiden University. Her research focuses on the histories of colonialism in Asia, with a particular focus on Sri Lanka and Indonesia. She works on histories of socio-legal practice, slavery, and colonial culture across the Indian Ocean in the eighteenth and nineteenth centuries. <A.F.schrikker@hum.leidenuniv.nl>

Byapti Sur has completed her PhD in colonial and global history from Leiden University and is currently working as an assistant professor at the Thapar School of Liberal Arts and Sciences at Patiala, India. <byaptisur@gmail.com>

Cite this article: Alicia Schrikker and Byapti Sur, “An Empire in Disguise: The Appropriation of Pre-Existing Modes of Governance in Dutch South Asia, 1650–1800,” *Law and History Review* (2023): 1–25. <https://doi.org/10.1017/S0738248022000554>