Owing to India’s extensive population and established agrarian systems, European settlement of the Subcontinent was never seriously considered apart from in selected upland areas with cooler climates and sparse native populations. One such area was the Nilgiri Hills of South India which, from the early 19th century, saw concerted efforts at European colonization and displacement of the local population as well as an attempt to visualize and recreate an English landscape in the area.

*Other Landscapes* investigates the interfaces between indigenes, European settlers and the colonial state in the Nilgiri Hills, focusing on land disputes, regulation of land sales, regimes of forest management and ethnographic projects of cultural preservation. It examines the landscape as it was configured in the imperial imagination, explores the corruption and manipulation of local administration and argues that rarely, if ever, did official intent correspond to the systems of reform, regulation and invigilation imposed over the local agrarian landscape.

Deborah Sutton lectures in history at Lancaster University. Besides her work on the Nilgiri Hills of South India, her recent research focuses on conservationist aesthetics and archaeological practices in twentieth-century South Asia.
OTHER LANDSCAPES
NIAS – NORDIC INSTITUTE OF ASIAN STUDIES
Monograph Series

73. Vibeke Børdahl: *The Oral Tradition of Yangzhou Storytelling*
74. Cecilia Nathansen Milwertz: *Accepting Population Control*
75. Sharifah Zaleha Syed Hassan & Sven Cederroth: *Managing Marital Disputes in Malaysia*
76. Antoon Geels: *Subud and the Javanese Mystical Tradition*
77. Kristina Lindell, Jan-Öjvind Swahn & Damrong Tayanin: *Folk Tales from Kammu – VI*
78. Alain Lefebvre: *Kinship, Honour and Money in Rural Pakistan*
79. Christopher E. Goscha: *Thailand and the Southeast Asian Networks of the Vietnamese Revolution, 1885–1954*
80. Helle Bundgaard: *Indian Art Worlds in Contention*
81. Niels Brimnes: *Constructing the Colonial Encounter*
82. Ian Reader: *Religious Violence in Contemporary Japan*
83. Bat-Ochir Bold: *Mongolian Nomadic Society*
84. Shaheen Sardar Ali & Javaid Rehman: *Indigenous Peoples and Ethnic Minorities of Pakistan*
85. Michael D. Barr: *Lee Kuan Yew: The Beliefs Behind the Man*
86. Tessa Carroll: *Language Planning and Language Change in Japan*
87. Minna Säävälä: *Fertility and Familial Power*
88. Mario Rutten: *Rural Capitalists in Asia*
89. Jörgen Hellman: *Performing the Nation*
90. Olof G. Lidin: *Tanegashima – The Arrival of Europe in Japan*
91. Lian H. Sakhong: *In Search of Chin Identity*
92. Margaret Mehl: *Private Academies of Chinese Learning in Meiji Japan*
93. Andrew Hardy: *Red Hills*
94. Susan M. Martin: *The UP Saga*
95. Anna Lindberg: *Modernization and Effeminization in India*
96. Heidi Fjeld: *Commoners and Nobles*
97. Hatla Thelle: *Better to Rely on Ourselves*
98. Alexandra Kent: *Divinity and Diversity*
99. Somchay Phatharathananunth: *Civil Society and Democratization*
100. Nordin Husin: *Trade and Society in the Straits of Melaka*
101. Anna-Greta Nilsson Hoadley: *Indonesian Literature vs New Order Orthodoxy*
102. Wil O. Dijk: *17th-Century Burma and the Dutch East India Company 1634–1680*
103. Judith Richell: *Disease and Demography in Colonial Burma*
104. Dagfinn Gatu: *Village China at War*
105. Marie Højlund Roesgaard: *Japanese Education and the Cram School Business*
106. Donald M. Seekins: *Burma and Japan Since 1940*
107. Vineeta Sinha: *A New God in the Diaspora?*
108. Mona Lilja: *Power, Resistance and Women Politicians in Cambodia*
109. Anders Poulsen: *Childbirth and Tradition in Northeast Thailand*
110. R.A. Cramp: *Land and Longhouse*
111. Deborah Sutton: *Other Landscapes*
112. Søren Ivarsson: *Creating Laos*
113. Johan Fischer: *Proper Islamic Consumption*
114. Sean Turnell: *Fiery Dragons*
115. Are Knudsen: *Violence and Belonging*
Other Landscapes

Colonialism and the Predicament of Authority in Nineteenth-Century South India

DEBORAH SUTTON

niас PRESS
NIAS – Nordic Institute of Asian Studies
Monograph series, No. 111

First published in 2009
by NIAS Press
Leifsgade 33, DK-2300 Copenhagen S, Denmark
tel (+45) 3532 9501 • fax (+45) 3532 9549
e-mail: books@nias.ku.dk • website: www.niaspress.dk

© Deborah Sutton 2009
All rights reserved.

British Library Cataloguing in Publication Data

Sutton, Deborah
Other landscapes : colonialism and the predicament of authority
in nineteenth-century South India. - (NIAS monographs ; no.
111)
1. British - India, South - History - 19th century
2. India, South - Colonization 3. India, South - Politics
and government - 19th century 4. India, South - History -
19th century
I. Title
325.3'41'09548
ISBN: 978-87-7694-027-0 (hbk)

Typeset by NIAS Press
Produced by SRM Production Services Sdn Bhd
and printed in Malaysia
For Paul, forever.
## Contents

*Acknowledgements* • x

*Conversions* • xii

*Abbreviations* • xiii

*Glossary* • xiv

1. Introduction • 1
2. Indigenous Precedent and Displacement • 15
3. Land, Survey and Alienation • 48
4. The Agrarian Landscape • 85
5. Changing the Nature of Forests: Conservancy, Science and Aesthetics • 114
6. Imperial Landscapes and Inalienable Land • 160
7. Authority, Spectacle and Ethnography • 191
8. Conclusion • 222

*Bibliography* • 229

*Index* • 237
Other Landscapes

PLATES

0.1. Map of the Nilgiri District. J. W. Breeks, *An Account of the Tribes and Monuments of the Nilagiris*. India Museum, London, 1873 • xvi

1.1. ‘View of Ootacamund,’ Captain Richard Barron, *Views in India, chiefly among the Neelgherry Hills, taken ... in 1835*. London: Robert Havell, 1837 • 7

2.1 Map of land required by Jackatallah cantonment, including Old Coonoor. CCRL Sept–Dec 1859 • 41

3.1 William William’s Survey Plan of the land applied for by Revd. Mr W. J. Blenkinsop at Ootacamund. CCRL, Sept–Dec 1859, UDR • 57

3.2 Hunter’s Map, Coonoor. PMBR 8/6/1857, p. 9154 • 60

3.3 Map of Rae’s Sholur claim, CCRL, Sept–Dec 1860, UDR • 66

3.4 ‘Pseudo Puttah’, Brooklands Estate. CCRL, Sept–Dec 1960, UDR • 71

3.5 *Patta* Map, Ithala Village, Merkanad. Waste Land Surveys, 1893, UDR • 74


5.1 Campbell’s Plan of his Model Forest, Jackatallah. PMBR, 8/6/1858, No. 19, TNSA • 127

5.2 ‘Portion of Glenmore Coffee Estate from near the river’. Madras School of Arts and Crafts, Nilgiri Photographs, album 2 • 148

5.3 ‘Portion of Glenmore Coffee Estate with a large Naga Tree, at Coonoor’. Madras School of Arts and Crafts, Nilgiri Photographs, album 2 • 148

5.4 ‘Rock and foliage on the Coonoor ghat’. Madras School of Arts and Crafts, Nilgiri Photographs, album 2 • 148


Other Landscapes


6.6 ‘Mund and Bungalow’, c.1865-66, photograph by Edmund David Lyon, Prints and Drawings Collection, OIOC • 173

7.1 ‘Toda Green Funeral’, J. W. Breeks., *Tribes and Monuments* • 211


7.3 ‘Kurumba and Irula Implements, &c.’ J. W. Breeks, *Tribes and Monuments* • 215

7.4 ‘The Tûde or sacred bush. Weapons. Bow and Arrows used at weddings and funerals. Imitation buffalo horns’, W.E. Marshall, *A Phrenologist among the Todas* • 216
Acknowledgements

This book is substantially based on a doctoral thesis written in the Centre for Historical Studies at Jawaharlal Nehru University under the supervision of Professor Sabyasachi Bhattacharya. I owe him an immeasurable debt, as a PhD student and now as an academic.

My PhD was supported by the Indian National Trust for Arts and Culture Heritage and a scholarship from the Association of Commonwealth Universities. The Arts and Humanities Research Board provided essential support under its research leave scheme for the completion of this project. The publication of this monograph was made possible by a grant from the Scouloudi Foundation in association with the Institute of Historical Research.

The Raman family in Madras – Mohan, Uma, Bhavani, Madhav and Coco – gave me a home away from home and helped me immeasurably. Vinita and Sita Damodaran very kindly gave me a place in Delhi in which to finish the thesis on which this monograph is based. Professor Majid Siddiqi offered me invaluable discussion and, with Naz, generous hospitality and friendship. Thanks also to Tom Tomlinson, David Washbrook, Crispin Bates, Clare Anderson and Dilip Menon. A debt of thanks is owed to my colleagues at the Department of History, Lancaster University.

On the Nilgiris, I owe thanks to Mr Laxmanan, who took the time to talk to me and to take me to Badaga and Kota villages; and to his family for extending their hospitality. I would also like to thank Evam Piljain-Weiderman, Mr Alwas from the Nilgiri Adivasi Welfare Association and Tarun Chabra for talking to me about their work. Roxanne Conz and her family gave me generous hospitality on the hills. The Commissioner and Collectorate in Ooty staff trusted me with very free access to the marvellous Collectorate records. I would like to thank the staff of the Ootacamund Public Library; the National Archives of India; the Tamil Nadu State Archives in Madras; the National Library of Scotland and the Oriental and India Office Library in the British Library. I am especially grateful to the
Acknowledgements

Superintendent of the School of Arts and Crafts for kindly allowing me to copy some of the School’s magnificent photographic collection.

My parents supported me for far longer than they should have and I will always be grateful. I have many people to thank for their friendship in India and the UK: Aparna Balachandran, Bhavani Raman, Rashmi, Amit Mishra, Swati Shresth, Anita Sharma, Rochelle Pinto, Rohan D’Souza, Reiner and Kate Hoffman, Corinna Peniston-Bird, Swati Mitra, Shabnum Tejani, Jacob de Roover, Nimanthi Rajasingham, Prashant Keshavmurthy, Fergus Thomas, Amy Spillane and Fiona Bannerman. I can only begin to express the debt I owe to Paul Fletcher who provided love, assistance and very welcome distractions while I prepared the manuscript for this book.
Conversions

*Area*

Bullahs were the unit of measurement of *punja* or dry ground. On the Nilgiris, it was initially applied exclusively to indigenous cultivation.

- one bullah = 18,496 square yards or 166,464 square feet; being the principle subdivisions of a bullah
- one bullah = 3.822 acres
- one bullah = 2.89 cawnies
- one bullah = 2 cawnies, 21 grounds, 864 square feet

Cawnies were the units of measurement of *nunja* or wet ground. On the Nilgiris, the cawnie was initially utilised exclusively in measuring settler occupation.

- one cawnie = 24 grounds or 57,600 square feet; being the principle subdivisions of a cawnie
- one cawnie = 1.3225 acres
- one cawnie = 0.346 bullahs

*Money*

- one rupee = 16 annas
- one anna = 4 paise
- one rupee = 64 paise
- one cantaroy fanam = 4 annas, 8 paise

A price can be written as Rs 50-3-1. i.e. 50 rupees 3 annas 1 paise
## Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BL</td>
<td>British Library</td>
</tr>
<tr>
<td>BMGM</td>
<td>Bulletin of the Madras Government Museum</td>
</tr>
<tr>
<td>CCLB</td>
<td>Coimbatore Collector's Letterbook, Received</td>
</tr>
<tr>
<td>CCLS</td>
<td>Coimbatore Collector's Letterbook, Sent</td>
</tr>
<tr>
<td>IESHR</td>
<td><em>Journal of Indian Economic and Social History Research</em></td>
</tr>
<tr>
<td>OIOC</td>
<td>Oriental and Indian Office Collection, British Library</td>
</tr>
<tr>
<td>MBR</td>
<td>Madras Board of Revenue</td>
</tr>
<tr>
<td>MJLS</td>
<td><em>Madras Journal of Literature and Science</em></td>
</tr>
<tr>
<td>MRD</td>
<td>Proceedings of the Madras Revenue Department</td>
</tr>
<tr>
<td>NAI</td>
<td>National Archives of India</td>
</tr>
<tr>
<td>NDR</td>
<td>Nilgiri District Records</td>
</tr>
<tr>
<td>NLS</td>
<td>National Library of Scotland</td>
</tr>
<tr>
<td>NN</td>
<td><em>Nilgiri News</em></td>
</tr>
<tr>
<td>PMBR</td>
<td>Proceedings of the Madras Board of Revenue</td>
</tr>
<tr>
<td>PMJD</td>
<td>Proceedings of the Madras Judicial Department</td>
</tr>
<tr>
<td>PMMD</td>
<td>Proceedings of the Madras Military Department</td>
</tr>
<tr>
<td>PMPD</td>
<td>Proceedings of the Madras Public Department</td>
</tr>
<tr>
<td>PMRD</td>
<td>Proceedings of the Madras Revenue Department</td>
</tr>
<tr>
<td>SIO</td>
<td><em>South of India Observer</em></td>
</tr>
<tr>
<td>TNSA</td>
<td>Tamil Nadu State Archives</td>
</tr>
<tr>
<td>UDR</td>
<td>Udhagamandalam District Records</td>
</tr>
</tbody>
</table>
bhurti  swidden cultivation practised by the Badagas, by which out
fields were cultivated for only four to five years. Assessed by
'shifting patta'.
bullah  measure of land, applicable to dry, or punja, land in Coimbatore,
before 1863, applied exclusively to the land of indigenous
communities.
cawnie  measure of land, applicable to wet, or nunja, land in
Coimbatore, before 1863, applied exclusively to settler land.
Collector  British revenue officer, in charge of revenue and general
administration.
Curnum  village officer, the 'accountant' in charge of the register of patta
lands.
cutcherry  court attached to collectorate where land registration took
place; used interchangeably with Collectorate though usually
associated with the office of the Tahsildar.
Dhurkhast rules  rules under which patta were assigned on an annual basis.
etvainolkedr  cremation rituals of the Todas, followed by larger
marvainolkedr.
fusli  agricultural year, beginning at the end of July.
hijrat  removal of labour through emigration; a customary form of
protest.
jumabundi  register of taxed agricultural land, detailing pattadars, extent
and type of land held and revenue payable.
kertnódr  sites of the Toda kedr.
Kundas  mountainous district of the Nilgiris, lying on the southwest.
maistry  artisan, or native engineer, employed by the government.
Malnad  ‘homeland’ of the Todas, lying on the west of the plateau land
within Todanad.
Glossary

marvainolkedr Toda ceremonies in which preserved relics from one or more etvainolkedr are cremated.
Merkunad south east portion of plateau.
monigar village officer, a headman turned revenue collector.
mund seasonal and permanently occupied habitation site of the Todas.
nunja lands classified as irrigated for the purposes of revenue assessment.
Paranginad north east district of the Nilgiris.
patta lease document for agricultural land, which specified, with increasing accuracy, the position, land held, the classification of land, the name of the pattadar and the assessment to be paid for the land.
pattadar holder of a patta.
peishkar senior revenue officer, based in the Cutcherry.
punja lands classified as unirrigated for the purposes of revenue assessment.
sarishtadar manager of the Collector's office.
shola indigenous forest, a composite description of a woodland type which included trees, ferns, mosses, etc.
tahsildar revenue officer based at the Collectorate.
taluq revenue sub-district.
turse redeemable wasteland.
Todanad largest division of the hills, which included the Malnad, lying on the northeast.
CHAPTER 1

Introduction

This book examines the British colonial administration’s successive attempts to transform the Nilgiri hills in South India into a governable landscape in the nineteenth century. The thinly populated region of 700 square miles, lying towards the end of the Western ghats at an elevation of 6,500 feet, possessed a lure, on a diminutive scale, similar to that of the Himalayan foothills of Northern India: a temperate, isolated and elevated environment to which Europeans staked a privileged claim. Unlike the Indian plains, where European habitation was characterised by a calculated discomfiture and alienation, the hills offered the European an opportunity to cultivate a sense of fit and familiarity. The idealisation of the landscape claim based on similarity, recognition and nostalgia is best encapsulated by Viceroy Lytton’s eclectically comparative and oft-quoted description of the hills from 1876:

The afternoon was rainy and the road muddy, but such beautiful English rain, such delicious English mud. Imagine Hertfordshire lanes, Devonshire downs, Westmoreland lakes, Scotch trout streams, and Lusitanian views!

The physical incursions of colonists under East India Company and later imperial governance began in the second decade of the nineteenth century. Private homes and a sanatorium on the plateau were soon supplemented by farms established to supply the growing population and by plantations cultivating coffee, tea and later chinchona. By the 1880s, the plateau was home to the Summer capital of the Madras Presidency.
IMPERIAL HISTORY AND LANDSCAPE

In 1903, the Governor of Madras commissioned Frederick Price to write a history of Ootacamund, principal settlement on the Nilgiris. The text produced by Price is a civil miscellanea ordered according to imperial material and moral certainty: history began in the second decade of the nineteenth century with the arrival of Europeans intent on settlement and was consolidated and augmented thereafter by a series of arrivals and introductions. Price spent nine pages of his history deliberating whether it was truly John Sullivan, the Collector of Coimbatore, who ‘discovered’ Ootacamund in 1819, and lamented that he had ‘been unable to ascertain when the potato was first brought’ to the settlement. In Price’s narrative the history of the hills was carved on to an historical tabula rasa. Roads were built, societies established and species, both floral and faunal were introduced. Chapter by chapter, Price laid down the history of specific physical and social institutions of the town: ‘Churches’, ‘The Freemasons’, ‘The Lake: its history’, ‘An Account of some old, and otherwise noteworthy houses’. Price’s text synchronised history and colonisation, creating a landscape that was both explicative of and constitutive of the imprint of civilisation and progress.

As Paul Carter has observed in The Road to Botany Bay, imperial histories like Price’s play out to eerie certainty. Such histories ‘reduce space to a stage’ across which events are performed, as narrated from the page, in bounded and ordered places. The historical landscape becomes a narrowly defined vista across which the significant actors of the imperial enterprise processed. In Price’s history the induction of civilisation across the plateau of the hills is charted in a precise and linear form: a seventeenth-century glimpse of the hills by an emissary of the Catholic Church was followed by expeditions and excursions at the beginning of the nineteenth century that gradually and cumulatively gave way to the occupation and transformation of the hills through pre-formed civic institutions and an equally predetermined civilising mission. The interests and actions of settlers and state, in making history, are harmoniously balanced in Price’s narrative. Price equivocates over etymological detail and admonishes, with hindsight, the unwise introduction of some alien species to the hills. However, the only resistance permitted and considered by the narrative are the occasional glitches or misjudgments by colonists; the only silences are accounted for by ‘missing’ documents. The purpose of Ootacamund:
Introduction

*A History* is the excavation of a pre-ordained beginning, progress – with minor tribulations – and completion.

The indigenous communities receive scant attention, effectively removing the ‘hill-tribes’ from the history – colonisation nexus. The uncolonised landscape is reduced to a marker of difference to provide contrast, and therefore definition, to that which was colonised. In one of the few allusions to the hills beyond Ootacamund, Price mentions that opium cultivation ‘has entirely disappeared from the native villages’. This change, outside of the settlement, finds sense only in its contrast to the cultivation of the same species of poppy in the ‘European flower garden’. The abandonment of opium by Badaga cultivators across an indigenous agrarian landscape is contrapuntal to, and dependent for its textual inclusion upon, the introduction of mannered, private and ornamental horticulture within the colonist settlements.

The accomplishment of his chronicle, his gift to the persistent reader, is revealed in its conclusion. Having spent twenty-one chapters painstakingly delineating the foundational moments and monuments of colonial order, he reverses everything. His twenty-second chapter, ‘Ootacamund Past and Present’, offers the recreation of a landscape unclothed by colonisation. The reader is invited to see through the eyes of Thomas Munro, the Governor of Madras, who provided considerable encouragement to the establishment of European colonists and convalescents and who also visited the hills in 1826:

Standing where he must have stood, it is not difficult to cast aside, for the time being, the wattle, gum, and other exotic trees, to blot out the houses, bazaars, roads, and other marks of the civilization of to-day, to restore in imagination the lake to the condition of that time, and so to realise what the Ootacamund of 1826 was.

This surrogate vision was a flattering tribute to Lord Ampthill, the Governor of Madras who commissioned Price’s history. The narrative obsequiously connects Ampthill and Thomas Munro through the colonisation of the hills, initiated by the former and chronicled, in its completion, by the latter. Price’s history marks both a presumptuous statement of finality and reveals a more coded preoccupation with which this book is centrally concerned. The creation of an imperial landscape, a project realised through the gradual consolidation of bureaucratic control over the plateau’s resources, economy and society, was marred throughout the nineteenth
century by ‘other landscapes’. In Price’s history, this other landscape was defined and relegated as the embodiment of the time before colonisation. I use the notion of an other landscape to consider the disruption caused to the legislative, scientific and administrative interventions through which the colonial state sought to establish its authority.

The idealisations of hill-stations and indigenous inhabitants proximate to hill-stations in South and South East Asia have been the subjects of several histories. The present study is concerned with the exposure and interrogation of the limits, corruption and unintended consequences of the contemplative and legislative imagination. The core dynamic of this study is provided by the tension that existed between three broad sets of interests: colonial authority (fragmented in space, and, especially in the first half of the century, by time, between the Court of Directors and later the India Office, the Madras Government, Collectorate Officials and even more tangentially by village officers); a highly varied population of settlers who acquired property on the hills; and the communities designated as ‘indigenous’ by the first Collector responsible for the hills. Throughout the century, incoming colonisation, state interests and indigenous occupation were variably orchestrated through the definition and measurement of different domains of land and resources. The sequestration of these domains, through legislation or physical demarcation, met instantaneous, if varied forms of, resistance which disordered the intended relationship between edict and effect. Successive sections of the book map out some of the multifarious means by which the distinction between the indigenous, the exotic and the imperial was understood and adjudicated in the nineteenth century, an adjudication which was – for all the inconsistencies and inadequacies of colonial authority – increasingly reconciled through the elaboration of different orders of space.

LAND AND POWER IN NINETEENTH-CENTURY INDIA

The praxis and consequences of agrarian administrations in specific regions in British India have been richly interrogated. Practices of land administration constitute the most significant set of material interventions in a predominantly agrarian society and their contested conceptual underpinnings have been productively utilised to provide indices of colonial and imperial ideology. Agrarian history in South Asia has undergone extensive innovation and reorientation during the last thirty years. The emergence of environmental
Introduction

history and social ecology has reformulated both the relevance and politics of agrarian history. Ajay Skaria’s work has gone further in refusing to place the order of the colonial archive and, by extension, the priorities of colonial governance at the centre of a linear history and instead has sought to foreground counter-narratives from oral history.

Any bridging between the study of a region like the Nilgiris and the broader agrarian historiography of South Asia must be tempered by a consideration of the deliberate and cultivated exceptionalism of the hills. Governance of the Nilgiris in the nineteenth century was characterised by three broad and inter-linked agendas: the encouragement given to the settlement of outsiders, and particularly Europeans, on the land; the indulgence of transformative environmental projects (ironically, given that the hills were designated ‘recognisable’ landscape; similar was never similar enough); and lastly, approaches towards indigenous populations that were, alternately, comparatively muted or grandiose. The administration of the Nilgiris in the nineteenth-century deliberately held the hills, along with a few other elevated regions, to be exceptional in relation to the peasant agriculture of the ‘plains’. That difference justified an administrative regime that was at times at dramatic variance with that found elsewhere in British India. On the other hand, it is clear that the hills were a constituent element and constitutive of the broader course of agrarian administration in British India. Notable connections exist in the administration of forests, a category of resource that was so singularly and rigorously defined by colonial foresters that local specificities were often subsumed or ignored. The displacement of indigenous subsistence crops by more marketable strains and the gradual introduction of indebtedness among cultivators on the hills during the second half of the century corresponded to broader patterns of agrarian response and reconfiguration in British India.

The analytical vocabulary of agrarian history has been complicated by the awareness that our key categories – most notably: caste, peasant and tribe – have been inherited from the colonial archive. The legislative and ethnographic delineation of tribe, as opposed to caste, is traced here in some detail. As elsewhere in British India, the meaning of indigeneity on the hills was gradually valued, striated and qualified by the colonial state during the course of the nineteenth century. For the purposes of this study, those whose existence was encountered and classified as indigenous at the beginning of the nineteenth century – the Badagas, Kotas, Todas, Irulas and Kurumbas – are the indigenous communities of the hills.
the second decade of the century, a tacit aboriginality was recognised in those communities with whom the colonial administration brokered the acquisition of land and whose revenue payments provided an index for the imposition of taxation on colonists. By the end of the century, this utilitarian definition had been replaced by a vastly different definition of the aboriginals of the hills, of which the Todas had become the cultural and juridical exemplar. Throughout this book, only terminology available from the records is used. The term adivasi is avoided and indigenous occupiers of the hills are described as either tribe or community. This book does not address directly the contemporary political ramifications of the category of ‘indigenous’ and whether any one of these groups has a ‘truer’ stake in the local politics of indigeneity as it has emerged in the last twenty years.16

The geographical definition of the Nilgiri hills requires some explanation. Just as the definition of indigenous was marked by historical modification, the spatial boundaries of the hills were, and remain as do all other boundaries, the result of historical contingency. In the eighteenth century, the hills were under the titular authority of the Mysore state and trade links existed with the Malabar Coast. After the defeat of Tipu Sultan, the Nilgiris were among those regions of the Kingdom of Mysore that were seized and taken under direct rule by the East India Company Government in Madras. For the first thirty years of the nineteenth century, the jurisdiction exercised over the hills was ambiguous. The Collectors of both Malabar and Coimbatore in turn assumed some authority, enhancing the latitude enjoyed by the first settlers on the hills. By the middle of the century, its orientation towards the market and administrative centre of Coimbatore was secure and in 1868, the hills were separated from the plains altogether and placed until the office of a Commissioner.17

LANDSCAPE AND OTHER LANDSCAPES

Historical geographers and art historians have exposed the tacit play of power and property that lies between the material world and its representation as landscape. Landscape, elaborated in art, cartography and literature, has been carefully explored as a modern ‘way of seeing’ that mediates the perception of any space.18 Landscape, although conventionally recognised in a form that emphasises openness, scale and sweep, is carefully composed to tacitly confirm the elevation of the viewer. The attributes of landscape form – arrangements of occupation, culture and nature – exclude elements
Introduction

that would detract from that order. Landscape, as a precisely cultured sensibility of place, was well exercised in texts and images produced on the Nilgiris, and throughout India, in the nineteenth century. Pictorial and narrative summaries of the hills consistently describe, or rather imply, a complete and comfortable reach of authority.

Landscape idealisation provided an idiom through which the colonial imagination could be expressed within comforting conventions of form and content. One of the earliest visual portraits of the Nilgiri landscape came in a set of ‘charmingly naïve’ paintings of a colonised, ordered and accessible landscape produced by a Captain Richard Barron, Aide-de-camp to the Governor of Madras, in the mid-1830s. In the second painting in Barron’s collection, Ootacamund is carefully laid out beyond the road lying at the forefront of the picture. Neat, whitewashed buildings (many of them owned by the subscribers who funded the work) are clearly recognisable and appear to be resting on, rather than in, the landscape. Property boundaries, connecting roads and pathways and the edges of manicured cultivation are well-defined and conspicuous. Several houses are surrounded by

demarcated holdings; one, to the left of St Stephen’s Church, sacrifices perspective to create a crude parallelogram of property carved on to the side of the hills rising above the settlement. In contrast to the geometric assertion of settlement property and agriculture, the outlines of the hills, grasslands and forests are rough-hewn and unobtrusive.

The landscape perspective provided a medium for the representation of colonisation as improvement. The artificial lake established in the 1820s by the construction of a *bund* is prominent in the fourth painting from Barron’s collection.21 Four Europeans are shown rowing a boat across the lake, the rippled surface of which reflects the same ordered colonisation and charming picturesque found in the painting of Ootacamund. An entire chapter is given to the same lake in Price’s *Ootcamund: A History*. Price appreciatively quotes James Hough, a Chaplain convalescing on the hills in 1825 who wrote,

Numerous mountain streams furnish an abundance of water, that may be diverted in any direction to irrigate the lands; but they contribute very little to the beauty of the scenery, being hid, sometimes by the woods, at others by the depth of the ravines, through which they flow. Indeed the scenery of Ootacamund may be said to have been without water, before the present Collector supplied this great desideratum.22

The land of the hills before the arrival of the colonisers, therefore, despite possessing the requisite material elements, was not a landscape at all. Landscape was inseparable from, even unthinkable without, a colonisation that would reorder those elements of water, land, people, forest and production. In landscape, aesthetics and utility merged and complemented one another and the uncolonised land was the welcoming recipient of adjustment and improvement. The landscapes created by Hough, Barron and Price span the chronological history of colonisation – from the 1820s to the early twentieth century. Despite their variances, these representations consistently reproduce the landscape of the Nilgiris as the beneficiary, if not the creation, of colonisation.

This book revisits the nineteenth century on the Nilgiri hills, using much of the same archive employed by Price and examines many of the same productivist and aesthetic preoccupations that were expressed in landscape forms. Similarly, most of my evidence is gleaned from the records collected and assembled by, or associated with, the variegated machinery of the colonial state.23 In following the contours of the colonial archive, a primary
Introduction

concern in this work is to match the fabric of the imagined landscape to the fabric of administrative records. The ineptness of the local state in retaining and implementing legislation at the local level led, on at least one occasion, to the ruled having to remind bemused local officials of legislated practice. The breaches in the adjudication of colonisation between local, Presidency and home governments were so great on occasions that they became incommensurate. The inconsistencies and contingencies of rule are more significant to this book than any single, deliberative pronouncement of the state. The flaws of the colonial state are not easily located within these records. Indeed, successive records of the various Boards and Departments generally took care to elide variance, conflicts and retractions; changes in policy were re-narrated to conceal truncations and alterations. It was in the archive, therefore, that the judicial fabric of the colonial state was consolidated and repaired. The central purpose of this book is to establish and interrogate those dissonances as productive forces in the constitution of the imperial project.

This way of thinking about landscape does not avoid imperial discourse but contemplates its repetition, exclusions and failures in the context of administering colonisation. In particular, different chapters examine the authority presumed when the colonial administration tackled the question of the ‘other landscapes’ – land, people, objects, structures and claims – that existed beyond the immediate reach of colonisation. Landscape, beyond the formal meaning of the ‘scene’ described above, is defined here as a summary of a particular space, a natural and social composite, that was identified for the purpose of expressing some form of jurisdiction: appropriative, scientific, ethnographic or conservationist. Landscapes were temporary and partial realities. The village, the forest, the settlement and the plantation either singly or in combination are all landscape forms: apparently self-evident, coherent and communicable material realities. Their predictive and speculative aspects, and their relationship to resistance, enable their designation as landscapes in this book. These landscapes were not descriptions but applied ideas; their articulation was inseparable from some proposed intervention. Their correction, improvement or protection provided the means through which their existence was made meaningful to the colonial state and within the colonial archive. This speculative aspect was a matter of degree. The acquisition of lands by colonists was marked both by pragmatic accommodation and the vociferous denial of the legal schematics the colonial state sought to impose in regulating the land
market. The custodianship of foresters, in particular in the second half of the century was, on the other hand, prone to endless speculative deferral as to the nature of the landscape over which it took charge.  

The chapters of this book are broadly chronological but are not strictly sequential. They present a series of encounters, legal enactments and historical narratives through which the colonial intervention on the hills was ordered, frustrated and re-made. We begin with four foundational moments of land expropriation and end with the retreat of European spectators from Toda funerary rituals at the end of the century. Instead of tracing a cumulative process of colonisation this book is primarily concerned with the processes of elision that concealed the frailties and ambiguities of colonisation. Chapter 2 addresses explicit resistance offered by hill communities during the period when the state had no pre-formed corpus of legislation to mediate or regulate colonisation. These challenges were the crucibles in which the local, Madras and Home authorities negotiated ‘legal’ colonisation, and in doing so took care to silence the violence and coercion which accompanied physical appropriations. Colonisation was reduced to the assignment of value to measurable land initially through the payment of compensation and, subsequently, in the conception of a land-market in which Revenue Officials were the principal adjudicators. Although the colonial state in British India articulated, in regional variants, principles of the relationship between revenue administration and property in land, no clear identification, in practice, was made of marketable, as opposed to taxable, forms of landed property. No stable jurisdiction was ever exercised by the colonial state over the pace and nature of land-transfer in British India in the nineteenth century.

The transformation of the Nilgiris by – among other influences – the large-scale transfer of proprietary rights, therefore, offers a complex but not atypical picture of the strained attempts of the Revenue Authorities to know, let alone administer, the alienation of land by agrarian tax-payers. At the start of the nineteenth century, land usage and resource distribution were embedded within complex social, familial and community networks. The land documents held by cultivators, pattas, and the accounts of village revenue officers were the only archive and device through which the agrarian landscape could be known. For the cultivating communities, the Badagas, Kotas, Irulas and Kurumbas, pattas were distributed on the same basis as for the lowland district of Coimbatore. Renewed at the beginning of each agricultural year, they specified the area of the holding, the nature of cultivation, the name of the pattadar
and the amount of revenue payable. The colonial system of mapping rested on definitions of proprietary or usufruct rights in which scale and value were intrinsic. The *pattas* and the records of the village revenue officers contained explicit recognition of neither.

Expressions of authority over land, whether in direct appropriation or the administration of its sale, combined juridical conjecture with brute force. The local state had nothing approaching full control of the sale of lands until the 1880s. But the formulations of these conjectures were effectual means to distort and subsume resistance. As elsewhere in British India, a desire was expressed, repeatedly, to preserve the principles and patterns of land-holding on the hills while asserting the government's right to agrarian taxation. Again, as elsewhere, this conservatism was belied both by local contingencies that acted to transform agrarian society and by the reforming impulses of the colonial intervention.²⁷ On the hills, the principle of maintaining existing patterns of property and tenure was abruptly confronted by the desire to transform the landscape through the introduction of new land-holders and new crops. Since the pre-existence of usufruct rights on the hills could only be an impediment to the freedom of the state to alienate land, the presence and behaviour of indigenous hill communities could *only be* comprehensible as deceptive, greedy and duplicitous.

The third chapter explores the relationship between the land-market, cadastral survey and the gradual consolidation of a revenue bureaucracy on the hills. Despite the desire to establish comprehensive cadastral knowledge that would replace the *pattadar* system, tabulations of taxable rights consistently eclipsed knowledge of spatial, bounded property relations. Despite the repeatedly articulated conviction that cadastral information was a precondition of efficient revenue administration, episodic legislative enactments concerning the sale of taxable property on the hills tended to compensate for and conceal the lack of cadastral knowledge possessed by the revenue authorities.

The impact of colonisation upon the existing agrarian landscape – as labour, production and the arrangement of power at the village level were transformed by land alienations and the intrusion of the plantation economy – is explored in the fourth chapter. Badaga production, caught between parallel governmental impulses of displacement and reform, was forced into insistent transgression. By the end of the century the Badagas – who had arrived on the hills in the sixteenth century – were increasingly
regarded in local administrative discourse as illegitimate, destructive precursors to European colonists on the hills.28

An exploration of the management of forests on the hills offers an elaboration of this theme. Chapter 5 charts the changing definition of the forest, a category of landscape which pre-occupied the British administration throughout India. The re-configuration of forests on the hills created two orders of landscape management and two contrasting allegories of human/environmental interdependence: one exotic, profitable and sustainable and the other indigenous, marginal to production and unsustainable. The Badagas were cast as belligerent threats within both; responsible for the attrition of indigenous forests, the shola, and alienated from the re-invented and ‘improved’ imperial forest resources.

The differentiation of Badaga peasants as unwelcome competition to European colonists was in stark contrast to the treatment of the pastoralist Toda communities. Chapter 6 explores the creation of legislative, moral and ethnographic certainty which crystallised around the habitational settlements, the munds, of the Todas. Toda munds were conspicuously divorced from the colonised landscape as juridical memorials and physical monuments to the time before colonisation. The desire of colonists to cultivate spaces in which the time before colonisation could be experienced is pursued in the Chapter 7. Toda funerary rituals attracted crowds of visitors both Indian and European in the mid and late nineteenth century and became events at which spectatorship, ethnology and authoritarian invigilation were uncomfortable bed-fellows. The tensions and ambivalences inherent to these encounters resulted in the gradual evacuation of the event by spectators and ensured that the spectatorship was occluded in imperial histories of the hills.

When the first Europeans settled themselves on the hills, the indigenous communities provided more than ethnographic diversion. The interpretation of local nomenclatures and regimes of taxation provided the sole basis for the presumption of land-rights on the plateau. The second chapter explores the opportunities, inconsistencies and resistance through which an order of legitimate expropriation was established.

NOTES
Introduction


8 Thomas Munro, 1761–1827, soldier, agrarian and judicial administrator and instigator of the *ryotwari*, land tenure system in the Madras Presidency. He was appointed Governor of Madras in 1820.


13 The physical colonisation of land by Europeans was rare and restricted in India, save for mountainous climes that were considered innately suitable, such as the lower Himalayas and Western Ghats, and areas of indigo cultivation in Bengal.

14 The debate about the degree to which these categories are products of the colonial imagination and responses to their administrative employment rumbles on. The two dominant though contested studies of tribe and caste are, respectively, Sumit Guha, *Environment and Ethnicity in India 1200–1991*. Cambridge: Cambridge University Press, 1999 and Nicholas Dirks, *Castes of Mind: Colonialism and the Making of Modern India*. Princeton: Princeton University Press, 2001.

15 This perfunctory five-fold division is a product of the colonial encounter and although now widely used it is by no means unproblematic, as discussed in the fourth chapter.
Other Landscapes


17 Although as a place-name the Nilgiris was pre-eminently associated with the plateau, the administrative boundaries of the district after 1877 included South-East Wynaad and the Ouchterlony Valley on the west. Since the particularities of the intervention with which this book is concerned is specific to the plateau, these areas of the district lying at a lower altitude are not dealt with in any detail.


19 For one of the first among a proliferation of studies, see: Denis E. Cosgrove, *Social formation and symbolic landscape*. London: Croom Helm, 1984.

20 This apt description is taken from the notes of the Prints and Drawing Catalogue of the Oriental and India Office Collection (henceforth OIOC). Captain Richard Barron, *Views in India, chiefly among the Neelgherry Hills, taken ... in 1835*. London: Robert Havell, 1837.

21 ‘Taken from the Bridge Seen in No. 1. Looking at the South Side of the Lake.’ Pl. 4, in Barron, *Views in India*.


23 These records are now centralised in London, Chennai (formerly Madras) and Udhagamandalam (formerly Ootacamund).

24 That the colonial administrative regime had unintended consequences and limits has not gone unnoticed by other historians of South Asia, see for example: Nandini Sundar, *Subalterns and Sovereigns: An Anthropological History of Bastar 1854–1996*. Delhi: Oxford University Press, 1999, p. 11.

25 This struggle of imperial forestry to reach some definition of the resources in its charge is the subject of chapter four.


27 For a sustained and focused investigation of the tension between preservation and transformation, see Robb, *Ancient Rights*.

Indigenous Precedent and Displacement

'It may be asked why I have made but passing reference to the Todas. ... They have nothing to do with the history of Ootacamund, and consequently any attempt to give an account of this puzzling race, or to deal with the mystery which shrouds its origins and history, would be completely out of place in a work of the nature of the present.'

Frederick Price, 1908, Preface in Ootacamund: A History

The quote above encapsulates the elision worked by nineteenth-century historiography on the history of colonisation on the hills. It is also forms the link between the first and last chapters of this book. By the end of the nineteenth century neither the ‘puzzling race’ of Todas, nor any other hill community, despite being conspicuously present on the hills, had a place in historical narratives of colonisation. The hill communities had been displaced, and fragmented, into a separate history and a distinct landscape. This chapter examines four case studies, of which Ootacamund is the first, in order to re-place the indigenous hill communities in colonisation. In each case, protests by members of indigenous communities against land appropriations forced the state to reassess and reformulate the colonial intervention on the Nilgiris.

The establishment of settlements by Europeans on the hills was dependent upon two conflicting orders of colonisation. First, the ad hoc expropriation of land for the purposes of establishing houses, hospitals, barracks and plantations for settlers, military and civilian, private and official. Second, the development of a rule of law through which the power of the East India Company, and then imperial government, could be exercised over colonisation from Madras through a network of local Collectorate
officials. Ideal governance would require the second principle to precede the first. In practice, this order was reversed and the alienation of land preceded the establishment of any formal codes to regulate colonisation. The Board of Revenue in Madras found itself beholden to unauthorised settlers as private individuals and officers sought to rent or sell their established properties to government as convalescence depots. Codes for the appropriation of land were formed and modified in response to the contingent effects of specific appropriations and exchanges and the ambitions of a few, well-placed and interested parties.

The case studies discussed in this chapter span the period from the middle of the 1820s to 1860. At Ootacamund and Jackatallah land appropriations, for the establishment of a civil settlement and barracks respectively, were interrupted by the objections of local communities. At Keti, after an experimental farm failed, measures were initiated to return the land to its former occupants and in the case of Candalmund the Madras government intervened to challenge a sale deemed retrospectively to have been forced by local officials. In each of these disputes official investigations were initiated after, though not necessarily because of, the remonstrations of indigenous communities to land appropriations. These four cases historicise the organisation of just land appropriation in which the prioritisation of indigenous land-rights was surpassed and physical and social violence sublimated in full view of the law.

**OOTACAMUND: CODIFYING INDIGENOUS PRECEDENT**

John Sullivan, the Collector of Coimbatore and one of the first settlers on the hills, had laid claim to 9.5 bullahs (36.3 acres) of land without permission around 1820 and subsequently acquired land in the settlements of Coonoor, Kotagiri, Dimhutty and Keti. Sullivan leased the land to the Government, later selling his home, Stonehouse for the use of convalescing troops. As he accumulated properties on the hills, Sullivan offered the Madras authorities a legal foundation, and regulatory code, for the organisation and arbitration of colonisation that was based on the manner of his own land purchase from a Toda community. In 1827 he wrote that: 'The Malnaud [the portion of Todanad in which Ootacamund was located] ... is entirely pasture and has been in the possession of the Todavurs from antiquity remote beyond the reach of even tradition. They are the most ancient inhabitants of the mountains and are recognised as the proprietors of the soil by the people
of more recent origin, the Bergers ... who pay them annually as such, fees in kind.\textsuperscript{2}

The ‘fees’ mentioned by Sullivan were henceforth known as 
\textit{gudu}, a share of agricultural produce received by the Todas from the cultivating communities, principally the Badagas and the Kotas. In its operation \textit{gudu} was part of a socially embedded complex of exchanges made between the hill communities. These exchanges were not structured between homogeneous groups, but were organised amidst long-standing relationships between families in different communities.\textsuperscript{3} The selective, superficial and rare engagements between revenue administrators and the social networks that organised subsistence and exchange on the hills extracted only truncated and fragmented narratives of rights and usufruct.

In Sullivan’s construction of legal history, the arrival of the Badagas on the hills was a singular and defining moment. He claimed that \textit{gudu}, as distinct from any other payment made between the hill communities, originated in a formal agreement made centuries before between the Badagas and the Todas which acknowledged the latter as the first, and therefore the apex, landholders on the hills, a claim which ignored the intervention of the kingdom of Mysore in the hills in the eighteenth century. The payment, he claimed, was now an established system of taxation on the hills, having increased as cultivation expanded; in particular since the arrival of European occupation of the hills had created an increased demand for crops. Sullivan’s codification of \textit{gudu} was inconsistent and without proofs beyond his own insistence and experience. However, his tenacity placed the concept of \textit{gudu} at the centre of debate on land alienation procedure and codifications of Nilgiri land rights.\textsuperscript{4} Sullivan detached the payment from social relations and re-fashioned it as a property of land and as the definitive index of land tenure history on the hills. \textit{Gudu} was, he claimed, the only legal foundation through which the Madras government could impress its authority on the colonisation of the hills.

Sullivan suggested, and the Madras authorities concurred, that the settlement at Ootacamund should not extend beyond fixed limits.\textsuperscript{5} Within these limits, settlers would be obliged to pay land tax to government and enter the \textit{gudu} rent regime on the hills. The Revenue Authorities, however, would mediate the collection and distribution of the latter to the Todas. The Board of Revenue endorsed Sullivan’s plans and formalised the distinction between settlers and state in relation to \textit{gudu} payment. When land was appropriated by government, an appropriate sum would simply
Other Landscapes

be subtracted from the pasture tax paid by the Todas – the government would not ‘pay’ gudu, therefore, but offset it against the state’s own claim to tax. For settlers, gudu was written into the formal procedures of land acquisition. The payment would be levied as a separate tax, on top of the normal revenues payable to government, at the rate of Rs 2 and 2 annas per cawnie (1.32 acres). Each grant would be limited to two cawnies within the limits of the Ootacamund cantonment.6 These payments were to be made to the Commander of the Cantonment and thence sent by him to the Sub-Collector of Coimbatore. Once a receipt was received from the Coimbatore Collectorate, the Commander of the Cantonment would issue a ‘Toda Compensation Certificate’ to be forwarded to Madras as part of land grant application. This money would then be distributed from the public treasury to the Todas, as gudu.7

As the Madras Government sought frantically, and often unsuccessfully, to control the size and the position of holdings and the terms on which they were inhabited, the question of compensation to the Todas became a part of a larger struggle to control the accelerating growth of the settlement. The compensation system functioned as much to provide government with an indispensable aperture into the establishment of settlement properties as it did to remunerate Todas. In this respect, however, it was less than successful. Neither the civil nor the military authorities were in a position, or of the inclination, to force payment and only nine payments were recorded for compensation certificates in the period from 1828 to 1830 when the practice was apparently discontinued.

The failure to implement this elaborate scheme derived, in large measure, from the fact that de facto control of colonisation fell, not to the civil authorities, but to the military authorities who had a permanent presence on the hills.8 The military authorities did not share the enthusiasm of the civil officers for codifying practices or precedents for land rents or tributes. William Kelso, who commanded the troops on the Nilgiris in the 1820s, confidently reported that, ‘there is not a native village within three miles of the station with the exception of 2 small Toda mounds situated in the centre of two large woods with perhaps 8 or 10 people in each’. This paucity of occupation, in Kelso’s eyes, effectively amounted to the ‘absence of a native population’ on the hills and therefore the absence of any inducement to design a system based on indigenous precedence through which European colonisation might organise and legitimate itself.9
Indigenous Precedent and Displacement

In 1829, following the establishment, at least in principle, of the role *gudu* would play in land alienation, a petition, signed by nine Todas of Malnad, was submitted to government. The petition was witnessed by Sullivan and was composed, if not by him, then obviously under his advice. The petition stated that, ‘We have been in the undisturbed and undisputed possession of the Neelgherries for time beyond the reach of memory and are consequently recognised as the actual proprietors of the soil.’ ‘Goodoo’ is cited as an inalienable and customary proof of rights expressed according to modern, proprietary sensibilities. The petitioners complained that their ‘most valuable and favourite ground’ was being alienated and that the compensation rate set by government, described as a ‘trifling sum’, was not given for land appropriated by the local authorities for public buildings. Although no doubt reflecting alarm at the rate and terms of land expropriation, the petition neither challenged nor rejected colonisation, further suggesting Sullivan’s influence in its construction. The petition asked only that the alienation of land should be compensated at a higher rate; that government should be subject to the same terms of payment as private settlers; and that land appropriation should circumvent habitational sites and the surrounding woods.

The ostensibly Toda-voiced petition served to confirm the codification of *gudu* as an inalienable quality of the land but also suggests that the significance of the payment was being altered in the minds of those who paid and received it, at least in dealings with government. From then on, as is apparent from the other disputes described in this chapter, the meaning of *gudu* developed in parallel but distinct landscapes: as a variously interpreted means of usefully codifying indigenous land rights for the purpose of colonisation and, conversely, as a means by which hill communities could codify their own complaints in a way that apparently registered with the Revenue Authorities but which remained sufficiently socially embedded to be described as such by twentieth-century anthropologists.

The codification of *gudu* – and its service to the colonisation of the hills by Europeans – created the possibility, if not the likelihood, of interrogation and reinterpretation. Sullivan’s claims met with a redoubtable challenge in 1835 from G. W. Drury, the new Collector of Coimbatore. Drury charged that Sullivan had misread *gudu*’s original meaning to the hill communities. The Todas themselves admitted ‘no claim whatever’ upon the lands held by Badagas, Kotas or other communities on the hills, claimed Drury, neither did agrarian communities seek the permission of the Todas for the
wastelands that they sought to cultivate. Drury specified as proof an area of land at Kotagiri that had been sold to Europeans by Kotas without any communication with the Toda *munds* nearby.\(^{11}\) Crucially, Drury imposed a separation in inter-community relationships between subsistence and ritual by claiming that both the Badagas and the Todas considered *gudu* to be for ‘religious purposes’ only and therefore not representative of any land rights and hierarchies appropriate for legal codification. Questioning Sullivan’s assertion that *gudu* would be taken through force by the Todas if unpaid, Drury claimed that no system of coercion was observed or even contemplated. Drury’s own fragmentary and instrumental ethnology concluded that *gudu* was indicative of no prescriptive rights, land-based or otherwise.\(^{12}\)

By 1835, Sullivan was a member of the Board of Revenue and was well placed to refute Drury’s challenge and extend the life of *gudu* as an authorised principle of revenue management. Sullivan imaginatively deflected Drury’s charge that no mention was made of *gudu* in any existing revenue accounts for the locality which had, after all, been under the titular control of Mysore before 1799: ‘It would be as unreasonable in us to expect “documents” as it would have been in Penn to have called for title deeds from the Indians with whom he treated for their proprietary rights in America.’\(^{13}\) When cracks appeared in the absolutes he himself had established in shaping *gudu* as the guiding principle of colonisation, Sullivan fell back upon indisputable relativism and generality. With which species of colonisation, asked Sullivan, did the Madras authorities wish to broker historical comparison? This was not to be the last time the relationship between settlers and indigenous inhabitants was explicated as one aspect of a globalised, imperial *noblesse oblige* beneath which authority and judicial specifics could be submerged.

Drury failed to dislodge *gudu* from alienation and assessment discourse but in response the Board introduced greater ethnological and spatial elaborations to the rules established in 1828. Settlers buying land within the bounds of the cantonment from anyone other than a Toda was to be liable to pay ‘that portion of the produce to which the Todawars are entitled from all cultivated land within the Burgher limits’. That payment was defined as *gudu*. In place of the rate previously set by government, the Coimbatore Collector was to mediate and set this payment at ‘a fair sum [for] the redemption of the Goodoor tribute’.\(^{14}\) In areas beyond the cantonment, where no assessment had been set, occupants should be left ‘to make their own bargain with the Tudas [sic]’.\(^{15}\) The debt of *gudu*
Indigenous Precedent and Displacement

would be bought by settlers as part and parcel of the land. Orders were also given for land ‘enclosed by Europeans and others, without payment of compensation or even obtaining the Todawars consent’ to be surveyed and mapped in order that *gudu* could be levied. According to the system of land acquisition the Board had designed, *gudu* was acknowledged, perpetuated and either directly mediated or ensured by the state: *gudu* formed a part of the acquisition of land rights but did not, as Sullivan had claimed, fully encapsulate those rights.

Despite the dilution of *gudu*’s status, ‘the right and interest ... which has been acknowledged as rested in the Todas’ remained a bugbear to the organisation of settlement and taxation. To this end it was determined that the whole of the land appropriated for the Ootacamund cantonment would be measured and payment made to the Todas as a one-off settlement of that ‘right and interest’. Government would thereby obtain any and all rights the Todas may have possessed in the land. To avoid inconsistency and the possibility of future claims, an advertisement was placed in the Fort St George Gazette on the first of March 1836, offering to reimburse those few settlers who had obtained Toda Compensation certificates or who had paid compensation to the Todas. The decision to purchase all the land in and around the cantonment was primarily, though implicitly, designed to undercut and curb the claims of unruly settlers. In order for government to possess and express the right to dispose of Nilgiri land, a perfect title first had to be located in the customary law of the hills. With the exception of John Sullivan and a handful of others who had obtained compensation certificates in the late 1820s, many of the present proprietors, or those who claimed proprietary rights in the settlements, had no interest in involving government in their holdings.

During the sale negotiations, the Todas of Ootacamund petitioned for areas of the cantonment which they desired for their exclusive use, Candalmund and Manjakalmund. These ‘reservations’, amounting to less than 100 cawnies, were granted on the condition that the land was required for neither military nor civil purposes. The Revenue Authorities determined to include this land in the ‘general cession to be made by the Todawars’ but agreed to reserve them from alienation to settlers. On the 27th March 1837, the Todas who had a fortnight before signed an agreement to accept the money for Ootacamund were gathered by the Sub Collector of Malabar for the final transfer of deeds and payment. At this meeting the Todas refused point blank ‘to sell their right in the land or to receive...
compensation for it’. The Todas stated that since signing, eight of their community had died and they had been ‘seriously warned by our Diety in [our] dreams that those who sell the ground shall be deprived by him of all their prosperity, that they and their Buffaloes shall be brought to the brink of destruction’. Already, the Todas claimed, many of their buffaloes had died and those that remained were dry: ‘These and other reasons make us unwilling to sell our land.’

Those who held land-rights and the Monigar of Merkanad, Goondoogul, who had signed the previous agreement, claimed the Collector, ‘with great willingness after every possible explanation’, withdrew their consent as did the others who had been gathered by the Collector in order, he thought, to obtain the widest possible consensus. The Toda pattadar now claimed that they had agreed to sell the land only at the instigation of Goondoogul, ‘a cirkar’s servant’, and had now, on reflection, rejected the idea. The Todas stated that they had no objection to the continued occupation of the cantonment land, a fact duly noted by the authorities. They were not, however, prepared to sell their rights to the land.

The purpose of the sale was to eradicate even the possibility that Todas possessed any significant rights to land. The Board’s response made clear that the Todas were not considered equal parties in the sale. On receiving word of the refusal, the Board of Revenue in Madras ordered that the money be kept available to the Todas for one year, after which time they would forfeit their entitlement. By the time the Court of Directors had been informed and had replied to the Board’s ruling in April 1839, the Todas had accordingly forfeited the payment. The Court, whilst doubtful of the original premise upon which the Todas were granted full proprietary rights, condemned outright the Board’s conduct as a ‘mere arbitrary exercise of power’ which would ‘shake the confidence which the simple fact of their obstinate refusal to transfer their rights, shews that the Todas now place in the justice and moderation of our Government.’ The possibility of violence, an option frequently exercised in the treatment of indigenous populations, looms large behind this statement. The refusal to accept payment was meaningful to the Court only in terms of the benevolence that allowed that protest to be possible: that the colonial authorities were willing to admit the Todas as parties to a negotiated agreement. The agency of those who refused and the open resistance to alienation constituted by that refusal were entirely invisible and inaudible to the Court. The Court ordered the Collectorate to enter into negotiations once again and demanded that any settlement reached
was to include the arrangement of an annual rent which would reconcile the rights and desires of both government and indigenes.\textsuperscript{25} The Madras authorities had planned to purchase the land in order to remove any and all rights that might have been acknowledged in previous legislation. This suggestion of a rent, a classification of payment which intrinsically admits the superiority of the receiver’s rights, only exacerbated the indistinction of Toda and governmental rights. Nevertheless, the remote Court had spoken and a figure of Rs 150, five per cent of the original cantonment settlement, was set as an annual payment to the Todas of Ootacamund to compensate the loss of land. This payment was to be paid every July when agricultural taxes were collected from all the hill communities and backdated to 1836, the year that government had decided to buy the cantonment land from the Todas.\textsuperscript{26} In the agreement made with representatives of ten munds the Rs 150 was described both as ‘like quit rent’ and as a payment made by government ‘in the same manner as the Borger Ryots of these hills pay \ldots “Goodoo” for our lands which they cultivate’.\textsuperscript{27} The terms of payment set out, therefore, combined proprietary and customary terms and distinguished between the land owned by the state, and by inference, by the Todas, a combination that made government simultaneously tenant and tax collector.

This agreement was bizarre but not in itself unsustainable; elsewhere in British and Princely India the fragility and complexities of legal, symbolic and operational power created similar paradoxes. On the hills, however, the question of Toda land-rights had only ever been one aspect of a larger project aimed at regulating colonisation on the hills. Government was now beholden to a species of land-rights that had been recognised purely to expedite colonisation. Sullivan, as a member of the Board of Revenue in Madras, took the opportunity to point out that since Todas proprietorship was \textit{de jure} confirmed by the government’s agreement to pay what was termed a quit-rent, the government was no longer in a position to grant leases or to collect taxes on any land in which similar rights existed.\textsuperscript{28} Only one settler had come forward to accept reimbursement, and therefore the invalidation, of a Toda Compensation Certificate. Indeed, Sullivan was among those who had thought better of availing themselves of government’s offer.\textsuperscript{29}

The Advocate General in Madras, George Norton, also a land holder on the Nilgiris, stepped forward to explain fully the legal ramifications of the payments government had agreed to make. Property law could not recognise rights to land ‘in the simple sense’ (the description of rights that the Court
had initially ordered the Madras authorities to respect) as opposed to the rights bestowed by normal civil law. In recognising the ‘proprietorship of the Todas’, government had jeopardised its rights to set any land revenue on the hills beyond that which had been paid by the Todas before the quit rent agreement, and had effectively annulled all existing land grants held on the hills, the terms of which had been drawn up ‘on the understanding that the land on the Hills belonged to Government’.

The rent payment also implied that, theoretically, any third party could purchase the land from the Todas and make themselves the legal landlords of the European settlers. If the Todas owned the land at Ootacamund, as indicated by the description of annual payments as quit rent, their refusal meant that settlers who held their leases or grants from government possessed no right of occupation.

Fortuitously, Advocate General Norton offered a solution to the conundrum he had identified: what had been the basis upon which the Todas were granted proprietorship? Norton now retraced government’s steps to prove how unfounded the endorsement of Toda proprietary rights had been and invalidated all subsequent actions of government on the basis of those rights. Two crucial elaborations, Norton charged, were missing from the Todas’ proprietorship: specification of place and identity. Did government recognise ‘some particular Todas ... as proprietors of a particular spot and other Todas of another particular spot’? To be legitimate, ‘The conveyance must have been made by the whole body ... or if by a particular portion it must appear that such a particular portion had authority to represent the whole body.’

The worth of government grants on the hills must be based upon ‘clear proof’ of Toda ownership. Such proof required that specific Todas be shown to be the owners of specific spots of land. Could that be done?

Regardless of earlier directives which had stressed care of indigenous precedents, the, albeit inadvertent, erasure of the government’s sovereignty on the hills precipitated a reversal in the coding of indigenous land rights. The disastrous culmination of almost twenty years of aleatory and contingent legislation, alternately fuelled by self-interest, disinterest and disregard, was diffused by a seamless re-narration of legal history. The Madras government now pressed, as Norton recommended, for ‘precise and legal understanding of the various rights and interests concerned’.

Toda rights were henceforth ‘simply those of pasturing their herds over the hitherto unreclaimed portion of ... [the hills]’ and could be recognised in occupied munda[s] nearby the grazing land under assessment.
of the word ‘unreclaimed’ is interesting. Land taken for cultivation was not taken afresh but was retaken, giving civilisation, or colonisation, a priori rights over land held, or rather resting, in ‘nature’. This point was reiterated by the Court’s conditional recommendation of the continuity of the Todas’ ‘ancient common right of pasture’: the recognition was only to last until the land was, inevitably, ‘brought under culture’ either by the Todas themselves, by which means they could secure a ‘more permanent and beneficial hold on the land they occupy’ or, if the Todas refused to ‘advance’, by the settlers who would supersede them. The acceptance of Sullivan’s lobby for the proprietary rights of the Todas was consigned to a redundant phase of colonisation, when the only lands required were those for the cantonment as a base for barracks and convalescents. The Revenue Authorities now had a new design for the settlement of the hills. They anticipated the alienation of ‘wide tracts of waste’ to coffee planters. In such a project the admittance of such extensive indigenous rights could not possibly be repeated.

Norton’s recommendations had set out a legal case for the removal of gudu from legislative discourse. His thesis was then turned over to a surveyor for spatial verification. The survey of the hills, commissioned in 1843 and carried out by another Nilgiri land holder, John Ouchterlony, was to definitively ascertain whether gudu, in the words of the Court of Directors, was ‘given by the Burghers from superstitious motives or with the object of [preventing] the Todas from molesting them, or as an acknowledgement of their proprietary right in the land’. If, and where, gudu could be provably demarcated an appropriate sum would be collected from settlers and distributed to the Todas. The results of Ouchterlony’s survey were unequivocal: the Badagas did not pay a set rate and were unwilling to admit that Todas held an ‘absolute right’ to receive the payment. The Badagas gave according only to ‘their means, their wants or fancy’ and the Todas, for their part, neither pursued their claims to gudu nor protested against land alienations to settlers or government which would jeopardise gudu payment. These proofs finally allowed Government to remove gudu from the landscape to which Sullivan had so determinedly sought to attach it. Henceforth, gudu would be cognisable only in cases where individual Todas came forward and asserted a verifiable claim over specific pieces of land. In organising a substantial land grant to a settler in 1842, the Malabar Collector dealt with the claims of two Todas from Kartery. The Collector believed the claims were utterly untenable but, wishing to avoid ‘the shadow of injustice’, he ordered the settler to pay gudu at one
and a quarter annas per cawnie, an amount which he believed to be the sum of Toda compensation established in the Ootacamund payments. The rate the Collector used was dramatically lower than that set in 1828 and was apparently derived by dividing the Rs 150 rent by the area of the Ootacamund cantonment. This tiny sum was formalised as the gudu that government was prepared to entertain in a manual for the alienation of land on the hills prepared in 1849. The Madras Board ordered that henceforth the term gudu was to be ‘carefully avoided’ in all revenue documents and dealings with the communities on the hills. For the land already dealt with by government through an understanding of gudu, the Malabar Collector persuaded the Todas to substitute the term ‘compensation’ for ‘goodoo’ in the agreement.

Although the Revenue Authorities had now recanted any intention of using gudu as a means of regulating land settlement, the annual payment of Rs 150 for Ootacamund settlement was retained in principle (though was not disbursed). When, in 1849, the Todas of Ootacamund petitioned government for the sum to be paid the Madras government reacted strongly to the missing payments and charged the Collector with a ‘breach of public promise’. In 1850, the arrears of the compensation (amounting to Rs 1,582-9-4), was collected by nineteen Todas on behalf of thirteen munds including those far from Ootacamund, a fact that prompted the Collector to remark that the Todas did not regard the money as simply compensation intended purely to recompense those munds who lost land in the establishment of Ootacamund. This payment continued until 1884 when it was withheld against assessment arrears owed by the Todas.

Gudu was invoked in subsequent disputes between hill communities and settlers but the juridical implications of its recognition by the Revenue Authorities were quickly forgotten. By the time Price wrote his account Ootacamund had been set down ‘in the midst of what was then, save for a few Toda huts, their surroundings, and belongings – a complete solitude’. The dispute over rents and ownerships was a mere ‘muddle’ caused by ‘protecting the supposed rights of the Todas’. A lasting legacy of Sullivan’s campaign to establish gudu as a precedent for rents on the hills was its effect on the status of the Todas in the (more discursive) ordering of colonisation. The Toda communities on the hills became synecdoches for indigeneity and as such were central to the articulation of the principle of protecting indigenous precedence. In their memoranda, the Board of Revenue in Madras repeatedly emphasised that colonisation was not to ‘interfere in the
Indigenous Precedent and Displacement

least with the convenience of the Todawars'. They were not ‘on any account
whatever [to] be disturbed in the possession of the lands heretofore held by
them ... private persons shall not be permitted to appropriate any of those
lands without the consent of the Todawars interested in them on terms
mutually agreed upon ... [and] no part of those lands shall be taken for
public purposes without compensation to the Todawars who have previously
occupied them'. The Todas, as an ethnographic category, replaced gudu as
an *a priori* property of the hills.

CORRECTING CONFISCATION AT KETI: MEMORY AND DOCUMENT

In 1828, land at Keti was struck from the *jumabundi* records, the register
of land holdings and assessment of the Badaga community, in order
to establish a Government run experimental farm for the cultivation
of European crops and trees. The appropriation represented a sizeable
proportion of the community’s resources, approximately 100 *cawnies*16 (c.
133 acres) out of a total cultivable land of 760 *cawnies* (c. 1,006 acres) that
had belonged to Keti village. Throughout the five year life of the farm the
Badaga community of Keti had protested against the appropriation. During
Governor Lushington’s visit to the hills in 1831 or 1832, a spokesman for the
Badagas had attempted to put their grievances before him. In retaliation,
and embarrassment, Major Crewe, the Military Commander on the hills,
had the spokesman bound and whipped.48

Six years later it was clear that cultivation on the farm had failed and
the decision was taken to return the land to its previous occupants with
compensation. The return represented an expansion and consolidation,
rather than a remission, of governmental control. The accumulation of
protests made by the Badagas of Keti may have had some influence on
the government’s decision to return the land but it is more likely that
simple failure initiated the farm’s closure. The land would anyway have
been restored to the provenance of the *jumabundi* and reallocated after
the farm’s abandonment. The mediated return of the land to its rightful
holders was a means of holding the land in the cognisance of the Revenue
Authorities.

By 1834, of the nine Badagas named as those deprived of the land six
years before, two were dead, two had apparently emigrated to Coimbatore
in the plains and two held no land at all.49 The Keti community claimed Rs
1,329-3-5 as compensation, a sum reduced to Rs 776-3-6 by E. Smith, the
Assistant Collector on the hills. Soon after, Crewe approached the Badagas of Keti and offered them a plot of land adjacent to the site of the farm for immediate cultivation on the understanding, the Badagas later claimed, that the rest would subsequently be returned to them. Two months later, when the Badagas and Crewe met to formally assign the returned land, Crewe reported that, ‘[o]n proceeding to subdivide and apportion the land after measurement, the Burghers one and all refused to receive it, their refusal being founded on the assumption of their right to choose the portion to be returned out of lands formerly occupied by them.’ The Badagas, he reported incredulously, specifically demanded the return of the lands ‘on which the farm buildings are erected and gardens are made’.

The Badagas’ insistence on the reclamation of the ‘identical land of which each had been dispossessed’ was regarded as unreasonable and ‘extraordinary’ by Crewe and Smith, the officers presiding over the restoration. Both officials claimed that the land was essentially different from that originally confiscated by the farm, not in extent or position but from being ‘richer from irrigation, manure and tillage under European superintendence, as well as having been enclosed, than when received from [the Badagas]’. The land, in other words, was in the same place but was so transformed (a dubious assertion in the light of the farm’s collapse) that the Bagadas had no credible claim to it. Not only was the land improved, they claimed, but the Badagas had already benefited by years of proximity to European settlement. In retaliation for the Badagas repeated refusal to submit to the state’s terms, Crewe forbade the Badagas use of the land he had earlier told them to begin cultivating and ordered the Tahsildar to seize and sell, on behalf of the military in Ootacamund, any cattle which strayed on to the disputed land.

The negotiations in deadlock, the Madras Government determined that the dispute would be settled by arbitration. J. Haig, a European settler, was nominated to represent the local authorities. The Ootacamund Tahsildar instructed the Badagas of Keti to nominate a man from ‘the Gentlemen [Europeans], Indo Britons, or any other class’ to act on their behalf. The Badagas, complaining that they would have to pay fees to a representative, refused to nominate an arbitrator, stating that no such person could be found who combined a sufficient knowledge of their land and a fidelity to their interests, a refusal which suggests that the ‘any other class’ did not include the possibility of a Badaga’s selection for the task. The Tahsildar, under pressure from the Madagas authorities, chose Meyoor Appah Moodely.
Moodely was unknown to the Keti Badagas who protested his appointment and after persuasion accepted him only as *vakil*, an intermediary, not as arbiter. This distinction drawn by the Badagas between *vakil* and arbiter was disregarded, and Moodely was maintained as a member of the enquiry, along with Smith, Crewe and Haig. During the inquiry, Moodely failed to ask a single question of the witnesses and did not correspond with or report to government. Haig, by contrast was an enthusiastic and active proponent of what had come to be identified as European interest in the land.

Haig rallied a number of informants, all European settlers from Ootacamund, who claimed an acquaintance with the land on which the farm had been established in the late 1820s. These witnesses deposed that no cultivation existed before 1831 and that the bungalow and farm had been established on waste ‘covered with jungle’.

Having established the absence of cultivation from the memories of European informants, Haig asked the Badagas to identify, with absolute certainty, the limits of their former holdings. The total area comprised within the farm by various appropriations between 1828 and 1832 consisted of fifteen different classifications of land. The sub-Collector of Malabar had ordered the boundaries of the land to be demarcated using the revenue settlements of 1809 and 1821 to validate and recognise ownership. The terms of both settlements, however, were found to be far too general to allow a specification of the former occupation of Keti. The local revenue documents, including the *pattas* which would confirm and detail the occupancy, had been ‘burned by accident’ in 1832 and duplicates were called from Malabar. In the meantime, Haig assumed that the Badagas were being deliberately duplicitous and accused them of concealing their *pattas*, documents he erroneously believed would specify the limits and positions of the pre-1831 land-holdings. Haig complained constantly of the difficulties in translating depositions and of the resistance mounted by the Badagas to any detailed enquiry into their claims. Lack of certainty constituted proof for Haig that the holdings had never existed in the first place.

Badaga claims were little better supported by the *Curnum*, the village accountant, who could only confirm that the land had been cultivated for four years by two Badagas, one of whom was by then dead. The Badagas asserted strenuously that the land had been cultivated for four generations before the farm bungalows were built, and doubted the *Curnum*’s ability to answer the ‘very intricate’ questions put to him by Haig. The *Curnum*, they claimed, was old, came from the low country and his brain was long since...
addled by the opium he took in quantities to relieve the cold. He could not, they contended, be relied upon to know the land and its history.  

Haig summarised the case for government by stating that ‘no direct proof’ existed to substantiate any Badaga claims; if there had been cultivation at some point in the past, the land, prior to the erection of the farm buildings, had returned to waste and therefore to government. The inquiry into the rights of the Badagas to the land at Keti pivoted upon an attempt to create a detailed and verifiable map of past usufruct from the records of the revenue authorities. In the absence of information that detailed the land holding of specific individuals, Haig turned to the question of how the Bagadas, as a community, utilised the land. Beyond this or any other particular dispute the practise of bhurty, or shifting cultivation, was deemed to preclude the establishment of any legitimate claim to land. Comparing the plateau to the plains, where fallow was maintained by the cultivator as pasture at one third or one quarter of the cultivable assessment, Haig complained that the Badagas paid assessment only for that land actually under cultivation in any one year and were allowed to abandon land completely after two or three years of cultivation. This system, Haig stressed, made a Badaga claim to any specific area of land meaningless.  

In December, the accounts ordered in August from the Malabar Collectorate arrived and allowed the dispute to be settled. Despite Haig’s more generalised attacks on the legitimacy of Badaga land-rights, the revenue documents supported the claim for Badaga occupation. The Madras Board was obliged by the revenue records to accept, against Haig’s conclusions, that the farm and its buildings had been established over cultivated land. The investigation effectively found against government, or at least against the summary of government’s arbitrator. The question of shifting cultivation had, in this case, been trumped by the revenue authorities’ own archive.  

Soon after, in 1836, the Governor of Madras Presidency, Grant Duff, saved the Board from the obligations derived from its own enquiry by reversing the decision of government to return the farm lands. The Madras Government now ruled that it would retain the buildings and land of the farm, which were then lent to the Governor of Pondicherry as a summer residence and subsequently bought by Governor Elphinstone during his visit to the Nilgiris in 1840. The portion that was to be retained was the very area which had been placed under arbitration, ending any possibility of its return to Badaga cultivation. New farm limits were to be drawn up
and compensation was to be paid to the Keti Badagas both for the loss of cultivation from 1831 to 1836 and for the land now retained by government. In April 1837, the Badagas from Keti accepted Rs 853-4-5 in compensation for the land lost during the six years that it had been included in the government farm. They refused, however, to accept the compensation for the land now kept by government, claiming that ‘we have possessed these lands from time immemorial, they have been manured and tilled in a manner suited to the best cultivation ... in addition to this, ... our deity lives there and ... if we sell it, we shall be unfaithful to him’.62 The Badagas, like the Todas at Ootacamund, chose to recognise the money on offer to them as part of a transaction from which they were free to withdraw.

This refusal to accept the full compensation for Keti and the Toda refusal to accept a one-off cash compensation for Ootacamund occurred within days of one another. Both refusals invoke religious proscriptions to prevent the sale. Perhaps unsurprisingly, little is made of the connection in the records of the local or Madras state, whose proceedings rigorously maintained distinct, impermeable ethnic classifications to account for hill communities. However it seems credible to suggest that these rejections of permanent alienation were co-ordinated by members of both communities. Both refusals met with an identical response from the Madras government. The Board of Revenue, seeing the money offered for the land at Keti as nothing more than compensation, ordered that the sum refused, Rs 561-8-6, be kept in deposit for one year, along with the Ootacamund compensation offered to, and refused by, the Todas. After one year, the compensation offer would be withdrawn and the money absorbed back into government coffers.63

On hearing of the matter, the Court of Directors in London condemned the initial confiscation of the Keti land as ‘an unjustifiable exercise of authority’ and expressed ‘surprise that the circumstances was [sic] not brought to the notice of Government at the time by complaints by the dispossessed’.64 They were, however, far less interested in the one year ultimatum presented to the Keti Badagas. Whereas the Court had admonished the Madras government for withdrawing the compensation offer made to the Todas, they made no mention of the Keti case. An agrarian community, less suited to the role of indolent savage, was not subject to the same indulgent allowances.

Following the nullification of gudu as a marker of Toda land-rights, and of the government’s recognition of those rights, Badaga usufruct rights
Other Landscapes

were subject to the same retrenchment as those of the Todas. Badaga land rights were reduced to ‘simply that of occupation’ removing any question of such an enquiry being repeated.\textsuperscript{65}

COERCION AT CANDALMUND

As the pace of settlement on the hills increased at the close of the 1820s the Peishkar, a senior revenue officer on the Nilgiris, had been instructed to facilitate colonisation by acting as a broker for the purchase of small plots of land. This order was issued before the ambiguities of codifying \textit{gudu} had engendered a collision between acknowledgment of indigenous rights and government authority. Amounts of Rs 10 to Rs 50 were paid for the purchase of small parcels of land outside the cantonment by Europeans and Eurasians to Todas who were believed by the local authorities to be ‘ever willing’ to alienate ground. The Todas, formerly a ‘simple race ... unacquainted with the value of money of any description’ were now both aware of the land market and perfectly able to profit by it.\textsuperscript{66} The Peishkar’s involvement was principally on behalf of settlers who identified desirable land. He would ascertain the ownership of any land chosen and ‘persuade’ those identified to sign over title, generally without any formal cognisance of the Madras authorities. In line with the government’s ostensible prioritisation of indigenous precedence, the Peishkar was instructed that occupiers were ‘not on any account to be deprived of land either by force or by any other means’ if full consent was not ‘freely’ obtained.\textsuperscript{67} This principle was tempered by an equally firm conviction that no possible circumstances could arise in which refusal by the indigenous communities to part with land could occur. The pastoralist Todas were regarded as having no basis for attachment to any particular area of land: ‘They have only to move their cattle two or three hundred yards where pasture is equally good.’\textsuperscript{68} In all other cases the local authorities maintained that, ‘there is space in abundance & to spare for all parties.’\textsuperscript{69} If the owners did refuse, that refusal only precipitated an intervention by the Collector himself in arranging the sale.\textsuperscript{70} While the local authorities denied any instances of coercion, procedure for dealing with alienations refused to admit the possibility of its necessity.\textsuperscript{71}

The third case study is the sale of land at Candalmund, a Toda \textit{mund} on the western limits of the Ootacamund cantonment. The sale was negotiated by Venkat Soobien, Acting Peishkar of the cantonment under orders from the Collector of Malabar, A. J. Huddlestone. Perhaps unsurprisingly, it was
Indigenous Precedent and Displacement

Venkat Soobien, charged with corruption and coercion four years later, who ultimately shouldered full responsibility for the affair.

In August 1831, Soobein was instructed by the Collector to approach the ‘owners’ of Candalmund – a settlement of around six cawnies containing a shola and three or four houses – and ‘propose to them in good words to part with it for its value’. Two Todas, Nary and Aundy, believed to be the owners of the mund; the Monigar, Goondoogul, and eight inhabitants of the mund were offered Rs 350 to transfer their rights to the land to Sir William Rumbold, a settler who acquired extensive property all over the settlements, and established Ootacamund’s first hotel. During the negotiations, which stretched on for two days, all the Todas who had been gathered to be parties to the sale refused repeatedly to sell, claiming that Candalmund was the place of their titular deity, Hooladeyvow, and ‘that they would part with the spot on no account whatever’.72

The Collector, presumably under pressure from the Governor of Madras Presidency, Stephen Rumbold Lushington – a champion of European settlement and a personal friend of Rumbold – instructed Soobien to press on with the purchase. In regard to the appeal made to the sacred value of the site, Soobien was told by the Collector to go to the spot concerned and: ‘shd. you find there any image, send for a Bramin and consult him to carry the same to any spot the people may wish to have it rendered ... give every assistance to perform any ceremony [that may] be required to that end.’73 Belligerently mismatching within a vague, Orientalist category of ‘religion’, and indifferent to the distinction credited to later Imperial discourse between ‘caste’ and ‘tribe’, Huddlestone made clear that as far as government was concerned no inalienable, or immovable, rights in Candalmund existed; the Todas were to be compelled to vacate the ground. Accordingly, Soobien called for and ‘talked to’ the Todas concerned for a period of fifteen days, at the end of which the occupiers agreed to accept a payment of Rs 400 for their mund. A deed of sale was immediately made up on stamp paper in the name of William Rumbold. On signing the deed, the Todas received the Rs 400 and were invited to remove themselves ‘to such other place as they please’.74

The events of the fifteen days of negotiations are closed to us. Pressure for the sale came indirectly from the Governor of Madras and directly from both the civil and military authorities on the hills. How can the coercive violence of those two weeks in which the inhabitants of Candalmund were persuaded to sell best be written? Physical violence generally went
unrecorded in official records except when identified, and therefore accommodated, as a transgression in governance. The impervious refusal of government to consider the Toda’s refusal to sell and the Court’s predictive condemnation of coercion combined discursively to exclude cognisance of violent intimidation. However, in the case of Candalmund, the violence may not have taken the form of physical coercion. The force that Soobien was directed to employ may have been expressed in coded patterns of understandings, assumptions and threats embedded between a hierarchy of participants; a property of coercion to which many oppressions owe their robustness.

Once Soobien had secured the sale agreement, the land at Candalmund was enclosed though the Toda occupants maintained possession of the ground, never apparently having been obliged, despite the sale, to relocate. Regardless of this continued occupation, in 1835 the Todas who had received payment for the land returned Rs 320 to the District Treasury and petitioned for the land to be restored to them bringing the matter once again to the attention of the Presidency authorities. The Board held Venkat Soobien singularly accountable, ruled that the sale had been forced and ordered that the land should be returned. 75 The title deed was held by I. Oliphant, the Administrator for Rumbold’s estate, who agreed to return rights for the land on the condition that government could offer adequate proof that the sale was forced, a proof he correctly surmised could not be supplied. 76 The pretence of justice was rendered suddenly more fragile. The Board of Revenue could offer no proof without extending their condemnation of Soobien to the European officers involved and even the former Governor of Madras. They could not, therefore, oblige the return of the sale deed by the agents of Rumbold’s estate. However, as the Board now noted, Rumbold had not obtained permission from government to occupy the land. The Board warned the agents that the estate could evict the Todas now living on the land and utilise the ground only by judicial process. Recourse to the judiciary would force an enquiry that, government felt, would prove that the sale ‘was not executed by all the parties having an interest in the land, and its validity will be disputed by the whole body of Todas having a common interest with those who executed [the sale] whose consent was not given’. 77 Both the Madras government and Rumbold’s estate stood to lose from such an enquiry. The potential material loss Rumbold’s estate risked was sufficient to prevent the estate from challenging government in
Indigenous Precedent and Displacement

court. A legally ambiguous status quo, therefore, was allowed to stand by
government as sufficient restorative justice.

This dispute initiated by the actions of a group of Todas ended with a
declaration which made any such agency invalid. The ascription of communal
rights to ‘the whole body of Todas’ had prevented the expropriation of the
land, not the evidence of coercion – that had been addressed through Venkat
Soobien’s dismissal. Contingency had now moved the Board of Revenue to
rule that no action could be taken over Toda land without the involvement
of the entire tribe. Not only, therefore, were the ethnic classifications of the
hill communities impermeable, they were now totalising.

JACKATALLAH BARRACKS: DISPLACEMENT AND COMPENSATION

The final study of land expropriation describes the establishment of the
largest barracks on the hills at Jackatallah, later renamed Wellington, which
was overseen by the Military Authorities. In 1848, the Badaga community at
Jackatallah, east of Ootacamund, registered their objection to the proposed
construction of a military barracks on two bullahs, just under eight
acres, of occupied and cultivated land. The land selected by the military
authorities came to within 300 feet of the nearby villages, was surrounded
on all sides by land used for cultivation and included a funerary ground
of both Badagas and Todas. The Collector, J. C. Wroughton, initially
supported the Badaga complaint, citing the revenues that would be lost if
the Badagas abandoned cultivation in the area as they now threatened. He
recommended the selection of a new area, a task he felt – in keeping with
the robust conviction that alternate land on the hills was ever plentiful –
would be easy. Initially, the Board echoed Wroughton’s misgivings about
the appropriation and even prioritised a concern at ‘the invasion of [Badaga]
rights or interference with their pleasures’ over any consideration of fiscal
losses. The Quarter Master General, however, had determined that the
disputed site should be utilised and drew upon the ‘personal support’ of
the Governor of Madras as leverage against the Board’s reservations. This
influence resulted in a radical change of heart on the part of the Board.
Wroughton was ordered to press the offered compensation on the Badagas
and do everything he could to ‘induce them to withdraw their objections’.
The Board ordered that should the Badagas continue to refuse the terms
offered by local officers, the Collector was to prepare a detailed report and
refer the matter to Madras.
Two months after the Board’s orders, Wroughton had secured from the ‘influential’ Badagas of Jackatallah an assurance that the villagers’ objections could be removed in return for Rs 350 compensation. The village of Bundimee – consisting for the purposes of compensation of five huts, four cattle sheds, one buffalo enclosure and two stone idols (Rs100 was earmarked out of the total compensation for the task of moving them alone) – was to be removed to a piece of land nearby known as Yara Mara (or Yarala Marum). As an additional incentive this land would be struck from the local accounts and held rent free in perpetuity by the relocated villagers. The role of these ‘influential’ Badagas in brokering the displacement negotiations is significant. Local elites, especially those who aspired to greater status than they possessed had, potentially, much to gain from the removal and reorganisation of the village, a gain which increased in proportion to their involvement in the terms of that reorganisation. The Badagas of Bundimee did not agree to forget or abandon all facets of the landscape they left behind. The authorities agreed that a small shola forest on the site of the barracks was to remain undisturbed.\(^82\)

In 1850, when barrack construction was about to begin, the military authorities decided an additional six hundred cawnies, almost eight hundred acres, of land were required. This land was to be appropriated from the largest Badaga village in the vicinity of the site which, in deference to the European settlement established under the name of Coonoor, was henceforth qualified by the prefix ‘old’. The Badagas of Old Connoor rejected the Rs 1,000 they were offered and demanded, and received, Rs 500 immediately and a sum of Rs 150 to be paid annually and indefinitely, ‘as allowed to the Todas of Ootacamund’.\(^83\) This sum included, they claimed, Rs 25 that would be given to the nearest Toda mund as gudu.\(^84\)

During the two years over which the barracks were gradually established, the ‘dislike and fear’ felt by the Badagas increased.\(^85\) Captain Francis, the Military Engineer who oversaw the construction of the barracks, planned to divert streams and construct a dam and tank, an undertaking that would swamp several acres of Badaga land.\(^86\) The surveyor of the original barrack site, J. Ouchterlony, had included in his map a portion of Badaga land that lay outside the limits of the barracks and close to the Badaga settlement of Old Coonoor. The land’s inclusion was a cartographic representation of land which, in Ouchterlony’s eyes, should have been included in the barracks. In 1851, the military authorities determined to realise this cartographic appropriation. The Badagas objected strongly and agreed only after the
Indigenous Precedent and Displacement

safety of certain access rights within the area were guaranteed. Their right of access to a ‘sacrificial stone’ was to be preserved and a stone cattle pen, mentioned as belonging to the Todas, was to be allowed to remain in use.  

During the construction of the barracks the authorities could not, or would not, protect those fragments of the indigenous landscape included in expropriated land. The shola that government had undertaken to preserve during the displacement of Bundimee was destroyed and the Toda cattle pen was removed ‘by a mistake’. In 1852, the Badagas of Old Coonoor refused to accept the Rs 150 annual compensation granted to them two years before. W. E. Underwood, who had temporarily replaced E. B. Thomas as Collector, found their refusal unreasonable: ‘It is evident throughout the correspondence that ... it is the intention and desire of government to respect [the Badagas’] feelings and to refrain from any encroachment of [Old Coonoor].’ For Underwood, this resistance was not a challenge to land appropriation but the inevitable, if lamentable, result of past indulgences. The ‘feelings entertained’ by government at Jackatallah in paying compensation risked allowing the Badagas to feel at liberty to ‘throw obstacles in the way of Government Officers’. However, Underwood did suggest that it would be prudent to take some action in the face of the Badagas’ refusal. He recommended that all ‘further discussion’ regarding land appropriations should cease, such was the strength of the resentment now felt by the Badagas near the Jackatallah barracks, and urged that the lines between military and indigenous occupation be clearly and permanently marked. The ‘state of feeling’ of the Badagas was one of non-co-operation and if government were not careful, Underwood warned, they would contest government’s occupation of the land already appropriated. Underwood’s caution, despite his lack of sympathy, indicates that he was aware of the legally unsound, and potentially vulnerable, position of the local authorities.

E. B. Thomas, who returned to the hills to relieve Underwood as Collector of the hills in the same year, regarded himself as more sympathetic to the hill communities. Thomas objected strenuously to the encroachments of the Military Engineers upon Badaga land, to the point of provoking a formal reprimand by the Quarter Master General for apparently suggesting that the Commander in Chief had deliberately violated their land-rights. Thomas defended the tone of his letters, citing the consistency with which Badaga land was appropriated regardless of Badaga complaints and the guarantee
made by government that the barracks would maintain a minimum distance of one furlong from the village of Old Coonoor. Thomas expressed his own moral and professional dilemmas in negotiating the displacement on behalf of government. At once he felt himself to be ‘the sole official advocate of the Natives to whom they naturally look for support’ and simultaneously the vehicle for settling every demand of government. When the Badagas yielded ground, he claimed, it was not ‘with their free and full consent, ...[but] in deference to my persuasions’. The Badagas, he was sure, would willingly give back all the compensation they had received in order to see the barracks removed. Believing himself to be sensitive to the feelings of the villagers of Old Coonoor, Thomas voiced them for the benefit of the Madras government: ‘True, you give us money for our land, we take it and spend it, on cattle or jewels – but our land is irrevocably gone and what are our children, who must live by the land, to do?’ Thomas’ ventriloquism, in speaking for, in fact spoke over the protests of local communities and, as in the other disputes, local officers recorded none of the everyday conflicts and violence which marked the appropriations. A petition written in 1863 recalled Thomas’ part in the violence of the displacement. Badagas remembered Thomas as the man who ‘Took 12 canies [sic] of land ... we refused ... and at that time he ordered to keep us in the Cutcherry and took our former ground.’ In this petition, written a decade after the dispute, the figure of Thomas may be a synecdoche for the local authorities, but clearly indicates that the everyday, low key violence which the local Collectorate officials used at their discretion during appropriations was held in the memory of local communities.

The barracks had unleashed upon the land a new society of soldiers, engineers and camp followers who knew and cared little about the arrangement and priorities of the local communities. The authorities gave repeated assurances to the villagers that soldiers and camp followers would not be permitted to gather firewood near, or be permitted to enter, the villages. However, the military authorities were also well aware that artisans and camp followers had a ‘great dislike’ of living within a cantonment’s limits, also fearing ‘molestation ... [by] the Soldiery’ and so preferred to live outside the barracks on land not accounted for by the negotiated displacement. Despite the assurances given, the military or civil authorities could not prevent the dispersal of camp followers into the landscape around Jackatallah barracks.
Of more concern to the military authorities was the attraction of liquor vendors and similar ‘undesirables’ to the barracks. In order to control this influx the Collector, E. B. Thomas, extracted ‘written promises’ from the Badagas who held pattas nearby the barracks not to sell their land to newcomers, and withdrew grazing pattas nearby the barracks, allowing the Badagas to continue grazing free of charge though without formal rights to do so. Thomas also altered the text on pattas held for land nearby the barracks, entering a clause forbidding the sale of land to anyone save another Badaga.

When the Board of Revenue heard of Thomas’ alteration of the pattas, the legality of such a restriction upon land for which ryots paid rent was questioned. However, the practice of bhurty cultivation provided the Board with a means to overcome its misgivings. Government was, the Board stated, free to ‘take possession for its own purposes ... any piece of land cultivated in this manner at intervals without compensation’.

As at Keti, condemnation of the practice of bhurty provided a failsafe fallback position when local or Presidency officials were aware that restrictions and land appropriations were testing the boundaries of legal propriety. This evocation of bhurty as a means of definitively quashing Badaga land-rights was, of course, necessarily selective. Bhurty cultivation was subject to agricultural taxation and the recognition and valuation of some rights was as central to the procedure of colonisation as was the, generally more contingent, dismissal of rights when dealing with communities resisting displacement.

Over two years between 1851 and 1853, three epidemics struck the hill communities, affecting the Badagas most severely. In 1853, hundreds of Badagas were killed by a condition, possibly typhus, consisting of ‘cold, fever, cough, pain in the body and blood in the mouth’. The sick and fleeing Badagas avoided the new settlements, a circumstance the hill authorities preferred, ‘lest they should bring in the disease’. In villages emptied by the epidemic ‘dead bodies [lay] for 2 or 3 days’ before arrangements could be made for their collection and hasty cremation. Extra medical assistants and medicines were sent from Madras in an attempt to contain the epidemic but action was taken only after a considerable delay. The cause of this epidemic was undoubtedly the sudden exposure of the hill communities to large numbers of incoming settlers and their accompanying contagions. Villages lay empty and hundreds of people were killed, including at least two Monigars. The scale of social hiatus caused by the epidemic is difficult
to gauge. However, at the moment when resistance seemed to have reached a point to most trouble the civic authorities on the hills, the epidemic must have weakened the communities’ ability to fend off the on-going appropriation of land near Old Coonoor, one of the principal centres of the disease.

Land appropriations for roads, brick kilns and sundry ‘public purposes’, including the construction of a military bazaar outside the barrack limits in 1856, continued throughout the 1850s, provoking little comment from either the Collector or the Madras authorities. The only note of the dispute during this period is that in 1856, at the insistence of the Badagas, Thomas obtained an increase in the compensation payable for cultivable land.

Encroachments and alienations continued until, in 1858, the military authorities decided to expand the Jackatallah barracks in order to construct a sanatorium. The whole of the village of Old Coonoor was now to be displaced. Several petitions resisting the appropriation were submitted including one addressed to the Queen Empress, ‘begging that we do not on any account wish to part with our village’. Thomas rigorously represented the desire of the Badagas to remain in their village, the safety of which had been repeatedly guaranteed during the construction of the barracks. The Madras Military authorities, however, were determined to have the land and a total sum for the whole village of Old Coonoor was calculated at Rs 4,906.

Nunjan, a headman of Old Coonoor, accepted Rs 1,730 as compensation for the relocation of the village but refused to accept compensation for cultivated land. Instead, he demanded Rs 200 annually, described as gudu, for the land forfeited. Mimicking the Madras government’s own codification of gudu the Badagas evoked it as a quality of the land to which they had an inalienable right. The Madras government, however, had no intention of repeating the errors of the Ootacamund purchase and refused to recognise any Badaga right to land that could not, in the last instance, be overcome through a critique of bhurty. Government’s only desire was to remove the Badagas from the land with as little expense and difficulty as possible, a desire that precluded the recognition of any immovable right. The Badaga request for gudu was refused and the village of Old Coonoor was finally and entirely displaced in 1860. In the same year, the barracks were renamed ‘Wellington’; an act that finalised the colonisation of the land.
Indigenous Precedent and Displacement

In each of these disputes, the authorities recognised rights only for the purpose of their removal or transformation. Local communities had only two possible options: to resist and reject the compensation offer, and when that failed, as it consistently did, to strategise around the offer of compensation as best they could. Displacements proceeded on the proviso that no rights existed which could not be valued and bought. Yet

Plate 2.1. Map of Land required by Jackatallah cantonment including Old Coonoor, Coimbatore Collector’s Received Letterbook, September–December, 1859, UDR.

41
the money which affirmed the rights – for the purpose of their removal – was also used to demarcate the hill tribes as ‘primitives’. The indigenous communities were never regarded as equal participants in compensation agreements and their own acts of negotiation were described as greedy, childish and opportunistic. Many government officers, along with private settlers, regarded any positive response made by local communities to the provision of compensation as evidence of ‘spoilation’. Value was the only tool available for negotiation or resistance – displacement required the assignment of value and payment of cash to replace houses, cattle pens and ritual spaces, things in the everyday life of which cash values had previously played scant part – yet participation in these negotiations was deemed to discredit the hill communities and therefore their resistance. Government allowed itself to meekly shoulder the responsibility for spoiling them in an attempt to provide justice.

These four encounters demonstrate the imperatives of authority engaged in the constitution of legal procedure for the alienation and displacement of indigenous communities. At Ootacamund and Jackatallah colonisation necessitated the definition and endorsement of rights which had already been alienated. At Ootacamund, a construction of absolute rights backfired and necessitated a somewhat embarrassing retraction. At Jackatallah the claims, and lands, of indigenous communities were subject to incessant attrition. Both cases required an impossible synchronicity: the recognition of rights for the sole purpose of their removal.

To be meaningful, the retrospective imposition of law necessitated the recognition of transgressions. The redressal of disputed land at Keti and Candalmund presented an opportunity for the ills of the past administration to be conspicuously berated. In neither case was the land restored. Rather, the accommodations reached in both cases were the articulations of a newly constituted legal procedure in which indigenous rights were marginalised.

The mediation of each dispute depended upon the configuration of the contested land as only a small fragment of the hills. Each dispute was preceded by and succeeded with a restatement of the conviction that there was, away from these unfortunate examples, plentiful land to accommodate both indigenes and colonisers. The legislation invented during these cases informed the authoritarian ordering of colonisation for the rest of the century and facilitated the widespread dispersal of colonisers.
Indigenous Precedent and Displacement

NOTES


2 Sullivan to MBR, 2/10/1827, MBR 3/1/28, no. 88,89, p. 324, TNSA.


4 Sullivan combined this complete exceptionalism with far more mundane, and regional, precedents for the admittance of proprietorial rights, such as those permitted to the Mirasidars of Malabar. Sullivan to MBR, 31/12/1829, Nilgiri District Records 4182, TNSA.

5 PMRD 11/11/1825, pp. 2714–2716, TNSA.

6 This sum was derived from a calculation of sixteen times the pasture assessment paid by the Todas, and four times the revenue paid on the lowest grade of cultivated land. Minutes of Council, 14/11/1828, in PMBR 27/11/1828, no. 15, p. 12229, TNSA.

7 PMBR 10/3/1828; PMRD 21/3/1828, no. 8, p. 949, TNSA.

8 Sullivan bitterly resented the establishment of military authority on the hills and had a poor and combative relationship with Kelso, the Military Commander. The Military Department defended the establishment of a military cantonment at Ootacamund, arguing, against protests from the Coimbatore Collectorate, that the establishment of a cantonment which incorporated the full spread of the settlement was the only means of exercising control over camp followers. Civilian settlers had volunteered to have their land incorporated within the limits of the cantonment, and therefore became subject to the military police. Kelso to J. C. Morris, Sub Collector, Coimbatore, 17/2/1828, NDR, no. 4184, p. 44, TNSA.

9 Kelso to J. C. Morris, Sub Collector, Coimbatore, 17/22/1828, NDR, no. 4184, p. 44, TNSA.

10 ‘Translation of an Urzee addressed by the undersigned Todawars of Malnaud’, 21/12/29, NDR, no. 4182, p. 45, TNSA.

11 G. W. Drury to MBR, 20/4/1835, PMBR 4/5/1835, no. 57, p. 4448, TNSA.

12 Ibid.

13 John Sullivan, 20/8/1835, in PMBR 20/8/1835, p. 87559, TNSA.

14 PMBR 14/11/1836, no. 188, TNSA.

15 Sullivan’s report to Government, 20/8/1835, PMBR 20/8/1835, p. 8771, TNSA.

16 PMBR 16/3/35, no. 57, p. 2884, TNSA.

17 Governor’s Minute, PMBR 12/1/37, no. 3, p. 254, TNSA.


19 PMBR 6/2/1837, p. 932, TNSA; PMBR 23/3/1837, no. 63, p. 3316, TNSA; PMBR 2/3/1837, no. 17, p. 2311, TNSA.

20 Smith, Assist. Collector of Malabar to Clementson, Collector of Malabar, 31/3/1837, PMBR 17/4/37, no. 60, p. 4397, TNSA. In fact, despite the government’s assurances
regarding this land, once absorbed into the cantonment, neither Candalmund nor Manjakalmund were protected from settler appropriations.

21 Ibid.
22 Ibid.
23 PMBR 17/4/1837, no. 60, p. 4397, TNSA.
24 Court of Director’s Letter, 10/4/1839, no. 3, PMBR 7/10/1839, no. 24, p. 13479, TNSA.
25 Ibid.
26 The amount set for the sale of the cantonment was Rs 3564-6, PMBR 11/6/40, no. 5, p. 7085, TNSA.
27 Italics added. Translation of Kararnamah, 13/7/1840, PMBR 3/8/1840, no. 71, p. 9576, TNSA.
28 J. Sullivan to H. V. Connolly, Collector of Malabar, 15/1/1840, PMBR 30/7/40, nos. 62, 63, pp. 9236–9243, TNSA.
30 Advocate General Norton, quoted by Collector and Register of Government Grants, J. A. Huddlestone to the MBR, 31/10/1840, PMBR, 3/12/1840, p. 17382, TNSA.
31 Ibid.
32 Extract of Minute of Consultation, 17/9/1842, PMBR 17/10/1842, no. 5, p. 12117, TNSA.
33 Court of Directors Dispatch, 21/6/1843, PMBR 13/4/1843, nos. 3, 4, pp. 2123–2155, TNSA.
34 PMBR 17/10/1842, no. 5, p. 12117, TNA; PMBR 11/12/1843, no. 4, p. 19191, TNSA.
35 Extract of Minute of Consultation, 17/9/1842, PMBR 17/10/1842, no. 5, pp. 12117–12127, TNSA.
36 Court of Director’s Dispatch, 21/6/1843, PMBR 13/4/1849, nos. 3, 4, pp. 2123–2155, TNSA.
37 PMBR 14/12/1843, no. 4, p. 19191–19296, TNSA.
39 PMBR 13/4/1849, nos. 3, 4, pp. 2123–2155, TNSA.
40 Collector of Malabar to MBR, 10/6/1842, PMBR 30/6/42, no. 63, p. 7743, TNSA.
41 PMBR 9/1/1843, no. 25, p. 721. TNSA
42 PMBR 11/12/1849, no. 36, p. 7671, TNSA.
43 E. B Thomas to MBR, 10/1/1850, PMBR -/1/1850, no. 14, p. 1489, TNSA.
44 Price, Ootacamund, p. 473.
45 PMBR 12/10/35, no. 12, p. 11566, TNSA.
46 Estimates varied from 96 to 115 cawnies.
47 Malabar Collector to MBR, 17/6/34. NDR 4183, p. 93, TNSA.
48 Translation of Badaga petition, 1/7/1835, enclosed in MBR to J. Haig, 27/7/1835, MBR 27/7/1835, no. 91, p. 7934, TNSA.
Indigenous Precedent and Displacement

49 Malabar Collector to MBR, 17/6/1834, NDR 4183, p. 93, TNSA.
50 Malabar Collector to MBR, 21/2/1835, NDR 4183, p. 247, TNSA.
51 E. Smith, Assist. Collector of Malabar to Malabar Collector, 1/2/1835, NDR 4183, p. 213, TNSA.
52 J. Haig, arbiter for government to MBR, PMBR 6/8/1835, no. 48, p. 8327, TNSA.
53 E. Smith, Sub-Collector of Malabar to Malabar Collector, 1/2/1835, NDR 4183, p. 213, TNSA.
54 Translation of Badaga Petition, 1/7/1835, enclosed in MBR to J. Haig, 27/7/1835, PMBR 27/7/1835, no. 91, p. 7934, TNSA.
55 Ibid.
56 J. Haig to MBR, 29/7/1835, PMBR 6/8/1835, no. 48, p. 8327, TNSA.
57 From table of lands at Keti Farm, submitted with Report by D. Eliott, third member of MBR, 28/12/1836, PMBR 16/1/1837, no. 44, pp. 427–432, TNSA.
58 J. Haig to MBR, 29/7/1835, PMBR 6/8/1835, no. 48, p. 8327, TNSA.
59 Translation of Badaga petition, 1/7/1835, enclosed in MBR to J. Haig, 27/7/1835, PMBR 27/7/1835, no. 91, p. 7934, TNSA.
60 Extract from Jammabundy Chitta Accounts of Makanuud Village in Danayacuncottah Talook, PMBR 31/12/1835, no. 20, p. 14825, TNSA.
61 Minute of Governor in Council, 1/11/1836, PMBR 16/1/1837, no. 44, p. 410, TNSA; Price, Ootacamund, p. 97.
62 Deposition by seven Badagas including Cauree’s brother, Mandeen, 8/3/1837, PMBR 13/4/1837, no. 60, p. 4222, TNSA.
63 Ibid; PMBR 8/5/1837, no. 19, p. 5115, TNSA.
64 Extract from a letter from the Court of Directors, 14/7/1836, no. 15, PMBR 8/5/1837, no. 19, p. 5115, TNSA.
65 Court of Directors Dispatch, 21/6/1843, PMBR 13/4/1843, nos. 3, 4, pp. 2123–2155, TNSA.
66 Malabar Collector to MBR, 20/7/1833, NDR 4182, p227, TNSA. The belief that it was only recently that the Todas had been exposed to cash and markets was erroneous. The Todas had paid money revenue to the Mysore authorities at least from the end of the eighteenth century and procured jewellery from artisans in Malabar.
67 Malabar Collector to Venkat Soobayen, 10/10/1832, NDR 4182, p. 259, TNSA.
68 Malabar Collector to MBR, 20/7/1833, NDR 4182, p. 227, TNSA.
69 Col. Crewe to Huddlestone, 21/7/1831, NDR 4182, p. 255, TNSA.
70 Huddlestone, Collector of Malabar to Venkat Soobien, Acting Peishkar, Nilgiris, 16/8/1831, NDR 4182, p. 237, TNSA.
71 Malabar Collector to MBR, 20/7/1833, NDR 4182, p. 227, TNSA.
72 Venkat Soobien to Huddlestone, -/9/1831, NDR 4182, p. 239, TNSA; Huddlestone to Venkat Soobien, 26/8/1831, NDR, 4182, p. 238, TNA.
73 Huddlestone to Venkat Soobien, 8/9/1831, NDR, 4182, p. 245, TNSA.
74 Venkat Soobien to Huddlestone, undated, NDR, 4182, p. 245, TNSA.
75 PMBR 26/2/1835, nos. 27,28, pp. 2246, TNSA.
Other Landscapes

77  PMBR 2/2/1837, no. 75, p. 90, OIOC
78  Urzee translated by Ootacamund Talhsildar, 20/12/1847, MBR 20/1/48, no. 69, p. 853, TNSA.
79  J. C. Wroughton to MBR, 28/12/1847, MBR 20/1/48, no. 69, p. 853, TNSA.
80  Extract of Minutes of Consultation, 7/3/1848, Quarter Master General to Govt. 10/2/1848 in MBR 13/3/1848, no. 5, p. 3702, TNSA.
81  Translation of a Caranamah executed by Chinna Mandum of Bundimee, Paranganad, 30/3/1848; Translation of agreement given by Punchayat in MBR 1/5/1848, no. 54, p. 6336; MBR 25/5/1848, no. 7, p. 7944, TNSA.
82  E. B. Thomas to MBR, 8/4/1850 in MBR 15/4/1850, no. 30, p. 5825, TNSA.
83  Ibid.
84  E. B. Thomas to MBR, 28/5/1852 in PMBR 17/6/1852, no. 54, p. 7120, TNSA.
85  E. B. Thomas to MBR, 26/9/1851 in PMBR 20/10/1851, pp. 13847–13854, OIOC.
86  Memos & 2 in E. B. Thomas to MBR, 26/7/1851 in PMBR 20/10/1851, pp. 13847–13854, OIOC.
87  E. B. Thomas to MBR, 28/5/1852 in PMBR 17/6/1852, no. 54, p. 7120, TNSA.
88  W. E. Underwood to MBR, 20/2/1852 in PMBR 5/4/1852, no. 35, p. 4674, TNSA.
89  W. E. Underwood to MBR, 13/2/1852 in PMBR 15/4/1852, no. 66, pp. 4886–4922, TNSA.
90  W. E. Underwood to MBR, 17/1/1852, PMBR 15/4/1852, no. 11, pp. 4886–4922, OIOC.
91  W. E. Underwood to MBR, 13/2/1852 in PMBR 15/4/1852, no. 66, pp. 4886–4922, TNSA.
92  F. A. Reid, Q.M.G. to E. B. Thomas, 1/7/1852 in PMBR 2/8/1852, nos. 5–9, pp. 8681–8714, TNSA.
93  E. B. Thomas to QMG, 24/6/1852, E. B. Thomas to MBR, 30/6/1852 in PMBR 2/8/1852, nos. 5–9, pp. 8681–8714, TNSA.
94  E. B. Thomas to MBR, 30/6/1852 in PMBR 2/8/1852, nos. 5–9, pp. 8681–8714, TNSA.
95  Ibid.
96  Petition signed by 16 Badagas, 15/5/1863, CCRL Jan to Jun. 1863, UDR.
97  E. B. Thomas to MBR, 1/7/1852 in MBR 19/7/1852, no. 50, p. 8148, TNSA.
98  Captain J. Cambell, Executive Engineer, Nilgiris to E. B. Thomas, 26/8/1856, PMBR 15/10/1856, p. 18088, TNSA.
99  PMBR 20/10/1851, no. 34, p. 13840, TNSA.
100  Extract from Minutes of Consultation, 2/12/1851, PMBR 22/12/1851, no. 10, p. 16823, TNSA.
Indigenous Precedent and Displacement

103 PMBR 24/11/1852, nos. 45–48, pp. 14189–14198, TNSA.
104 MRD 19/7/1853, nos. 11, 12, pp. 4599–4601, TNSA; MRD 13/7/1854, nos. 59, 60, pp. 3125–6, TNSA; MRD 22/8/1864, nos. 35, 36, p. 472, TNSA; PMBR 8/5/1856, no. 291, p. 7665, TNSA.
105 E. B. Thomas to MBR, 15/5/1856, PMBR 6/6/1856, no. 294, p. 9372, TNSA.
106 Petition, 12/121858, CCRL, July–Dec. 1858, UDR.
107 The value of the whole village was calculated thus: 20 houses at Rs 50 each, 16 bullock sheds at Rs 30 each, 5 cattle picketing places at Rs 50 each, giving a total of Rs 1730 for occupied land. For agricultural land, the government, after considerable pressure from Thomas, agreed to give Rs 3,494 in total. Memorandum on Old Coonoor Compensation, CCRL, Aug–Dec, 1859, UDR.
108 Ibid.
CHAPTER 3

Land, Survey and Alienation

The disputes discussed in the previous chapter were temporary hiatuses which saw the suspension, or reversal, of law. This chapter explores the more systematic efforts of the Madras and local administrations to acquire knowledge about the state of land holding on the hills in order to exert some form of control over land-transfers. The relationship between legislation designed to transform the agrarian landscape of the hills and the project of cadastral demarcation was fraught with contradiction throughout the century. Cadastral mapping at the district level had a more substantive and interesting history than simply as a ‘lower stratum’ in the larger story of colonial cartography. Ian Barrow has shown that maps were, and remain, more than models of space; they represent ideas, often speculative, about the correct ordering of territory and its history.

Comprehensive cadastral mapping was a necessary condition for the regulation of land transfer between incoming settlers and indigenous communities. The resistance of both the hill communities and colonists to the imposition of such regulation reveals far more about the contours of the landscape as it was colonised than episodic legislative enactment on land-rights and landed property.

By the middle of the century the execution of survey was dependent upon the thing that it sought to control – the spread of colonists and their claims to property. By the end of the century, forms of legislation and the separation of different regimes of land-holding compensated for the sustained lack of cadastral information held by the state.
Land, Survey and Alienation

SURVEY AND THE REFORM OF LAND

Map-making could be instrumental in the absolute occlusion of indigenous rights, for example in Ouchtelony’s appropriative plans of the Jackatallah barracks discussed in the last chapter. More generally, survey was embraced as a means to arbitrate a given disciplinary order over land. Survey offered more to the local state than the knowledge necessary to police the agrarian landscape; it offered both a disciplinary and reforming intervention. Since cadastral survey was based on the assumption that proprietary rights are contiguous, discrete and bounded, land survey was often imbued with the ability to impose those conditions where they did not exist. Cadastral survey could reform the proprietorial perceptions of those who held rights in that land. At the end of the 1850s, the Reverend Friedrich Metz, a German missionary in Keti, recommended that the extent of each *patta* be mapped as soon as possible in order to modernise Badaga land tenure. The hill communities, he claimed ‘would value their land better if it was surveyed and entered in their *Puttah*’. Baden-Powell, in reviewing the land tenures of the Nilgiri District at the close of the nineteenth century, envisaged land survey as the only effective means of suppressing retrogressive and undesirable agricultural practices, exemplified on the hills as elsewhere by shifting, *bhurty* cultivation. He blamed the revenue authorities on the Nilgiris for having failed to institute a comprehensive survey to coincide with the abolition of the practice in 1862: ‘Such a system', he claimed, ‘... could only be abolished effectively by the one thing that was not attempted, i.e. settlement and survey.’

The certainty that mapping had simultaneously transformative and representative functions created formidable anxieties. If surveys changed the way indigenous cultivators saw their land, it was imperative that the state value and measure the land *before* such a transformation could be realised and distort the accuracy of the survey. One revenue official complained in 1852 that:

On endeavouring to ascertain what land was in the occupancy of the Burghers, I utterly failed. The importance...[of survey] information at this period cannot be under rated ... If this is not done at once the Burghers beginning to be alive to the value of land will set up claims, to which they have no title but which government will find difficult to dispute ... Each new feature in its turn will render it less feasible accurately to determine the right of the Burghers and government. It is therefore manifestly in the
interest of government to proceed to define the Boundaries and extent of puttah land with every practicable dispatch.\(^5\)

The same peasant cultivators who, through survey, would become agrarian improvers sentient to qualities of property in land were, paradoxically, in the moment of survey, rendered unavoidably corruptive of that survey. This concern was compounded by the rate of land transfers peculiar to the hills; the very exchanges that surveys were designed to bring under state control. Land mapping set the state’s surveyors in a race to capture the unobtainable: an authoritative archive of the landscape which preceded the transformation that mapping would inevitably engender.

These cadastral surveys, far from being confident and totalising exercises in the orchestration of power through knowledge and vice versa, were predicated upon an anticipation of corruption that relieved surveyors of any burdensome expectations. A glance at the nineteenth-century history of survey and mapping on the Nilgiris shows that, with hindsight, every survey failed to perform the requisite tasks expected of it. Neither were surveys, and the maps they created, cumulative knowledge-building exercises. Each generation of surveyors and administrators bemoaned the inadequacy of the surveys and maps produced by their predecessors. Ouchterlony when beginning his survey in 1843 initially refused to use the latitudinal and longitudinal co-ordinates established on the hills in 1822 as part of the Great Trigonometric Survey and abandoned plans to establish triangulation points of his own only when ordered to do so by the Surveyor General of India.\(^6\) He was equally dismissive of existing maps claiming that the village names were ‘very incorrect ... judging at least by the total ignorance of them displayed by the natives’ and hired a member of one of the local communities who knew the mountains and ‘the strange dialect of the mountain people’ to act as interpreter and guide.\(^7\) Successive revenue officers held the want of accurate cadastral information responsible for the poor control exercised over the occupation of land on the hills. Baden-Powell’s reprimand, in which he claimed that only survey could have eradicated shifting cultivation, was issued within a decade of the end of a comprehensive revenue survey of the hills.\(^8\) Whilst the principal aim of cartographic survey was to impose order, no survey was ever sufficient for that purpose. Each reprimand, however, restated the faith that mapping could act as the key to agrarian administration.
CADASTRAL SURVEY AND DIFFERENT LANDSCAPES

Until 1863, cadastral planning on the Nilgiris rested on the proposition that the colonised plateau would be set apart from the indigenous agrarian landscape and subject to different rules of distribution, registration and taxation. This separation required the operation of distinct systems of revenue administration and land tenure over two known agrarian landscapes. Two registers of property, one for hill cultivators and one for settlers, were maintained in distinct forms by different management until the revenue survey of the 1870s. Records of indigenous cultivation were held and managed by village accountants and re-registered every year under the *durkhast* rules. The land held by settlers was registered centrally at the Collectorate in ‘Plantation Registers’ which contained the proprietor’s name, the location and extent of the land and number of houses on the property. In these accounts, from the 1830s until 1863, land was held under separate units of measurement. The lands of the hill communities were measured by the *bullah*, a scale of measurement used on the plains for *punja*, or unirrigated lands, while settler lands were measured by the *cawnie*, applicable to *nunja* or irrigated lands on the plains.

In the mid-1830s the first attempt was made to impose a limited, unified and known order on settler holdings and the organisation of colonisation. All lands on the Nilgiris held by settlers, on whatever form of claim, were to be regularised within these limits through a system of renewable leases. Lands were to be surveyed and planned, by local military or revenue officers, and those plans and leases registered in Madras. Systematic survey would then allow the settlers’ properties to be plotted on a scale of assessment and tax demanded accordingly. Land for cultivation was to be assessed on a sliding spatial scale. A three mile radius around Ootacamund was plotted with the Post Office as its centre. Land within this imaginary boundary was divided into four classes, derived from the classifications already in use though subject to higher rates of assessment. On the first class, double the Badaga assessment would apply (Rs 7 per *bullah*), on the second class, three quarters more than the Badaga assessment, on the third class half again and on the forth class, a quarter more. Within this radius, the enhanced assessment was payable by incoming cultivation only; Badaga and Kota agriculture would continue to be taxed at the existing rates. Beyond it, incoming cultivators would be subject to the same taxation as the nearest indigenous village.
After a brief survey all cultivation within the three mile limit was deemed to be of the first rate and subject to the highest assessment, Rs 2-5-4 per cawnie. When he conceived of this exceptional and bounded area, the Collector, John Sullivan, assumed that the proximity of the Ootacamund market would counterbalance the enhanced assessment and effectively confine incoming colonist cultivation to this area. In fact, the immediate effect of the revised assessments was a mass desertion of cultivable land around the settlement as casual agriculturists who had established small plots to supply the demand created by settlement for vegetables moved back into the lands that were supposedly to be left for indigenous occupation. Despite protests from the Military Commander on the hills against the increased assessment, the revenue authorities maintained the enhanced taxation rate and four years later a relatively small amount of land (123 acres), presumably for buildings, had been alienated within this circle. The revenue authorities were in no position to prevent incoming agriculturalists from taking cheaper land outside the three mile radius and in the same four year period more than three times the area alienated inside the three mile radius was taken up outside the reaches of the enhanced assessment.

While the effect of the higher rates was to push agriculturalists away from Ootacamund, the new rates of quit-rent provoked a far more vociferous contestation from the European property holders on the hills. Months of furious correspondence followed the publication of the new taxes as settlers threw themselves against what they saw as unfair and unprecedented government imposition. The squabble between settlers and government over the assessment rates spilled into the Presidency English-language press and must have caused government some embarrassment, not least because one of the first and most vociferous critics of the rent requirement was the Company’s own Advocate General in Madras, George Norton (the same man who would later assist government in quashing Toda land-rights in Ootacamund). His complaint hinged upon government’s ‘notorious’ encouragement of settlement on the hills and the considerable outlay of capital by settlers through the previous decade (Norton claimed to have spent between Rs 8,000 and Rs 10,000 on his property). Norton argued that this investment depended upon the settlers’ collective belief – allowed and, he hinted, even encouraged by the state – that they held their Nilgiri property on absolute, fee simple terms; subject neither to rent payment nor a limiting term of lease. Previous Governors, most especially Stephen Rumbold Lushington, Governor of Madras from 1827 until 1832, had simply
endowed land upon friends without recourse to the revenue authorities. Dr Glen, an owner of three houses in Ootacamund, claimed that Lushington had ‘personally pointed out and verbally granted’ one of his properties. One other house had been granted to him by the late Commandant of the Hills and the third was bought from a Bombay surgeon, who had received the land grant verbally from the military commander on the hills and who had never paid rent. Occupiers like Glen claimed ‘total ignorance’ of government’s intention to charge rents and therefore to deny absolute property rights. Settlers who had purchased land from Todas and Badagas within the limits of the cantonment were especially unwilling to submit to the desire of government to survey and tax their land, a dispute which led, in part, to government’s abortive attempt to purchase the cantonment from the Todas.

The 1837 dispute between the Madras authorities and the Nilgiri settlers illustrated the paucity of government’s control over land-holding in and around the settlements. Land, however originally obtained, was now moving into the hands of second or third owners through inheritance, sale or mortgage. Added to procedural confusion, the authority to which the Nilgiris was subject was somewhat fraught, impeding the organisation and collection of rents. When a new Collector assumed control of Coimbatore it was discovered that no records existed of quit rents ever having been paid in the eleven years since they were set in 1828 in the Paranganad district, which encompassed the settlements of Kotagiri and Coonoor.

In response to the difficulties encountered in charging rents on the hills, in 1843 the Board of Revenue drafted a set of rules that would guide settlement of the Nilgiris: the Manual of instructions for the guidance of the local Revenue Officer in their disposal of applications for lands upon the Neillgherry Hills. Even if pre-existing grants proved burdensome to regulate, the Manual provided a set of regulations through which all future alienations could be invigilated by the colonial state. The rules reaffirmed the right of the state as the primary landlord. All cultivated land on the hills was held on rent from government and all unoccupied land was designated ‘wasteland’, the absolute property of government, to be sold at auction at government’s discretion. Auction procedure required the survey and inspection of each parcel of land for which a settler applied, a measure that would, theoretically, give the revenue authorities a firm grasp of the geography of colonisation, if not indigenous occupation. The terms set for existing and incoming land-holding were restrictive: lands had to
be utilised for the purpose for which they were acquired within a time-bound period or they would be confiscated and could only be transferred with the explicit permission of the revenue authorities in Madras. The Manual restated the government's determination to disabuse settlers of the belief in absolute ownership: all existing grants were to be converted into leases through survey and the levying of the new quit rent. This Manual was passed by Government in 1849 and became the guiding terms for the alienation of land for the next fourteen years.

Correctly sensing the preference of settlers for the less legislated 'native deeds', the revenue authorities modified the 1849 manual from the 1843 draft in an attempt to prevent settlers who sought to establish sizable holdings from obtaining pattas. According to the Manual, pattas could be granted only to 'Natives of the agricultural classes, East Indians and Europeans of the lower classes holding lands not exceeding half a cawny.' Any land above this limit or desired by any parties other than those specified, was to be obtained at public auction. In creating this differential based on the identity of the land buyer, however, the revenue authorities contravened existing colonial legislation. An Act of Parliament passed in 1837 had made it 'lawful for all subjects of Her Majesty to acquire and hold in perpetuity, or any term of years, property in land in the same manner as such property is now acquired by Natives'. The revenue authorities could legally impose restrictions only upon the grant of new patta lands carved out of designated wasteland. Settlers were empowered by law to buy rights held by indigenous pattadars and, in the case of transferred pattas, all the revenue authorities could do was frame rules for the extraction of public revenues from those properties. The revenue authorities attempted to temper the enthusiasm of settlers for patta transfer by re-emphasising that purchase bought a specified usufruct only, not proprietary title. In the case of Todas, only grazing usufruct could be purchased from pattadars; purchase from Badagas was in principle limited to areas under immediate occupation by cultivators and bought only the right to continue the same form of cultivation.

In juridical discourse, therefore, wasteland was the absolute property of government and pattas could transfer extant usufruct only. In practice, however, the revenue authorities lacked the detailed plans of extant rights and occupation in the living agrarian landscape to make these restrictions operational. A survey, to be simultaneously cadastral and cartographic, was proposed which would establish the boundaries of indigenous villages.
and as far as possible define a colonisable landscape that would flow around and past existing occupation. The survey began in 1844 and was carried out by Captain J. Ouchterlony, himself a settler and owner of a substantial coffee estate leased from the Nilambur Tirulpad in Wynaad. The aim of the survey was to create limits around the nebulous agrarian landscape of the indigenous communities, not so much to define that landscape than to demarcate what lay outside of it: wasteland, the absolute and disposable property of government. In addition to villages, the survey was to record, and therefore admit, Toda grazing, Badaga cultivation, areas where gudu was payable, the ‘customary use and distribution’ of water sources and any ‘spots held in particular veneration’. Once indigenous occupation had been measured and mapped, it was to be subtracted from the total area of the hills to reveal the amount of wasteland available for colonisation.

Ouchterlony dismissed the existing maps of the hills and offered to create ‘a symmetrical system of minor triangulation [to] spread over the tract in question like a network’ facilitating alienation and assessments. This network would be furnished by indigenous nomenclatures to represent an authentic and accessible local geography. Ouchterlony’s survey was not simply a local affair; the Surveyor General’s office in Calcutta added ethnology, botany, geology and a survey of the manufactures and products of the hills to the remit of the survey.

In 1849, after the completion of the survey of the plateau, the Manual was passed into law by the Madras government. The survey submitted by Ouchterlony was not the map that government, somewhat optimistically, had commissioned: a definitive plan of settlement circumscribing indigenous cultivation and usufruct. The map did not divide the Nilgiris into easily alienable parcels and the survey of indigenous occupation was incomplete and inconsistent. Toda munds were marked on the map in some detail, particularly in Malnad, the district to which Ouchterlony now suggested government should henceforth confine its cognisance of Toda occupation (regardless of evidence that seasonal Toda occupation extended far beyond these limits). Other villages were marked as ‘Burgher, Kother and Euruler Villages’ without further differentiation; by default not-coloniser and not-Toda. Not a single area of cultivation or grazing was demarcated on the map, save a few areas of experimental settler plantations. Gudu, one of the properties the survey had set out to map as a marker of the extent of indigenous rights, was omitted from the survey. Rather than ‘unmapped’, Ouchterlony averred that gudu was in fact ‘unmappable’. 
He had ascertained to his satisfaction in interviews with those who gave and received *gudu* that the payment was not a property of land itself but a voluntary and ritual payment embedded in the social relations of the indigenous communities and entirely disconnected with specific areas and places. *Gudu* was not, from then on, regarded as an indicator, or index, of any rights in or to land. Ochterlony’s survey quantified, though failed to plot, the limits of indigenous cultivation on the hills. He measured existing agriculture at 23,772 acres and further calculated that, even after a ‘generous’ allowance to the hill communities to accommodate grazing, agriculture and village commons with future growth, at least 200,000 acres were available to colonists on the hills. The survey’s tabulations assured government, or rather confirmed the existing prejudice, that space aplenty existed for colonisation but left the revenue authorities no closer to their goal of possessing the knowledge required to make the rules laid down in the *Manual* enforceable.

In response, when the *Manual* passed into law, the Madras government abandoned its ambition to create a definitive wasteland map. From then on the onus for the collection of cartographic information was transferred on to the process and administration of settler colonisation. The plans acquired during auction procedure became the sole means of creating cartographic abstractions of properties on the hills: each settler who wished to buy land would be required to meet the costs of survey and demarcation. A copy of the map created of each property would then be held in the record office at the Collectorate allowing cadastral knowledge of settler occupation to gradually accumulate. The maps, when they were created and sent to be archived, left the state in possession of a series of disembodied islands of surveyed, bounded and measured land which could be referenced through a register of ownership and assessment rather than as part of a contiguous mapped landscape (see Plate 3.1). This mode of survey continued until the comprehensive survey and settlement of the hills began in 1878.

By the 1850s, land was held on the hills in a variety of forms, old grants from the 1820s, new leases, transferred leases (which technically were not recognised by the revenue authorities) and on a plethora of *pattas* obtained by purchase from indigenous land-holders. Settlers remained reluctant to convert their old grants into leases under the terms of the *Manual*. In 1850, the Board of Revenue threatened to evict two settlers, Lascelles and Stanes, (the latter subsequently established huge estates and business interests on the hills) for refusing to pay the auction upset price – a minimum price
set by government – for land they already occupied. When settlers did convert grants into leases they distinguished between older government grants and patta purchases, frequently refusing to register the latter with the revenue authorities. Under these circumstances, the state’s pretence
of keeping the colonising and indigenous landscapes separate atrophied and gradually disappeared from administrative discourse.

The revenue authorities were no longer determined simply to identify and subtract land held on patta from land deemed separate and colonisable. While settlers could gain from the indefinite nature of the patta, the revenue authorities stood to lose both revenues and any possibility of control over the land. If the authorities could not prevent settlers from obtaining land grants through ‘native deeds’, they were obliged to bring the indigenous landscape of land and resource rights into abeyance. Until 1857, in mediating between, ‘advancing European and the receding native occupier’, Collector Edward B. Thomas had deliberately discouraged the grant of new lands to indigenous communities nearby the three European settlements, preferring to keep hill communities settled in ‘distant localities’.38 In keeping with the convictions that characterised government’s mediation of all colonisation, disputed or otherwise, Thomas asserted that there was ‘yet land sufficient for them [the Badagas and others]’ away from the areas that government wished settlers to occupy. By the end of the 1850s, however, this discretionary separation of the two landscapes was no longer tenable. It was no longer the settlers but the indigenous communities who were to be spatially curtailed.

Reflecting upon the real state of land holding on the hills, the Board of Revenue in Madras recommended that the restrictions and conditions on land-holding contained in the Manual be removed. The restrictions, the Board opined, inhibited the investment of capital in the land. Certainly the restrictions limited the investment of capital visible to and therefore taxable by the state. Settlers would be permitted to convert pattas, regardless of how they were obtained, into ‘permanent pattas’ on payment of twenty years assessment. These permanent pattas were still nominally distinct from regular pattas but resembled them almost exactly.39 As a result, the Manual was revised once again in 1859. The new Manual also removed upset price from sale at auction of agricultural land, a cost deemed to have been a powerful disincentive to wasteland purchase.40

In the period before the state abandoned the legislative pretence of maintaining two separately administered landscapes, it appears that government had a greater control over the alienation of land taken up by planters. In 1857, when less than 5,000 acres were taken up for plantations, at least 3,500 acres were granted or sold by government to planters under the terms of the Manual.41 Land transfers between settlers and
local communities, beyond the purview of the local state, accelerated dramatically in the 1860s. By the 1880s, the revenue survey revealed that in Paranganad less than one fifth of the land contained in the district’s one hundred estates had been purchased with the cognisance of the revenue authorities. The rest had been established, and augmented, by purchases of land from hill community pattadars.\textsuperscript{42} The nature of land acquisition exacerbated government’s already meagre fund of geographical knowledge and created a landscape of undefined boundaries. Once a patta had been purchased, the local revenue officers could not have strictly imposed the rule of continuity in usufruct even if they had wanted to. They simply had no means of invigilating the land sold and its subsequent usage. Planters frequently bought but did not utilise land allowing the continuation of its traditional occupation. The incentives offered by government in the form of suspended or reduced revenue for cash crop plantations resulted in the appropriation of large tracts of lands that were left unutilised. By 1877, 31 per cent of the land taken up for coffee and 53 per cent of the land earmarked for tea lay uncultivated.\textsuperscript{43}

Purchases made privately between indigenous pattadars and settlers were marked by two conspicuous features: a state-sanctioned hierarchy between vendor and settler that admitted only partial rights to indigenous land holders as legitimate participants in the land market and, in addition, an almost total inability, and arguable disinterest, of the local revenue officers to effectively invigilate any correspondence between land specified on pattas and land appropriated.

For European settlers, a purchase of land was implicitly assumed to subsume any question of existing occupation. In 1832, two settlers, Davis and C. McNair, bought land from Badagas in Davany Village in Paranganad. In protesting the imposition of rents, Davis described the land as ‘turned over to me for the sum of Rs 1090’. This sum included the price of purchase, Rs 20, and the cost of land clearance, Rs 1,070, but made no distinction between the two in describing the value ascribed to the land.\textsuperscript{44} For settlers the capital invested in the price of land was constituted by an amalgam of monies paid, either in purchase or clearance. The vendors of land were barely discernable from the landscape itself. So long as land was obtained to the satisfaction of settlers, no meaningful distinction was made to identify indigenous vendors as active parties in land sale. European settlers bought, or presumed themselves to have bought, whole villages, including houses and huts.\textsuperscript{45} Protests from local communities were met with
baffled incredulity by purchasers. When complaints were made against one application for land, one settler responded ‘the “village” ... is no more than 4 or 5 “wigwams” which Mr. Williams [the surveyor] was positively instructed to exclude from the 200Cs., but if this cannot be done with due regard to the rights of the owners, I have no objections to purchase the wigwams and the field.” Cockburn’s inverted commas around ‘village’, a word he recognised as denoting human occupation and his use of the term ‘wigwam’ made clear that he considered the occupation of those protesting his appropriation to belong to a lesser, generic and insignificant order of the primitive. His casual agreement that the appropriation might as well now be made to meet the completed plans, dispatched indigenous occupants into a separate landscape, subordinate to that now sought for colonisation.

Obtaining land from indigenous communities was based on more than a desire to avoid a restrictive, and uncertain, official process; it reflected a positive desire for land in and around indigenous occupation. Estates established near existing villages could access resources – such as labour, firewood and manure – far more easily than isolated plantations. The settlers needed to be a part of the agrarian landscape of the hills. One planter negotiated with some Todas to build two cattle pens above his coffee plants so that rain would wash down the valuable manure. A sketch plan submitted by a planter, James Hunter, of land under application made clear this desire for proximity with both a Toda cattle pen and Badaga cultivation near to the land he sought.

Plate 3.2 Hunter’s Map, Coonoor. PMBR 8/6/1857, p. 9154.
For settlers, the cognisance of the revenue authorities did provide a solidity of title that was unobtainable in unrecognised agreements between buyers, village officers and pattadars. The settlers bought land in landscapes of which they had no knowledge, in languages they did not understand, and where payment preceded proof of ownership. Once a patta had been purchased, only registration in the Plantation Register at the Collectorate could transform their acquisitions into recognised property. Pattas were sent to the Collectorate with a copy of the sale deed signed by the vendor to be registered in the Plantation Register under the name of its new owner. No specification of the type of usufruct transferred was ever made in these re-registrations; the official restrictions imposed on patta sales quickly became a dead letter. No existing map could say anything about the relative or absolute position of the land sought and therefore settlers supplemented their claims to land with references to the landscape as it was known to the patta vendors. Rarely translated and almost never understood, indigenous place-names were nevertheless the only means through which settlers could signify and validate their holdings against inexpert enquiries from the Collectorate. One settler wrote to the Collector describing his land:

... the ground is situated nearly a mile above Tutta poliem, bounded on the east side of a tree called yllay chunday mariem, west side of a place called cavatay pulliem, North side of a place called Doovay annay, south side of a place called Nyddayhunny Nunjah.50

Pattas were often described through only nominal reference to topographical information which could not possibly have been pursued and verified, for example: ‘a stone, a crooked tree and two rocks’.51 The owner of Kartery Coffee Estate described land he wished to acquire as bounded on north, south, east and west by ‘waste land and some Buddagher Cultivation’.52 Most settlers could be no more specific beyond such meagre descriptions.

The unknown topography did not always put colonists at a disadvantage, at least not in their dealings with the local revenue authorities. Settlers habitually used the undefined nature of both the pattas and the topography that they purportedly described to acquire large tracts of land. One estate in Paranganad had used a patta purchased for 8½ acres to support a claim for almost 185 acres. Other such cases were common.53 If, on the other hand, discrepancies were discovered and resulted in the shrinkage of a claim, settlers were quick to protest to the revenue authorities. After being sold five cawnies which subsequently turned out to measure no more than two,
one planter appealed to the revenue authorities accusing local communities of ‘palpable fraud’.  

Settlers purchasing *pattas* sought to adequately, and quietly, compensate any claims in order to avoid complaints that would precipitate the involvement of the revenue authorities. Regardless of the ambiguous legality of the land market that developed, the local state was largely acquiescent. Local officers generally had no interest in antagonising elite settler society, of which they were a part, by going to any length to restrict or invigilate *patta* sales. Despite this, disputes over purchases were frequent. Jointly held *pattas* greatly outnumbered *pattas* held by individuals among local communities until the 1880s and settlers were often confronted with alternate claims to the ground after they had ostensibly secured the sale of a land document. The Collectorate was, therefore, a potentially treacherous place for *patta* purchase deeds: the sale could be deemed flawed or fraudulent for any number of reasons. For that reason, complained one Collector, planters pursued a ‘systematic neglect ... in having transfers of properties registered’.

Title deeds that were sent to the Collectorate were consistently followed within a week or two with terse, nervous demands from the purchaser that the officials quickly process and return them.

The next section explores cases in which appropriations, through both auction sales and *patta* transfers, led to protests by indigenous communities and investigations by the local state. This official arbitration under a regime which regarded appropriation as the sole means of accumulating spatial information offers a valuable aperture into the partialities and limits of the juridical order of land colonisation on the hills.

‘DEPREDATIONS UNSEEN’: THE LOCAL STATE AND LAND DISPUTES

‘A hard case for a European to sit down on Burgher land and then refer the Burghers to a court to oust them.’

E. B. Thomas, Collector of Coimbatore, 1861

When sales were challenged by local communities, settlers presumed full support from the revenue authorities. Settlers appealed to the local authorities as the sole arbiter, and champion, of a legitimate land-market in which they presumed themselves to be dominant. One planter asked the Collectorate to intervene when a long negotiation and a verbal agreement with Kurumbas abruptly ended when the *pattadar* sold to another settler. When some Kotas in Kotagiri refused point blank to sell a few
Land, Survey and Alienation

metres of land to David Cockburn, perhaps because he was one of the architects of a petition that called for the eviction of their community from the town, Cockburn immediately appealed to the Collector to compel the sale.\textsuperscript{58} However, a sympathetic hearing from the revenue authorities was not guaranteed.

The tenure of E. B. Thomas as the Collector of Coimbatore, from 1849 to 1862,\textsuperscript{59} saw the final abandonment of the protocol of separate landscapes on the hills and a definitive shift in the acquisition of land by settlers that made \textit{patta} purchase the norm. Thomas’ arbitration of land disputes during this period was redoubtable and atypical compared to his peers and subordinates. His insistence on the careful arbitration of disputes between settlers and indigenous cultivators made a conspicuous impression on the records compiled under his care. Other revenue administrators had left a notable imprint on the colonial archive of their interest in indigenous rights. John Sullivan had lobbied, instrumentally, for the recognition of indigenous precedent and later officials, notably James Breeks, the first Commissioner of the Nilgiris, took a more public and ‘scientific’ interest in the hill communities. However, no other administrator enraged the settlers by his tenacious insistence on the cognisance and compensation of indigenous rights to land.

Thomas insisted that indigenous claims could not be disregarded even after a lease for land had been obtained. J. W. Cherry, as Acting Collector in Thomas’ absence in 1859, rejected a claim made by hill communities to land for which a settler had applied under the terms of 1849 \textit{Manual} on the grounds that: ‘No puttah has yet been issued and they cannot therefore claim ... they have taken their produce and the land is now laid waste.’ \textsuperscript{60} On his return, Thomas overruled this decision, stating that usage in itself was sufficient to prove a claim, regardless of the nature of cultivation or the absence of \textit{patta}.\textsuperscript{61} Similarly, in 1860, Thomas refused a settler permission to convert an existing land grant, already purchased at auction, into \textit{patta}, after he received claims from Irulas and Kurumbas for the land.\textsuperscript{62}

Thomas antagonised settlers by proactively seeking indigenous claims before transferring title. When objections existed, he insisted that a signed document be obtained from the original \textit{pattadars} stating that their claims had been satisfied. In 1860 Thomas refused to confirm the purchase of planter F. Cockburn in the Coonoor ghat. Cockburn challenged Thomas’ legal right to interfere, citing the Act of 1837, which had given settlers the right to hold property on the same terms as natives, as proof of his
freedom to negotiate the sale of land without any state intervention. The Irula vendors, he stated, were perfectly willing to vacate the land and he complained that Thomas had no right to ‘interfere between the Buyers and Sellers of private property, a “fair price” is what the one is willing to give and the other to receive, and whether the price is adequate or “inadequate” in your judgement, can in no case affect the sale’. Thomas held firm and refused to sanction the sale until such time as the Irula cultivators would ‘declare before me that they are fairly satisfied and willing to vacate’. Thomas’ arbitration of disputes earned him a reputation for excessive sympathy for, and faith in, what one settler described with asperity as, ‘the general truthfulness of the Burghers, which ... you consider ... superior to the want of proof on the part of the claims, as superior to the general average of truthfulness among Europeans’.

Thomas’ actions cannot be understood outside of the particular order of governance during his tenure both on the hills and in British India as a whole. As an administrator, Thomas’ defence of indigenous occupation was explicated in terms of a desire to see ‘proper’ conduct observed. This conduct was based on qualities of character, conduct and legality. One settler, who simply swindled hill communities out of land, had not, charged Thomas, the ‘remotest pretension to the character of an English Gentleman’. What was the Imperial order without those qualities of conduct which necessarily distinguished it from that of the native? To be sure, beyond his careful administration of disputes Thomas was not exceptional in his attitudes to the hill communities. After retirement he settled in Coonoor and complained as cantankerously as any European settler about Badaga and Toda cattle, lobbying the revenue authorities to levy a charge on Badagas for the use of paths within the settlement.

One case is illustrative of the course of conflict and colonisation mediated by Thomas throughout the 1850s. In an exception to the usual land application processes, the Board of Revenue in Madras had granted directly two hundred and forty acres of land near Sholur to H. D. Rae on favourable terms to establish an experimental plantation of tea. In 1860, complaints reached Thomas from neighbouring Badagas that Rae’s occupation interfered with their patta lands. Rae dismissed the complaint, claiming instead that ‘the real fact is that [the Badagas] desire only to extort money from me, as has been too commonly the case with European settlers on these hills.’ The Sholur Badagas, Rae claimed, had offered formerly to sell the valley under what he claimed were ‘fictious and false’ pattas and that
only after he had obtained the land from government did the Badagas, and later Todas and Kotas, begin to assert their claims. Thomas dispatched the Assistant Collector, W. S. Nesbitt, to investigate.

Objections to Rae's occupation were widespread. The occupants of the two Toda munds at the head of the valley, the Badagas and Kota communities of Sholur and the Kulhutty Badagas who possessed a cattle pen in the valley all objected to Rae's presence. Five Badagas held pattas in the valley dating from 1858 and claimed to have been using the land as grazing since they abandoned cultivation in the area twelve years before. These pattas did not contain information that could identify those rights with the valley, a poor case for their claims, according to Rae, who, having laid claim to the land, suggested the Badagas test their case for his eviction in Court. Rae lost no time in imprinting his assumed rights to land in the valley. Regardless of the ongoing investigation, he began to erect thatched huts for labourers, dug 5,000 holes and had 2,000 tea plants germinating ready for planting. Rae claimed that he intended to confine his plantation to the Eastern side of the valley, though only if he found two hundred and forty suitable acres. If not, he intended to extend his claim across the stream and utilise land on the other side. This proposed extension is marked 'centre block' on a sketch map drawn by Nesbitt to illustrate his investigation (Plate 3.3 overleaf). The sketch is constructed to emphasise Rae's occupation and marginalise existing usufruct: the cultivation is remote and 'abandoned' and the occupation site of the Badagas unseen.

The verbal statements provided by the Badagas of their usufruct were considered by Nesbitt to be worthless without some authorised, documentary 'proof'. A Curnum attested that he had 'always seen cattle grazing there' and that the Badagas had paid assessments on pattas for the right to graze. The evidence presented by the Curnum in support of the Badagas' claim was disposed of on the basis of inconsistency, a rather anomalous case of pedantry given the inadequacy of any topographical information possessed by government. The Curnum gave the name of the valley as 'Mooloo Kaloo Shola Saroogoo', translated as 'the thorny, stony, shola valley'. This name was not given on the pattas held by the local communities, evidence in the eyes of Nesbitt and Rae that there was no proof that this land was ever allotted for grazing.

The Badaga pattadars were asked to explain why they were unable simply to relocate their pasture to the area on the other side of the stream. They replied that the land 'was occupied by Kotahs who would exercise
injurious influence over them ... if they came there'. In his report, Nesbitt added to this statement that some Kotas were standing within a few yards of the Badagas ‘when they made so frivolous an excuse’. Besides which, added Nesbitt, the same Kotas had no objection to using the Toda land which lay to the north. In translation, a crude violence was projected on to the relationships which guided the social allotment of land. At the same time as condemning the barbarous superstitions, inconsistencies and falsehoods of the Badagas, Nesbitt and Rae concocted a case to prove the Badaga pattadars had never used the valley. Nesbitt stated the valley was ‘least likely to have been selected for pasture’, a statement Rae seconded by claiming that his horse had been made sick by eating the grass in the valley. Rhode, a planter and ally of Rae, who had himself lost land to indigenous claims, stated that the grass would ‘blister the stomach of any animal that might eat it’. This statement was apparently disregarded by Thomas who scribbled ‘nonsense!’ next to it in the margin of Nesbitt’s correspondence.
Despite his criticisms of Nesbitt’s partisan investigation, Thomas acquiesced and issued an order that grazing in the valley was to stop. Claiming that grazing continued, Rae then petitioned for a cessation of all rights of access for Todas, Kotas or Badagas into the valley. Rae lamented that the valley was a direct route between Ootacamund and what he described as ‘the nearest cheap ragee-village in the plains’. In response to Thomas’ refusal to proscribe ‘an old right of way’ Rae asked that the Badagas be prevented from driving cattle through the valley. The Badagas, according to Rae, used their right of way to ‘purposely and wilfully [drive] their cattle over my plants and beds and also walk over them themselves’. In order to control these rights of access to and through the valley Rae undertook to construct a ‘special pathway for the hilltribes’, a straight and visible path up the centre of the valley to replace the original path which ‘ran into nullahs and behind knolls and clumps of jungle; [and] was anything but straight and at all imaginable gradients, the result not of convenience but of accident’. Rae’s pathway would impose a needed improvement; the correction of historical ‘accident’ with deliberate planning. The improvement would allow Rae to survey the valley he considered to be his own, exclusive property and to ‘take care that the maliciously disposed should not, behind knolls &c ... commit depredations unseen’. Whether or not Rae built his pathway is not clear. However, it is representative of the course of colonisation on the hills which claimed the pre-eminent right to reorder both the landscape and the mobility and subsistence of indigenous communities.

The dispute ended unresolved, though in Rae’s favour by default, when Thomas ceased to be the Collector in charge of the Nilgiri District. Nesbitt’s scepticism of indigenous claims reflected the, perhaps well-founded, belief that the successful colonisation of the hills was dependent upon their suppression. To defer to indigenous rights over the claim of a settler would, he believed, ‘deter other parties [settlers] from embarking on similar undertakings’. What was at stake, therefore, was not a point of law, but a point of principle. The investigation and resolution of disputes in the favour of settlers constituted a public show of government’s resolve to facilitate colonisation. Nesbitt’s pre-judgement reveals a more pressing agenda in the settlement of this and other disputes than racist malice. Rae claimed that the Badagas who disputed his grant had previously offered to sell the land to him. The purpose of official mediation, therefore, was not simply to make clear that government’s sympathy lay with planters. If the Badagas’ claims
had been deemed credible, the right of the state to have made the grant lost credibility. The state was not in possession of any comprehensive cadastral or cartographic knowledge in the mediation of land grants and sales. The only authoritative knowledge held by the state over land was manifest its possession of the power to grant land. While the local authorities could question, and very occasionally reverse, the purchase claims of settlers during disputes, the claims in this case were against not only the settler but also, by merit of his grant, the authority of the state. The state could find for the indigenous claimant against the colonist only when involved as a third party, ostensibly mediating between indigene and settlers.

The records compiled under Thomas make clear not only the lengths to which settlers would go to obtain land but also the limits of the state in investigating and redressing nefarious alienations. They also reveal the complexity of the social relationships in which usufruct was embedded. In the mid-1850s, the planter A. W. R. Lascelles attempted to buy a plot of land at Arapully Mund in Paranganad. The site was an old *mund* used by Badaga cultivators though for which the Todas of Alyoormund still claimed rights. Lascelles pressured the Badagas he employed on his coffee estate into agreeing to sell the land for a tiny fee and had them sign an English title deed. Three Todas of Alyoor *mund*, when they heard of the purchase, protested that the Badagas had no right to sell the land. One of them stated in a deposition that:

> Mr. Lascelles subsequently desired me, that in the event of the cirkar or my cousins asking me about the land in question, I should tell them that the sale had my consent, and he told me that I cannot again get my land. He also promised to get me four Buffaloes with their young ones as a present, drew out a bond and induced me to touch a pen as a mark of my having signed the document. It is now more than 25 days since the above transaction took place, but he failed to give me the Buffaloes as promised, and on my asking him for the bond in question, he did not return it to me, but threatened me and ordered me not again to come near his Bungalow.8

In all three cases, Lascelles made the same promise to the Todas who had questioned the sale. He assured them that there was no possibility that their land would be returned but they would ‘receive anything which he may give ... by favour’.82 Having received their signature on sale deeds, Lascelles refused to give them the buffalo he had promised to each in return for the withdrawal of their claim to the land.
Land, Survey and Alienation

Thomas asked for the sale to be disallowed by the revenue authorities. Further, he asked that the Badagas and Todas, ‘the joint and rightful owners’ of the land, be allowed to sell the land now disputed at auction and thereby obtain the highest price available. The Board of Revenue agreed that the sale must not be recognised. They refused, however, to allow the Todas and Badagas to organise the sale of the land. Official land sales could take place only at the request of those who wished to buy, not by those who would sell. This ruling reveals a key facet of colonisation. The colonisers directed the course of land acquisition; they would select land and subject it to measurement and demarcation. The hill communities had no state-sanctioned right to offer land for sale, or, like government, to force settlers to compete for land in order to increase the price realised.

HILL COMMUNITIES, SETTLERS AND LAND SALES

Settlers were convinced that pattas were obtainable ‘without the slightest difficulty’ by the hill communities and therefore that alienation for them was of little material consequence. They also vociferously claimed, and revenue officials with the singular exception of E. B. Thomas were willing to believe, that the hill communities, far from being pushed out, were consistently the willing recipients of cash payments. These complaints aside, there is clear evidence that members of local communities did manipulate both the settler desire for land and the inability of the local state to regulate the land-market.

When land was sold in small, scattered areas, the wants of the colonists could be accommodated in areas of shifting, outfield cultivation. The inability of local Cutcherry officers to enforce a delimited agrarian landscape combined with the quantity of land under shifting cultivation ensured that new pattas were available to replace those alienated. New pattas could be obtained from the village officers at the beginning of the next agricultural year to replace those lost. This practice, durkhast, was banned on the hills in 1863 as part of an attempt to restrict shifting cultivation. Since bhurty continued, however, it is safe to assume that so did the renewal of shifting land rights. A settler establishing a plantation or estate would generally do so by purchasing a single, substantial area of land either from government or indigenous pattadars and would then supplement it with small areas purchased from neighbouring communities. By deliberately obtaining a patta for land nearby an estate from village officers – who often acted
as fixers for land alienation – or simply by placing themselves nearby the leased land, local pattadars could secure a reasonably sure chance of compensation. One planter complained that when he first occupied his estate near Kotagiri, his land was surrounded on all sides by government waste. By the mid-1860s, he claimed he was ‘shut in’ on all sides by Irula and Kurumba cultivators.\(^8^5\)

Some attempts by local communities to impede or restrict colonisation were undoubtedly for profit. However, manipulation of the patta regime also offered the only means to protect existing land rights from colonisation. When land was alienated to planters, by either auction or patta purchase, its removal from the agrarian landscape, in which land use had formally shifted and circulated, was either permanent or only recoverable at considerable expense if reacquired at auction. In areas close to the principal settlements, which were put under increasing pressure in the second half of the century, pattas were the only means by which existing rights of access and movement could be protected from encroachment. The ad hoc nature of land acquisition on the hills meant that the revenue authorities could not protect indigenous communities from the indirect effects of colonisation even if they had wished to. Villagers complained that settlers were ‘taking up land on all sides of them’ and cutting off access to grazing lands.\(^8^6\)

Indigenous communities, therefore, employed flexibility of usufruct to consolidate control over specific and important areas. In the mid-1860s, Badagas pattadars of Kulhotty used fresh cultivation to block the route of a road Henry Richardson wished to construct from his property. This cultivation was removed only after an agreement had been secured from Richardson guaranteeing the free access for the local community to and across the road once it was constructed.\(^8^7\) In another case, two months after a settler made an application for land, Badagas of the nearby village asked their Curnum to specify the limits of a grazing patta held by them in the locality (Plate 3.4). Angrily described by the settler as a ‘pseudo puttah’, the Badagas had established their right to eight acres of grazing which they now sought to either protect or profit by. Since the land had not yet been formally purchased through auction, no governmental support was given to remove the counter claim made by the Badagas.\(^8^8\)

Local communities also demonstrated considerable tenacity in re-obtaining land lost to colonists. In Kukal, in 1864, a settler approached Badaga pattadars to sell their rights to an area of land. When they had refused he appealed to the revenue officials who compliantly arranged for
the sale of the land at auction without the ‘knowledge or consent’ of the local Badaga community. As in the case of Rae’s land at Sholur, the right of the state to alienate or arbitrate the sale of land was made impermeable to any challenge. However, the case of the land at Kukal amply refuted the convictions that indigenous communities were indifferent to particular areas and that settlers offered a more useful and profitable cultivation of land. Nine years after the auction purchase, a group of Badagas bought back the land after the settler who had obtained it had fallen into assessment arrears causing the land to be seized by the revenue authorities.

In order to forestall alienations or retrieve alienated land, the hill communities inevitably sought out means to have their land rights recognised and respected. The necessity of marking out land in ways that revenue officials would recognise altered existing patterns and priorities of land-holding. In two petitions from 1862, Badaga pattadars requested a survey of their lands to be made in their name and supplied to them.
In 869, villagers approached the Collector to prevent the removal of demarcation stones they had asked the Survey Department to erect but for which they now found themselves unable to pay. The agreement they had signed had described the markers as permanent. How, they appealed, could they be removed as the Surveyors now threatened? The competition of the planters, the profiteering of local revenue officials and the changing terms of the agrarian economy created stress in Badaga society. Disputes over ‘boundary, grazing and rights of way’ became increasingly common and in 883 three Badagas of Davaney village were arrested and charged with murder after they beat to death a man who ‘in spite of warnings, continued to use a footpath, the right of way through which was disputed’.

As the nineteenth century progressed settlers increasingly believed that it was they who were victimised by patta transfers; trapped into excess payments by the unfounded, extravagant or fraudulent claims made by occupiers with the complicity of the local revenue officials. H. R. Morgan, a forest official and tea planter summarised the settler’s view of land appropriation in the middle of the nineteenth century. All the land desired by planters between 5,000 and 6,000 feet, he claimed, was ‘held by Burghers under the more dubious title of what is called a grazing puttah. Let a settler make an application for land in the neighbourhood of a Burgher village; and the land, though it has not been cultivated for years, is immediately claimed by the Burgher village, and a preposterous sum per acre demanded; if the demand be not acceded to, a complaint is lodged and the land pronounced to be Burgher land.’

Metz, a German Missionary on the hills who wrote his own ethnography, *Tribes Inhabiting the Neillgherry Hills*, and who frequently acted as adviser to government and visiting ethnographers, stated that ‘The Hill tribes claim at present all the land of the hills (whether entered on their puttah or not) ... they always look on European speculators as if they had encroached their own property, on which account the strangest stories, that for instance Government would soon drive them away from the land of their forefathers get into circulation amongst them.’ Settlers were increasingly convinced that the hill communities swarmed and infested the landscape asserting malicious, illegitimate and, in Metz’s opinion, paranoid claims to land.

As members of the hill communities became more active and resourceful in protecting land, and employed the same methods as colonists to do so, settlers endeavoured to tip the balance of power in their own favour. Colonists shifted the burden of responsibility for any counter-claims on
to the vendor and sought legal redress for what they regarded as their victimisation by indigenous pattadars. Sale deeds made out by settlers for the signature of indigenous pattadars incorporated the clause: ‘I do further agree and bind myself to hold myself liable and responsible for any claim or legal demand which may be made upon the said land … which may affect it in title, terms, value estate or otherwise.’96 The terms of this clause were entirely unreasonable. Signatories of this agreement made themselves liable for all future claims on an as yet unspecified area of land; the exact area and position of land was determined only after a survey had been conducted. The inclusion of this clause indicated the latitude settlers felt themselves to enjoy in enjoining the judiciary in their cause. The local judiciary repaid the compliment by being a more reliable ally than the occasionally less co-operative executive authority of the Collectorate.

In 1877, Thasa Kothen, a Kota, was sentenced to nine months rigorous imprisonment after Captain T. Fuller accused him of rescinding on an agreement to sell land. Fuller claimed that Thasa Kothen had received Rs 15 from Fuller on agreeing to sell him an area of land. When the agreement was sent for registration, Thasa Kothen claimed never to have agreed to sell on the terms Fuller had specified in the lease. Thasa Kothen, unable to read the deed he had signed, may have learned of those terms only during the enquiry preceding the final transfer. In court, the dispute was reduced to Thasa Kothen's word against that of Fuller, who testified that he had fully explained the lease.97 The European community in Ootacamund greeted the verdict warmly. A newspaper editorial believed the sentence would ‘have a salutary effect, and Kotahs will no doubt hesitate before they expose themselves to the clutches of the law’.98

Settlers had previously barely differentiated indigenous land-holders from the land itself whilst raging against the interference of government. By the last quarter of the nineteenth century colonists did everything possible to tie individual pattadars into contracts which made them liable for their, and the state’s, lack of topographical and cadastral knowledge. In doing so, settlers plugged the gap created by the state’s unwillingness to trammel indigenous rights when the state was not a direct party to a sale of land.

**REVENUE SETTLEMENT**

Indigenous pattadars’ acceptance of a regime of invigilation by the revenue authorities transformed the Collectorate’s archives of land-holding. By the
Plate 3.5. Patta Map, Ithala Village, Merkanad. Waste Land Surveys, 1893, UDR.
1870s, *pattas* could be numbered and their position was increasingly, if often only *theoretically*, traceable within a measured grid of other *pattas*. In these plans, the position of each *patta* was mapped according to the relative position of others; natural topography receded into the barest outline and place-names were infrequently given (Plate 3.5). These plans could be created, however, only when the state reacted to the creation and alienation of a new *patta* or as *pattadar*s proactively sought the registration of particular rights in revenue records. In the vast majority of locations, precise knowledge of the relative positions of existing *pattas* was never achieved. A revenue official at the end of the century complained that the *pattas* had never been ‘defined or limited or even identified except by the rude names of the fields entered on the putta at the suggestions of the ryot or the caprice of the village headman’.99

In 1878, the first comprehensive Revenue Survey and Settlement since Ouckerlony’s survey in the 1840s was initiated to establish a definitive cadastral map. For the hills to be properly governed, a cadastral map of the agrarian landscape had to be constituted which matched the preoccupations and tools of governance. The investigations and the reports of the survey were defining moments in disciplining and confirming the areas and boundaries of the estates. The land-tenure history of each estate was garnered from its owners, and its limits, along with those of forests and grazing, were fixed and mapped. However, the reconfiguration of the agrarian landscape during the Revenue Survey was not ordered according to the ‘improved’, colonised landscape of plantations but by the occupation and production of cultivating hill communities.

The four districts or *nadu*s – Malnad, Merkanad, Paranganad and Todanad – were commonly translated as villages in petitions and letters though each contained thousands of acres and many habitational sites. According to the revenue authorities, before the survey, ‘villages in the territorial divisions have hitherto had no existence’.100 To correct this lack thirty-six village circuits were formed, despite the acknowledgement that they were both arbitrary and unpopular, to provide the structure of the Revenue Settlement reports.101 For the purposes of the revenue authorities, a village was a unit of known space organised for the purposes of revenue organisation. The ‘eye sketches’ created by R. S. Benson, the Superintendent of the Survey, show the boundaries of each village, the ‘chief hamlets’, areas of grazing, roads, streams and estates and plantations (Plate 3.6, overleaf). The Revenue Survey Reports did not produce definitive summaries of
Land, Survey and Alienation

land use nor descriptions of the distribution of land amongst members of the hill communities. The land-holdings assigned to each village were accounted for by only a tabulation of area, assessments paid and a rough statement of common crop types. Considerable ‘white space’ still existed where government had little sense or control of land usage. In these areas shifting cultivation continued to be documented in the first half of the twentieth century. As lamented by Baden-Powell, the revenue authorities still did not possess comprehensive knowledge of the agrarian landscape of the hill communities. However, in establishing village circuits and establishments of village officers, the Revenue Settlement put in place an unprecedented mechanism for information retrieval and compilation. The Revenue Settlement fixed in place an agrarian administration within clearly defined village circuits through which, potentially, production would be more closely monitored than ever before and within which the evolving authority of the village officers would be fixed more precisely in relation to vertical village/state hierarchies. If the settlement made peace with the indigenous agrarian landscape, therefore, it was a juridical and not a precise cadastral reconciliation.

Estates were detailed with far more accuracy in the reports of the Revenue Survey although they were marked as exceptional properties within this newly constituted order. Their boundaries straddled and bisected the newly constituted village circuits on the survey maps. Two hundred and forty-eight estates were named, precisely delimited and the nature of their claims to land summarised. The Revenue Survey finally compiled the pattas and title deeds never registered at the Collectorate. Planters were expected to account for the acquisition of every acre of land they claimed and the Revenue Settlement repeatedly exposed substantial areas of land that had been alienated on dubious terms by pattadars. As mentioned previously, pattas sold often differed wildly from that land claimed by the planter in land type and extent. The purpose of the Revenue Survey was not to redress illicit appropriations but only to compile a definitive archive of land holdings. Where claims to land did not match the pattas produced to support them, ownership was confirmed on the payment of assessment for the whole area. This reconciliation of settler and state interests was left unchallenged until a case arose in which the discrepancy was deemed to be sufficient to demand legal proceedings to be brought against both vendor and purchaser on the charge of defrauding government. The discrepancy in this case was enormous; a patta was used to support a claim to over
one hundred times the amount of land it actually specified. However, the principal aggravation was that the land so claimed had been forest, over which the state had long claimed a monopoly.

At the very moment that the revenue authorities on the hills finally completed a comprehensive, of sorts, cadastral survey of the hills, the legitimacy of all colonisation and its indirect effects was questioned. The threatened legal proceedings brought the question of land tenure rights on the hills to the attention of the Madras authorities. Two members of the Board of Revenue, Sir W. Robinson and W. Hudleston, mounted a fierce critique in which they disputed the legitimacy of the policies pursued on the hills over the previous thirty years. Robinson rounded on the presumption that the rights of indigenous cultivators to land were circumscribed by the *patta*. ‘What right’, he asked, ‘has Government practically to confiscate all the land of the hill village, except what is included in some putta, and sell it to strangers?’ The juridical category of wasteland, as the absolute property of government, had been the bedrock of all legitimate colonisation on the hills from the 1840s onwards. These Board Members now charged that extensive customary, communal rights had been violated in its construction and application. Government, they claimed, had no right to claim all other land, except that cultivated and accounted for, as its own property and subsequently ‘charge the population with fraud and rascality, because they, properly enough, probably in equity, traverse the presumptions which are at variance with their own prescriptions’. If there had been fraud committed, they claimed, it was by government against the hill cultivators.

Robinson and Hudleston’s rebuke was issued only after the course of land transfers on the plateau had been established to the settlers’ advantage. It did, however, end the career of wasteland as a defining principle of colonisation. In the first years of hill colonisation, wasteland had been a measurable category of land which lay outside of the indigenous agrarian landscape. After the failure of Ouchterlony’s survey to map that agrarian landscape, the burden of proving that land was *not* wasteland, and therefore the disposable property of government, shifted to indigenous cultivators. Wasteland, therefore, had had redemptive powers to compensate the successive failures of land survey. Faith in land survey, as Baden-Powell’s rebuke showed, was never lost. Only survey, he claimed, could restrict the operation of *bhurty* cultivation, a practice regarded as antithetical to the existence of an ordered, surveyable landscape. Baden-Powell’s retrospective narration of revenue administration on the hills elided the
role that the category of wasteland had performed and returned the role of survey as the central tenet of agrarian administration.

Faith in land survey also concealed the day to day processes of land appropriation and disputes that had gradually constricted existing cultivation and reconfigured production on the hills. An authoritarian schematic of land-holding had not been imposed, but selectively accepted by indigenous cultivators as the best means to protect their rights. The next chapter develops this theme, exploring attendant transformations in agrarian production: new cropping patterns, indebtedness, changes in the organisation and tone of village administration.

NOTES


2 Barrow, Making History, Drawing Territory.

3 Revd. F. Metz to J. W. Cherry, Collector, 28/2/1859, CCRL, Jan–Apr, 1859, UDR.


5 W.E. Underwood, Acting Collector of Coimbatore to MBR, 17/1/1852, PMBR 15/4/1852, no. 11, pp. 4886–4922, OIOC.


7 Ouchterlony to Lt. Col. Sim, in charge of office of Deputy Surveyor General, 24/7/1844, PMBR 15/8/1844, no. 95, p. 10808, TNSA; Lt. Ouchterlony to MBR, 22/8/1844, PMBR 19/9/1844, no. 48, p. 12449, TNSA.

8 Baden-Powell, The Land Systems of British India, p. 186.

9 P. Grant, Collector of Coimbatore to MBR, 11/4/1866, PMBR 5/5/1866, no. 3189, p. 3050, TNSA.

10 The Court of Directors set the term for leases held by Europeans at 21 years for cultivation and 99 years for buildings and set a maximum acreage for the latter. Chamier, Madras Secretary to W. H. MacNaughton, Bengal Secretary, 29/10/1836, no. 1, p. 2146, TNSA. The assessment for all lands on the Nilgiris enclosed for buildings and ‘pleasure grounds’ was set at Rs 5 8 annas per cawnie in 1835, a relatively high quit rent designed to impede the formation of large enclosures of non-productive land. This decision was rolled back within one year, when government found it had
underestimated the size of the existing enclosures and determined to charge Rs 5 8 annas for only one cawnie per plot, the rest being assessed at a lower rate of Rs 1-2-4 per cawnie to encourage, contrary to previous orders, the establishment of 'substantial' properties. MBR to Govt, 24/9/1835, PMBR 10/11/1835, no. 43, p. 14145, TNSA; PMBR 15/12/1836, no. 9, p. 18559, TNSA. Land for building enclosures was to measure no more than 7.644. Extract of Governor's Minute, quoted in G. W. Drury, Coimbatore Collector to Malabar Collector, 17/11/1835, NDR vol. 4183, p. 453, TNSA.

11 PMBR 27/2/1837, p. 2279, no. 75, TNSA.
12 PMBR 23/1/1837, no. 1, p. 536, TNSA.
13 MBR to Government, 20/7/1837, PMBR 20/7/1837, no. 52, p. 8314, TNSA.
14 Extract from Minutes of Consultation, 25/7/1836, PMBR 28/7/1836, no. 20, p. 9995, TNSA.
15 Thomas King, Commander on the Nilgiris to Government, 22/5/1837, PMBR 12/6/1837, TNSA.
16 Malabar Collector to MBR, PMBR 30/5/1842, no. 62, p. 6697, TNSA.
17 PMBR 15/5/1837, nos. 82,83, p. 5427, TNSA.
18 Dr. Glen to Smith, Deputy Collector, 24/2/1837, PMBR 3/4/1837, no. 51, p. 3787, TNSA.
19 Ibid.
20 Until 1830, the Nilgiris were under the authority of the Coimbatore Collector. Between 1831 and 1843, Todanad and Merkanad were transferred to the authority of the Malabar District leaving Paranagad in Coimbatore. Within Todanad, Ootacamund Cantonment and other areas where troops were stationed fell within the authority of the Military Board.
21 H. Babington, Acting Collector Coimbatore to MBR, 24/12/1839, PMBR 23/1/1840, no. 44, p. 1305, TNSA.
22 PMRD 13/4/1849, nos. 3, 4, pp. 2123–2155, TNSA.
23 Ibid.
24 PMRD 24/12/1849, nos. 3,4, pp. 7860–7862, TNSA.
25 PMBR 10/4/1851, no. 25, p. 5068, TNSA.
26 Collector and Registrar of Government Grants to Advocate General Norton, 3/10/1840, in PMBR, 3/12/1840, p. 17382. TNSA.
27 PMRD 30/10/1849, nos. 15,16, pp. 6673–6681, TNSA.
28 Revenue Dept. G.O., 26/9/1836, quoted in Hudleston, Registrar of Govt. Grants to Malabar Collector, -/8/1836, NDR 4183, p. 569, TNSA.
29 E. B. Thomas to MBR, 25/9/1851, PMBR 20/10/1851, no. 34, p. 13840, TNSA.
30 MMBR 12/1843, no. 4, p. 19191, TNSA; Minute and Resolution of Government on Ouchterlony's survey, PMBR 16/8/1848, no. 6, p. 1138, TNSA.
31 Rob Wroughton, Deputy Surveyor General to Ouchterlony, 9/8/1844, PMBR 19/9/1844, no. 48, p. 12449, TNSA.
32 PMBR 13/4/1849, nos. 3,4, pp. 2123–2155, TNSA.
Land, Survey and Alienation


35 E. B. Thomas to MBR, 27/1/1851, PMBR 6/2/1851, no. 38, p. 1928, TNSA.

36 E. B. Thomas to MBR, 29/5/1850, PMBR 13/6/1850, no. 37, p. 8663, TNSA.

37 In 1837, a Major General James Stuart Fraser of Kotagiri excluded several hundred square feet of land comprising four separate purchases he had made from neighbouring Kotas. Drury to A. Robertson, Registrar of Government Grants, 23/3/1837, PMBR 16/12/1839, no. 79, p. 19396, TNSA.

38 E. B. Thomas to Govt. 24/3/1857, PMBR 21/4/1857, no. 671, pp. 5854–5871, TNSA.

39 PMBR 14/9/1857, no. 459–461, pp. 14389–14410, TNSA.


42 Benson, *Descriptive Memoir and Eyesketches of Nilgiri, Paranagad, Merkanad, Todanad and Kundanad*, 4 volumes, Madras: Scottish Press, 1883. The preference for *patta* purchase was, in part, due to the difficulty and uncertainty of auction purchase. Settlers wishing to buy land through official process were forced to submit to a lengthy and fraught process of selection, survey and approval. In 1876 and 1877, only 27% (1399.02 acres) of the land applied for under the Waste Land Rules was finally obtained by buyers at auction, Settlement Report of the Neilgherries, Fusly 286, 1876–1877, PMBR 6/7/1878, p. 6421, TNSA.

43 Statement illustrative of the State of Coffee Cultivation in the Madras Presidency, 1877–1878, PMBR 13/2/1879, no. 396, p. 891, TNSA.

44 Davis to Smith, Assistant Collector, Malabar, 22/3/1837, PMBR 13/4/1837, no. 8, p. 4211, TNSA.

45 R. Cooper to Collector, 17/6/1864, CCRL Jan–Jun, 1864, UDR.

46 F. Cockburn to Collector of Coimbatore, 29/11/1859, CCRL Sep–Dec, 1859, UDR.


49 Sketch Map of land sought near Coonoor, PMBR, 8/6/1857, p. 9154, OIOC.

50 Document showing the purchase by Robert Ryall of Kotagiri, land for Rs 13 8 annas, 1 cawnie 8 grounds and 1230 square feet, CCRI. Jan–Apr, 1860, UDR.
Other Landscapes

51 F. W. Wilkinson, Assistant Collector, to P. Grant, Collector, 28/8/1865, CCRL, Jul–Dec. 1865, UDR.

52 Claude-Vincent to P. Grant, Collector, 13/11/1862, CCRL Jul–Dec. 1862, UDR.

53 Rorke’s Drift, or Clyffe Estate, in Konakarai circuit, no. 9, Paraginad Division. Benson, Descriptive Memoir and Eyesketches, p. 7.

54 H. S. Thomas to E. B. Thomas, 10/5/1859, CCR May–Aug 1859, UDR.

55 Settlement Report of Nilgiris, Fusly 29, 188–82, PMBR 22/5/1883, no. 1413, p. 363, TNSA.

56 Pencil note by Thomas next to H. D. Rae to E. B. Thomas, 12 /4/1861, CCR Jan–Jun, 1861, UDR.

57 W. H. Stainbank to P. Grant, 21/7/1862, CCRL, Jul–Dec 1862, UDR.

58 D. Cockburn to P. Grant, 2/5/1866, CCR Jan–Jun, 1866, UDR.

59 Before taking that post he had served as Assistant Collector in the same district.

60 J. W. Cherry to MBR, 19/2/1859, CCRL Sep–Dec 1860, UDR.

61 Ibid.

62 H. A. Fraser to E. B. Thomas, 8/5/1860, CCRL May–Aug 1860, UDR.

63 F. Cockburn to E. B. Thomas, 29/2/1860, CCRL Jan–Apr 1860, UDR.

64 Ibid.

65 H. D. Rae to E. B. Thomas, 2/2/1861, CCR Jan–Jun 1861, UDR.

66 E. B. Thomas to MBR 12/11/1856, PMBR 4/12/1856, no. 236, pp. 21553–21554, TNSA.


68 H. D. Rae to E. B. Thomas, 13/11/1860, CCR Sep–Dec 1860, UDR.

69 Map of Rae’s Sholur claim, CCLR, Sept –Dec 1860, UDR.

70 H. D. Rae to E. B. Thomas, 2/9/1861, CCR Jul–Dec, 1861, UDR.

71 W. S. Nesbitt, Assist. Collector to E. B. Thomas, 3/12/1860, CCRL Sep–Dec 1860, UDR.

72 Ibid.

73 A pencil note by Thomas next to W. S. Nesbitt, Special Assistant Collector to E. B. Thomas, 3/12/1860, Assistant of Special Assistant’s Letterbook, Feb. 1860–Sep. 1864, UDR.

74 H. D. Rae to E. B. Thomas, 2/9/1861, CCR Jul–Dec, 1861, UDR.


76 H. D. Rae to E. B. Thomas, 2/9/1861, CCRL, Jul–Dec 1861, UDR.

77 Ibid.

78 Ibid.

79 Ibid.

80 W. S. Nesbitt, Assist. Collector to E. B. Thomas, 3/12/1860, Sep–Dec 1860, UDR.
Translation of a Petition to the Tahsildar by Koeroonelly, Toda of Aulyoor Mund, 18/10/1856, PMBR 4/12/1856, no. 236, pp. 21553–21554, TNSA.

Translated Deposition by Keroonully of Alyoordun, ‘by caste a “Todava”, by profession a ryot and aged 35 years old’, PMBR 4/12/1856, no. 236, pp. 21553–21554, TNSA.

PMBR 4/12/1856, no. 236, pp. 21553–21554, TNA.

Captain Fuller to P. Grant, 4/1/1864, CCR Jan–Jun, 1864, UDR.

W. Fuller to P. Grant, 4/2/1866, CCRL Jan–Jun, 1866, UDR.

PMRD 5/11/1863, no. 50–55, pp. 2325–2329, OIOC.

Henry Richardson to P. Grant, 9/1/1865 and 22/5/1865, CCR Jan–Jun, 1865, UDR.

C. Sanderson to P. Grant, 28/8/1865, CCRL Jul–Dec, 1865, UDR.

Petition of Ajah and Shevanah, Villagers of Kookool near Orange Valley, 28/3/1864, CCRL, Jan–Jun, 1864, UDR.

Benson, Descriptive Memoir and Eyesketches, Todanad.

Petition by Lingunnah and Paupunah, Boothenuthum Village, 7/10/1862; Petition by Muddanah and Thausuppah, Boothenuthum Village, 7/10/1862, CCRL, Jul–Dec 1862, UDR.

Petition on behalf of Bellan, Summa, Cutcha, Kotha, received 31/5/1869, Misc. Received, April to September, 1869, UDR.

R. K. Puckle, Second Member of the Boar of Revenue to MBR, 24/12/1880, PMBR 10/1/1881, no18, UDR; SIO 20/1/1883, p. 7, col. 4.

Report by H. R. Morgan, Appendix K, Tea Planting, 1/2/1861, PMRD 25/4/1862, no. 656, p. 1153, OIOC.

Revd. F. Metz, Basil Missionary to Cherry, Collector, 28/2/59, CCRL, Jan–April, 1859, UDR.


SIO 5/12/1877, p. 3, col. 3–4.

Ibid.

R. S. Benson, Special Assistant Collector to Director of Revenue Settlement and Agriculture, 20/11/1884, PMBR 6/5/1885, no. 1338, UDR.

PMBR 10/1/1881, no. 13, UDR.

R. K. Puckle, Second member of the Board of Revenue to MBR, 24/12/1880, PMBR, 10/1/1881, no. 18, UDR.

This term is borrowed from Edney, Mapping an Empire.


A Mr. Hill of Kodanad purchased 400 acres of forest on the strength of a patta for one bullah, 3.82 acres, of grassland, PMRD 5/4/1879, no. 793, UDR.

Minutes by Hon’ble Sir W. Robinson and Hon’ble W. Hudleston, PMRD 5/4/1879, no. 793, UDR.
Other Landscapes

107 Minute by Hon’ble Sir W. Robinson, PMRD 5/4/1879, no. 793, UDR.

108 Baden-Powell, in reviewing the Revenue Settlement, made a singular condemnation of the Badagas. He claimed that during settlement they laid claim to tracts of land that ‘rightfully’ should have been alienated to planters. Baden-Powell, *The Land Systems of British India*, p.192.
CHAPTER 4

The Agrarian Landscape

At the beginning of the nineteenth century, Badaga cultivation dominated the face of the agrarian landscape. Their hamlets were scattered across the whole of the plateau and the Kundahs. Badaga cultivation divided land into two types, combining low investment, low-impact shifting agriculture with high investment permanent cultivation. In-fields near the villages were intensively farmed, watched carefully at night, manured and fenced, cultivating barley, wheat, garlic, opium and, after their introduction, potatoes. Land on the hillsides was subject to a system of shifting cultivation known in the hills as bhurty. Scrub or grass was cultivated for one year and then left fallow for five to six years.

Around June, avoiding the Malabar monsoons, the majority of the Todas moved their buffalo herds to pasture on the east of the hills, nearby Badaga villages. Some munds, two in Paranganad and three in Merkanad, were inhabited all the year round. After the monsoon, the rest of the Todas would migrate back to Malnad on the west of the plateau, a region regarded by colonial ethnographers as the ‘homeland’ of the Todas, having fired the grass to achieve fresh growth before migrating. When seen by Benjamin Swain Ward of the Madras Revenue Survey in 1822, Malnad was exclusively pasture and forest. The Todas produced milk and ghee from their buffalo herds, kept poultry and collected edible tubers from the sholas. Ward estimated each Toda family group possessed 100–200 buffaloes. Formerly bartering produce from their herds with the other communities, and through them with the plains, by the 1820s, the Todas sold ghee and milk to settlers in exchange for cash. By the middle of the century, the number of Toda buffaloes exceeded 3,000. The Todas obtained grain from the Badagas as gudu and, from at least the 1840s, derived some income from ‘sightseers’ at their munds and funeral rituals.
Other Landscapes

The Kotas, though numerically fewer, lived in larger villages than either the Todas or the Badagas. Kota subsistence was neither primarily nor exclusively agrarian. The Kotas were artisans, debarred by tradition from pasturing cattle, and only cultivated small areas nearby their seven large villages. The subsistence pattern of the Kotas negated the need for large areas of grazing or outfields while more specialised, labour-intensive technical activities which required less space tended to cluster the Kotas in larger, orderly settlements. The Kotas manufactured household and agricultural implements and jewellery, from iron, silver and gold. They also made rope from hides and string from the fibres of the Nilgiri nettle plant, which grew in abundance near the Toda cattle pens. In return for these goods, which were supplied in networks between specific families, the Kotas received payment in both cash and kind from the other hill communities. In addition the Kotas were also given carrion and ‘unserviceable, old’ cattle by the Badagas in exchange for their manufactures and their customary role as musicians at the weddings, funerals and festivals of other communities.

The other communities of the Nilgiris, the Paniyars, the Mulu Kurumbas, the Kurumbas and the Irulas blurred in many ethnographic and economic accounts of the hills. In most nineteenth century accounts only the Kurumbas and Irulas were distinguished and then generally given far less attention than any of the other three communities. The Irulas on the lower slopes of the mountains practised swidden cultivation and sold forest products on the plains, relying far less on the inter-community relationships of the plateau. The Kurumbas practised swidden cultivation of legumes, chillies, yams and occasionally vegetables and gathered forest produce for subsistence and exchange and trade on the plains. According to Ward’s early nineteenth century account, they relied upon the payments in grains made by the Badagas for ritual services performed at various times during Badaga cultivation. Kurumba ‘priests’ (the term is very approximate) touched Badaga ploughs before harvests could begin and were called upon to cast the first handful of seeds on to the fields during sowing. This ritual relationship between the Kurumbas and the other communities was intense, occasionally spilling over into violence. In four known incidents between 1824 and 1875, a number of Kurumbas were killed by members of the Toda and Badaga communities and, in the most widely reported massacre at Kotagiri in 1875, by other Kurumbas. Colonial ethnography, and the judiciary, portrayed these killings as motivated by superstition and community prejudice and claimed that ‘the death or sickness of every
The Agrarian Landscape

Burgher or other tribesman is attributed to Kurumber sorcery. The details of the Kotagiri case of 1875, however, indicate that the killings were part of a much more complex series of stresses. The testimony given in that case implicates land sale by Kurumbas to planters as having some role in creating the tensions that led to the massacre. In the official judgement this aspect was elided in favour of necromancy and superstition as prime motives for the killings.

The relationships on the hills served to circulate specialist products – ghee from the Todas, grains from the Badagas, tools from the Kotas and forest products from the Kurumbas – between communities. They were not, however, simply exchange relationships but were mediated by a complex and seasonal range of gifts, services and ritual through which patterns of precedent and hierarchy were both expressed and concealed. These relationships were maintained across generations between particular villages and families. This complex of interdependencies did not yield a single hierarchical social formation but led to a multiplicity of self-definitions and hierarchies, each group able to claim, with reference to some facet of the inter-community relations, a ritual dominance over the others.

Payments of agricultural tax were made before 1799 from the Nilgiris to the state of Mysore in the North. In Badaga oral lore, stories and songs describe payments, debt and incarcerations at the hands of northern authorities. The revenues for hill cultivation were paid at the fort at Devanaiken Kota built by Tipu Sultan, as part of his systemisation of revenue collections at the end of the eighteenth century. Forts were constructed at Mullahcottah, south east of Sholur, at Kalhutty, in the Sigur ghat and at Hulikul, overlooking Coonoor ghat. These forts, built to guard passes and to subject the hills to a degree of state surveillance, also acted as satellite posts for the collection of revenues and the imposition of a limited form of state authority on the hills, likely to be primarily those which related to revenues. In 1799, after the death of Tipu Sultan and the annexation of Mysore, a revenue survey was undertaken in Coimbatore by a Major McLeod with the purported intention of ‘remedy[ing] the evils which resulted from Tippu’s excessive assessment’. In fact, far from relieving the inhabitants of the Nilgiris of any excess, McLeod increased the ‘excessive’ revenues expected from the hills from Rs 3,425 to Rs 8,276.

The taxation imposed on the hill communities at the beginning of the nineteenth century is a little unclear, though it provided a basis for enlarged colonial extractions. The Badagas paid revenue according to a
Other Landscapes

rough measurement of their production. Ward claimed that the Todas were charged half a rupee per buffalo while subsequent documents state that the Todas had paid a flat tax for an unsurveyed area of pasture.²²

A written record for assessments paid most probably did exist for the hills before 1799, but it is unlikely that the village establishments held documents. John Sullivan, as Collector of Coimbatore and the first government officer on the hills, modified the form of assessment, though without increasing the demand payable.²³ After Sullivan’s reorganisation of assessments on the hills, each Toda who possessed buffaloes was required to hold a separate patta for a portion of the pasture.²⁴ A fundamental change was the introduction of an estimate, albeit a very rough one, of the grazing area utilised. Grazing, however, was in common, both within, and often between, different munds and from the somewhat hazy figures supplied for Toda assessment it seems unlikely that great care was taken in calculating the revenues due from them.²⁵

Eight classifications of soil used by Badaga cultivators were noted by the Malabar Collector for the purposes of tax collection, a figure which, by the 1850s, had increased to nineteen. These classifications, reduced to levels of revenue assessment by systems of fiscal administration, were derived from a complex typology of soil classifications. Fields bore names according to their location, crop and soil. It seems that the Badagas, though an expanding, settled agricultural community, adapted their agrarian regime to the fragility of the soil, limiting permanent agriculture to valley floors and using extensive fallow over the thin hillside soils. This strategy is in stark contrast to the techniques employed by early settlers who were convinced that the landscape could be manipulated and reworked. Ouchterlony, for example, noticed that the Badagas ‘failed’ to strip the top soil from swamps, a strategy immediately used by settler agriculturists to enrich thin soils elsewhere.²⁶

The principal subsistence crops, korali (millet), sami (Italian Millet) and ragi, were grown through bhurty cultivation.²⁷ The Badagas cropped twice, cultivating mainly millets and legumes with a lesser amount of barley and wheat. Wheat was cultivated in the first crop along with barley in April and was kept largely for export and trade. The second crop, including opium poppy, was sown in October. Wheat was principally cultivated as a primitive form of cash crop, not for domestic consumption but to trade at distant markets. Including the far smaller tracts cultivated by the Kotas, by the middle of the century 5,687 acres were estimated to be under wheat or
barley, while 7,627 acres were cultivated with millets and legumes. During the same period, Badagas produced 242 pounds of opium over 353 acres for consumption and trade. The agricultural calendar ran from April to December, leaving January to March for house repairs and the collection of fuel. Wood was cut and left in the forest to be collected, along with other forest products, as necessary throughout the rest of the year. The principal areas of Badaga occupation, accompanied by the infields, were in the flats of valleys, where the natural instance of streams made irrigation unnecessary beyond minor changes to direct and manage water between areas of habitation and cultivation around the hamlets. These valley floors were the only areas of the hills where there was a thick topsoil, laid down and renewed by run-off from the surrounding hills.

The Badagas used wooden ploughs, hardened by fires and dragged by hand repeatedly over the fields to deepen the furrow to a depth of around six inches, a depth colonial improvers regarded as primitive and insufficient. Fifty iron ploughs were imported into the hills in 1840 in an effort to deepen and therefore ‘improve’ Badaga cultivation. The Badagas rejected the ploughs, which were subsequently sold off by auction. Women and children performed weeding and thinning by hand. Weeds were collected into small piles and burned, a process that provided a degree of nutrition for the crop. The infields were intensively manured with human refuse and cattle dung. The soil of the outfields was poor and thin, requiring long fallows to cultivate soil-enriching legumes. This aspect of agrarian production directly contravened the early representations of the Nilgiris as a landscape of rich, neglected soils ripe for colonisation. The condemnation of bhurty in the second half of the nineteenth century regarded it, in common with shifting cultivation in the rest of India, as evidence of nothing more than the indolence of native cultivators. In the 1850s, in order to prove the poverty of the soil to sceptical Madras Revenue Officials, Collector E. B. Thomas asked some Badagas to plough and plant with barley a piece of hillside land that was generally used for outfield cultivation. The crop yielded, as the Badagas told Thomas it would, nothing but worthless straw.

No permanent marketplaces existed on the hills before the establishment of Ootacamund market in 1825. Seasonal trips were organised by the Badagas to the plains of Coimbatore and Malabar to sell and barter wheat, opium, some legumes, honey, wax and ghee and obtain currency for tax payments, cloth and iron bars for Kota manufactures. Kotas and Todas did not organise separate trips but joined Badaga groups.
Other Landscapes

Toda communities met their revenue demands through the sale of ghee and poultry and were given small amounts of coinage on the occasion of Badaga weddings. Late eighteenth- and early nineteenth-century East India Company coinage was incorporated into Toda jewellery. Hockings summarises the meaning and uses of currency on the hills in the first half of the nineteenth century: coinage ‘did not define values in a local Nilgiri market’, though it was essential for the payment of revenue assessments and for ‘storing credit acquired in the lowland markets’. No currency was exchanged amongst the Badagas and circulation between communities was confined to ritual payments. In addition to trips made to the plains, Badaga communities maintained relationships with Chetti merchants who would themselves ascend the hills to buy and sell goods, providing another source of, and drain upon, coinage. Particular Chetti families would maintain hereditary links with specific Badaga villages, participating in the annual festival for the Badaga goddess Hette.

As the settler numbers increased on the hills, Badaga, Kota and Kurumba agriculturalists started to cultivate garden vegetables for sale in the bazaars. The hill communities maintained a clear distinction between exchanges with the settlers and cantonments and the exchange relationships between the hill communities and others on the plains. Even when potentially profitable opportunities were presented by the settlement markets, the hill communities apparently preferred to continue trading grain in Coimbatore. In the 1850s, the Badagas still carried on their trading excursions to exchange wheat on the plains, despite the substantial demand created by the settlements for grains, a demand that had to be met by importing grains from Mysore. The millets, which formed the main staple diet of all the hill communities, were circulated only within the closed hill economy. Badaga grains were still unavailable in the settlement bazaars by 1900, their circulation maintained within a restricted inter- and intra-community distribution system separate from the settlement bazaars.

This resilience suggests a system which, though stable, was already in the process of adaptation and change at the turn of the century and was therefore not easily destabilised by settlements on the plateau. The capacity that Badaga cultivation had for growth, and the stimuli that increased taxation would have created, suggest that at the beginning of the nineteenth century Badaga agriculture was already in a state of expansion. There are clear signs of the reorientation of the traditional exchange networks. Opium had been an infield product of the Badaga villages, consumed by the Badagas
and exported, either as apart of revenue payments to Mysore or among the exchange items taken to the plains to obtain coinage. The area of cultivated opium shrank dramatically, from 353 acres in 1847 to around 60 acres in total by 1880, the year that the diminished cultivation was formally banned by the Madras Government.  

THE RISE OF THE VILLAGE OFFICERS

John Sullivan instituted the position of Monigar as a pivot between state and cultivators as part of his reorganisation of the revenue administration of the hills. The first Monigars were recruited from the hill communities although it seems that as early as the 1830s Monigars had come from the plains. By the beginning of the 1890s, a list of applications for the position of Curnum consisted entirely of Tamil Brahmins and Pilais. The Collector stated a preference, however, for the employment of Curnums of long service and in this case the job went to a Badaga Curnum already serving elsewhere on the hills in the same position. Unlike village revenue officers on the plains, the principal payments for some hill Monigars came from the share of the assessment they collected. Sullivan allowed the Monigars to keep one rupee for every thirteen collected, about an 8 per cent commission. In addition, village officers were either assigned land from which they could collect and keep the revenue payable or received small cash payments from the cutcherry, as little as 4 annas or up to Rs 48 per year. The local authorities on the hills were uninterested, until the 1880s, in the employment conditions of the village officers. Complaints by Monigars regarding low pay, competition and excessive duties met with indifference. One Collector on receiving one such petition in 1869 remarked that ‘by and by there may be a rearrangement of the Monigar pay – it cannot be taken in hand now’.  

Despite the lax and varied nature of their payments the Monigars provided essential leverage within the village economy. As well as collecting revenues, they were expected to organise, or more often coerce, labourers for government works or to carry travellers’ baggage; supply information when disputes arose, and perform sundry duties such as ‘supplying Gentlemen that go about on hunting parties’. Outside of these duties, and in matters of their execution, the village establishments possessed considerable autonomy.
Other Landscapes

No village accounts existed besides those prepared by the Monigars and Curnums. The position of pattas, the identity of the pattadars and the assessments payable was information in their care. As the sole curators of local revenue knowledge, the village officers became pivotal in survey projects that aimed to accumulate more detailed and elaborate information on the state of the agrarian landscape. The local officers were the only people who could, at least in theory, span the very different idioms of state, settler and indigenous occupation. The state relied upon their accounts and their ability to influence, or coerce, local communities; settlers relied upon them to negotiate land sales which had at least the appearance of legitimacy and cultivators relied on their accounts to accommodate bhurty and support local claims during disputes. The real key to the power of the village officer was the ability to make that knowledge effective and, generally, self-serving.

Village revenue officers were key intermediaries in the sale of land between indigenous communities and settlers. Moreover, they were often pivotal in the arrangement of a sale, eclipsing the supposed primacy of the Collectorate revenue officers in negotiating and authenticating sales. One settler who was chastised for failing to inform the Ootacamund Tahsildar of his purchase pointed out ‘That I should refer to local officers was natural. They only could certify ... who were the owners of the land I pointed out, in their hands were the puttahs, they only could explain to me the Kota dialect ...’ These skills and knowledges were beyond the ken, and control, of the Cutcherry-based officers.

By the second half of the century, the post of Monigar had accumulated considerable power. The engine for the ascendancy of the village officers was the transformation of landholding on the hills, as settlers sought to purchase pattas and as indigenous pattadars sought more concrete title to their land. Monigars reinvented themselves as a species of estate agent, playing key roles in the arrangement and execution of land sales. One settler claimed he had been ‘tricked’ out of land by the Monigar of Melkondah village following a dispute, to which the Monigar and Curnum were now ‘manufacturing a title’. Pointing to the power the Monigars had in the transfers of land, he stated ‘I am much surprised that any land is obtainable on the hills except from them [the Monigars] as they sell heavy forest sholas as well as grass and scrub.’ Settlers, during such disputes, identified the interests of the Monigars with those of the pattadars. One settler accused the Curnum of delaying his report on existing claims he
wished to purchase: ‘by doing so I believe they are waiting until you [the collector] leave Coimbatore for England and then have their own way of favouring the Burghers according to their old custom of saying – Burgher’s land.’  

The testimony of village officers was often crucial in a dispute though their autonomy made them unpredictable witnesses. In 1879, Major General Vine, owner of Balleda Estate near Kotagiri, attempted to use the authority of the Kotagiri Monigar and Curnum to stop two Badagas, Andee and Hoolea of Jackatallah village, cultivating on land he claimed was his own. Vine claimed that the Monigar and the Curnum had issued repeated warnings to the Badagas. At the Commissioner’s suggestion Vine then pressed charges against Andee and Hoolea. In Court, the Monigar and Curnum denied all knowledge of Vine’s complaint, of the disputed land and of ever having warned Andee and Hoolea about the cultivation. As a result the case was dismissed.

Any fraud perpetrated by village officers, before it came to the notice of government, had to be both substantial and against government itself and not against the local communities within which the officers exercised their authority. At the close of the 1870s, the Curnums of Merkanad and the Kundahs, who were father and son, were dismissed for the fraudulent occupation of Government wasteland. Regardless of their criticism, local government did little to change the pattern of village officer appointments. On the Nilgiris, as elsewhere in colonial India, a close male relative of an existing village officer was preferred to an outsider, regardless of merit, allowing family groups to obtain control of several positions in one region.

Regardless of the ire they provoked in settlers, the real power base of the Monigars and Curnums was within the villages and the social organisation of the hill communities. They collected taxes, pressed labour and arranged for land sales, being the first to know of the financial straits of pattadar who needed to raise money. The Monigars had also to create and consolidate their authority within the communities by placing that authority within public and ritual spaces. A Collector reported that the Badagas complained ‘bitterly’ that they were forced to attend holidays called by the Monigar who would fine those who did not attend. Village officers were in a unique position to act as advocates where proof of usufruct could obstruct land appropriations by settlers or the state or in reporting the abuses of other village officers. As cases in Chapters 2 and 3 demonstrate, however, the local state did not regard itself as obliged to take the evidence of village officers. During the course of the century the authority of village officers was also challenged
from below, for example in refusals by labourers requisitioned through the Monigars to work. In 1879, a Badaga from Keti, Adjah, whose elder brother had died, claimed the Monigar had refused to replace his brother’s name with his own in their jointly held patta in an attempt to appropriate the land. Adjah petitioned, not for his name to be entered, but for the original patta to now be broken into four, between the two brothers and two nephews who had rights to the land. Alienations had created a sense of insecurity, a fear that lands held in common were insufficiently guaranteed against dishonest and profiteering revenue officials.

The Revenue Settlement in the 1870s was intended to allow the revenue authorities to replace the Monigars as the final arbiters of the agrarian landscape and, inevitably, brought the state into direct conflict with the village officers. The Superintendents of the Revenue Survey disputed the existence of any village establishments, properly so called, on the hills. Surveyors complained that the agrarian landscape was locked in the ‘traditionary’ knowledge systems that concealed information, confining it ‘to certain families, and the secrets handed down to each succeeding generation, the records kept being intelligible only to the few initiated.’ The village officers resisted the interference, and intended consequences, of the Revenue Survey by refusing to cooperate with the surveyors’ enquiries. The Curnum of Paranganad attended only one day of work in January 1879, two days in February and did not turn up at all in May. The Curnums’ absence prevented any registration of lands taking place and left the surveyors entirely at the mercy of the villages, ... as the putta itself affords no information to enable us to identify the land claimed under it’. In creating a species of officer who could exercise a proxy authority in the villages the colonial authorities had also created a set of interests which the village officers fought to protect from any challenge.

LABOUR

From the 1820s onwards, a constant and pressing problem for the military engineers attempting to construct roads, cut ghats and build settlements on the hills was the lack of available labour. Labourers contracted in Mysore and convicts sent from Malabar jails met the immediate shortage. These men, however, were unused to the hill climate and required expensive and permanent establishments. Obtaining low maintenance local labour, far preferable for short-term work, was a recurring problem. Monigars were
charged with recruiting labourers for Public and Military Works. However, before their own power was consolidated, they met with little success. One Military Engineer complained in 1829 that a ‘great proportion [of the labourers sent by the Monigars] are small children quite incapable of carrying loads’. By the middle of the century, the establishment of the settlements and plantations heightened the demand for labour and created a magnet for the settlement of a service class from the plains. The relative labour shortage meant that servants and artisans gained a degree of strength in negotiating the terms and conditions of their employment. Despite the oft-repeated and urgent desire for a larger, and therefore more malleable, servant class, the everyday presence of any and all subaltern settlement was considered dirty, unsightly and potentially criminal. The unregulated settlement of migrating labour caused the local authorities acute anxiety. The Joint Magistrate of Ootacamund complained that poor native settlers placed ‘themselves wherever they please ... each selecting a potatoe field, establishes a hut in it, and this in the centre of the station’. He urged that this class of settler be grouped in villages away, though at a convenient distance, from the settlements, so that they may be ‘controllued and observed by the Police’. No such settlements were ever established and throughout the century elite society on the hills continually complained of the ‘abuses’ they suffered at the hands of a labouring class empowered, albeit slightly, by its relatively small size. On the plantations, the shortage of labour was felt even more acutely. William McIvor, Superintendent of the Government Chinchona Gardens, complained that the labourers available on the Nilgiris were ‘slovenly and careless’. Competition for labour he claimed was making ‘coolies so independent that they dictate to their employers, and will only work during what hours they please and in such manner as they please’.

By 1877, 15,000 seasonal labourers ascended the hills from Mysore between June and August, four-fifths of them returning north between January and May. Most of the cash expended by estates on labour, estimated to be one third of their total expenditure, was taken down into the plains, either by the merchants who supplied food or by the labourers themselves on their return. This influx was insufficient to meet the demands for labourers produced by the settlements and plantations. In 1874, the Madras government found that the Magistrate in charge of the Ootacamund jail had been hiring out ‘surplus’ convicts, those not required for municipal or plantation work, at the rate of four annas per day to private individuals, a
practice common – though officially frowned upon – wherever convicts and settlers co-existed in the British Empire.\textsuperscript{69}

Hill communities were consistently and notoriously unwilling to become wage labourers. Plantation work interrupted agricultural work and often required physical displacement. Members of the hill communities would use opportunities for paid work, but only selectively. Until the second half of the century, no impetus, such as a desire for cash or alienation from existing production, existed for the cultivators to hire out their labour unless forced to do so by the authority of the Monigar. Gradually-changing crop patterns, as vegetables and small plots of tea and coffee were planted, altered the agrarian seasons by filling the months between the harvests and sowing of traditional crops. But the changing nature of cultivation also altered patterns of agrarian labour. The adoption of coffee cultivation by indigenous communities had, in the words of the English press, ‘eased’ the labour shortage on the hills. The gradual abandonment of cereal and legume cultivation freed women and children to work on tea and coffee estates.\textsuperscript{70} Traditional patterns of occupation, if we assume that the divisions of work between communities were indeed exclusive, began to fragment. By the 1860s, the Badagas were increasingly taking work as artisans, becoming bricklayers and carpenters in the new settlements.\textsuperscript{71}

The rise of wage labour on the plantations was instrumental in changing patterns of land-holding. Mullaly, a settler who bought land in the Coonoor ghat, withheld cash owed by him for land purchased from one Kurumba village on the grounds that some of the men of that village were indebted to him for Rs 120 for labour advances. He would pay for the land, but only once the Kurumbas had ‘worked out the sum due’.\textsuperscript{72} In another case, nine Irulas appealed to the Collector when a planter, Cockburn, refused to pay them for land. The Collector ordered Cockburn to pay though it is unclear whether he did so or forced the Irulas to choose between losing land or working off their debts.\textsuperscript{73} Planters regarded the absorption of nearby communities into the plantation economy as a foregone conclusion. In describing the necessary eviction for his plantation’s establishment, Cockburn remarked that a group of Irula and Kurumba villagers should ‘remain as near as possible to the land, in order that they may be close to their work when employed as labourers’.\textsuperscript{74} The settlers, in line with government policy, saw the opening of plantations and the absorption of swidden cultivators as wage labour as an inevitable, improving and civilising influence. One settler on acquiring the land and labour for his plantation stated that he was ‘convinced that a year
hence they [the Irulas taken into service] will be in a far more prosperous condition than they are at present’.75

By the 1860s Badagas, Kurumbas and Irulas are all recorded as taking plantation work though competition between government and estate owners for labour remained severe. The construction of the railways diverted the flow of seasonal labour from the plains and increased the pressure on local communities. To the irritation of planters, Monigars ‘requisitioned’, and indeed seem to have targeted, labourers already employed on plantations for work. The conflict between plantations and the local state for requisitioned labour was sufficient to cause J. W. Breeks as Collector to rule between them in 1869. No labourer employed on a monthly basis (which suggests that this was the maximum contract time given in plantation work) could be pressed to work elsewhere.76

In the majority of cases, hill community labourers who were ‘requisitioned’ by the local state received no payment. Even when payment was made, it was given to the Monigars to distribute. Those who wished to avoid being requisitioned were forced to pay bribes to the Monigars.77 Such was the difficulty in acquiring labour, the local authorities did little to survey or correct the behaviour of the Monigars. In 1875, A. S. Cowdell, a European solicitor who took a keen interest in the relationship between the hill communities and the authorities, petitioned government to complain about ‘a long course of oppression’ suffered by the Badaga community at the hands of the village officers and the Collectorate authorities.78 One hundred men had been requisitioned by Monigars to prepare for the visit to Ootacamund of the Prince of Wales. No commitment was made to pay the labourers and instead the Commissioner of the Nilgiris had offered them ‘a present’ in return for their coerced services.79 The men refused to work and Cowdell advised them to hold out until proper wages were promised.80 No offer of wages materialised and the Commissioner was forced, he claimed, to hire ‘bazaar coolies’ to replace the Badagas. Cowdell also represented Bettah, a Badaga maistry employed by the Public Works Department, who claimed that the Commissioner had forced him, along with four others, to carry his baggage to Kotagiri and then ‘imprisoned’ them for two days. On being released Bettah refused to accept any payment.81 Government were satisfied with the Commissioner’s explanation and allowed the matter to rest. It must be assumed that this case was exceptional only in Cowdell’s involvement in pressing the complaints and therefore leaving a record of the oppression in the official archive.
Disputes over labour illustrate the extent to which control over the hill communities was tied to land rights and the status given to those rights by the state. When attempting to requisition the men’s labour the Commissioner threatened to ‘put pressure upon [Bettah and the others] by having their lands surveyed and making them pay for the area occupied. Most of them hold four times their nominal pattas.’ When Bettah subsequently brought his complaint, the Commissioner reacted by threatening to have all the pattas in his village cancelled in a collective punishment.

Wage labour was insinuated into the hill communities through varied and cumulative means. Initially used opportunistically, wage labour detached work from the rhythms of the agrarian landscape and the social and ritual practices through which that landscape was formed. Increasing dependence upon paid labour eventually made the adoption of cash crops more likely, in order to achieve a more homogeneous agricultural cycle. Within the Badaga community, which represented the largest potential pool of labour, it is likely that it was those Badagas who found themselves without land, or rather the ability to work as part of community cultivation of the land, who undertook work on the plantations. Badagas who cultivated had a better chance of escaping coerced labour than those who were already engaged in paid plantation work. Those, such as Bettah, who were already waged labourers, were more vulnerable to being pressed into labour. Conversely, they were also perhaps more likely to protest.

**THE CHANGING AGRARIAN LANDSCAPE, 1863–1900**

Shifting cultivation, *bhurty*, was recognised as a taxable, and therefore a legitimate, form of cultivation in the first half of the century. A separate category of lands document, ‘shifting pattas’, gave the Badagas a right to move areas of cultivation from year to year and pay only for land under immediate cropping. This did not, as we have seen, prevent *bhurty* being used as leverage in labour and land disputes. By the early 1850s, disputes over *patta* sales and the tenacious preference of settlers for *patta* purchase over the official auction system caused government to reassess its policy towards the tenure of the Badagas. Badaga fallow ‘locked up’ land beyond the surveillance of the revenue landscape, complained the revenue authorities, causing constant disputes between the Badagas and settlers. *Bhurty* cultivation created a landscape of unknown, unpredictable though apparently legitimate rights. E. B. Thomas, as Collector of Coimbatore,
The Agrarian Landscape

although critical of swidden in principle, acknowledged the poverty of the Nilgiri soil and defended the practice as a necessity. European planters had tried, pointed out Thomas, but failed to draw any more productivity from the soil than the Badagas. Thomas proposed to allow bhurty a regulated existence whereby fallow would be limited to an area equal to that under cultivation. Other, indeed most, revenue officials regarded this proposal as an unnecessary indulgence. Acting Collector J. W. Cherry stated that ‘no Burgher should be allowed to claim a right to a single acre of ground beyond that which stands actually registered in his name’ and lobbied for the complete cessation of fallow rights. The Madras authorities agreed. Ignoring Thomas’ proposal, the Board of Revenue mobilised a pan-Indian agro-economic argument: shifting cultivation was ‘wasteful and injurious to the permanent resources of the country’. Contra Thomas, who had argued that bhurty was only symptomatic of the poverty of a soil that could not sustain continuous cropping, the Board of Revenue stated that swidden was the result of an undeveloped agriculture. It was shifting cultivation, the revenue authorities claimed, that exhausted the soil and kept ‘the cultivators impoverished; for while it returns nothing to the soil, it withdraws from it, in a shorter or a longer period, every element of productiveness.’ According to the Madras authorities two conditions had made bhurty permissible before the colonisation of the hills by planters. Firstly, the Badagas had previously lacked a ‘remunerative market’ which could allow them to realise a profit from their cultivation. The lack of a market had now been remedied by the demands of the settlement bazaars. Secondly, before the creation of a land market and plantations, Badaga cultivation had operated on an assumption of ‘unlimited waste’. Government now claimed the exclusive rights to alienate this land as it saw fit. In the nascent land-market of the hills bhurty was seen to offer indigenous communities an unfair advantage over settlers and over the rights of government. To the Madras revenue authorities bhurty was an anarchic system which stunted the land-market and therefore the development of the hills.

The belief that bhurty allowed Badaga villages to claim a ‘right to about ten times the area of its actual cultivation’ was an incessant complaint. According to government’s own statistics, however, the system of bhurty was not as profligate and roving as the revenue authorities maintained. In the two largest categories of cultivation, those assessed at 6 and 4 annas per acre, 77 per cent of the total cultivable land was cultivated and taxed. Only in the lowest and highest brackets of land taxation did the accusations
of government correlate with revenue statistics. In the top two assessment brackets just under half of the land available was cultivated, though this figure does not take into account the likelihood that this land was under in-field cultivation and therefore subject to intense labour and investment of the kind approved of by government. In the lowest, around a third of land was cultivated, though this low figure for cultivation was due in part to the use of this grade of land as grazing. Given the low assessment on this land, the loss to Government was minimal. Badagas continued to practise shifting cultivation but by the 1860s the system had been restricted to accommodate a rapidly increasing population and the competition of land-hungry settlers. Bhurty by then derived its importance as a right claimed by the Badagas on the jumabundi, the register guiding the collection and re-assignment of pattas. It lacked both the scale and significance that the Madras revenue authorities imagined it to have when justifying its removal from the scheme of official agrarian taxation.

Madras revenue officials remained convinced that the defining characteristic of shifting cultivation was that it necessitated ‘the least possible expenditure of labour and capital’ and its continuation kept the Badagas ‘wretchedly poor’. The Badagas were deemed to lack the initiative to renounce swidden cultivation. This, government believed, could only be supplied by compulsion. The independence the Badagas had maintained in obtaining and circulating seed crops came under criticism. Their failure to buy in new strains was just a part of the systemic ‘degeneration’ of indigenous cultivation of which bhurty was the most palpable and reprehensible aspect. Cultivators were to be compelled to invest sufficient labour and capital to retrieve both the soil and themselves from ruin. The formal outlawing of bhurty cultivation in 1862 was regarded as the key to re-inventing Badaga cultivation and bolstering the local state’s position as arbiter of the land market. All land rights would henceforth be of fixed extent and position, as detailed on pattas and in the accounts of the village Curnum. During the settlement discussions the Board rejected Thomas’ appeal for the creation of demarcated commons near the villages. Villagers, claimed the Board, were free to utilise unoccupied wasteland near the villages as common. But without patta rights, the dominant rights to those lands were held by government and therefore they could, and would, be alienated as and when applications for them were made. The requirement that villages pay for fallow land and the rejection of the village commons areas proposed by Thomas effected a substantial reorientation of agrarian
policy on the hills. Land not under cultivation became a proportion of taxed cultivation, a quality it had never before possessed. The removal of *bhurty* compressed the state’s recognition of village rights into those provably held by the individual *pattadar*. The Board proposed to simply outlaw *bhurty* altogether but at Thomas’ suggestion agreed to cushion the impact by a 25 per cent reduction in Badaga assessment. This reduction was tempered, however, by a simultaneous reduction in the number of assessment levels, from the nineteen to five. This restructuring of assessment revenue collection effectively and conveniently defrayed the loss in taxation the reduction would have created. Although the 25 per cent reduction of the rents payable by *bhurty* cultivators was expected to create a slight fall in revenues, the reorganisation of assessment precipitated a sharp increase in the amount owed as cultivators were forced to pay for fallow.

The 1862 legislation criminalised but did not end the practice of *bhurty*. P. Grant as the Collector who oversaw the ban on shifting cultivation optimistically, and with no apparent evidence, claimed that *bhurty* had almost simultaneously vanished when it was outlawed, claiming in 1864 that ‘the former system was regarded as dead and gone and was now not even alluded to by the people’. In fact the system of long fallow, without taxation, and shifting cultivation continued; later administrators saw Grant’s error and blamed the incomprehension of the majority of the Badagas of the order – rather than the inability of the revenue authorities to impose it – for the failure of the ban.

Soon after *bhurty* was outlawed, government reviewed alienation procedure for the last time in the nineteenth century. In 1863 a set of procedures known as the Waste Land Rules were introduced. The greatest impact of these rules upon the hill communities was the removal of *durkhast*, the system by which ryots could obtain land through local village establishments. Henceforth members of hill communities were to obtain land at auction if they wished to enlarge their holdings. There was no limit imposed on the amount of land that local communities could retain, though it was to be assessed on the new, simplified, scale of five rates established the year before. The removal of *durkhast* was meant to restrict the flexibility of Badaga land tenure and place it upon the same platform as, and therefore in direct competition for resources with, the plantations. The Badagas made only very limited use of the auction system to acquire land. Before the 1880s, the amount of land sold to Badagas under the Waste Land Rules was negligible aside from a handful of instances. Between
1863 and 1869, despite the fact that there were only 2,616 Europeans out of a total population of 38,142, sales to Europeans under the Waste Land Rules accounted for 98 per cent of the total land purchased, almost 10,775 acres. R. S. Benson, the Superintendent of the Revenue Survey, claimed that between 1863 and 1878 the Badagas ‘scarcely [bought] an acre of land’ but instead enlarged their holdings at will: ‘The position of their putta lands were undefined and there was no-one to check their acts.’

The Revenue Survey and Settlement was government’s chance to lock down the landscape of the hill communities and impose an order which, for the first time, would create a systematised cadastral landscape by mapping pattas. Although this cadastral order was only partially realised, the settlement effected a dramatic change in the revenues payable by indigenous cultivators. The Superintendent of the Survey, R. S. Benson, acknowledged the veracity of the assertion made decades before by E. B. Thomas that long fallow was the only sustainable means of cultivating the relatively poor soil of the Nilgiris. Long fallows would be permitted but the settlement imposed the condition that fallow would be included in the land detailed in the pattas. Cultivators were encouraged, therefore, to take up, and register, as much land as they imagined would be required for both cultivation and fallow. Before the Revenue Settlement, the average assessment on Badaga land had been slightly over 6 annas, and while bhurty was still operational taxation was avoided on fallow land. After the settlement, 4,376 acres were taken up by Badaga cultivators on a minimum assessment of 0 annas per acre, resulting in a 75 per cent increase in the areas held by indigenous communities on patta and a dramatic rise in the assessment payable by them. The increased assessment on the fallow lands had to be paid for from the produce of the cultivated lands. The Badagas’ decision to take all the land offered, even on enhanced assessment, was understandable; fallow land did not lie outside of the Badaga agrarian landscape but was an integrated portion. The choice was either to accept land on the terms offered or to lose it altogether into alienable wasteland that could only be re-acquired at auction. Badagas were now forced to pay up to Rs 2 per acre for poor grassland, equivalent to the highest rate paid by settlers for forest land.

Small areas of land for cultivation were granted to Irula and Kurumba communities in the early 1870s at the pre-1863 assessment rates. These lands were to be inalienable and the dispensation was part of an effort to settle these forest communities in fixed, surveyed areas. These communities, however, generally refused to be permanently settled as the state desired. By
the mid-1880s the Collector refused to grant any special *pattas* in Burliar on the grounds that ‘there would not be any guarantee that they would not again do what they have done before, i.e. sell the land and migrate elsewhere ... after the tricks they have played here, I think they are not entitled to consideration.’\(^{113}\) Seventy-five acres previously granted on favourable terms were resumed for non-payment of what the Collector described as a ‘very light assessment’.\(^ {114}\) The state refused to sanction new areas of *patta* land. Instead, the Collector regarded it as fair that the Kurumbas were to be now left to work on estates or for the Forest Department. The ability of these communities to dwell in forests was by now tied entirely to the good will of the state and access to their labour. In 1891, a rent debt of Rs 58 was remitted on condition that a community of Kurumbas work for the Forest Department.\(^ {115}\)

Revenues from Nilgiri District as a whole underwent a steady growth, trebling between 1859 and 1869, from Rs 10,795 to Rs 29,574, and rising to Rs 65,042 in 1881–82.\(^ {116}\) This rise in revenues represented the growing importance of the cash crop and plantation economy. Within this pattern of apparently growing prosperity a significant shift occurred in the balance of taxation between the indigenous populations and the colonisers. In 1868, hill community cultivation had represented the reliable mainstay of the districts revenues accounting for almost 70 per cent of the total revenues of the hills. This revenue demand was met in full. At the end of the same agricultural year properties held by settlers owed almost Rs 4,000 in unpaid assessment, more than half of the total demand made on the estates.\(^ {117}\) From the 1870s onward this balance reversed. In 1876–77, indigenous cultivation and plantations were assessed at roughly equal amounts. Hill community cultivation, however, met only half of the demand whereas plantations met 95 per cent of the demand.\(^ {118}\) Two years later, indigenous cultivation could pay only 35 per cent of the demand.\(^ {119}\) Between 1876 and 1878 the revenues of the district as a whole experienced a 21-per-cent drop from the average of three previous years.\(^ {120}\) This drop coincides with famine in the Madras Presidency. Remissions were granted on the revenues owed by the hill communities and, in terms of mortality among cultivators, the hills were unaffected. However, the years of the famine, combined with the ongoing growth of the plantations, mark the onset of substantial indebtedness in the Badaga community. The famine, felt acutely in Coimbatore, is likely to have had a deleterious impact on the surviving exchange and trade traditions with the Coimbatore plains reducing the autonomy of the inter-community economy.
During the same period, there were dramatic and consequential changes in Badaga cultivation as cash crops increased. Of 44,563 acres held under *patta* in 1869–70, more than 50 per cent had been under korali cultivation, still the principal food grain of the hills communities. A decade later, the acreage under korali had fallen by 25 per cent to 16,884 acres, down 2,298 acres from the previous year. In the same period, coffee cultivation underwent a gradual expansion. By 1881–1882, 50 per cent of the total area cultivated was under cash crops. Coffee alone accounted for 42 per cent of the all agriculture and 81 per cent of the land under the three ‘special products’: tea, chinchona or coffee. The decline of traditional legume cultivation was not as dramatic as the increase in cash crops. In the same period korali was still the most extensively cultivated food grain and probably accounted for a significant proportion of the ‘green and garden crops’ which constituted 48 per cent of cultivation. The infield/outfield system survived though was subject to increasing pressure. Legume growing outfields were still characterised by revenue officials as ‘mere scratching of the surface’ and regarded as evidence of the poor investment of the Badaga community in agriculture.

During the same twenty year period the cultivating communities faced ever greater competition for depleting land resources. The total land under plantation crops increased from 13,372 acres in 1869 to more than 41,025 acres in 1882. Attempts to eradicate *bhurty*, albeit ineffectually, and forest reservation combined to severely restrict the ability of Badagas to access new areas for cultivation. Cash crops were also subject to a series of favourable assessment terms, an indulgence never granted to indigenous crops. When indigenous communities failed to pay, assessment remittances were only ever temporary.

Toward the end of the century joint *patta* holdings, particularly among the Badaga communities, came under increasing pressure. Joint holdings undermined the desire of the revenue authorities to establish clear lines of identification and liability for rent and revenues. The Revenue Settlement made a deliberate effort to fragment joint holdings and replace them with individually held *pattas*. During the village by village survey and registration of land, the settlement officers were instructed that ‘every assistance should be rendered to joint pattadars to divide their holdings’.

Forest reservation in the early 1880s created a torque on Nilgiri land resources and, unlike in the late 1850s when *bhurty* had been debated, few in authority took a sympathetic position towards the hill communities.
By 1886, almost one third of the land of the Nilgiris had been reserved.\textsuperscript{130} Areas of scrub or grass land, formerly used as cultivable land under \textit{bhurty}, were now earmarked for forest plantations.\textsuperscript{131} The disjunction between the landscape as it was imagined and categorised by the revenue and forest authorities and as it was lived within by cultivators is illustrated by the case of Melur, a village in Merkanad. In Melur, forest reservation and settlement had left 2,017 head of cattle with an official assignment of only 102 acres or half a square kilometre of (legal) grazing.\textsuperscript{132}

In 1885, the Badagas of Paranganad were given a 50 per cent remission, until the following year, of their assessment. A bad season, the doubling of assessments during the Revenue Settlement and accumulated debts had led to unprecedented poverty.\textsuperscript{133} By this period, an economic dependency had been established between the plantations and Badaga communities. Labour wages enabled Badagas ‘to pay taxes they would not otherwise have means to meet’ and by the early 1880s access to wage labour had become an important source of cash to ‘most Badaga families’.\textsuperscript{134} However, when both indigenous cultivation and the plantations were depressed, this dependence upon wage labour became a liability. By the mid 1880s, the plantation estates owed considerable sums to their labourers; some had not paid for six months. ‘The planter’, explained the Commissioner, ‘has no money, but he has still some little credit, the Badagas, therefore, are willing to work for the planter on credit, by which they are enabled to obtain supplies from the bazaarman. When the planter ultimately settles with the Badaga, the bazaarman will take the opportunity of squaring accounts with the Badaga, and it is to be feared that in most cases very little will be left to the latter.’\textsuperscript{135} Badaga planters who relied on cash crops do not appear to have fared much better; in 1890s they were forced to mortgage their crops before harvest to Labbai merchants to meet assessments.\textsuperscript{136}

Through the 1880s and 1890s, the indebtedness of the Badagas increased as credit, on various terms, was extended by Labbai creditors and by Government. In 1900, Rs 12,000 was sanctioned under the Loans Act to be offered to the Badagas unable to pay assessment. The Badagas, unable to raise the necessary collateral, were able to borrow only Rs 5,272 from government. Wealthier Badaga cultivators supplied seed grains to those without means of credit, though aid from within the community appears to have been limited to kind and not cash. Unable to secure loans from government, impoverished Badaga cultivators turned to Labbai merchants
Other Landscapes

who were more flexible in their terms of credit and who reportedly ‘crippled’ Badaga resources by 1900.\textsuperscript{137}

By the end of the nineteenth century the attitude of administrators towards the Badagas had changed. In the first half of the century, the Badagas had been described as ‘the most useful tribe on the hills’.\textsuperscript{138} They were lauded for taking to new crop strains, garden vegetables and later tea, and using tiling instead of thatch on their houses. Crops of tea and potatoes, both introduced in the 1850s, increased gradually through the second- half of the century. They were ‘the most promising’\textsuperscript{139} of the Nilgiri communities, ‘fast advancing in civilization’.\textsuperscript{140} Potatoes and other garden vegetables were adopted into Badaga cultivation soon after the opening of the settlement markets.

In contrast, by the end of the century, the Badagas were condemned as destructive parasites on the colonised landscape of the hills. Wolfe-Murray, Collector during the 1890s, created a litany of environmental crimes of which he believed the Badagas were guilty: Badagas near Kartery had hacked ‘to pieces’ a shola erroneously assigned as village forest, denudation was ‘stripping the whole country’ and the resulting run-off exposing outcrops of sub-stratum rock.\textsuperscript{141} The Badaga, he claimed, was ‘by nature a destroyer. He has destroyed the land and destroyed the forests.’\textsuperscript{142} Forest Reservation, under Wolfe-Murray’s aggressive advice, had to concern itself with a comprehensive defence of a landscape under siege. Wolfe-Murray complained that the Badaga population of the hills had increased by 20 per cent according to the 1881 census, and yet paid only a ‘trifle’ to government and posed a constant threat to climatic stability through destructive bhurty cultivation. To rebuff an insinuation of heavy-handedness, Wolfe-Murray employed desiccationism as a justification for the ‘curtailment’ of the Badagas: ‘the slight inconvenience of [reservation] ... to the small population that live on the hills would be but trifling in comparison to the good done to the large population below.’\textsuperscript{143}

The Badagas were now portrayed as a backward, land-consuming and ever-increasing population; a liability not only for the environment of the hills but also for the whole of Coimbatore. Wolfe-Murray went as far as to suggest a mass evacuation and relocation: ‘There are far too many cultivating Badagas on these hills; the amount they pay is a mere trifle compare to the harm they do. I should like to deport a few hundred families to the Gudem hills in Vizagapatam.’\textsuperscript{144}
Wolfe-Murray’s preoccupation with the growing size of the population of Badagas and his bizarre plans for their resettlement, if unlikely to ever have been realised, draw attention to the formulation of a distinctive discourse which accumulated around the Badagas on the hills at the end of the nineteenth century. The non-belonging of the Badagas, who are widely regarded as having arrived on the hills in the sixteenth century, became a motif of representations and histories of the community and of the plateau. Price’s lengthy discussion of the etymology of the place-name Ootacamund is unequivocal about the precedence of the Todas: “There is ... no question that the Todas were on the hills long before the immigrant Badaga made his appearance, and this being the case the newcomers must have found the place already named.”

In one sentence an arriviste status is ascribed to the Badagas not once but twice. Badaga occupation was a contaminant to be scraped away to reveal a pristine landscape inhabited by Todas and understood and improved by Europeans. The next chapter develops this theme through an exploration of the management of forest resources on the hills in the nineteenth century.

NOTES

1 J. Ouchterlony, ‘Statistical and Geological Account and a List of Triangles on Neelgherry Mountain’, Memoirs of the Survey of India, no. 79, 1847, NAI.
2 Ranga, The Tribes of the Nilgiris; Hough, Letters on the Climate.
5 Hough, Letters on the Climate.
6 P. Grant, Coimbatore Collector to MBR, 27/4/1863, PMBR 12/5/1863, no. 2831, pp. 2779–2780, OIOC.
7 Lt. B. S. Ward, ‘Neelgherry and Coimbatore Survey’; Markham, Travels in Peru and India.
8 J. W. Breeks, Draft Administration Report, Misc. Sent File 1869, UDR.
9 John Sullivan, Minute 20/8/1835, PMBR 20/8/1835, no. 2, p. 8745, TNSA.
10 Shortt, Hill Ranges of Southern India, is a notable exception. He divided the Kurumas into the ‘Mullu Kurumas’, ‘Naya Kurumas’ and ‘Panias Kurumas’, p. 47.
12 Hough, Letters on the Climate; Shortt, Hill Ranges of Southern India, p. 47.
13 Ward, ‘Neelgherry and Coimbatore Survey’.
14 Shortt, Hill Ranges of Southern India.
Other Landscapes


16 J. R. Cockerell, Judicial Commissioner of the Nilgiris to Registrar of the High Court, 19/1/1876, PMJD, 24/2/1876, no. 131, UDR.

17 Ibid.

18 Anthony Walker, pers. comm.

19 Laxmanan, pers. comm; Hocking, *Ancient Hindu refugees*, p. 139.


22 Ward, ‘Neelgherry and Coimbatore Survey’; MBR to Government, 10/3/1829, PMRD, no. 8, p. 949, TNA; PMBR 3/1/28, nos. 88, 89, p. 324, TNSA.

23 Sullivan attempted to relate Toda assessment proportionately to agricultural tax. Todas paid a pasture tax assessed at one fourth of the full assessment on an estimate of the extent of pasture associated with each *mund*, stated in 1833 to be one Cantaroy fanam, or 4 annas 8 paise, per *bullah* for pasture (an amount equal to that Ward claimed was earlier paid per buffalo) and an additional tax of two cantaroy fanams, or one rupee, per buffalo. Malabar Collector to BOR 20/7/1833, NDR 4182, p. 227, TNSA.


25 PMBR 4/5/1835, no. 57, p. 4448, TNSA.

26 Ouchterlony, ‘Statistical and Geological Account’.


28 These figures are out of a total cultivated area of 15,220 acres. Ouchterlony, ‘Statistical and Geological Account’, p. 25.

29 Ward, ‘Neelgherry and Coimbatore Survey’.

30 Ouchterlony, 1852.

31 Ouchterlony, ‘Statistical and Geological Account’.

32 J. C. Wroughton to MBR, 2/2/1841, PMBR 27/1/1842, no. 48, p. 1309, TNSA.


34 E. B. Thomas to MBR, 22/10/1857, PMBR 24/11/1857, no. 1104, p. 19101, TNA.


36 Ward, ‘Neelgherry and Coimbatore Survey’.

37 Hocking, *Ancient Hindu Refugees*, p. 139.

38 Ibid., p. 140.

39 The Badagas participated in the Chetti-sponsored Ranganathan festival held annually at Karamudu in Coimbatore, though Hockings maintains that the relationship between
The Agrarian Landscape

Chetti traders and Badaga communities was defined principally by exchange and was less socially meaningful than that which existed between the hill communities. Hocking, *Ancient Hindu Refugees*, p. 145.

40 Shortt, *Hill Ranges of Southern India*.

41 Ouchterlony, 1852.

42 C. Weir, Collector to Commissioner of Revenue Settlement, 8/4/1900, PMRD 28/5/1900, no. 520, p. 828–833, OIOC.

43 This attribute of the agrarian economy is obscured by Hockings description of the pre-1812 hill economy as 'original', a term which implies, deceptively, a lull before the storm of colonisation. Hocking, *Ancient Hindu Refugees*.

44 Ward noticed about 14 square miles of cultivation of the hills and 160 hamlets, in 1822. By 1852, Ouchterlony saw 23,772 acres under cultivation. The Badaga population increased from approximately 6,569 to 17,778 between 1847 and 1867. By the late 1850s, Badaga claims accounted for about three quarters of the plateau and inhabited 300 hamlets, a claim substantiated by around 2000 pattas held jointly by Badaga family groups. Ouchterlony, 1852; E. B. Thomas 24/3/1857, PMBR 21/4/1857, no. 671, pp. 5854–5871, TNSA; Shortt, 1870.

45 Ouchterlony, 'Statistical and Geological Account', p. 25; SIO 21/8/1880, p. 8, col. 3. One year later this ban was followed by an attempt to import 'inferior opium' from Visakhapatnam to replace that which the Badagas were no longer officially permitted to cultivate. PMBR 28/12/1881, no. 3428, p. 692, TNSA.

46 Papers relating to the appointment of Kurnum of Hulikull and Athicarahatti, 5/1/1892, Revenue Department, Collector’s Office, Ootacamund Land, R Disposals, UDR.

47 Petition by Nunjah Gowdah, Settlement Monigar of Coonoor &c., 27/4/1869, Misc. Received, Apr–Sep, 1869, UDR.

48 PMBR 27/7/1835, no. 91, p. 7934, TNA; Rev. F. Metz to Cherry, Collector, 28/2/1859, CCRL Jan–Apr, 1859, UDR.

49 J. W. Breeks on Petition by Nunjah Gowdah, Settlement Monigar of Coonoor &c., 27/4/1869, Misc. Received, April–Sept, 1869, UDR.

50 Petition by Nunjah Gowdah, Settlement Monigar of Coonoor &c., 27/4/1869, Misc. Received, Apr–Sep, 1869, UDR.

51 H. Thomas to E. B. Thomas, Collector, 10/4/1860, CCRL, Jan–Apr, 1860, UDR.

52 C. Havelock to Webster, Commissioner, 7/6/1877, Land Revenue Receive, 1879, UDR.

53 R. Ryall to E. B. Thomas, 9/4/1858, CCRL, Jan–Jun., 1858, UDR.

54 Maj. Gen. Vine to Benson, Assist. Commissioner, 5/2/1879, 3/4/1879, Land Revenue Received, 1879, UDR.

55 Maj. Gen Vine to Barlow, 8/11/1879, Land Revenue Received, 1879, UDR.

56 Settlement Report of Nilgiris, Fusly 288, 1878–79, PMBR 23/7/1880, p. 4611, TNSA.


58 F. Wolfe-Murray, 8/8/1893, PMRD 17/7/1894, no. 511, pp. 347–391, OIOC.

109
In 1886, the Sub-Monigar of Sholur petitioned against the levies demanded from the Kotas by the Curnum and the Revenue Inspector, in correspondence from Collector, 8/1/1886, Index of Records, 1886, UDR.

A. S. Cowdell to Government, 1/11/1875, PMPD, 10/11/1875, no. 32, pp. 1124–1126, OIOC.

Petition by Adjah, son of Nundy, Mannuputti Village, Keti, 8/1/1879, Misc. Revenue Letters, 1879, UDR.


Dy. Superintendent, Revenue Survey to Commissioner, 15/3/1879, Survey Dept. Received Letterbook, 1879, UDR.

Kelso to Military Sec. to Govt., May 1829, NDR, 4184, p. 219, TNSA

Jt. Magistrate to Cherry, Acting Collector of Coimbatore, 26/1/1859 Survey Dept. Received Letterbook, 1879, UDR.

W. G. McIvor to P. Grant, 1/9/1865, CCRL Jul–Dec 1865, UDR.

SIO 7/2/1877, p. 3, col. 2.

Commissioner to Government, 11/8/1879, Commissioner’s Letter Book, 1879, UDR.

PMJD 25/3/1874, no. 536, UDR.

SIO 11/12/1880, p. 6, col. 1–3.

J. W. Breeks, Draft Administration Report, Commissioner, Misc. Sent File 1869, UDR.

W. Mullaly to P. Grant, 5/5/1863, CCRL, Jan–Jun 1863, UDR.

P. Grant to Mullally, 28/4/1863, Coimbatore Collector’s Neilgherry Letters Sent, 14/1/1863–28/9/1863, UDR.

F. Cockburn to Collector of Coimbatore, 29/11/1859, CCRL Sep–Dec. 1859, UDR.

W. Fuller to P. Grant, 19/12/1863, CCRL Jul–Dec 1863, UDR.

R. F. Phillips to J. W. Breeks, Commissioner, 10/5/1869 and 5/6/1869, Misc. Received, April to September, 1869, UDR.

A. S Cowdell to Government, 1/11/1875, PMPD 10/11/1875, no. 32, pp. 1124–1126, OIOC.

Ibid.

J. R. Cockerell, Commissioner of the Nilgiris, to Government, 4/12/1875, PMPD 15/1/1876, no. 20, pp. 16–18, OIOC.

A. S Cowdell to Government, 1/11/1875, PMPD 10/11/1875, no. 32, pp. 1124–1126, OIOC.

Ibid.

J. R. Cockerell, Commissioner of the Nilgiris to Government, 4/12/1875, PMPD 15/1/1876, no. 20, pp. 16–18, OIOC.

For example, the case of Hunter, a coffee planter, bought seven cawnies of land from a Badaga who possessed no patta for the land. Hunter, Dawson & co. to E. B. Thomas, 23/1/1858, CCRL Jan–Jun, 1858, UDR; PMBR 28/7/1862, no. 4881, p. 1161, TNSA.
The Agrarian Landscape

84  E. B. Thomas, Collector of Coimbatore, to MBR, 8/9/1859, PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
85  PMBR 8/8/1859, no. 3055, pp. 372–373, OIOC.
86  Settlement Report for Coimbatore District, 1857–1858, Fusli 1267, Reports on the Settlement of the Land Revenue of the Provinces under the Madras Presidency, 1860, Madras, NLS.
87  PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
88  PMBR 28/7/1862, no. 4881, p. 1161, TNSA.
89  PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
90  PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
91  PMBR 28/7/1862, no. 4881, pp. 1161, TNSA; PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
92  PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
93  PMBR 28/7/1862, no. 4881, pp. 1161, TNSA.
94  J. W. Breeks to MBR, 5/10/1868, PMBR 7/2/1868, no. 8581, pp. 8597, TSNA.
95  PMBR 21/6/1861, no. 3217, p. 524, UDR.
96  Ibid.
97  PMBR 22/9/1862, no. 422, pp. 2817–2822, OIOC.
98  This adjustment reduced the revenue loss from Rs 1,900 to Rs 1,700, PMRD 22/9/1862, no. 422, pp. 2817–2822, OIOC.
99  Within one year, Badaga assessments increased by Rs 2,500 and by just under Rs 7,000 in the second year. Significantly, the Sub Collector during this rise was H. E. Sullivan who later, as a member of the Board of Revenue, railed against government injustice on the hills. Settlement Reports on the Nilgiris, Fusli 1272 and 1273, 1862–1864, Reports on the Settlement of the Land Revenue of the Provinces under the Madras Presidency, Madras, 1864, 1865.
100 R. S. Benson, Special Assistant Collector, in charge, to Director of Revenue Settlement and Agriculture, 20/11/1884, PMBR 6/5/1885, no. 1338, UDR.
101 R. W. Barlow, Acting Commissioner to MBR, 31/7/1878, PMBR 24/8/1878, no. 2373, p. 7927, TNSA.
102 Grigg, Manual of the Nilagiri District, p. 324.
103 From Rs 2-6-2 to 7 annas per bullah, J. W. Breeks, Draft Administration Report, Commissioner, Misc. Sent File 1869, UDR.
104 SIO 7/7/1877, p. 7, col. 3,4.
105 J. W. Breeks, Draft Administration Report, Commissioner, Misc. Sent File 1869, UDR.
106 R. S. Benson, Special Assistant Collector, in charge, to Director of Revenue Settlement and Agriculture, 20/11/1884, PMBR 6/5/1885, no. 1338, UDR.
107 Grigg, Manual of the Nilagiri District, p. 325.
108 R. S. Benson, Special Assistant Collector, in charge, to Director of Revenue Settlement and Agriculture, 20/11/1884, PMBR 6/5/1885, no. 1338, UDR.
109 Ibid.

111
Ibid. Between 1875 and 1876 alone, there was a 12,300 acre increase in the land held on *patta* by the hill communities. PMRD 17/10/1877, no. 3122, pp. 7311–7429, OIOC.


J. W. Breeks to MBR, 8/5/1872, PMBR 4/6/1872, no. 898, p. 2379, TNSA.

F. Brant, Collector to MBR, 8/1/1884, PMBR 28/2/1884, no. 660, TNSA.


The assessment on Badaga holding was Rs 16895, Settlement Report for the Coimbatore District, Fusly 1276, 1866–67, PMBR 10/7/1868, p5066, TNSA; the quit rent owed on European holdings in settlements was consistently in arrears from the 1830s until the 1860s. In 1859–1860 alone, Europeans owed Rs 6,092, Settlement Report for the Coimbatore District, Fusly 1269, *Reports on the Settlement of the Land Revenue of the Provinces under the Madras Presidency*, Madras, 1860.

The demand on indigenous cultivation was Rs 18544, only Rs 9450 was paid. Plantations were assessed at Rs 19444 and paid Rs 18652, Settlement Report of the Neilgherries, Fusly 1286, 1876–1877, PMBR 6/7/1878, p. 6421, TNSA.

Settlement Report of Nilgiris, Fusly 1288, 1878–79, PMBR 23/7/1880, p. 4611, TNSA.

Settlement Report of the Neilgherries, Fusly 1286, 1876–1877, PMBR 6/7/1878, p. 6421, TNSA.

Settlement Report of the Neilgherries, Fusly 1279, 1869–1870, PMBR 19/12/1870, p. 9527, TNSA.

1875 and 1877, coffee acreage increased by 1100 acres, Settlement Report of the Neilgherries, Fusly 1286, 1876–1877, PMBR 6/7/1878, p. 6421, TNSA.

Settlement Report of Nilgiris, Fusly 1291, 1881–82, PMBR 22/5/1883, no. 1413, p. 363, TNSA.

The total cultivated area now measured 63986 acres, though this increase is in part due to the annexation of South East Wynad and Ouchterlony Valley in 1876–77. Settlement Report of Nilgiris, Fusly 1291, 1881–82, PMBR 22/5/1883, no. 1413, p. 363, TNSA.

F. Wolfe-Murray, 8/8/93, to Government, PMRD 17/7/1894, no. 511, pp. 347–391, OIOC.

J. W. Breeks, Draft Administration Report, 1869, Misc. Sent File 1869, UDR; PMBR 19/4/1883, no. 1126, UDR. The 1882 figures are for tea (9,555) and coffee (31,470) acreage only. They do not include chinchona.

The increasing stricture on land availability is indicated by rising prices in waste land auctions. Between 1876 and 1882, the average price of land at auction rose from Rs 4-7-3 per acre to Rs 59 per acre, a figure accompanied, unsurprisingly, by a sharp reduction.
The Agrarian Landscape

in the amount of land sold through official channels: 1,399 acres in 1876 to 58 acres in 1882. Settlement Report of the Neilgherries, Fusly 1286, 1876–1877, PMBR 6/7/1878, p. 6421, TNSA; Settlement Report of Nilgiris, Fusly 1291, 1881–82, PMBR 22/5/1883, no. 1413, p. 363, TNSA.

128 In 1871, forest land under coffee and grasslands under tea were subject to no assessment for a period of five years. Settlement Report for the Nilgiri District, Fusly 1284, 1874–1875, Reports on the Settlement of the Land Revenue of the Provinces under the Madras Presidency, 1876, Madras; Ibid., Fusly 1296, 1886–1887; Ibid., Fusly 1286, 1876–1877.

129 R. K. Puckle, Second member of the Board of Revenue to MBR, 24/12/1880, PMBR, 10/1/1881, no. 18, UDR.

130 199,386 out of 611,000 acres. By 1887, 66% of all land, and 96% of all unoccupied land on the plateau had been reserved or was under settlement for reservation, PMBR 9/10/1897, no. 860, pp. 226–231, OIOC. Chapter Five is concerned with forest policy and reservation on the hills.

131 By 1885 in Todanad, a district of 217,076 acres, 97,476 acres of forest, scrub and grass land were either reserved, proposed for reservation or under settlement as reserve. Of this area, 65,514.63 acres were scrub or grass land, almost double the amount of actual forest that had, or would, become reserved forests. PMBR 9/6/1885, no. 1693, UDR


133 L. R. Burrows, Collector to MBR, 27/2/1885, PMBR 11/3/1885, no. 811, UDR.

134 J. R. Cockrell, Commissioner, to Government, 9/9/1875, PMBR 13/10/1875, no. 2852, p.8009, TNSA; C. J. Weir, Collector, to Commissioner of Revenue Settlement, 8/4/1900, PMRD 28/5/1900, no. 520, pp. 828–833, OIOC.

135 L. R. Burrows, Collector, to MBR, 27/2/1885, PMBR 11/3/1885, no. 811, UDR.


137 J. Weir, Collector to Commissioner of Revenue Settlement, 8/4/1900, PMRD 28/5/1900, no. 520, pp. 828–833, OIOC.

138 Ouchterlony, ’Statistical and Geological Account’, p. 64.

139 J. W. Breeks, Draft Administration Report, 1869, Miscellaneous Sent Letterbook, 1869, UDR.

140 F. Metz to J. W. Breeks, 7/8/1869, Miscellaneous Received, April–Sept. 1869, UDR.

141 F. Wolfe-Murray, Acting Collector, to MBR, 8/8/1893, PMRD 17/7/1894, pp. 347–391, no. 511, OIOC.

142 Ibid.

143 Ibid.

144 Ibid.

145 Price, Ootacamund, p. 31.
CHAPTER 5

Changing the Nature of Forests
Conservancy, Science and Aesthetics

There were no timber trees on the Nilgiri plateau. There was no teak, sal, or other valuable hardwoods to be jealously guarded and monopolised by government, yet by the 1890s almost all of the non-cultivated land in some villages had been placed under official reservation giving foresters an exceptional level of control over the land, its exploitation and occupation. Not only were exceptional investments made in the supervision and control of forests on the hills, but the Nilgiri landscape in the nineteenth century was also the theatre of successive re-evaluations and re-inventions of what a forest was, and could be, in terms of position, expanse and botanical composition. The indigenous forests on the hills, the *shola*, were subject to a radical process of segmentation from the indigenous landscape of the hills, hybridisation and eventual marginalisation. The re-configuration of the forested landscape depended on the improvement and eventual replacement of indigenous forests by exotic species considered to be innately superior in their malleability to the wants and priorities of scientific forest management.

The changing priorities of conservancy over forest products and forest land in the first part of the nineteenth century is the point of departure for this chapter. As the century passed, the legislation to enforce the monopoly held by the state over forests was made ever more elaborate, as exacting restrictions multiplied in inverse proportion to the state’s ability to control the exploitation of forest resources on the hills. Simultaneously, discourses about the relationship between hill communities and forests (the latter being held as emblemic of the natural environment as a whole) were elaborated
with greater and greater conviction. The chapter goes on to examine the establishment of the exotic plantations of forests and charts their changing relationship with the natural resources, initially as an alternative, then as an improving hybrid and finally as a replacement for natural forests in the period following the 1882 Madras Forest Act.

SHOLAS AND THE ECONOMY OF CONSERVANCY

Taxing the use of existing forest resources on the hills was the first priority of conservancy legislation passed in the second half of the 1830s. The demand for wood as fuel created by the establishment of settlements was enormous. By 1859, an estimated four thousand fires burned every day on the hills, at least one thousand of those in the hearths of newly settled Europeans. By the 1870s, Jackatallah barracks alone consumed 5,000 lbs (slightly under two tons) of firewood every day.\(^1\) In the absence of hard woods on the hills, timber for construction in the settlements was brought from Malabar or the Anamalais.\(^2\)

The first local legislation to address the need to manage the felling of the timber came in 1837 when orders prohibited any cutting of timber without the permission of the Collector and banned completely the manufacture of bricks, a process requiring large amounts of fuel, in the cantonment.\(^3\) This legislation, which pushed felling outside the cantonment, established the first principle of spatial organisation of shola conservancy that would persist for the rest of the century: that forests would be valued according to their proximity to the settlements and concomitantly prioritised in terms of their position within a landscape surveyed from a specific perspective. This initial ruling, and those that followed, consistently regarded the principal colonial settlements as the centres of landscape management.

A contractual system was established for the commercial supply of firewood in 1841. A contractor bid for the right to fell from a shola selected by the local authorities and to sell fuel-wood for each station.\(^4\) Separate areas of the shola were marked by flags and within those limits pass-holders were permitted to cut any tree they chose.\(^5\) For the duration of the contract the Forest Department undertook to sell no green wood, though passes were issued for the extraction of dry wood from any shola free of charge to the indigenous communities.\(^6\)

The rapid depletion of the forests on the hills was apparent to all. Collector E. B. Thomas pointed out that under conservancy the terms
'sold' and ‘destroyed’ had become synonymous. However, officially, the *sholas* were regarded as ‘nearly inexhaustible’ sources of firewood. In 1861, government deemed the firewood contracts to be insufficient and ordered the alienation of more *sholas* to supply the ever-growing demand for fuel in the settlements. ‘Conservancy’ of the *sholas* was the selective, and taxed, destruction of a barely known and unquantified resource.

The contract for firewood supply in each settlement was sold as a monopoly but was in reality no such thing. Without the means to prevent cutting in any of the forests, the offer of a monopoly was optimistic to the point of delusion. Competition arose from planters clearing forest land and from local villagers, either employed permanently by European households, or privately, felling *shola* wood to sell in the settlement bazaars. Unlike local government, which stood to lose revenues through illegal felling, the settlers had no objection to the provision of firewood by local communities and objected to the interference of the foresters who attempted to enforce the government monopoly. In 1859, European residents complained that Forest Officer O’Brien was preventing Badagas from entering Ootacamund to sell fuel-wood. O’Brien was accused of interrupting supply routes of fuel to Ootacamund and causing the Badagas to redirect the supply to the barracks at Jackatallah. The Joint Magistrate reprimanded O’Brien, accusing him of drunkenness and ‘objectionable and offensive’ behaviour and asked the Collector to order O’Brien to confine his checks, and indeed his person, to the *sholas* themselves. The magistrate reminded the Collector that only by remaining in the *sholas* could the Forest Officer or his peons witness and therefore conclusively prove that illegal felling had taken place. From the point of view of any forest officer, of course, the easiest way to check felling was by interrupting supply routes that he suspected did not come from contracted *shola*. For residents, it was more befitting and correct for O’Brien to remain in the forests while they would be assured of an unchecked supply of fuel-wood from one source or another.

As a result of the inability of the local authorities to exercise any control over the fuel-wood market the value of the firewood contract fell sharply. In 1861, a contractor paid Rs 325 per month for the, supposedly exclusive, right to supply Ootacamund with fuel. Later in the same year, the contractor withdrew from the contract protesting to both local and Madras governments against the undermining of his monopoly by other suppliers. By 1869, the firewood contract for Ootacamund was worth no more than a paltry Rs 50 a month. The Madras authorities, irritated by the
fall in government revenue, held the local state directly responsible for the failure to control the fuel market.\textsuperscript{14}

The \textit{sholas} were used by the hill communities to supply a variety of wants: fuel-wood, timber material for tools and construction and plant products used for medical, culinary and ritual purposes. Fuel-wood had no exchange role on the hills before the settlements were established. At the beginning of the nineteenth century wood was cut and left in the forest, along with other forest products, during the lull in agricultural activities from January to March and was collected as necessary throughout the rest of the year.\textsuperscript{15} After the creation of local forest regulations in the 1830s, villagers – indigenous or settler – who resided outside of the limits of the stations were given rights to collect fuel for their own consumption free of cost from any \textit{shola}. Wood for the manufacture of agricultural tools was free but access, at least in theory, required a pass that would allow the local state to monitor extraction. The hill communities were expected to pay for building material, at the rate of Rs 2 for sufficient timber to build, and Re 1 to repair, an ‘ordinary native hut’.\textsuperscript{16} Invigilation and the issuing of passes were charged to \textit{maistries} stationed at \textit{sholas}.

From the time that incoming settlements were established in the hills, indigenous communities benefited from the market created for firewood by cutting and selling wood in the barracks and settlement bazaars. In response to John Sullivan’s call for conservancy, King, the officer in charge of the Barracks, had glibly remarked that

\begin{quote}
the destruction of the woods generally on the Hills by felling ... is to be attributed to the permission [granted by the revenue authorities] to the Badagas and other inhabitants of the Hills, who are continually bringing ... [firewood] ... in for sale, finding it probably an easier and more lucrative occupation, than attending to the cultivation of their lands.\textsuperscript{17}
\end{quote}

The sale of wood to the barracks was not a replacement for cultivation but the burgeoning demand for fuel-wood created a lucrative opportunity for peasant communities nearby the barracks. In 1868, a settler informed the Assistant Conservator, H. R. Morgan, that the Badagas of Annacorray village had offered him the sale of firewood from \textit{Adda shola}. The wood was already cut and stacked and awaited his purchase.\textsuperscript{18}

The hill communities who felled firewood to supply the settlement markets generally cut over a far wider range of \textit{shola} than the fuel-wood contractors, lessening the effects of the sudden increase in wood collection.
Nevertheless, the Forest Conservators were quick to create an equation between local communities and forest destruction, not in proportion to its scale, which was moderate, but in relation to the inability of the forest authorities to enforce control over a population who knew the forests far better than they could hope to. Forest officials voiced constant complaints that the regulations were violated and ignored; by the 1840s, Collector E. B. Thomas cited ‘almost daily’ instances ‘of punishment and confinement’ for forest offences. Conservator R. H. Beddome fumed that ‘Every nook in their neighbouring sholas is known to [indigenous communities], it is a most difficult matter to catch anyone actually cutting or carrying away wood’. The untaxed exploitation of the forests by the hill communities transformed conservancy discourse from one concerned with monopolies, markets and profit into a broader debate about state protection of natural resources against the hill communities. Unable to efficiently invigilate, regulate or tax the exploitation of the forests, forest officers sought solutions in increasingly elaborate systems of legislation. Any direct usufruct rights, unmediated by settlement markets, were now deemed intrinsically transgressive. Hugh Cleghorn, as Conservator of Forests, wished to outlaw any subcontracting of the sanctioned firewood supply, an action which would criminalise any Badagas found cutting large amounts of wood. H. R. Morgan, as officer in charge of the Nilgiri sholas, sought the total exclusion of cattle owned by Todas from the shola and the further restriction of Badaga rights to collect building material.

Forest officials tried to embed the regulation of forest exploitation into village level administration. In 1861, local Conservator Babington suggested that Monigars be made responsible for sholas in the areas under their jurisdiction and fined when those sholas were found damaged either by fire or cattle. Monigars were already responsible for giving out passes and taking a note of wood felled though with little success. Collector J. W. Breeks issued a reprimand against a Monigar for selling some wood he had confiscated and for having been rude to a Forest Overseer (the Forest Overseer in question was himself later dismissed for drunkenness so who was rude to whom is a matter of speculation). Village officers had little direct interest in forest conservancy and were repeatedly reminded, to little effect, to be ‘more active in detecting cases of illicit felling and carrying away of wood from the surrounding sholas.’

Although the illicit exploitation of forests for fuel-wood greatly exercised Foresters, its effects were minimal in comparison with the alienation and destruction of forest land caused by the establishment of plantations. The
clearance of forest land before planting did far more to destabilise government fuel-wood monopolies than the \textit{ad hoc} opportunism of hill communities.

**PLANTATIONS, FOREST AND CLIMATE**

At the level of Presidency administration the inevitable environmental impact of land alienation and forest clearance was framed, not in economistic, but in environmentalist terms. Desiccationist arguments had been used as early as 1838 in reports of the alarming destruction of forest on the hills after 1819. Deforestation on the hills was presented as a threat to the irrigation, and therefore the agriculture and revenues, of the Coimbatore District. Sullivan, as Collector of Coimbatore, reported that these effects were aggravated by the drainage of swamps and the use of spring heads for irrigation by planters.\textsuperscript{25} When notice was given in 1837 forbidding all felling without permission it was on the grounds that felling on the hills was ‘highly prejudicial to the springs that take their rise there and upon the irrigation on which the low country depends’.\textsuperscript{26} The compulsions of climatic protection, necessitating total conservation of forest land, were cited, yet the revenue authorities set a price per tree at which settlers could fell wood on their property.\textsuperscript{27}

Land under \textit{shola} was the land most desired for the establishment of coffee, and later tea and chinchona. The 1849 \textit{Manual of instructions for the guidance of the local Revenue Officer in their disposal of applications for lands upon the Neilgherry Hills} specified that timber could be cut by a settler only with the permission of the Collectorate authorities.\textsuperscript{28} In practice, however, planters generally felt no compunction about totally clearing the forests on the land they acquired and paid no attention to restrictions. In 1850, Thomas battled with Lascelles, an irascible and combative planter, over his right to cut indiscriminately on the land granted to him. The Madras government conceded that Lascelles had felled trees against the orders of government but added that no mechanism existed to punish or correct him.\textsuperscript{29} There was almost nothing government could do to enforce the protection of forests on alienated land.

One illustrative case of the latitude afforded to planters, and of the nepotism endemic in land allocation, is that of John Mclvor. William Mclvor, Superintendent of the Government Gardens in Ootacamund, arranged a substantial grant of land for his brother John in order to establish an ‘experimental scotch farm’, cultivating fruit trees and European grains.\textsuperscript{30} On
Other Landscapes

taking control of his property, to the spluttering umbrage of the Forest and Collectorate officials, John McIvor immediately prepared to plant coffee, by no means an experimental crop. He then sold the rights to both wood and charcoal production in the shola on the land he had been granted, an alienation described by the Collector, E. B. Thomas, as an ‘unscrupulous, unparalleled, and unjustifiable destruction of government property’. Babington, as Assistant Conservator in charge of the Nilgiri shola, did attempt to bring a suit against McIvor but found himself unsupported by government and with no clear means to prove McIvor’s liability in the destruction of Government property. McIvor claimed initially to have both Thomas’ and Babington’s permission to cut the forest and when this lie was exposed meekly claimed to have only ‘taken away the dry wood and in a few places ... cleared away the under-brushwood in the open places caused by the natural decay of the forests’. For ten years, John McIvor dodged reprimands, suits and injunctions until in 1862 his speculations and profiteering caught up with him, albeit temporarily, when he was arrested for debts and taken to Madras. His brother William McIvor, who continued to have a solid career in local government untarnished by his brother’s exploits, was no less entrepreneurial in his management of the lands put under his charge. In 1860 he was placed in charge of the development of Government Chinchona Gardens and having selected shola land between Snowden and Dodabetta summits near Ootacamund he began to clear the forest and privately sell the wood felled. He was finally reprimanded when in 1863 he advertised a contract in the Neilgherry Excelsior newspaper for the wood to be felled on the Dobabetta hillside.

In 1853, aware that coffee plantations were not flourishing, Collector E. B. Thomas requested guidance from the Madras authorities on the conflicting priorities of the plantation economy and the protection of the forests: ‘Coffee requires the finest forest land ... it would take 100 years to raise a forest of 10 acres, which a coffee planter would level in a month.’ Thomas contrasted the tax on coffee, the cultivation of which was subject to favourable terms of taxation throughout the century, to the loss of forest, a loss ‘not easily calculable’. The reaction of the Board in Madras reflected government’s compulsive desire for quantifiable information. How much forest was there, how much was under coffee and how much did Thomas desire to reserve? Thomas could answer none of these questions on terms the Board were willing to consider and so the matter remained a question for the local state and not the Madras authorities.
Thomas appealed to Hugh Cleghorn, Conservator of Forests for Madras Presidency, for a set of guidelines on forest destruction in 1857. Notable in Cleghorn’s response were three key principles he relayed as guidance when alienating forest land to planters: the protection of springs, conservation of timber and finally, ‘the ornamental appearance of the hills’. On the last question, the aesthetic purpose of forests, Cleghorn said nothing further. This chapter will return to the question of forest and the landscape as it was seen; how, where and by whom. On the second principle, of timber conservation, Cleghorn’s directives were brief: too little timber existed to necessitate reservation. It was important only that the forest authorities had the right to assign, and demand, a value for any timber trees on alienable wasteland. The primary consideration for forest alienation procedure, therefore, was to be the role of forest in regulating rainfall. To this end, any forest above 4,500 feet was to be preserved with ‘rigid care’. Cleghorn’s directives are revealing of the abstracted categories used to order forest management. One the one hand, Government would exercise its monopoly over timber trees only as units of revenue since insufficient forest timber existed to make the preservation of standing timber, as a renewable resource, profitable. On the other hand, the government monopoly over forest as a generalised ecological category was essential in terms of the climatic implications of felling. No category of forest on the hills possessed a direct and intrinsic worth.

Cleghorn’s guidelines were challenged by planters. The Superintendent of the Ootacamund Government Gardens, William McIvor, who also held substantial interests in various estates and plantations, called the 4,500 feet ruling ‘a perfect prohibition to the cultivation of tea in the Neilgherries’. Tea, he claimed, was flavourless below 5,000 feet and was impossible to cultivate on grassland. In practice, therefore, the 4,500 feet ruling was either ignored or referenced briefly in justifying its transgression. For example, in 1861, the Assistant Conservator in charge of Nilgiri Forests allowed the felling of a portion of shola at 5,000 feet on the grounds that the same planter already had land cleared and planted even above that level and so permission could not be fairly denied. Neither were forests irreplaceable in the eyes of local forest officials. An Assistant Collector on the hills observed that ‘with its deep shadows, the quantity of moss, lichen, and moist decayed leaves at its foot [the shola] must operate advantageously in shielding from the sun’s rays the surface below through which trickle the streamlets which fixed the swamp. Nay it may not improbably operate
so far as to cause in some cases extension to swamp.' H. R. Morgan, the local forest officer, endorsed this description but also offered a utilitarian reduction and substitution: the erection of a bund, or mini dam, would be just as effective as vegetation for the protection of surface water. For Morgan, the environmental role played by indigenous forest growth could be equalled by civil engineering. 41

The Waste Land Rules introduced differential assessment on forest and grassland in 1863, making the auction purchase of forest considerably more costly. However, so little land was obtained under these rules even if they were implemented (which they weren’t) they would have had a negligible effect. Prospective planters were free to apply for forestland wherever they chose and the decision as to whether it could be sold at auction was made on an ad hoc basis by the Collector under advice from the Assistant Conservator of Forests. Consistently, therefore, forest conservancy was subordinate to the needs of plantation economy, or rather the demands of ambitious planters. In 1879 a planter who complained that porcupines from a nearby shola were damaging his tea crops was given both the shola land on a permanent patta and permission to destroy the shola as a remedy. 42

The London and Madras Governments were aware of the detrimental environmental impact of the plantations and that the returns of most estates were negligible, especially given the favourable terms of many land grants under which estates paid little tax to government. 43 Yet the compulsions of improvement and progress seemed irresistible; the administration of the hills prioritised the transformation of the landscape into a plantation-based economy. No other order of colonisation was imaginable by the middle of the century.

The pretension of the local state to manage the forested landscape was immobilised by the contradictions between a desire to alienate land and the presumptions of desiccationist science. Most ordinances slipped quickly from legislative memory, let alone application. The Assistant Collector on the hills complained in 1865 that no government orders could be located in the Ootacamund Cutcherry which dealt with the reservation of forests from alienable land. 44 In response to this legislative lack he once again, unilaterally, outlined some general criteria which were to be used to determine whether shola could be alienated or not: narrow strips near streams were to be preserved along with forest on ridges since both were believed to exercise a beneficial climatic effect. In addition, forests near Toda munds and substantial Badaga and Kota settlements were subject to
the rights of these communities and therefore had to be investigated before any alienation could be made. Beyond these measures, any cartographic
demarcation of *sholas* was considered to be an impracticable task.\(^{45}\)

This impasse led to the formulation of a more fixable, determining
scheme through which the principles of both commodity regulation and environmentalism could be expressed without the necessity of achieving any operative, or operational, consistency. The inability of the local authorities
to constitute any systematic or effective policy of forest management was
increasingly explicated in terms of the subversion, indeed belligerence, of indigenous communities. This subversion was not simply regarded as a
result of the competition of local groups who undercut fuel-wood suppliers
and dodged taxation but instead was part of a more general diagnosis.

After the 1860s, subsistence strategies of the communities – specifically firing grass, hunting, grazing and swidden – were identified as damaging infractions, not of forest legislation, but of forests themselves.

**LOCAL RULE: JUNGLE CONSERVANCY**

This growing belief that the hill communities were fundamentally
detrimental to the forests, and by extension to the broader environment of the hills, was generated and furnished locally. The Madras government had
repeatedly disallowed the introduction of more comprehensive fees for forest collection and defended the access of local communities. The management
of the Nilgiri forests was passed to the control of the Nilgiri Commissioner
between 1869 and 1875. Under a scheme known as Jungle Conservancy,
the local authorities immediately effected an increase in charges for the exploitation of forest resources and further restricted legal access to the *sholas*.\(^{46}\) When, in 1870, the Madras revenue authorities suggested that the charges levied on indigenous communities for building materials be removed, the forest establishment on the hills refused vociferously, citing ‘the reckless way in which the Hill people have hitherto felled the forests and the difficulty of persuading them to plant a single tree to replace those they fell’.\(^{47}\) Paying for forest produce, in the opinion of the Superintendent
of the Nilgiri Forests, would teach the hill communities a valuable lesson:
‘that for the comfort and convenience of their successors ... it is absolutely necessary that existing woods should be worked with economy and ... funds provided from one source or another to replant felled tract’.\(^{48}\) Attacks on forest usufruct by the local state were articulated through the construction
of a landscape history for the hills in which forests were the key signifier. According to this landscape history, the thick vegetation with which the Nilgiris, indeed the whole of the Western Ghats, was once covered had been gradually eroded by the ‘ignorance and improvidence of the hill tribes’ who had ‘devastated the forests for centuries’. The empirical ‘proof’ of this destruction was deemed to be evident in the physical arrangement of the hills: *sholas* were now confined to inaccessible and damp ravines where they were protected from fire and cattle. Fires were condemned as a ‘reckless and indiscriminate’ threat to forests. Far from being a vehicle for the destruction of forests, a conviction now crystallised that colonisation was actually the only means to save what little *shola* remained.

Commissioner J. W. Breeks, in reforming conservancy, stressed the need to increase invigilation of the *shola* and penalise infringements of the pass system and offered dramatic, if vague, estimates of the revenue lost to government by lack of enforcement. Under the more stringent system, passes were now to be obtained for *any* wood to be removed from the *sholas*, including deadwood and brushwood. Under the regulations introduced, even those who held a *patta* for land could not legally collect deadwood from it without first obtaining a pass. In addition to a pass, fees for collecting any wood, save dead firewood for their own consumption, were introduced for all villagers on the hills. No wood was to be cut from a living tree without having first been ‘marked’ by a forester overseer. This increase in levies and authority of the Forest Overseers was contested in a petition written for the Todas of Malnad: ‘We are from a long time selecting *sholas* for the cattle kraals and fencing them once a year with our own huts near them enjoying the privileges of taking firewood &c. free of charge and thus living on our hereditary hills with these enjoyments.’ Breeks rejected the petition and maintained that the Todas had to pay rupee for the wood for every hut or cattle pen constructed. Breeks averred that at stake was not the amount of revenues raised, which he considered negligible, but the enforcement of the state’s monopoly over the forests.

In order to make the new ordinances effective, Breeks intended to intensify the invigilation of the *sholas*. Three police outposts in the hills around Ootacamund were constructed and appeals made to government for more money to fund these measures. Breeks refigured the problem of indigenous access to forest resources through a formulation similar to that used in organising restrictions on land alienation on the hills. Since hill communities provided most of the labour for the felling the introduction
of a relatively small, but compulsory, fee for all indigenous usage was the only means of indirectly controlling the settlers’ exploitation of the forests. This move turned over to the forest officers a surplus of generally inert but absolute power over the local populations who were, given the laborious and impractical everyday working of the pass system, placed in a situation of persistent and almost unavoidable transgression.

While local authorities legislated on the association of indigenous communities with forest destruction, European planters had their own axes to grind. The growing reluctance of the Collectorate authorities to grant forestland for auction encouraged settlers and planters to seek purchase from the local communities. The purchase of *shola* land from Badaga, Irula, Kurumba and Toda *patta* holders was such a well-known and oft-used means of acquiring forest that even a mild-mannered published guide to the hills recommended it as a means of avoiding lengthy official procedures.\(^{57}\) The ire felt by planters over the restrictions, however, was aimed not at government but at the advantages they believed the restrictions conferred on the indigenous cultivators. James McPherson, owner of the Coonoor Tea Estate, wrote angrily to the Collectorate: ‘The absurdity of reserve, or preserve, or conserve, or whatever you call it is remarkable. Now, for instance the shola in question is reserved! aye, for the Burghers, who do not fail to make best of their opportunity thus they suddenly require now ploughs which of course necessitates the cutting of all the timber skirting the land–back perhaps 10 or 20 yards; they leave a belt of underwood at the former boundary, until their burning commences, when down goes the underwood, and their field after the burn is 3 or 4 acres the wiser.’\(^{58}\) As far as many planters were concerned, the hill communities did little else with their time than scheme to work the illicit market that existed for the sale of *shola* land to their advantage.

Forest management was now ordered by a conviction that colonisation of the hills had intervened in the ongoing destruction of indigenous forests by indigenous communities. It was not only the relationship between indigenous communities and *shola* that was found wanting. The forestry regime on the hills increasingly preoccupied itself with the inadequacy and correction of indigenous forests.
The garden here contains some peculiar trees which grow almost as fast as grass!

D. Babington, reporting on Nilgiri Forests in 1852

The planting out of acacias began in the first years of the 1850s, after Rs 500 was sanctioned for planting in 1849. The first large plantation of quick-growing Australian acacias was established in 1856 at Jackatallah, on 600 acres of pasture land bought from the nearby Badaga community after enthusiastic lobbying by the officer in charge of the barracks, Captain John A. Campbell. Campbell’s proposals, in keeping with those who sought to draw funding for experimental and ambitious enterprises, was grandiose in its projected returns. He estimated the fuel demand created by Coonoor and Jackatallah at 10,950 tonnes over five years, with an additional 20,000 tonnes for Public Works Department projects. Campbell’s plantation was designed to replace, and undercut, the more costly and disbursed collection of fuel from the sholas. Campbell originally sought Rs 320,000 for the plantation which, he claimed, could raise timber worth Rs 3,200,000 in ten years (an amount which, conveniently met the timber requirements of the two settlements with some to spare). The Madras government eventually sanctioned a more modest Rs 7,500 for Campbell’s plantation, placing an additional Rs 2,500 with the Collector, E. B. Thomas, who was to match Campbell’s efforts on a smaller scale elsewhere.

By 1857, Campbell had planted out 14,400 *acacia robusta* (the species later known as *a. melanoxylon*) and dug 3,300 yards of ditches and estimated that he would have planted a total of 100,000 acacias by 1859. The form of the plantation was a matter of considerable importance. Campbell was establishing an ‘experimental forest’ for the efficient, profitable production of timber for specific and pre-determined purposes. Planted in a geometric quincunx arrangement, soft wood acacias for firewood were mixed with hardwoods as ‘nurses’ to guard the slower growing woods which would provide building materials. Campbell’s proposal tapped into anxieties created by the inability of the local state to enforce any effective control over the removal and taxation of fuel; his artificial forest would present none of the inconveniences of the dense, unknown spaces of natural woodland. It would be planted ‘in long lines of mathematical accuracy, so that not one can be cut without immediate detection’. It is important not to simplify or over-read the early plantation project. Campbell’s economistic,
Plate 5.1. Campbell's Plan of his Model Forest, Jackatallah. PMBR, 8/6/1858, No. 19, TNSA.
utilitarian agenda was surprisingly porous: he combined his proposals for the reinvention of the forest resources of the hills with what seems to have been the only attempt to replant and cultivate *shola* species. He attempted to replant the rapidly diminishing *shola* adjoining the plantation with indigenous species recommended by Badagas as ‘the better kinds of jungle woods’. The cultivation of indigenous species, however, was quickly abandoned. *Shola* species were slow growing and their inclusion was deemed an inefficient investment of plantation resources.

With his grant, Thomas planted 6,000 *eucalyptus globuli*, better known as the Australian blue-gum, and *acacia robusta*. These initial grants were the first of many and, between 1854 and 1860, Rs 172,000 were sanctioned for development of plantations in the area between Ootacamund and Coonoor, including Rs 3,000 for ornamental planting around Ootacamund lake in 1860. The establishment of plantations continued throughout the 1860s nearby the settlements of Ootacamund, Coonoor and Wellington. By 1865, eight plantations mainly of acacia had been established stretching over an aggregate of about 317 acres. Ten years later that number had increased to twenty-one plantations ranging from eight to 235 acres in extent. The total area of these plantations by the mid 1870s had increased to approximately 1,019 acres.

The spread of plantations precipitated a re-evaluation of the *shola*. According to the Forest Department, the arboreal growth in the *shola* was simply inconsistent with scientific forestry. The *sholas* were considered to be inefficient in growth and capacity for re-growth: ‘The indigenous shoals ... yield about 150 bandy-loads to the acre (say 65 tons); their growth is exceedingly slow; reproduction probably not less than 150 years; so that the annual yield is considerably under 1/2 a ton per acre per annum!’ In 1875, a government scientist wrote that ‘The sholas consist of crooked undersized indigenous trees of no value as timber and of small value as fuel. They are scarcely worthy of attention. Those that are likely to afford shelter from high winds and those that are situated near the large Hill Stations and the favourite resorts of Hill Visitors should be preserved, but all others I think should be offered for sale. This would set free when cleared a large area of valuable land for growing Coffee, Tea, Cinchona, Australian trees, &c., while the appearance of the country could not but be improved.’ The *sholas*, therefore, were stripped not only of utilitarian worth but also, in terms of Cleghorn’s tripartite guidelines produced in 1857, of ‘ornamental value’.
Changing the Nature of Forests: Conservancy, Science and Aesthetics

Under Jungle Conservancy, between 1869 and 1875 Breeks, parroting R. H. Beddome, the Conservator of Forests, expressed a clear enthusiasm for plantations. ‘Too much importance’, he stated, ‘cannot be attached to the subject of planting Eucalyptus.’ Breeks attempted to insinuate and widely disperse the exotic species, a departure from Campbell’s regulated and bounded model plantation. Badagas were contracted for the establishment of plantations at the rate of Rs 500 for 20,000 eucalyptus. Supplied with free seed, gangs would clear the ground, dig trenches and plant during the monsoon, and subsequently receive payment for the surviving plants. Breeks also supplied, free of cost, seeds and seedlings of the exotics to Badaga villages. 50,000 seedlings, from 3lbs of seeds, were raised in the Government Gardens and a further 2lbs were to be distributed to Badagas to establish scattered topes throughout the hills.

This attempt to induce the private plantation of timber quickly failed. Between 1871–1874, 393 acres were taken up under the Tope Rules, a set of dispensations aimed at encouraging the private establishment of woodland. Five years later almost all of this land had relapsed to government, the holders having failed to plant 500 trees, the minimum required to keep the land at a low assessment. Repeated attempts were made to distribute eucalyptus seeds and seedlings for cultivation around Badaga villages. While Badagas were clearly willing to profit from providing labour to the plantations they were considerably less willing to establish plantations near their villages. A group of topes established in six Badaga villages in Paranganad fared badly. In all but one, Dandanad, more than half the plants were dead within a year. The revenue official inspecting the topes reported that the Badagas had shown no interest in establishing stands of Australian trees in the villages even on the assignment of revenue-free land and permission to cut the branches of the mature trees for free. In only one case did two Badaga villagers, from Dandanad, agree to plant trees. They did so on the condition that the land be granted to them on an individual basis and not assigned jointly to the village. The Tope Rules were grounded in the idea of joint ownership and could not accommodate the demand. The Badagas, it seems, had no use for the incentives of the tope schemes.

The new forests were guarded more jealously by the foresters than the sholas had ever been. Badagas, despite having laboured in the acacia and eucalyptus plantations, could not gather fuel free of cost and their cattle were not allowed to graze. Of the fuel-wood which was rarely and sporadically released into the market from the plantations, none reached
the hill community villages.\textsuperscript{79} This was not an oversight but deliberate policy. The paucity of wood in villages was to be met by those villagers who felt the need. In the words of J. W. Cherry, Conservator, ‘If there is a demand for wood in any particular village or hamlet, it must reach a point when private enterprise will step in to relieve it.’\textsuperscript{80}

The administrative belief that indigenous communities presented not only an impediment to the successful taxation of forest exploitation but also to the forests themselves was extended to the newly established plantations. Indigenous subsistence was perceived by Foresters to be incompatible with the improved landscape of forest plantations. Babington, in charge of the Nilgiri forests, believed nurseries in Governor’s shola nursery were damaged by cattle belonging to Todas and Badagas who deliberately ‘persist in allowing [them] to enter these Plantations’.\textsuperscript{81} J. W. Breeks, alluding to the difficulty in prosecuting forest offences – which could rarely be proved to have been deliberately committed – suggested a more vigorous enforcement of the Penal Code which specified that criminal liability in cases of transgressions could be ‘caused partly by act and partly by omission’. Breeks illustrated his point with the case of Veerappen, a herdsman whose cattle had been found in a government nursery and who was acquitted when the Prosecutor failed to prove that he had deliberately led the cattle there. His suggestion would relieve the prosecutor of the burden of having to prove that a herder had purposefully allowed cattle to stray into forests; a forest infraction could be proved solely on the instance of illegal grazing.\textsuperscript{82}

Grassland firing was regarded as a particular threat to forest plantations, though when fire did spread into the Cally Eucalyptus Plantation in 1872 the results were not as foresters had predicted and the fire was later admitted to have produced impressive growth. The eucalyptus ‘made splendid growth from the stool ... no one without very close examination could detect that the trees were not the original seedlings’.\textsuperscript{83} Despite this case, fire – and through it the agrarian landscape of the hill communities – was consistently considered to be at odds with the production of healthy, and profitable, forest.

The exotic species’ relationship to the sholas underwent a gradual but dramatic change. Initially the imported species were used to fill ‘blanks’ created by felling in the sholas. This dispersed hybridisation of forests was replaced by the deliberate felling of sholas in order to plant out acacia and eucalyptus species. This transition heralded a significant and enduring shift in the placement of exotic trees in the Nilgiri landscape. They were
no longer a convenient and fast-growing alternative that would protect existing forests but a means of transforming and improving the growth of the *sholas*. The condemnation of indigenous forest flora was not simply carried by a comparative conviction of the exotics’ superiority but was a discourse necessitated by competition for fertile soil. Deconstructing the forest into two utilitarian parts, scientific forestry dictated that indigenous flora did not deserve the soil that it occupied. Stripped of inferior indigenous species, *shola* soils could be rededicated to the production of a ‘perfect mass of luxurious acacias’.  

This dramatic injection of species into the Nilgiri environment had unintended consequences, the most immediate of which occurred outside of the plantations. The alarming success of the *acacia melanoxylon*, a species deemed rare enough to have been stolen from a settler’s ground six years before, led to the species being ‘banished from the Horticultural Garden’ at Ootacamund by 1857. In the same year, the government stopped charging 4 annas for each *acacia melanoxylon* plant. This success, however, only quickened the enthusiasm of the Forest Department and tens of thousands of this species ‘most eligible for the rapid production of firewood’ were planted out in the 1860s. The lack of congruence between the convictions of the forest authorities and the real state of fuel-wood supply on the hills is illustrated by an appeal made in 1863 by the residents of Ootacamund. The scarcity of fuel available in the settlement was driving labour away from Ootacamund, leaving, in an ironic twist of elite helplessness, settlers unable to procure labour to trim the lower branches of the acacia trees which had spread from the fuel-wood plantations and now swamped their property. The forest authorities were reluctant to recognise that the species possessed a life outside of the physical space of the plantation and in 1869 James Breeks, the Commissioner on the hills, had to appeal for the abandonment of the acacia nurseries as a farcical expense when acacia was regarded as an unwanted but flourishing pest in the settlements. He complained that ‘There is hardly a residence in Ootacamund that is not overrun with the Acacias. The Municipal Commissioners are constantly serving notices on owners to clear their grounds of them, and owners as often grumble and say it is a hopeless task; while this is going on in Cantonments a few miles out, the Forest Overseers have got nurseries and maistries for the same plants as if they were rarities.’ By the early 1870s, eucalyptus had replaced acacias as the plantation crop of choice, and only two plantations, Bleak House and Rallea near Wellington, were planted with acacias.
As acacia thrived as a weed, Campbell experienced less success with them in his model forest. In 1862, it was estimated that the cost of the plantations was almost three times the amount that he had estimated would be spent on planting out and supervision. Despite this outlay, the returns were as yet negligible and the state of the plantation disappointing. The plantation trees had not even grown sufficiently to require thinning, an exercise that would at least have yielded firewood if not timber. Although not ruling out remuneration in the long term, Morgan saw no immediate signs of the plantation yielding marketable firewood in the foreseeable future. The Conservator of Forests was less convinced. In his view the failure of the plantation was the result of its establishment ‘on soil that would not even grow grass much less trees’. The flaw lay in the design of the plantation, not in the trees themselves. The failure of the Jackatallah experiment was received as conclusive proof that plantations would have to be established on cleared shola land and not on grassland. The failure of the plantation was regarded solely as the result of bad forestry and at the end of the 1860s R. H. Beddome, as the next Officiating Conservator of Forests, recommended that the plantation be maintained at government’s expense over the next five years, the time he estimated it would take for the plantations to reach useful maturity. In the meantime the existing demand would continue to be met from shola.

The conviction that plantations would, under the right conditions, be capable of replacing the shola as forest resources on the hills was of local generation: both geographically and bureaucratically, it extended neither beyond the hills nor the forest authorities. The Madras and London authorities expressed increasing frustration with the management of the Nilgiri forests. Concern had been expressed repeatedly over the destruction caused by plantations and the belligerence of foresters towards the shola. The establishment of any further nurseries had been suspended in October 1866 after a reprimand from the London government. In the same year, the Government of India was critical of the decision made by the local authorities to open and fell Deva Shola to provide a five-year supply of fuel. The London authorities disapproved of the plantations established at the expense of attention to existing forest and reminded Madras that the establishment of nurseries did not excuse a neglect of the older resources. At the end of the 1860s, when the five-years recovery period for Jackatallah plantation was over and the plantation was still unproductive, the Madras government railed against the decision to extend its life, stating that all the
money expended had failed to have any effect in restricting the destruction of the sholas on the hills.\textsuperscript{96} Regardless of the reservations of the Madras and home governments, the enthusiasm of forest officers for plantations was undiminished.

In 1875, the Jungle Conservancy ended and control was handed back to centralised forest authorities. On receiving full control, Beddome, the Conservator of Forests, took the opportunity to condemn the mismanagement of local autonomy and initiated a series of reassessments and changes.\textsuperscript{97} The \textit{acacia melanoxylon}, one of the most widely planted acacia species, was infested with a parasite, Loranth. \textit{Acacia stricta}, the species used most widely, along with \textit{a. mollisima}, to fill felled sholas, had been found especially vulnerable to damage by hares.\textsuperscript{98} The eucalyptus, supposedly capable of reaching full timber maturity in eight years, was now to be left unthinned, and therefore unproductive of even firewood, for seven years.\textsuperscript{99} Beddome ordered large scale felling of the acacia plantations and in 1878 recommended the abandonment of \textit{acacia melanoxylon} on the hills; the tree, he claimed, was of little use as fuel-wood and of no use at all as a timber.\textsuperscript{100}

This period of dramatic felling, caused by parasitic infection, was the first and arguably the only time the plantations ever came close to realising the dramatic profits that Campbell, Beddome, Morgan and others had consistently projected. Forest plantations were unprofitable. Between 1856 and 1875, expenditure on sholas and plantations was Rs 2,735 higher than profits realised.\textsuperscript{101} From 1879 to 1881, after transfer to Imperial control, the plantations cost Rs 4,629 more than they earned.\textsuperscript{102} These are not dramatic losses set against, for example, the balance sheets for agrarian revenue, but they were remarkably steady and consistent in a project that was designed and for years recommended, by experts, solely on the grounds of profit and efficiency. By 1879, it had been recognised that the projected production of eucalyptus and acacia timber on the hills was far in excess of any existing or anticipated demand.\textsuperscript{103}

Despite the perception – beyond forester circles – of \textit{acacia melanoxylon} as a weed by the 1850s and the exclusion of the species from plantations after 1870, the species was resurrected as a credible and useful plantation tree in the 1880s in the posthumously published memoirs of Major Henry Rhodes Morgan, the retired Deputy Conservator of Forests. In \textit{Forestry in Southern India}, he decried the neglect of \textit{a. melanoxylon} and recommended its wider cultivation. Morgan had been involved with forest management on the hills.
since 1856 when he was sent to build barracks at Jackatallah and so must have been aware of the varied though consistently disappointing career of the exotics. Yet the same collection of essays presents a theoretical and impressive balance sheet for both eucalyptus and *acacia dealbata* (wattle) plantations that stood undisturbed by the dramatic failures of the Nilgiri plantations.04

To understand this apparent triumph of wanton speculation over experience, it is necessary to tease out convictions and careers located in networks of knowledge dissemination, retention and repetition located beyond the hills. In the same year that Morgan’s endorsement of the *acacia melanoxylon* and *dealbata* was published, the International Forestry Exhibition was held in Edinburgh. The Edinburgh exhibition purported to display ‘All that pertains to Indian forest administration … by means of books, reports, and other publications, together with maps and working plans of the 4,000 square miles of forest lands in Hindustan.’05 Existing work on metropolitan institutions tends to emphasise the role played by those institutions as central repositories for the collection, collation and measured dissemination of knowledge generated at the extremities of empire.06 In fact, central, institutional collation might be better considered as a system of filtration through which certain knowledges, and conspicuously not others, were transformed into authoritative textual ‘proofs’ which fed off, but also sustained, administrative practices locally.

The Edinburgh Exhibition was heralded as the culmination of a series of forestry exhibitions which began with the Paris Exhibition of 1867 and which developed through a Russian exhibition of forestry held in Moscow and a second Universal Exposition held in Paris in 1878. The Paris Universal Exhibition of 1867 was the first exhibition to showcase forestry in a ‘special pavilion’. No other region was as well represented, through its foresters, as the Nilgiris at this event. Among those who attended it as part of the Madras contingent of the ‘British Section’ were men who exercised considerable influence over the workings of the Nilgiri plantations from the 1850s until the 1870s: R.H. Beddome, H.R. Morgan, both Conservators of Forests in Madras, and John Shortt, scientist and ethnographer.07 It was John Shortt who – fifteen years later – edited Morgan’s *Forestry in Southern India*. This circle of foresters, and others, invested their careers in the presentation of apparently credible, profitable and useful scientific forestry. The circulation of predictive optimism operated to the point of mesmeric repetition. In 1869, as Jungle conservancy began, Breeks drew upon Trottier, a French
naturalist, as an authority on the remarkable strengths of the Australian trees to recommend the eucalyptus as a fast-growing timber suited for ‘beams, joists, and rafters and in out-door work for piers, bridges, fence-rails, railway sleepers’, albeit with a lifespan of only nine years.® The same recommendation was used, word for word by Beddome in 1876 at the end of Jungle Conservancy and again in 1880 A Manual of the Nilagiri District.© Four years later this truth returned to metropolitan commentary when the same Manual was quoted as tested local knowledge in a prize-winning essay presented at the Edinburgh International Forestry Exhibition in 1884: ‘The Formation and Management of Eucalyptus Plantations’.® The essay, by E. J. C. Brace, compared the Nilgiri plantations to those established by the French – in a return to Trottier – and regretted that the extension of plantations on the hills had been abandoned since they ‘could not have failed to prove highly renumerative from a financial point of view and ... might have gradually restored the vast tracts that have, in these mountains, been rendered perfectly barren under a course of indiscriminate felling and restless husbandry during the course of the last two centuries’.® The Nilgiri plantations were by now internationally renowned among the forest cognoscenti, as was the assumption that the role of the plantations, as well as profit, was the reconstitution and improvement through superior species of an environment damaged by reckless and destructive husbandry.

Knowledge about the exotic trees was caught in an incessant process of speculative reinvention, recalculation and improvement. Metropolitan exhibitions and locally generated reports traded selective and affirming information; to the effective exclusion of inconvenient local truths.® The internationalised exotics represented pure scientific forestry. Disembodied from any environmental specificity, the unlocking of their potential was the goal and sole responsibility of the forester. The only obstacle to their potential qualities was incorrect application – the wrong soil, insufficient investment, early abandonment. This state of constant deferral through construction of alternate horizons of application made those convictions impenetrable to the incessant failure of the plantations to produce a profit; protect the indigenous sholas; provide adequate fuel wood supplies; or indeed perform any of the tasks set for them.

Timothy Mitchell has described these networks of mutually reproducing and self-reassuring knowledges as a ‘system of mirrors’ which held a robust capacity to resist interruption by contradictory, or contestatory, information.® Institutions, and titled positions within them, provided
exceptional surety as did the ability of such experts to adjust the specific terms under which the supremacy of a particular species was maintained. Elaborate projections and models encompassed almost every aspect of the Nilgiri landscape (albeit simplified and abstracted into modest appellations, for example ‘agricultural production’, or indeed, ‘forest’) and successfully furnished elaborate authoritarian fictions. Such deceptions did not present accurate or reliable schematics to manage the Nilgiri landscape, instead – like many such Imperial systems of knowledge – each ‘truth’ statement was reproduced by its inclusion and very moderate adjustment in successive models. Observable practice was subsumed by institutional validation and visionary projections. As Mitchell points out, the conformity of successive systems of knowledge to an established Imperial type increased its chances of longevity.

The Forest Settlement on the hills, initiated in 1878, and the passing of the Forest Act of 1882 in the Madras Presidency, saw a re-structuring of the principles of forest management which had been established during the previous fifty years. The Madras Forest Act had a bumpy passage, coming four years after the passage of the Indian Forest Act of 1878. In theory, the passing of the Forest Acts represents a watershed in which the imposition of a uniform body of legislation and hierarchical bureaucracy might have detracted from the localised particularities of forest management. Instead, as the next section demonstrates, the re-configuration of the Nilgiri forests within the auspices of the act constitutes just such an adjustment, indeed bolstering, of established regimes of truth.

FOREST ACTS AND FOREST RESERVATION

In 1878, a Forest Reserve Commission was sent to the hills to report upon the forests to be reserved from sale and placed under the jurisdiction of the forest authorities. The microclimatic effects of shola forest were a given, the Commission stating it to be ‘beyond dispute ... that any extensive denudation near the sources or along the courses of streams must of necessity be followed by destructive floods and equally fatal droughts’ and, finding water in almost every shola, concluded ‘the clearing of each shola, however small, does some harm’. The findings of the committee were unequivocal. In Todanad out of a total measured forest area of 11,700 acres, they recommended the reservation of all but 900 acres, adding that ideally these areas would also be reserved. For Paranganad and Merkanad, they
recommended all of the forest, or rather what little forest remained, for reservation. In the fourth division of the Nilgiris, the lower lying Kundahs, reservation was set at 4,500 acres plus the ‘usual stream marginal reserves’, in effect reserving half of the district’s 12,000 acres of indigenous, and hybridised, forest.7

The Commission stumbled, however, on the question of how these tabulated reservations were to be made real. The majority of the Commission felt that community rights of access, grazing and fuel collection had to be settled before any demarcation could begin. Barlow, Commissioner of the Nilgiris and a member of the Commission, protested that this provision would entail a delay in granting land to planters. Land grants were already delayed by the question of what was forest. The existence of patches of scrub and the brushwood and low shrubs at the edges of forest blurred with grassland, inevitably complicated the allocation of land. Barlow regarded the foremost task of forest reservation to be the final, and speedy, designation of forests alienable to settlers.8

The tensions between local and Presidency conservation priorities was breached in March 1882 when Dietrich Brandis, Inspector General of Forests, arrived in Ootacamund to spend eight months (a disproportionate amount of time given his sub-continental remit) familiarising himself with the forests of the plateau and slopes. Brandis recommended a complete re-invention and re-scaling of the forest plantations through consolidation, enlargement and protection. This intervention rejuvenated the plantation project on the Nilgiris through an authoritative endorsement that, coinciding with the centralisation and consolidation of forest law and authority in British India, proved irresistible.

Deitrich Brandis, assisted by J. S. Gamble, Conservator of Forests in the Northern Circle, personally oversaw the selection and demarcation in the Nilgiri District under the terms of the 1882 Forest Act. Both men favoured the creation of large, compact blocks of forest, incorporating shola and plantations of acacia, eucalyptus and chinchona. In order to make the blocks a convenient shape, areas of wasteland were to be included in them. Of the first set of seven forests initially notified for reservation, five were centred on forest plantations.9

The existing area of plantation would be more than quadrupled, from 1,200 to 5,000 acres, and shola gradually but entirely ‘replaced by Eucalyptus’.10 Brandis’ rejuvenation of the plantations was the culmination of the forestry department’s hostility towards shola and covetousness of
shola soil. Unlike Campbell’s proposals for the first exotic plantations at Jackatallah almost thirty years before, Brandis’ plantations made no provision for the inclusion of any indigenous species and instead required their total replacement. The plantation forests would be maximised by forming ‘a limited number of large reserves of compact shape, which can be effectively protected without undue expense’. The vast plantation blocks were proffered as solutions to the problems which had vexed forest management on the hills. The amalgamation of plantation and shola – re-defining Nilgiri forests as plantation and vice versa – would end all disputes over the alienation of forest land. Any shola lying beyond the newly defined forests would be freed for alienation to planters. Secondly, these plantations were a means of bringing the agrarian landscape into abeyance. Unlike any of the plantation projects and proposals of the previous thirty years, Brandis imagined his enclosed plantation blocks as an integral part of the agrarian landscape. Broad narratives of Brandis’ management of the Indian Forest Service have claimed a particular position for him within the development of Indian environmentalism. Ramachandra Guha singles Brandis out as a forester who acknowledged the necessity of recognising the social aspects of forest management. A conversational remark attributed to Brandis by the Collector J. D. Rees could seem to confirm Brandis’ contextualised understanding of forest management: ‘to imagine that a forest reserve must be four square surrounded by a high wall, imperious and impenetrable, is the besetting sin of the amateur’. However, Brandis’ role in re-vivifying the plantations on the hills is indivisible from the genealogy of suspended disbelief that had consumed scientific foresters: the plantation experiment would succeed only if the conditions of implementation were assured. The integration of forestry and agriculture proposed by Brandis was dependent upon the discipline and improvement of the agrarian landscape. Holding the revenue authorities responsible for having failed to control shifting cultivation, grazing and firing – practices responsible for damaging the plantations – Brandis proposed a scheme by which the plantation forests would provide the organising principle of a new agrarian order. Around these plantations, the undisciplined, wasteful (and in Brandis’ opinion indulged) bhurty cultivation would be hemmed in and agriculture forced to operate more ‘efficiently’.

In 1880 doubts had been raised, and voiced by the Governor of Madras among others, of the suitability of the eucalyptus globuli – now recognised as a vociferously thirsty tree – as a provider of protection for springs and
Changing the Nature of Forests: Conservancy, Science and Aesthetics

streams. An 1881 government order had prohibited the plantation of blue-gums near springs and ordered an enquiry into the matter.\textsuperscript{126} Countering the charge that the eucalyptus was a poor regulator of water, Brandis claimed that the plantations, if and only if protected from the interference of local populations, would develop undergrowth resembling that found in natural \textit{sholas}. Plantation forests, according to Brandis could, when protected from damaging contact with the agrarian landscape, develop all the useful attributes of natural forest. For Brandis, there was nothing to stop the total replacement of natural \textit{shola} with improved, cultivated forest.\textsuperscript{127}

In 1883, the Madras Revenue Department instructed Gamble to use the existing government orders on the preservation of the Nilgiri \textit{shola}s. However, the conclusions of the 1878 Forest Reserve Commission, that any and all \textit{shola}, no matter how small, should be reserved, was now at odds with the Forest Department’s enthusiasm for large, regular blocks. Gamble replied that he had already prepared notification for several areas which included \textit{shola} near Ootacamund and Coonoor. These were the large blocks recommended by Brandis however, not the scattered \textit{sholas} reserved by the 1880 orders. While expressing an enthusiasm to reserve \textit{sholas}, Gamble had added that reservation should be confined to those sholas ‘that are worth it, and that it is necessary to retain’. ‘We must’, he stated, ‘have full control over good compact blocks, instead of a multitude of scattered sholas, the majority of which scarcely cover ten acres each.’ \textsuperscript{128}

Brandis and Gamble effectively rolled back the 1878-1880 \textit{shola} reservations. The \textit{sholas}, Gamble remarked, were to be worked: ‘to maintain a regular and increasing supply of material, a permanent and increasing revenue and a constant improvement in the quality of the growth’.\textsuperscript{129} Improvement of growth implied only one thing, the replacement of indigenous \textit{shola} species with eucalyptus.

\textbf{INDIGENOUS COMMUNITIES AND FOREST RESERVATION}

Reservation of forests under the Forest Act required the definition of the boundaries of forests and the creation of a definitive log of all admissible rights. For the Forest Department, reservation meant the realisation of a long cherished ambition: the ability to regulate all forms of access to forests, to control exploitation and to prevent access as they saw fit to certain forests. Areas were proposed for notification by the Conservator in consultation with the Revenue Settlement Officer and the Collector.
Notification was made via the Fort St. George Gazette and six to eight months later a proclamation was published in several successive issues of the Nilgiri District Gazette. This proclamation called for any and all claims to rights of access, grazing or collection of forest products to be brought forward for consideration by the Forest Settlement Officer. Once these rights were established, the forest was subject to a final notification. Its extent, its boundaries and the provisions of the Forest Act under which it was reserved and any rights that had been allowed were declared, or rather fixed, in administrative records. Settlement transformed usufruct and customary rights into privileges admitted under set conditions, often including the permission of the Forest Officer for any particular usage.

Whenever possible, reservation procedure attempted to exclude the existence of rights and claims that would complicate reservation. In Nunjanad the initial formation of the reserve was found to enclose a number of munds, an inclusion which would oblige the Forest Settlement Officer to admit Toda access. In response, the blocks were broken down and re-constituted to exclude the all mund patta lands. After Forest Settlement, no claims were admitted to exist in the reservation Nunjanad, an area comprising 1,124 acres of forest.

In 1884, one Forest Settlement Officer had attempted to add a note of caution. R. S. Benson pointed out that under this system of simply advertising and waiting for rights to be brought forward, many rights were likely to go unclaimed. He asked that he be able to pursue evidence of community rights in proposed reserves, proactively recording them. Permission was granted for Forest Officers to proactively seek extant usufruct but no rights that had escaped his notice could be added to reservation notifications once procedures were completed. Benson could seek out rights but his mediation was to be 'final and conclusive'; there could be no retrospective recognition of rights in forests.

The amalgamation of waste, grazing and shola land to create large, compact blocks of reserved forest meant that the reserves encompassed areas in which communal rights were bound to be admitted. In terms of forest management, shola forest was now inseparable from the plantations from which, earlier in the century, hill communities had been dogmatically excluded. The Forest Department lobbied for a continuation of this doctrine using a section of the Forest Act which permitted the total reservation of the forests and which would remove any question of community access except at the sole discretion of the Foresters. Gamble claimed the ability
to ‘exclude grazing at will’ from these reserved blocks was the only means to maintain effective conservancy.\textsuperscript{135}

Where the proposed reserves incorporated areas held on grazing \textit{patta}, Gamble recommended they be ‘purchased or exchanged at settlement’ to ensure that no rights existed in these forest blocks that were not held by the foresters.\textsuperscript{136} Unsurprisingly, Badagas volubly resisted giving village lands to constitute or ‘regularise’ the boundaries of the reserves: ‘They evinced undisguised hostility to any reservation whatever and absolutely declined to sell or exchange, evidently in hope that reservation would be abandoned...The Badagas consider these village forests their property practically and resent our taking them away.’\textsuperscript{137} A petition was submitted by the Badagas of Nunjanad Village who asked that the boundary of the reserved forests be kept a distance of three miles from their village in order to protect their \textit{pattas} from appropriation.\textsuperscript{138} The petition was rejected on the grounds that the only motivation the Badagas could have had was a plan ‘to destroy [the forest] and then apply for the land for cultivation’. The Madras Government ordered the Collector to immediately organise the compulsory acquisition of the land-rights under the Land Acquisition Act of 1870.\textsuperscript{139}

Estate owners whose lands fell within the proposed reserves found their claims settled more amicably. Shubrick, a settler who found eleven acres of his property incorporated within Naduvatam Reserve, snidely threatened to lease or sell the land to ‘hilltribes ... for ragi cultivation or to cattlemen for kraal and grazing purposes’. Government responded quickly by assigning him replacement land from the adjacent village grazing.\textsuperscript{140} During reservation procedures village grazing land became a reserve, a slush fund of land that the local authorities felt free to transfer at will between records at the Collectorate.

The Forest Settlement Officer, R. S. Benson, and Burrows, the Collector of Nilgiris, recommended a division of forest resources between the forest authorities and the hill communities. Certain \textit{sholas} would be assigned to villages and indigenous communities would be given free passes to collect wood for fuel and building and agricultural purposes. Burrows argued that the admission of privileges would induce a responsible attitude, whereas prohibitions would only increase the illegal felling which already existed and which the Forest Department was in any case unable to prevent. The kingpin of this scheme was the \textit{Monigar} who was expected to maintain a record of exploitation, detailing the passes he issued: who they were granted to, in which \textit{shola} the wood was to be cut, the purpose for which wood
was required and the date and the duration of the pass. This division was, however, vetoed by the more senior forest official, Gamble. He successfully argued that distinctions in the letter of policy between settler and indigene were ‘invidious’ and that rates should be maintained at a sufficiently low cost as to be affordable by all.\textsuperscript{41}

The rejection of free passes sounded the death knell of the ideal of ‘village forests’ as a category of resource legislated in forest law. The idea of village forests was based upon the acknowledgement that the Forest Department could not possibly be responsible for \textit{all} forests in India. Some therefore should be turned over to the conservancy of local communities. In the 1880s and 1890s village forests existed as a category in Revenue Settlements but they were, supposedly, enclosed and local populations were allowed access only as a privilege and not as a right, leaving little distinction between these forests and those fully reserved by the forest department.\textsuperscript{42}

The Governor of Madras, Grant Duff, used the proposed existence of village forests to fend off criticism of forest reservation and during the course of the Forest Settlement during the 1880s, 500 village forests were selected and demarcated. However, by 1892 the option of assigning village forests had been abandoned completely. The Madras Government determined that ‘forests are to be reserved or nothing’.\textsuperscript{43}

Any claims admitted, and the schedules of access created by reservation procedure, were based on discrete ethnographic categories. The Todas, at least in theory, were allowed the greatest number of privileges within the reserved forests. Their cattle were permitted to graze and, in contrast to the Badagas, they were permitted to set fires. Both privileges were just that, however, privileges, which could be withdrawn at any time.\textsuperscript{44}

When privileges were admitted they were subject to exact specifications of acceptable movement. The width of footpaths and roads and the positions of areas to which access was admitted through reserved areas were detailed on reservation schedules. Any individual found in a reserved forest who refused to give a name and place of residence could be arrested automatically. In addition, the admittance of rights was deemed to bring with it the obligation to act as informer to the forest authorities.\textsuperscript{45}

The assumption that the Badagas posed a direct and belligerent threat to the forests saturated reservation proceedings. In 1896, the Badagas of Ithalar village, Merkanad, submitted a claim to worship in the reserved forest and collect deadwood from three ‘sacred trees’. The claim was initially admitted but later denied when government pointed out that no temple was
marked on the reserve map. The worship took place, not in a building, but under a large tree inside the forest, which the Settlement Officer had not included in the plan. Without a cartographic record that would allow state authorities to read and reread the privilege, government refused to admit the claim.\textsuperscript{146} No government official could be held guilty of omission in mapping forests for the purpose of their reservation. The records of space they created had necessarily to be final and conclusive. Any claim that related to a landscape the forest authorities could not subsequently locate on their maps was inadmissible.

As forest communities, the Kurumbas and Irulas of the lower Nilgiri forests were dealt with rather differently from other groups. Far fewer claims were presented and the accommodation of claims was essentially instrumental. In four out of six Paranganad reserves notified in 1885, the Forest Settlement Officer brought forward claims by groups of Kurumbas and Irulas living in and near the proposed reserves. In all four cases, small communities were admitted the privilege of collecting ‘honey, roots and wood for domestic and agricultural purposes’.\textsuperscript{147} In Kullar reserve where a group of thirty Kurumbas lived outside of the proposed forest and worked on nearby estates, these privileges were attached to certain conditions: every time the Kurumbas wished to enter the reserve to collect forest produce, they were to inform the District Forest Officer and obtain his permission. The products taken by them were to be for their own consumption only. The Kurumbas were granted access not on the basis of their ‘accustomed privilege’ but under the presumption that they could be used to meet labour requirements. The Settlement Officer pointed out that their employment on the estates was temporary, and they may in future provide a source of labour to the Department.\textsuperscript{148} For Irulas and Kurumbas who lived inside the limits of the reserve the conditions were more rigorous. No rights to swidden cultivation were admitted to these communities. Any privileges allowed to them when resident in reserved forests depended on their becoming tenants-at-will and a source of ‘cooly labour’ for the Forest Department and upon their correct behaviour thereafter.\textsuperscript{149} At the turn of the century, those who dwelt, as opposed to worked, in the forest were regarded with contempt: ‘Few who have entered the Forest Reserves care to work as coolie, why should they? when government makes it so easy for them to earn twice as much and have a nice curry for dinner out of quail or jungle fowl, or a couple of quarts of honey for dessert, cut out, at the cost of the life of some forest tree.’\textsuperscript{150} Antagonism towards communities
living in or nearby forests became a function and condition of reservation, embedding within the language of forest officials a caricatured but forceful conviction that these communities represented a deliberately indolent and destructive parasite in the forests.

With Brandis’ encouragement, the difference between established agrarian practice and malice became indistinguishable and irrelevant in official discourse. Brandis refused to distinguish between incidental damage to the margins of *shola* caused by grassland fires and the deliberate burning of forests by hill communities to convert *shola* to scrub, allowing it to be alienated and cleared (a practice foresters believed to be endemic though for which no direct evidence exists).\(^{151}\) As Governor of Madras, Grant Duff remarked in 1886 that ‘If the Badaga of today makes ducks and drakes of the forest, the Badaga of to-morrow will find himself a very uncomfortable creature, and heartily curse the weak kindness of Government which killed the goose that ought to have laid for him the golden egg.’\(^{152}\) The Madras authorities regarded reservation as an indispensable method of custodianship against the instinctive depredations of the local communities, and in particular the Badagas.

In the second half of the 1890s, the extent of reservation – on paper – indicates the latitude with which the forest authorities were free to push the reservation agenda. In 1885 in Todanad, a district of 217,076 acres, 97,476 acres of land was either reserved, proposed for reservation or under settlement as reserve. Of this area, 65,514.63 acres were scrub or grassland, almost double the amount of actual forest that had been, or would be, designated reserved forests.\(^{153}\) By 1886, almost one third of the land of the Nilgiris had been reserved (199,386 out of 611,000 acres). In 1887, 66 per cent of all land, and 96 per cent of all unoccupied land on the plateau had been reserved or was under settlement for reservation.\(^{154}\) 50,000 acres of the land reserved came from a calculated 77,000 acres that had been previously considered village land. Of the land proposed for reservation that year, 14,290.67 acres, or 66 per cent, was grass, not forest. In Todanad and Merkanad, reservation gradually crept up to 70 per cent, often including all land previously classified as unoccupied as well as a great deal which had been occupied.\(^{155}\) By 1894, reservation had included village forests, village grazing and Toda *pattas*, all areas in which government had formerly admitted a proprietary right of communities.\(^{156}\) Toda *pattas*, which included areas of *shola*, were appropriated under the ‘understanding’ that Todas had only ever held a ‘joint interest’ with
government in them. The acquisition of such an enormous proportion of grasslands and cultivated land in forest reservations appears far from usual in the course of pan-Subcontinental reservations. Reservation, on the hills, was designed not only to reserve forest but also to control both alienation and Badaga cultivation. Reservation would ‘prevent the further alienation of land in an area where alienation is highly undesirable, and where it has taken place in spite of executive orders’.

This ‘reserving mania’ was strongly criticised both by the Madras revenue authorities and by settlers. On the hills there were those who regarded the newly energised, and authorised, foresters on the hills as an unwelcome intrusion and defended practices of the hill communities that so antagonised the foresters. Government policy on burning, explained a newspaper editorial, was ‘the mere whim of some locally inexperienced forest official’. Scientific forestry was berated as a derivative of Continental (in other words un-British) schools of thought, and for its dependence upon ‘doctrinaire principles’ of effete professionals who had sadly replaced ‘the practical explorers who have spent their lives in Indian forests’.

The Madras revenue authorities were also unconvinced by the extent and enthusiasm with which local foresters designated forests as reserved. H. E. Sullivan, a Madras government official and formerly the Sub-Collector of the Nilgiri district, protested at the extent of the Nilgiri reservation, especially the wholesale appropriation of grazing land in Merkanad and Todanad, and the difficulties presented to the quotidian practices of native cultivators. Gamble, as Conservator and architect of the Nilgiri reservation, admitted freely that he hoped the restrictions would reduce the number of cattle Badaga villagers kept, and suggested they should try stall feeding, a suggestion that caused Sullivan to retort that ‘He may as well advise them to get farm machinery from Ransome and Sims.’ This fractious exchange illustrates a tension between revenue and forest officials which simmered throughout the 1880s. Sullivan, in protesting against forest reservation, claimed he was only ‘anxious to prevent the [forest] department being made to stink in the nostrils of the people’. The antagonisms created by reservation were apparent, at least to Brandis who, if nothing else, possessed an administrative diplomacy lacking in many of his colleagues in the Forest Department. In 1883, a committee, with Brandis as its President, formulated a set of regulations to reconfigure the often problematic relationship between the forest and revenue authorities to remove from the forest authorities the stamp of ‘outsiders and oppressors of the people’.
These equivocations and criticisms of forest management after the Forest Acts were incidental to the conviction that local hill communities were responsible for an environmental deterioration which had begun long before the British had ever arrived in India. This environmental history transformed the rapid changes and demands created by the colonial economy from being the cause of denudation into the forests’ only hope of salvation. The collection and affirmation of a limited register of access claims, however, created wildly optimistic and unworkable cartographies of control.

Brandis’ intervention on the hills had re-vivified the forest plantation project and pushed the shola to the margins of the forest landscape. Besides the uninterest of scientific foresters, however, the shola was subject to one further appropriation; that of landscape aesthetic.

**THE LANDSCAPE SEEN: SHOLA AND THE VIEW**

‘Their borders [are] so well defined as to resemble the ornamental plantations of a gentleman’s park; so complete is the resemblance ... so perfect is the keeping of the scenery that ... one is tempted to look round for the castle or seat to which they belong.’

Robert Baikie, describing the Nilgiri landscape in 1857

To the elite settlers, the sholas were not simply economic resources (although their sensitivity to the romantic picturesque was suppressed while they screeched for firewood) but arenas and spaces of hunting, sites of natural history and panoramas of romantic wilderness. Forestry plantations were promoted and shola gradually eroded in conservancy policy and practice of the nineteenth century, yet parallel to these calculative and utilitarian strategies, emotive appreciations of the natural beauty of the landscape consistently favoured shola.

Outside of the circles of professional foresters, little appreciation of the exotics existed. Words such as ‘downright unsightly’, ‘gloomy’ and ‘horrid’ were used to describe the eucalyptus and acacia, but ‘primaeval’ and ‘beautiful’ the shola. One correspondent with the *South of India Observer* remarked that the blue-gum, ‘the ugliest tree in existence’, was fine for the ‘abnormally unsightly’ Australian plains where nothing grew anyway, but were utterly inappropriate in Ootacamund. Plantations were not roundly condemned but were, in comparison to the sholas, the subject of inconsistent aesthetic assessments; the same plantation could
be alternately described as ‘thing of horror forever’ or as ‘noble wood of conifers’.  

When outraged, the picturesque sensibilities of members of the revenue authorities could lead to dramatic government intervention. In 1863, the Madras authorities sent a telegram ordering the immediate cessation of felling at the site selected for the Pykara chinchona plantation. The order responded to the reported proximity of the felling to the Pykara water falls, a commonly visited and photographed scenic attraction. The Superintendent of Government Chinchona plantations, William McIvor, and the Collector, P. Grant, meekly defended the felling and assured government that the plantation itself would be not be ‘within sight of the water falls’. The felling above the falls was necessary for the irrigation of the nursery of the plantation and would, Grant claimed (although it was too late to claim anything else) render the falls ‘more accessible and attractive than they have hitherto been’ since visitors could now use the plantation’s road to visit them. Grant assured government that McIvor, who planned the felling, was ‘quite as enthusiastic in his admiration of the falls and the surrounding scenery as most people’. This last assurance hints that government did not entirely believe that local officers were of a stock to sufficiently appreciate the beauties of the natural world and that, in turn, local officers were sensitive to the insinuation. These reprimands constituted little more than temporary diversions in the evolution of a forestry which increasingly relied on the destruction and re-invention of the Nilgiri forests. After local officers salved government’s concern, felling continued.

While aesthetic concerns were peripheral and reversible in the day to day management of the Nilgiri forests, shola was established as a significant marker of the picturesque landscape. Visual representations gave unfettered expression to the romance of the ‘primaeval monarchs’ of the shola. In photographs taken in the nineteenth century, the dominant visual themes are sholas, waterfalls, streams and ghats.

Photographs taken by a student or students of the Government School of Arts and Crafts in Madras (Plates 5.2 and 5.3 overleaf) display two alignments of the same place. The first landscape is productive. William Hunter, Superintendent of the Government School and plantation owner, is shown in the centre of the view giving orders to labourers surrounded by rows of coffee plants. None of the subjects engage directly with the presence of the camera, giving a sense of process; what we are looking at is an everyday occurrence in a Nilgiri coffee plantation. In the second photograph, the
labourers are dismissed to the periphery as audience to what has become a view. A European family, one assumes Hunter’s own, is formally arranged and looks directly at the camera as the labourers look down upon them from a barren rock outcrop. In this photograph an enormous ‘Naga tree’, incomplete in the first view, assumes the centre of the landscape. Two relationships are established in this image; the first between the European as a knowing subject of photography, and the second, between the European who frames and arranges the photograph and the natural landscape of the Nilgiris. It is a *shola* tree which was chosen to signify the natural over the cultivated, and to accompany the social (the family) but not the working (the foreman and labourers) landscape.

Photographs taken by the same students mixed people and ancient *shola* in studies of nature from which exotic plantations are entirely absent. Groups of estate labourers are arranged against *shola*-covered hillsides,
both against and within the vegetation (Plate 5.4). The trees which the labourers are standing against were same ‘big crooked trees’ that the Forest Department were at such pains to eradicate. Nature and the people who could be made to appear to belong to it were the stuff of the romantic landscape; a vista which every educated Briton was trained to find pleasing and fulfilling.

Management of the sholas took into account the movement of people, but only some people, across the landscape. The priorities of the 1878 Commission which reserved the sholas took ‘aesthetic considerations’ into consideration only when sholas were ‘in close proximity to main lines of communication’, in other words, visible from the road. In 1887, Gamble compromised with the Madras Government and proposed to leave 50 feet on either side of the bridle path which crossed Lovedale reserve untouched (except for an occasional clearance of dead wood; an entirely unworked forest to a forester was an anathema) thereby obscuring the coppiced woodland from the sight of passers-by. This contrapuntal positioning of worked and unworked forest so that the former was concealed by the latter from the perspective of specific subject positions was of European derivation. Scenery consisted of romantic wilderness or reflected idyllic whim while worked trees, planted in rows, marked, lopped or coppiced, spoke too volubly of labour, production and money.

The interlocution of aesthetic sensibilities into the utilitarian priorities of foresters became increasingly acute after Brandis had established plantations as the principal forest resources of the hills. In order to assuage the concerns of, often administratively senior, revenue officials, Conservator J. S. Gamble introduced a system of jardinage forestry to the remaining sholas during the 1880s. A system designed in seventeenth century France, the jardinage technique endorsed by British Imperial foresters was an early nineteenth century adaptation of the French version which appears to have become fashionable in India in the 1880s. Gamble described jardinage as a means of ‘cleaning the shola’, removing stroblanthas, dead wood, creepers, sponia and ‘crooked, unsound and badly shaped trees’, whilst maintaining a mixed, natural appearance of old and young trees. Jardinage was also, potentially, a means by which shola could be worked, though Gamble tightly observed that clearing operations in the River Reserve shola cost Rs 100 and generated only Rs 33 through the sale of 532 headloads of wood. The Madras Government regarded even jardinage as a dubious intervention of forest management and ordered that jardinage be
restricted to *sholas* far from the settlement. Gamble was clearly slighted by the criticism. Objecting to the implicit charge that the Forest Department was neglectful of aesthetics, he stated that ‘I am as capable of taking as much pleasure in the beautiful woods of the Nigiris as anyone else.’ He urged the authorities to understand the extent to which the *sholas* were rotting from within as old trees blocked and retarded fresh growth. ‘It might be’, he added, ‘that some of the old picturesque gnarled and twisted trees which painters justly delight in and which we see yearly on the walls of the Madras Art Exhibition would disappear, but even now they disappear to an extent which some people would scarcely credit in the high winds which occur at the beginning and end of the monsoons, and when they go down they do damage which is very great compared to what is done when they are taken out by an officer who knows his business.’

In support of Gamble and the professionalism of the Forest Department which both men believed had been disparaged by the aesthetic concerns of amateurs, the Conservator of the Southern Circle, Col. I. Campbell Walker, added that if government felt it could ‘indulge in aesthetics’ then management would be ‘more the province of the landscape gardener than the forester’.

In 1888 a list of ‘special’ *sholas*, probably derived from the 1878 Forest Reservation Commission, was submitted to government. These fifty-two *sholas* had been reserved from all working with, Gamble claimed, disastrous and wasteful results. Gamble and MacCartie, the Collector, claimed that such an extensive list had actually been drawn up through a misunderstanding and recommended an abridged version which included only nine *sholas*: five from Ootacamund and two each from Kotagiri and Coonoor. Only these nine *sholas* would be subject to total non-interference, to ‘be treated wholly and solely from the point of view of picturesqueness and as pleasure grounds for the public’. The Madras Government, unable to decide between Gamble, who insisted that ‘indigenous trees will not grow’ and recommended planting pines and conifers, and Whiteside, a member of the Board who raged against the ‘vandalism’ of the Forestry Department, agreed to the revised preservation but added that no planting was to take place in the remaining *shola*. When the nine *shola* were formally reserved from economic use three years later they were utterly marginal to the dominant thinking of the Forest Department who regarded their preservation as an artificial indulgence that was both scientifically and economically foolhardy. Aesthetic worth was now the only index against which the preservation of the *sholas* was accepted. Moreover, that
aesthetic value had currency only where the sholas were located within the settlements, accessible to the view of the greatest possible number. Elsewhere on the hills, where (European) audiences were fewer or more occasional, sholas possessed no value as forest.

By the end of the nineteenth century, sholas had been designated, in benevolence by the revenue authorities and on sufferance by the Foresters, as a picturesque fossil. They were indulgently unworked or resolutely un-workable spaces, confiscated from indigenous communities but for which colonial officers on the hills could find little use save as pleasing fragments redeemed from scientific forestry and as camouflage for the transformed landscape.

The colonial intervention stood entirely exonerated from the depletion of the indigenous forest of the hills and the landscape was fragmented into two indices of space. The efficient, knowable and manageable plantation forests served a tripartite role and became, according to the ordinances and assumptions of the local state, the principal forest resource of the hills. Plantations could be contained from the incursions of local communities, would regulate the unruly agrarian landscape and supply fuel and timber to the settlements. Conversely, shola forest was divorced entirely from any order of production of the hills and was maintained only as a remnant of the indigenous landscape. The structuring distinction between the indigenous and the exotic forests, imbuing them with, respectively and exclusively, aesthetic and utilitarian qualities finds a parallel with the treatment of the hill communities discussed in the previous and next chapters. The ‘immigrant’ status of the Badagas, reviled as destructive but acknowledged as productive, is repeated ad nauseam in histories of the hills. In contrast, indigeneity became the principal marker of the Toda communities. The reconfiguration of the shola forest was prescient and coincidental to a process of fossilisation of the Todas; the subject of the next chapter.

NOTES

1 R. H. Beddome, Conservator of Forests, Report on Nilgiri Plantations submitted 12/6/1876, PMRD 23/11/1876, no. 401, UDR.
3 Notice from August 1837, following Governor’s order of 20/6/1837, PMBR 6/9/1838, no. 68, p. 11439, TNSA.
4 Minutes of Consultation 26/11/1841, PMBR 11/2/1841, no. 18, p. 1950, TNSA.
Other Landscapes

5  H. A. Gass, Deputy Conservator of Forests to Major R. S. Jago, Deputy Conservator of Forests, Nilgiris, 19/5/1876, PMRD 23/11/1876, no. 401, UDR.

6  J. W. Breeks to MBR, 2/10/1868, PMBR 8/12/1868, no. 8619, p. 8634, TNSA.

7  This estimation was of Neddivattam *shola*. E. B. Thomas to Government, 4/10/1860, PMRD 19/11/1860, no. 324, TNA; E. B. Thomas to MRD, 31/5/1860, PMRD 11/7/1860, nos. 122, 123, TNSA.

8  H. Cleghorn, Conservator of Forests to Government, 8/11/1859, PMRD March 1860, no. 117, G.O. no. 425, UDR.

9  Ibid.


11 ‘I do not think it can be your orders to molest parties ofburghers who bring firewood to the market or sale,’ I. R. Brown to E. B. Thomas, 26/8/1859; I. R. Brown to E. B. Thomas, 7/9/1859, Joint Magistrates Letterbook, 2/1/1857–4/7/1861, UDR.

12 J. H. M Babington, Assistant Conservator in charge of Nilgiri Sholas, to Conservator of Forests, 10/5/1861, Letterbook of the Assistant Conservator of Forests, in charge of the Neilgherry Sholas, 1861, UDR.

13 Breeks to MBR, 14/5/1869, PMBR 6/7/1869, no. 4818, p. 5307, TNSA.

14 PMBR 8/12/1868, no. 8619, p. 8634, TNSA.

15 Ward, ‘Neelgherry and Coimbatore Survey’.

16 J. W. Breeks to MBR, 2/10/1868, PMBR 8/12/1868, no. 8619, p. 8634, TNSA.

17 King to Clementson, 31/7/1838, PMBR 6/9/1838, no. 68, p. 11439, TNSA.

18 W. Pope to Morgan, 31/10/1868, Forest Department Received File 31/3/1868–25/3/1869, UDR.

19 E. B. Thomas to Government, 6/12/1849, PMBR 7/1/1850, no. 46, pp. 272–280, TNSA. However, local communities do not appear to have evaded forest levies altogether: Rs 279 was collected on account of payments for building materials in 1861–62. J. H. M. Babington, Assistant Conservator of Forests in charge of the Nilgiri Forests to Assistant Conservator of Forests in charge of Madras Office, 10/5/1862, Assistant Conservator of Forests, Letters sent book, 1861–1862, UDR.


21 J. W. Breeks to Morgan, 26/2/1869, Forest Dept. Received File, 31/3/1868–25/3/1869, UDR.


23 J. W. Breeks to H. Morgan, 18/12/1868, Forest Department Received File, 31/3/1868–25/3/1869, UDR.

24 J. W. Breeks to H. Morgan, 18/12/1868, Forest Department Received File, 31/3/1868–25/3/1869, UDR.

25 John Sullivan to Govt., 10/5/1838, PMBR 2/7/1838, no. 9, p. 8178, TNSA.
Changing the Nature of Forests: Conservancy, Science and Aesthetics

26 Notice dated 27/7/1838, in PMBR 2/7/1838, no. 9, p. 8178, TNSA.
27 Rs2-3 per tree was specified in 1842, E. B. Thomas to MBR, 29/7/1850, PMBR 5/9/1850, no. 68, p. 12545, TNSA.
28 E. B. Thomas to MBR, 29/7/1850, PMBR 5/9/1850, no. 68, p. 12545, TNSA.
29 PMBR 14/2/1850, no. 46, p. 2591, TNSA.
30 Nesbitt, Acting Subjudge to E.B. Thomas, 10/8/1861, CCRL Jul–Dec 1861, UDR.
31 E. B. Thomas to Government, 14/2/1862, PMBR 13/9/1862, nos. 248,249, TNSA.
32 J. H. B. Babington, Assistant Conservator in charge of Nilgiri Sholas to Conservator of Forests, 7/7/1861, Letterbook of the Assistant Conservator of Forests, in charge of the Neilgherry Sholas, UDR.
33 W. S. Nesbitt, Assistant Collector, to E. B. Thomas, 29/12/1860, Assistant to Special Assistant Collector's Letterbook, Feb. 1860– Sep. 1864, UDR.
34 E. B. Thomas to Government, 19/2/1862, in PMBR 13/9/1862, nos. 229,230, TNSA.
35 PMRD 5/11/1863, no. 50–55, pp. 2325–2329, OIOC.
36 E. B. Thomas to MBR, 10/11/1853, PMBR 28/11/1853, no. 51, p. 14285, TNSA.
37 Ibid.
38 H. Cleghorn to E. B. Thomas, 2/10/1857, in PMBR 29/10/1857, nos. 55,56, TNSA.
40 Babington to E. B. Thomas, 28/5/1861, CCRL Jul–Dec 1861, UDR.
41 N. A. Roupell, Assistant Collector to J. W. Breeks, 21/9/1868, PMBR 8/12/1868, no. 8619, p. 8634, TNSA.
42 The estate was Dunsadle, in Sholur circuit. R. S. Benson, Settlement Report, Todanad, 1883. The land had been granted to H. D. Rae in 1860 by government for a tea plantation.
43 The Court of Directors had admonished the profligate granting of land in the Coonoor ghat noting that the estates were valueless after a few years due to the effects of run-off following the clearance of shrubs and trees. More taxes could be returned to government, claimed the Court, through the effective exploitation of shola as fuel. Court of Directors Dispatch, 5/8/1857, PMRD 29/10/1857, nos. 59,60, TNSA.
44 F. A. Wilkinson, Assistant Collector to P. Grant, 28/8/1865, CCRL Jul–Dec 1865, UDR.
45 J. C. Harrington, Special Assistant Collector to P. Grant, Collector of Coimbatore, CCRL Jan–Jun 1866, UDR.
46 W. G. McIvor to J. W. Breeks, 30/9/1869, Misc. Letters Received, 16/9/1869–28/12/1869, UDR.
47 Breeks to MBR, 19/8/1871, PMBR 27/9/1871, no. 4136, p7067, TNSA.
48 Ibid.
50 SIO 14/8/1887, p. 3, cols.1–2.
51 SIO 2/2/1884, p. 8, cols. 3–4.
52 Commissioner of Nilgiris, PMRD 19/1/1881, nos. 401–2, p. 140, OIOC.

153
Other Landscapes

53  J. W. Breeks to MBR, 2/10/1868, PMBR 8/12/1868, no. 8619, p. 8634, TNSA.

54  The Overseer named in the petition was the same who was later dismissed for drunkenness. Petition signed by 25 Todas of Malnad, 14/6/1869, Misc. Letters Received, Apr–Sept. 1869, UDR.

55  J. W. Breeks order on petition, 14/6/1869, Misc. Letters Received, Apr–Sept. 1869, UDR.

56  J. W. Breeks to Morgan, 26/2/1869, Forest Dept. Received File, 31/3/1868–25/3/1869, UDR.


58  James McPherson to Collector, 9/8/1866, CCRL Jul–Dec 1866, UDR.

59  In Major D. Babington to Government, 16/5/1852, PMBR 28/6/1852, no. 18, p. 7434, TNSA.

60  E. B. Thomas, Collector to MBR, 8/7/1852, PMBR 26/7/1852, no. 47, p. 8489; PMBR 13/6/1854, nos. 4,5, pp. 3045–3047, TNSA.

61  Report by John Campbell, 10/8/1857, PMRD 8/6/1858, no. 19, TNSA.

62  The cost of firewood per ton in 1856 was Rs 5. Campbell believed his plantations could supply at only Rs 3 3/4 per ton. PMBR 9/6/1857, no. 1951, TNSA.

63  Extract from Minutes of Consultation, Revenue Dept. 7/2/1856, PMBR 21/2/1856, no. 548, p. 2896, TNSA.

64  After the first season he abandoned ditches as unnecessary and began to employ gangs of Badaga labourers to dig 1 foot pits at the rate of one Re1 for every 150 pits dug, reckoning at 24 holes would be dug per labourer per day. H. Cleghorn, Conservator of Forests to Government, 10/4/1858, PMRD 8/6/1858, no. 19, UDR.

65  H. Cleghorn, Conservator of Forests to Government, 10/4/1858, PMRD 8/6/1858, no. 19, UDR.

66  Ibid.

67  Ibid. Cleghorn, taking over the plantation in January 1858, identified some of these as the genera Cleyera, Gordonia and Ibex from sketches taken by his draughtsmen of the trees in flower during his visit.

68  E. B. Thomas to MBR, 18/12/1856, PMBR 21/6/1856, no. 651, p. 1395, TNSA.

69  PMRB 13/6/1854, no. 4,5, pp. 3045–7; PMBR 27/3/1856, no. 794, p. 5009; PMRD 30/6/1857, no. 36; PMRD 20/7/1858, nos. 31,32; PMRD 11/7/1860, nos. 122–123, TNSA.


71  J. Ouchterlony to P. Grant, Collector, 21/7/1863, CCRL, Jul–Dec 1863, UDR.

Robertson, Superintendent of the Government Farm at Sydapet, in Report on the Nilgiris, 1875, PMRD 23/11/1876, no. 401, UDR.

J. W. Breeks, Commissioner, to MRD, 21/12/1869, CCLS Aug1868–Dec 1869, UDR.

J. W. Breeks, Commissioner to Government, 5/5/1871, Procs. Madras Educational Department, 12/7/1871, no. 30, UDR.

J. W. Breeks to MBR, 26/5/1869, PMBR 1/7/1869, no. 4712, p. 5186, TNSA.


Report on Paranginad Village Topes by First Class Revenue Inspector, Namaseevanah Moodlier, 23/10/1869, Misc. Letters Received, 16/9/1869–28/12/1869, UDR.

J. D. Rees, Nilgiri Collector to Commissioner of Land Revenue, 15/4/1892, PMRD, 7/10/1892, no. 1028, pp. 111–116, OIOC.


J. W. Breeks to MBR, 14/5/1869, PMBR 6/7/1869, no. 4818, TNSA.


J. Ouchterlony to P. Grant, Collector, 21/7/1863, CCRL, Jul–Dec, UDR.

Morgan, Forestry in Southern India; H. Cleghorn, Conservator of Forests to Government, 10/4/1858, PMRD 8/6/1858, UDR.

Morgan, H. R., Forestry in Southern India, p. 4.

Ibid.

Ibid.


The costs, including the one thousand rupees expended yearly on the salary of the Overseer Hall, was almost Rs 17,000 for a plantation of just over 100 acres. Major H. R. Morgan, Officiating Conservator of Forests, to Government, 1/5/1862, PMRD, 19/9/1862, nos. 383–384, UDR.

Ibid.

Ibid.

Despatch of Secretary of State for India, Revenue to Governor in Council, Fort St. George, 16/5/1866, PMRD 7/8/1866, nos. 122–123. G.O. no. 1972, TNSA.

PMRD 12/10/1866, no. 2776, TNSA.

PMRD 8/12/1868, no. 8619, p. 8634, TNSA.

Other Landscapes

98 Report by Captain H. R. Morgan, Officiating Conservator of Forests to MRD, 24/9/1861, PMRD, 25/4/1862, no. 656, p. 1153, OIOC.

99 J. R. Cockerell, Commissioner of the Hills to MBR, 7/7/1876, PMRD 23/11/1876, UDR.


103 R. H. Beddome, Conservator of Forests, Report on the Nilgiri Plantations, submitted 17/7/1879, PMBR 1/10/1879, no. 2744, TNSA.

104 Morgan estimated the potential profits of eucalyptus plantations at Rs 10,899 per acre. Morgan, Forestry in Southern India, pp. 43, 69, 138.


107 Paris Universal Exhibition of 1867; Catalogue of the British Section, containing a list of the exhibitors of the United Kingdom and its colonies and the objects which they exhibit, London, 1867.

108 J. W. Breeks, Commissioner, to MBR, 14/5/1869, from Trotter’s “Notes sur l’Eucalyptus et subsidianement sur la nécessité du reboisement de l’Algeur”, reproduced in PMBR 6/7/1869, no. 4818, p. 5307, TNSA; Breeks also claimed that eucalyptus species were ‘at least equal to Teak for the various purposes for which teak is wanted’. J. W. Breeks to Madras Revenue Department, 21/12/1869, CCLS Aug. 1868–Dec. 1869, UDR.


112 For an example of a text which extolled the virtue of specific genera and species see Kingzett, C.T., Nature’s Hygiene. A Series of Essays on popular scientific subjects with special reference to the chemistry and hygiene of the eucalyptus and the pine. London, 1880.


114 The debates surrounding the creation of the Madras Act is discussed in Guha, R, ‘An early environmental debate: The making of the 1878 forest act’. In Indian Economic and Social History Review, vol. 27, no. 1 (1990) pp. 65–84.

115 Forest Reserve Commission to Government, 16/1/1878, PMBR 27/8/1878, no. 2400, OIOC.

156
Changing the Nature of Forests: Conservancy, Science and Aesthetics

116 Ibid.
117 Deputy Superintendent, Revenue Survey to Coimbatore Collectore, 8/2/1879, Survey Dept. Receive File, 1879, UDR.
118 Memorandum by R. W. Barlow, Acting Commissioner of the Nilgiris, 28/7/1878, PMBR 27/8/1878, no. 2400, TNSA.
119 J. S. Gamble to MBR, 17/2/1883, PMBR 13/3/1883, no. 718, UDR.
120 1200 acres would be increased to 5000 acres. Brandis, Suggestions regarding Forest Administration, p. 258.
121 Ibid., p. 260.
122 Ibid., p. 250.
123 Ibid., p. 257.
125 J. D. Rees to Commissioners of Land Revenue, 22/2/1894. PMRD 17/7/1894, pp. 347–391, no. 511, OIOC.
126 Brandis., Suggestions regarding Forest Administration, p. 258.
127 Ibid., p. 257.
128 PMBR 10/11/1883, no. 3392, UDR; J. S. Gamble, 28/11/1883, PMBR, 10/12/1883, no. 3735, UDR.
129 J. S. Gamble to MBR, 28/11/1883, PMBR, 10/12/1883, no. 3735, UDR.
130 J. S. Gamble to MBR, 24/10/1884, PMBR, 17/11/1884, no. 3902, TNSA.
131 Memoir of the Nunjanad Forest Reserve. PMBR 17/11/1884, no3902, TNSA.
132 R. S. Benson to MBR, 19/3/1884, PMBR 2/5/1884, no. 586, p. 65, OIOC.
133 PMBR 2/5/1884, no. 586, p. 65, OIOC.
134 Section 4 of the act allowed access rights, section 25 foreclosed any need for an investigation of existing community resource rights and left the Forest Department as the sole right holder over the forests.
135 J. S. Gamble to Collector of Nilgiris, 23/11/1884, PMBR 9/12/1884, no. 4228, TNSA.
136 Ibid.
137 Wolfe-Murray, Collector of the Nilgiris, PMRD 17/7/1894, pp. 347–391, no. 511, OIOC.
138 H. V. Cobb, Forest Settlement Officer to C. F. MacCartie, Acting Collector of Nilgiris, 21/8/1891, PMBR (Land Revenue), 26/4/1893, Forest no. 297, UDR.
139 Government Resolution, PMBR (Land Revenue), 26/4/1893, Forest no. 297, UDR.
140 PMRD 7/1/1887, no. 2, pp. 5–7, OIOC.
141 J. S. Gamble to MBR, 19/1/1885, PMBR 24/2/1885, no. 627, UDR.
142 Gamble referred to Balakola village forest but in doing do states that it will be fenced and access given only to a shrine on the top of a hill in the reserve. PMRD 14/10/1887, no. 981, pp. 159–196, OIOC.
Other Landscapes

144 PMJD, 22/9/1884, no. 2424, UDR.

145 Ibid. Police cognisance of forest offences was generally discouraged by the Madras government. No forest offence under the 1882 Act carried a maximum punishment of more than three years and therefore none were subject to police investigation. However, theft and fires were offences under the Criminal Procedure Code and therefore, as and when it was desirable, the police could be involved in forest offences. Plans of the reserved forests were supplied to neighbouring police stations and a set of rules devised for the guidance of police on forest matters.


147 A. E. C. Stuart, Forest Settlement Officer to L. R. Burrows, Collector of the Nilgiris, 30/6/1885, PMBR 25/7/1885, no. 2471, TNSA.

148 Ibid.

149 H. V. Cobb, Forest Settlement Officer, to J. D. Rees, Collector of the Nilgiris, 5/12/1892, PMBR (Land Revenue) 15/4/1893, Forest no. 270, UDR.

150 Letter from Agricola, NN 4/1/1897, p. 5.

151 Brandis, Suggestions regarding Forest Administration, p. 250.

152 Grant Duff, Governor of Madras, PMBR 2/11/1886, no. 951, pp. 177–181, OIOC.

153 PMBR 9/6/1885, no. 1693, OIOC.

154 PMBR 9/10/1897, no. 860, pp. 226–231, OIOC.

155 Ibid.

156 PMRD 17/7/1894, no. 511, pp. 347–391, OIOC.

157 Brandis, Suggestions regarding Forest Administration, p. 36. For a discussion of Toda pattahs within reservation and revenue policy, see chapter five.

158 J. H. A. Tremenheere, Collector of the Nilgiris to Commissioners of Land Revenue, 31/7/1897, PMRD 9/10/1897, no. 860, pp. 226–231, OIOC.

159 SIO 10/5/1884, p. 7, col. 4.

160 SIO 29/12/1883, p. 9, col. 3.

161 SIO 14/8/1887, p. 3, col. 2.

162 H. E. Sullivan, PMRD 2/11/1886, no. 951, pp. 177–181, OIOC.

163 Ibid.

164 The Committee, along with Dietrich Brandis, consisted of the Collectors of Malabar, Salem and North Arcot and J. Campbell Walker, Conservator of Forests. PMBR 15/1/1883, no. 96, UDR.

165 Baikie, The Neelgherries, p. 54; see also Hough, Letters on the Climate, pp. 21–22.

166 SIO 28/8/1886, p. 2, col. 3; Weir, a visitor to hills, to Barlow, Commissioner, 16/6/1879, Land Revenue File, 1879, UDR; Price, Ootacamund; H. E. Sullivan, PMRD 2/11/1886, no. 951, pp. 177–181, OIOC.


169 W. G. McIvor to MRD, 7/1/1863, P. Grant to MRD, 15/1/1863, PMRD 23/1/1863, nos. 292–294, pp. 149–150, OIOC.
A number of instances exist, the most prominent being Deva shola and Buthery shola, the first destroyed for fuel and chinchona land over a period of twenty-five years and the second felled to establish Cairn Hill conifer plantation at Brandis’ suggestion. In both instances, officers of the Madras government had called for preservation but local attrition, or complete and swift destruction, continued.

Weir, a visitor to hills, to Barlow, Commissioner, 16/6/1879, Land Revenue Receive File, 1879, UDR.

This statement is based on searches made of published photographs, prints, drawing and photographs from the European Mss. Collection of the OIOC, British Library and three albums of photographs taken by students of the Government School of Arts and Crafts, Madras between 1869 and 1875.

J. S. Gamble, ‘Inspection Note on the Nilgiri District’, PMBR 14/10/1887, no. 981, pp. 159–196, OIOC.

Forest Reserve Commission to Government, 16/1/1878, PMBR 27/8/1878, no. 2400, TNSA.


J. S. Gamble to Commissioner of Land Revenue, 8/3/1890, PMRD 3/2/1891, no. 73, pp. 87–97, OIOC.
As explored in Chapter 2, any legal implications which might follow from the rights Sullivan attempted to invest in Toda autochthony had been quickly diffused. However, in travelogues, ethnographic accounts and legislative discourse throughout the nineteenth century the Todas were set apart from others on the hills, and from other pastoralist communities in British India. The preoccupation with the origins and aboriginality of the Todas saw theories endlessly combined and recombined. A large amount has been written on the ‘madcap postulations’ of travel writers and amateur ethnologists in the nineteenth century and a smaller amount about the attempts of the colonial government to ‘protect’ the Todas’ pastoral way of life. As Gunnel Cederlöf has pointed out, existing work on the land rights legislation has tended to rely uncritically upon gazetteers and Imperial histories. Very little has been drawn from this evidence beyond anecdote and generalisation. For example, the anthropologist David Mandelbaum, without elaboration, summarised colonial policy toward the Todas as the grant of ‘special advantages … with a kind of exasperated admiration’. None of the existing accounts discuss the material effects of either the popular ethnologies or official restrictions that led to one early twentieth-century ethnologist to describe the Todas as ‘a specimen of what might be called “stall fed aborigines”’. The plethora of narratives which constitute the exceptionalism of the Todas are an index of the Imperial imagination but within them the Toda is a cipher; an almost vacuous signifier within the eddies and currents of Imperial discourse. In one of the earliest accounts, Description of a Singular Aboriginal Race, Henry Harkness whimsically exercises eighteenth century theories of post-diluvian migration across the origins of the Todas. Later,
Imperial Landscapes and Inalienable Land

less biblical migratory meta-narratives held the Nilgiri Tribes to be of Sythic or Turanian (related to the Celts of the West) origin who were displaced to the hills and forests by later waves of more aggressive and progressive Aryans.\(^7\)

Even after these origin narratives had receded and been replaced by race science and ethnography, more concerned with the body and society of the savage than with his past, certain particulate ‘truths’ endured the obsolescence of the knowledge systems which had produced them. And so the phrenologist, William Marshall, included in his anthropometric analysis of Toda skulls his conviction that the tribe were of Turanian origin with ‘much of the blameless Ethiopian about them’.\(^8\) Marshall’s phrenological study of the Todas was testament to the longevity of phrenology as an anthropometric science, but it received little credibility from its peers and Marshall was refused Government patronage for a second study.\(^9\) One of the most irresistible accounts of Toda origins, though one which has received scant attention was produced by Theosophist, Helene Petrovna Blavatsky. Blavatsky claimed that whoever Marshall had encountered on the Nilgiris they were ‘not the degenerate remnants of the tribe’ he had described.\(^10\) The skin of the Todas in the photographs published in Marshall’s account was too light, claimed Blavatsky.\(^11\) Instead, she had been informed by ‘a very holy personage, a Brahmanam-guru’, that the people identified in European accounts as Todas were in fact ‘not born of Toda mothers, nor of Toda parentage; they are the children of a certain very select sect, and are set apart from their infancy for special religious purposes. Recognized by a peculiarity of complexion, and certain other signs, such a child is known as what is vulgarly termed a Toda, from birth.’\(^12\) Although compellingly eccentric, to say the least, Blavatsky’s theory of a ‘sect’ set apart from birth for ‘special religious purposes’ is a striking illustration of the endless retrieval and reinvention of the Toda mystique. Blavatsky’s simultaneous rejection of race science and projection of a hyper-spirituality on to the Todas was transparently predetermined by the paradoxes of her own obsession with Brahmanism. Blavatsky’s theory, incidentally, required her to state with certainty that ‘nobody ever saw the funeral of a Toda’.\(^13\)

The preoccupation with origins represented an ethnic delineation, not a historicisation. Consistent in the idiomatic obsession with origins in these narratives there is a deeper, recurrent theme, that of place. The essence of the Todas was their being in space; undifferentiated, ahistorical and perfectly immobile. In most of these narratives, only informants,
necessary apertures, were named or distinguished from the category in order to authenticate their information about the more important ‘tribe’. The Todas were of the landscape in a way that the other communities, and in particular the arriviste Badagas, were not. By the end of the century, the Todas, unlike the other hill communities, were a desired attribute of the hills but this desire depended upon a delimitation of what the Toda was, and importantly, where this desired subject was to be found. The second half of the nineteenth century saw the mapping of the Todas onto their proper ‘place’, the mund, which had, by the end of the century, evolved into a prescriptive iconography of the colonised Nilgiri landscape.

LAND ALLOCATION, 1843–1870

In 1843, following the aborted career of gudu, a decree from the Court of Directors limited the rights of the indigenous communities on the hills to usufruct. For the Todas, within an area of three bullahs (11.46 acres) of their villages and over religious sites, those usufruct rights were described as ‘absolute’. The wish of the Court in establishing the parameters of Toda land tenure was, in keeping with the principle of indigenous precedence, to guard ‘from all interference the munds, sites of villages and spots held in particular veneration by the Todas’. The protection imposed on Toda lands was more voluble than that directed at other communities and was qualified by a demonstrative paternalism. The Court also outlawed ‘the grant of any lands in the vicinity of their places of residence in the hope that these may be hereafter cultivated by the Todas themselves when they shall be induced to engage in cultivation’. The protection, therefore, was designed to be transitional; to last only as long as it took the Todas to begin to cultivate.

In translation into local policy, the intention of the Court was rendered a little differently. The Court’s directive suggested the total exceptation of certain lands from alienation. However, the Madras revenue authorities, in the throws of parcelling out land on the hills, abhorred an exception. The Manual for the alienation of land was deemed to be applicable to any and all lands on the hills including ‘the lands of the Todas and all other Native inhabitants’. Ochterlony had been instructed to survey the lands ‘to be left in the occupation of the Todas’, not with the aim of reserving those lands absolutely, but only in order to exclude them from the category of waste-land, that is to say, land completely at government’s disposal.
During his survey, Ouchterlony noted that only seven munds were located outside of Todanad and recommended that henceforth it would be expedient to consider the extent of Toda land-holding to be limited to that district. Ouchterlony's remark, as well as once again making clear that the surveys were far more interventionist than they were representative, was also constitutive of a relationship between topography and ethnicity. An idea of the Todas was constructed which imagined them living in, and inseparable from, a particular topography – the Malnad, the Nilgiris of the sholas and grasslands.

While the revenue authorities were increasingly exercised during the 1850s and 1860s by attempts to segment and delineate patta(s held by Badagas, the land use patterns of the Todas remained un-enumerated and un-surveyed. When recommending survey instructions to the Board of Revenue at the start of the 1850s, the Collector stated 'Respecting Todas it will be sufficient that all munds in use and not in use be marked on the map.' The mund site, therefore, provided the focal point and sum total of government cognisance. Little interest existed in accurately demarcating pastoral usufruct or occupation.

In 1863, representatives of the Toda community asked that an additional nine bullahs (slightly over thirty four acres) under grazing patta be made over to the Toda communities. At their suggestion, the land was made over on the 'understanding' that the land would not be sold. P. Grant, the Collector of Coimbatore, recommended the allocation as essential 'standing room' for the Todas in an increasingly predatory land market. The allocation was precipitated by nothing more than a change in taxation laws. The grass pattas were to replace existing pattas that the Todas had held as a cattle tax. The cattle tax had now been removed and without an allocation of land the Todas would pay nothing, and hold no documents, for the grazing land needed to feed their herds. This allocation, therefore, was initially not a 'reserve', as it was later known, but simply an administrative necessity. The grazing areas were, like the 1843 allowance before it, to be permanently demarcated and were given to the Todas at the exceptionally low rate of 2 annas per acre, half the normal rate for grazing land on the hills. This concession was granted by the usually less than indulgent Board of Revenue on the grounds that the Todas were 'so perfectly exceptional'.

This exceptionalism from the usual course of agrarian administration on the hills was reinforced in official memoranda that made clear that Toda occupation was understood in a very different register from that
of other hill communities. P. Grant referring to *shola* conservation on the hills remarked, for example, that ‘If all the *mund sholas* are allowed to be cut down, the Todas, I consider are doomed to an early extinction. Their homes now surrounded with a thousand pleasing associations will become uninhabitable and they themselves feeling that they have been deserted by the Government to which they looked for protection will, it is feared, become a sullen and discontented people, smarting under a sense of unjust treatment.’22 Grant’s remarks create a model of dependence in which the Todas took no active part: the Todas were dependent upon the *sholas*, though possessed no rights to them. The *sholas*, and by extension the Todas, were dependent upon government.

Grant’s appeal also alluded to more progressive aims. He claimed that allocating *sholas* to Toda communities would ‘be a means ... to get them to take to agriculture ... as it will tend to keep them settled in particular localities’ though he included no elaboration as to how this end would be effected.23 The Madras government was less convinced and refused to sanction the total reservation of *sholas* near the *mund* sites. According to the Settlement Officer, Toda control of a valuable resource had the potential to ‘cripple the development of the planting industries of the district’.24 He also pointed out that no rights other than those outlined under the terms of the 1843 grants, which made no mention of forests, should be granted. The allowance on the basis of exceptionalism was refused but this exchange offers an important aperture into the peculiar and particular attitudes crystallising around the Toda community in authoritarian discourse: first, the consolidation of a distinctive idiom which set the Todas apart from other communities; second, an assumed dependence of Todas upon their environment, qualified by the conviction that they themselves were incapable of sustaining that environment and in turn making the Todas dependent upon the state.

Although the agreement included an understanding that the lands would not be sold, this was not an enforced condition of the allocation. Grant stated that the Todas were ‘at liberty to sell the lands allowed to them by Government ... adjacent to their *munds*. If they part with these lands they cannot then expect to get other lands on equally favourable terms.’25 No action was taken to prevent voluntary transfer. *Pattas* obtained from Todas were routinely registered at the Collectorate throughout the 1850s and 1860s. The purchase of *pattas* from Todas, all of which contained *shola*, was a well-known means of getting round government restrictions on the
sale of forest. The revenue authorities tolerated the description of shola land as the Todas’ ‘private property’ and even aided in their alienation by verifying pattas submitted to the Collectorate by planters. In 1866 when James Hunter, a Coonoor-based coffee planter, sent a patta document that a Toda named Checken had offered to sell him, the Collector not only informed him that the patta did not refer to the land offered but specified the area that was actually detailed by the patta and stated there was no objection to the purchase of that land.

The Todas were free to alienate any of the forty-six acres allowed to them. However, over the same period, the protection of Toda munds became a beacon of government’s protection of indigenous rights. The Collector was instructed by the Board of Revenue to ensure that applications for land were far from Toda habitations or places appropriated for ‘religious rights’, an order never replicated in the case of any other community. The reservation of ‘land adjoining Toda munds’ became a general rule guiding land allocation in a still barely mapped landscape. In 1859, a settler’s three-year-old purchase was annulled by the Madras Government on finding that the thirty five cawnies (46 acres) of land he had bought at auction were in the ‘immediate vicinity of a Mund appropriated by the Todas to religious rites, and that its occupation by Mr. Rhode is a great inconvenience to them’. Rhode was forced to repeat the whole process of selection and auction again. Grant, apparently unilaterally, instituted a rule restricting the sale to planters of any shola within a three bullah radius of a Toda habitation site. A counter claim made by a Toda could halt land alienation although this distinction was remarkable in relation to the inability of other communities to generally make any impact on land colonisation and did not necessarily protect Toda communities from land-grabbing as cases described Chapter 3 made clear.

In 1869, the revenue authorities recorded that the Todas held 3,128 acres at the 2 annas per acre rate. This figure was obtained by multiplying the forty-six acres allowance by the number of known munds. No survey of the actual usufruct area of the communities was ever undertaken. The local authorities admitted that the land allocations were of ‘rather indefinite location’. Neither the 1843 nor the 1863 allocation had ever been surveyed as government had ordered. Determining the location of patta lands was still dependent upon the information of residents and local officers on the occasion of a sale or dispute which meant that the official knowledge of the patta’s location was easily undermined or altered. The Toda themselves
gained by land alienation and sabotaged government attempts to demarcate specific plots of land. ‘Todas,’ complained an Assistant Collector, ‘with a view no doubt to create confusion and throw difficulty in the way of the sale of wastelands are in the habit of putting up similar marks [to those of the official survey] as suits their convenience.’\textsuperscript{36} The fact is that the revenue authorities had little sense of where the lands used as Toda pastoral usufruct were. The graziers use of pasture was not limited by \textit{patta} and the Todas continued to graze over the ‘whole of the plateau’\textsuperscript{37}.

By the 1860s, therefore, the rights of Toda communities were subject to a differential treatment. However, the Madras authorities were circumspect in conferring any exclusive or exceptional rights on them. Before returning to the hardening of distinctive legislation in the latter part of the nineteenth century, this chapter turns to the development of the peculiar cadence which accumulated around the Toda \textit{patta} under the broad influence of a set of ideas about the Todas and the Toda \textit{mund} from the 1820s onwards.

\textit{‘IN THIS THE LAND OF THE TODAS’\textsuperscript{38}}

\textbf{THE ICONOGRAPHY OF THE MUND}

The nineteenth century saw the development and solidification of a discourse in which the Todas were as fundamentally different from the other communities on the hills and implicitly different from other pastoralist communities of British India. After Sullivan’s attempt to establish Toda proprietorship on the hills failed the discursive motif of exceptionalism he created endured beyond the material proof which he had claimed underwrote it: \textit{gudu}. Instead, ethnology and romantic travel writing merged to create a conceptual geography which fixed, indeed, emblazoned, the Toda on to the landscape of the Nilgiris. This indelible imprint of people and place relied upon the (dis)placement of the Todas into another, separate space, that of the \textit{mund}. The idea of the ‘Toda tribe’ was constructed as belonging to a different landscape and an exceptional order of space.

Although dismissed as evidence of substantive land-rights, some vague notion of \textit{gudu} was retained as a marker of the indolent nobility of the Todas. The Todas were believed to ‘pass the greater part of their time in idleness; lolling about and gossiping in their \textit{munds}, or strolling over the hills’.\textsuperscript{39} One author remarked that if the ‘Todas were ‘reduced to the necessity of working for their bread [and were] placed on a footing with the Burghers and others, they would no doubt become rapidly extinct’.\textsuperscript{40} Ochterlony’s
survey, while it omitted the agrarian usufruct of any community, made notes on the positioning of habitation sites and production. He noted that Badaga villages were located in valley floors to maximise access to water and the richest soil deposits. The Toda *munds*, on the other hand, were ‘selected more with the view to the picturesque and sylvan character of the surrounding scenery, and to the propinquity of forests, than to the advantages of the habitat for agricultural or social purposes’. Kavita Philip convincingly identifies productive utilisation of land as a key index in colonial regimes of surveillance and the representation of Todas as indolent, pastoralist landlords certainly fits this interpretation. The encouragement of cultivation among Todas featured in a great deal of official correspondence with the Madras government. However, reference to improvement in the case of the Todas was frequently an addendum, a token recognition of progressive long term policy rather than a directive – in stark contrast to the criminalisation of bhurty cultivation which was considered to invalidate the land rights of other communities. This rather conspicuous toleration, and romanticisation, of perceived indolence could only be accommodated within an isolated discursive and physical space. It was not the Todas who were exceptional, but the range of anxieties, contingencies and knowledges that their discursive and spatial confinement made reasonable and resolvable. The physical space of this accommodation was the *mund*.

In visual representations, the *mund* site became the key medium by which the significance and investments in the Todas were understood. The frontispiece of a travel and ethnographic narrative published in 1832, depicting a nuclear Toda family of a man, a woman and a child (Plate 6.1 overleaf), has been used to betoken the relationship between the Todas and the plateau fetishised and privileged in European narratives and descriptions. A more powerful image, however, was that of the Toda *mund* as an ‘illustrative’ tableau which appeared as early as 1834 (Plates 6.2 and 6.3, overleaf). The distinct backdrop of the half-barrel Toda dwellings, *shola* and the absence of production became the signifying characteristics of the *mund* and of the Todas. The surrounding wall which was a feature of most *munds* was excluded from these portraits to give a sense of openness and visibility. Later photographs borrowed the form of earlier lithographs and sketches and mirror almost exactly the composite elements of the earlier representations. See Plates 6.4 (p. 169) and 6.5 (p. 170).
Other Landscapes

Plate 6.1. ‘A Tuda Family’, frontispiece, H Harkness.,
A Description of a Singular Aboriginal Race In-
habitng the Summit of the Neilgherry Hills, or Blue
Mountains of Coimbatoor, in the Southern Peninsula
of India. London, 1832.

Plate 6.2. ‘A Toda Family and their Dwelling’; R. Baikie, The Neilgherries: Including an
Account of their Topography, Climate, Soil and Productions. And the Effects of the Climate

Other Landscapes


The mund image was more than a fragment of the history of ethnographic and romantic travelogues. It was an image which was used to speak for the relationship between the settlers and the hills. In 1869, the Madras Mail carried an advertisement for a firm of photographers:

‘We would especially mention a view of the Toda Mund near Sylk’s, Kandalmund, which is essentially characteristic of the Neilgherries, and a large vignette of a Toda, which would give a very perfect idea to the “old folks at home” of the original inhabitants of the land we live in.’

Photography transformed the image of the mund into an internationally recognised signifier of the Nilgiris and more specifically, the Nilgiris colonised by Europeans.

A genre of narratives evolved across the idea of the mund which linked settlers and place. The mund was more than an image, it was a place both exotically remote and spatially proximate and, potentially, an experience. These narratives are characterised, in common with other narratives of place created in settler societies, by an implicit emphasis on unobstructed passage and access. Belying the fact that guide books to the Nilgiris recommended a visit to a mund and gave routes to named munds, any
formalism or suggestion of tourism was avoided in these narratives. Visits to munds were the result of happenstance, not design:

[A] sabbath evening I happened to walk in the woods not far away from my house ... I scarcely knew how long I was walking when I suddenly found myself in the midst of a stone enclosure ... The merry sound of voices heard from all sides showed that I was not alone and on looking before me I saw a queer, pleasant sight – five little huts, most curiously and ingeniously built rose before me ... 48

These accounts are sensory and sensual. They dwell on the first hand, physical experience of the mund: “The doorway is so small that to get inside one has to go down on all fours, and even then some wriggling is required.” 49 The accounts were written to emphasise the tangibility of the experience, its authenticity despite the ‘otherworldliness’ of the Toda munds and the Todas themselves. Mapping fictive-on to living landscapes, and vice versa, one sightseer to a mund described the doors to the huts as ‘Lilliputian’. 50 If ‘monuments and buildings’ and ‘the household’ are the core elements of the ‘European image of “culture”’, 51 it seems to be no co-incidence that access to the barrel shaped huts of the tribe was regarded as a given.

Mrs. John Murray Mitchell, in her account of her visit to Marlimund published in 1885, created a strong aesthetic of an open landscape of which the munds were a seamless part:

At length, descending to a valley round a wooded shoulder, we came on one of the loveliest spots one could picture; a sort of wide hollow, sheltered by some hill-tops, clothed with the richest sward, and having some fine trees and shola about, in which the evening sunlight was glinting exquisitely. But what at once arrested our attention was that on the sward, surrounded by all this beauty, stood three or four erections, the queerest and quaintest you could conceive. It was hard to believe that they were human habitations, though some human figures sat in front, quite as strange looking as the dwellings. They sat on the grass, basking in the sun, completely wrapped in their blankets, nothing being visible above but their heads, covered with a bush of thick, coarse black hair. One or two of the heads differed, in having a profusion of elf-like ringlets round the face and neck; these we found belonged to the women. You have wished to see a Toda-mund exclaimed our friend; there is one!’ 52

After a ‘long interview’ with the Todas of Marlimund, the visiting party withdrew and chose

171
Other Landscapes

... a lovely spot to encamp and rest. We crept under the shade of a thick mass of thorny jungle-bush, with green sward below, carpeted with brown, dry leaves. Here we ate our lunch after which the children lay down on the rugs to sleep, and we read aloud about the Todas. The birds were frightened into silence at first, but presently began their merry little carols again and filled the air with melody. The wild people soon discovered our retreat, and stalked up to us in their long blankets making a ring around us, for by this time some of the men had returned from the pasture grounds. They begged hard for more white money; the goodu, I suppose, they thought it only right we should pay.53

Mrs. Mitchell’s party carried with them a body of knowledge ‘about the Todas’ which they consulted, like strolling tourists dipping into Pevsner, at the mund itself. In a bizarre reversal, the ‘wild’ Todas, things apart from the texts, became the cultural interlocutors and impinging on the visitors’ reading. The demand of money made of the uninvited guests could have potentially unsettled a narrative which relied upon the Todas remaining an unspoil resource of the hills. Mitchell, however, translated the request into a naïve request for ‘white money’ understood by the Todas as ‘goodu’, a customary payment. It was admitted elsewhere that Todas observed and acted upon the surveillance of revenue officials, ethnographers and tourists.54 In these narratives, however, the sensory experience of the mund was buffered by ‘factual’ ethnologies, ensuring that nothing the Todas did would detract from their fetishisation as totems of the colonised hills. Circumscribed by Mitchell’s narrative the mund sites offered more than a pristine agrarian environment where the considerable material effects of the colonial intervention could be denied outright, they also furnished a fictionalised reality which could be shared with local readers, correspondents and Imperial bibliophiles alike.

These idyllic, iconographic spaces, therefore, were also very specific spaces, of both land and of discourse. The idealised space of the mund became a theatre in which visitors learned, rested and refreshed themselves in the beauty of primitive nature. The mund provided a space for demonstration of a staged admiration of the hill aborigines. The mund was bounded in these narratives, but not by the usual mechanisms of colonial administration. The projections of the narratives had no place for acreage, demarcation and revenues. The mund encounter narrative was a space of pretence, of non-colonisation. The non-applicability of the normal codes and rules of colonialism were the markers and determinants of the mund site (and sight).
Imperial Landscapes and Inalienable Land

The benevolent fascination communicated by these encounter narratives glossed the realities of colonisation. The idealised *mund* was a space over which the site-seer had complete control: over the site’s position and the circumstances of the encounter. When these conditions were not met, there was nothing exceptional about Toda occupation. As discussed in Chapter 4, settlers lied to and bullied Todas where they stood in the way of a land appropriation. As many complaints were made against the Todas in the course of colonisation as against any other community whose usufruct, subsistence, or simple proximity was resented by settlers as a threat or nuisance.\(^{55}\) Settlers were often far from entranced by the charms of Toda occupation. In the 1850s, a group of European residents clubbed together and offered the Todas of a *mund* nearby their homes Rs 500 for only one *cawnie* of land, ‘simply to get rid of them.’ The presence of a Toda *mund* was, to these residents, ‘a nuisance.’\(^{56}\) Yet images could, and did, suggest a quiet and desirable proximity between colonisers and the *munds*. A photograph taken by Edmund David Lyon in the 1860s, which was exhibited at the Paris International Exhibition in 1867, foregrounds a *mund* with a European bungalow resting immediately behind and above it.

Plate 6.6. ‘Mund and Bungalow’, c.1865–66, photograph by Edmund David Lyon, Prints and Drawings Collection, OIOC.
SETTLEMENT AND SURVEY: THE TODO PATTA

The first attempt to address the disparity between the official land allocations and the landscape as the Todas lived within it was made in 1871 by District Commissioner J. W. Breeks, himself an amateur ethnologist. Breeks attempted to ‘call in’ all Toda pattas in order to more firmly secure the terms of their tenure and location. The response to Breeks’ orders was unenthusiastic. Of sixty-six pattas which had been issued to members of Toda communities, only thirty-two were produced at the Collectorate, the others, pattadar claimed, had been ‘lost or destroyed’.

This surprisingly low number of pattas, for a population estimated at 704 in 1868 inhabiting, seasonally and permanently, at least seventy-nine munds, indicates the discrepancy between authoritarian and subaltern conceptions of land tenure documents in relation to usufruct and the agrarian landscape. Of the thirty-four unsubmitted pattas some may have been misplaced or alienated but deliberate non-submission in an attempt to avoid further restrictions seems the most likely cause. Breeks, on the orders of government, issued fresh pattas for all the Todas’ grazing grounds assigned in 1863, and entered on the back of them in red ink: ‘That Puttadar had no right either to sell the land or fell the shola or fell the shola and sell the wood.’

An announcement was placed in the District Gazette, and sporadically repeated over the next two decades, cautioning the public against the purchase of Toda lands. Those lands, warned the notice, could not ‘be sold by the Todah communities or individuals, in whose names the puttahs are issued’. So was born the TODO PATTA, a form of lease exclusive to one community, the Todas; and one location, the mund, which limited the maximum area of land it documented to one amount, twelve bullahas.

Breeks attempted to fuse ethnographic and authoritarian knowledge by matching pattas to authentic Toda topographical knowledge provided by Freidrich Metz of the Basel Mission. Metz informed Breeks that the names used in the maps produced by Ouchterlony, who had prided himself on the authenticity of his local knowledge, were almost all wrong, and arranged for an elderly Toda named Alben of Atta Korre mund near Ootacamund to act as an informant. Using Metz and Alben, Breeks sought to establish the boundaries of each patta held by the Todas. The cultural geography of the Todas, however, did not lend itself to the priorities of cadastral survey. The Todas inhabited a landscape of dispersed sacred sites; multiple names existed for the same place and prohibitions existed against certain members...
of the communities, particularly women, from using some names. This did not go unnoticed in the nineteenth century; Metz himself had reported the existence of 338 ‘idols’ which formed a sacred geography of the Todas. There was no single, authoritative geography, therefore, upon which Breeks could map and monitor Toda pattas. Breeks failed in his attempt to pin down the limits of the Toda pattas and when the revenue survey of the hills began in the 1870s, he urged the early demarcation of the mund sites as ‘necessary in the interests of government’. The surveyors were instructed that the twelve-bullah area was prescriptive of the land each mund was to be assigned – they had only to establish where each allocation lay. Despite these minimum instructions, however, by the time Breeks’ term as Commissioner ended in 1871 only those munds that lay within the settlements had been demarcated.

In order to circumvent the restrictions on land-sales, Toda pattadar entered into long-term lease-agreements. To Breeks, these leases represented a devious and profiteering manipulation of official restrictions; restrictions he considered to have been set in place only for the good of the community who now undermined them. He did not consider that Todas might have been protecting their own interest in lands by means of these agreements. To revenue officials, these lease alienations provided further proof that the Todas were unfit to manage their land. In response, in 1879, the Commissioner ordered that the Todas should be warned that long leases would be ‘constituted as an absolute transfer’ by government and would result in the permanent loss of the lands. Another course of action recommended was the cancellation of the Todapatta and re-designation of the land as waste. The local authorities determined that leases would be taken to imply ‘that the Todas do not require the land for the purpose for which it was granted, viz. grazing’ and therefore that the land should be re-appropriated by government. This threat was only likely to encourage planters to lease land in the hope that they would, in the course of government’s punishment of the vendors, derive permanent rights to the land. In cases where a Toda patta was leased, the state confiscated the land only after the lease on which it was temporarily alienated expired. Both these measures, either confirming the sale as permanent or re-designating the land as waste, were directed solely against the Toda vendor. Neither measure upset the rights guaranteed by a private land market to those who were deemed able to participate in it fully.
By the 1880s, the revenue authorities did attempt to pursue a course of action directed at the purchasers of Toda *pattas*. Putative rates of assessment, Rs 1000 per acre of forest lands and Rs 100 per acre of grass lands, were to be levied on any land obtained from a Toda land holder. This penal rate was designed to ensure that any such lands would, when the purchaser inevitably failed to pay, return to government control. On detecting fraudulent purchases, however, government was less than strict. During the Settlement Survey of the 1880s, Ossington Estate was discovered to have purchased twelve *bullahs* of land from Karaven, a Toda from Tholgum *mund* near Pykara. The estate owners could not feign ignorance of the restrictions in force on Toda land: on the back of the *patta* held by the estate was written the usual warning of the *patta*'s inalienability. The sale was never registered at the Collectorate and the Todas of Tholgum continued to pay assessment on the *patta* Karaven had sold. Further complicating the sale was the fact that another *mund*, Pinkol, also occupied a portion of the land alienated. William McIvor, superintendent of the government gardens in Ootacamund and of the Government Chinchona Gardens, was managing the estate during the sale and must have been aware of the infraction. The Collector was inclined, however, to believe that the present estate owners ‘had no idea that the title was invalid’. Under the circumstances of the case the Madras Board of Revenue recommended that no penal levy be charged and that Ossington Estate be allowed to keep the lands. Liability for infringements of the restrictions imposed by inalienable *pattas* bore down exclusively upon the Toda community.

At the end of the 1870s and the beginning of the 1880s, a number of litigations were launched to test the restrictions imposed on Toda *patta* land transfers. In 1879, two Badagas, Emba Mathun and Kukkanullan, bought land from two Todas of Koothecadu *mund*. When Emba Mathun and Kukkanullan felled trees on the land, the forest department seized the wood and ordered that the sale was invalid. The Badagas brought a suit against government claiming that the sale was valid and that government should pay costs and Rs 150 compensation for the wood seized. The Ootacamund Court found against the Badagas and arrested them until all costs, amounting of Rs 61, were paid. In 1880, J. C. Hill, a planter, sued for the return of purchase money on an area of land when government prevented him from taking possession of the land that was Toda *patta*. Both cases were dubbed ‘Toda Suits’ and had a palpable effect on the tone of policy pursued toward Toda *patta* land. In both cases, the
judgements deliberately avoided dealing directly with the question of whether government could, legally, restrict the Todas from alienating land. In Hill’s suit, the Subordinate Judge warned that he was unwilling to apply ‘the principles of English law to native deeds’. To do so, he claimed, would be ‘dangerous ... [and would] tend to introduce innovations of a most revolutionary character producing results which I am unable to fully realise and shrink from contemplating.’ Although he dismissed its application, the Subordinate Judge did articulate the legal ambiguity of the inalienability now foisted on Toda lands. The suits prompted government to create conditions of land-tenure which would prevent the applicability of conventional property law.

JOINT INTEREST AND GOVERNMENT MANAGEMENT

By the 1880s, the revenue authorities and the Madras government were pursuing a more singular line with regard to land held by Todas: protection of lands near munds had become essential for the preservation of the ‘integrity of the Toda race’. The dubious legal status of land inalienability required the investment of an ethnic topography in Toda lands which only government could be trusted to protect, and if necessary enforce. Accordingly, the Madras government now charted its own policy toward the Todas as having been one of accommodation and generosity. The benevolent stance of government had ever been

... persistently directed towards ens[ur]ing the existence of the tribe a) by constantly increasing the areas of the reserves set apart for its exclusive use, and b) by constantly imposing fresh restrictions on the application of its land to any other purpose than that of grazing.

A review of government policy in 1882 pointed out that ‘originally Government not only permitted the Todas to sell to immigrants but even itself purchased large areas from them’. This point, however, was effectively silenced in the ordinances of the Madras government which refused to acknowledge the difference between the 1843 and 1863 reservations and declared that Toda land ‘had ever been inalienable’. In fact the term ‘inalienable’ appears to have made its first appearance in a notice posted in 1881 by the Collector of the hills imposing prohibitive rates of assessment on any holdings found to have been alienated from Toda munds. The
understanding of 1863, volunteered by the Todas, and never enforced by the revenue authorities, had become in retrospect a condition imposed by the authorities at the time of the grant.\textsuperscript{86} With this, inalienability developed its own internal dynamic detached from the conditions from which it had emerged. In contrast with the 1820s, when the European settlement was to be hemmed in and delimited, now the Todas were, for their own good, to be confined to their measured and demarcated munds – each consisting of shola, pasture and buildings.

The most efficient way to circumscribe the Todas’ ability to enter the saleable landscape of sale deeds and signatures was to remove any individual rights from the munds as they were cognisable by government. This impulse to cohere Toda rights into a collective, knowable stasis was nothing new. A communalisation of Toda land-rights had been used by the Madras government in addressing the coerced alienation at Candalmund in 1837. In 1883, the revenue authorities sought to legally document ‘tribal’ rights by effacing all cognisance of individual rights from the mund leases: ‘The Government have never recognised or contemplated recognising, any individual rights in Todas to particular areas of land. The privileges reserved to the Todas were intended solely for the tribe, and are incapable of alienation to individuals.’\textsuperscript{87} During the Revenue Settlement, the Madras revenue authorities ordered that ‘No puttas for Toda reserves should be issued in individual names.’\textsuperscript{88} Land would be specified only by a statement of its name and no more. Members of Toda communities, however, refused to accept leases without names and the Revenue Department grudgingly agreed to enter one or, at most two, names on the pattas ‘as representing for the time A______Mund’.\textsuperscript{89} No rights, at least in the minds of the revenue authorities, would be created by this admission and it was deemed sufficient to avoid any untoward and potentially embarrassing probing of the government’s position.

The Tahsildar warned that in practice the eradication of individual rights in land was not without hazards since to do so was also to remove any practicable liability toward government as landlord. If no individual was specified on the lease, ‘how ... would it be possible to proceed against the specific community, or indeed against any property, seeing that the community has no saleable interest in the land ...’\textsuperscript{90} Constructing a collective, undifferentiated rent agreement, therefore, was problematic. Beyond the collection of rent, there was the question of identity. Several cases of fraudulent patta alienation had taken place through the impersonation of the few Todas named on the pattas.\textsuperscript{91} The removal of identification beyond
the level of the tribe gave government only a very slim hold on the course of Toda land administration.

The revenue survey revealed just how discrepant the perceptions of land rights between officials and communities were. When land around the munds was surveyed it became clear that Toda communities considered themselves to be in possession of far more than the twelve bullahs allocated in their pattas. The one hundred and forty two munds in Todanad, Merkanad, Paranganad and the Kundahs which were surveyed gave an aggregate of 5,199.23 acres, 2,407.10 acres above the official allowance. This figure was no different from the general trend of the survey on the hills which had consistently found claims to cultivated lands and estates to be far in excess of officially registered holdings. Landholders, both settlers and hill communities, were generally given the opportunity to maintain their extended limits by paying revenues upon them and the revenue surveyors initially followed the same course with Toda claims. The inclusion, and therefore legitimisation, of excess lands by surveyors in the case of Toda lands, however, enraged the Madras government who condemned the action as ‘absolutely destitute of authority’ and demanded an explanation for the inclusion of excess, despite the instructions which Breeks had issued to the surveyors when the Revenue Survey began. The Madras Board’s affront at the inclusion of land was laid out in terms of anxieties over the competence of the Todas to be invested with land rights. The land assigned to the Todas, they claimed, ‘has but little value for them, and the temptation to part with it for ready-money is irresistible’. Government ordered that the Todas be confirmed in possession of only 2,604 acres in strict accordance with the allowance of forty-six acres per mund. The excess lands were to be registered as ‘Government Reserve for Toda Grazing’. By the time the Settlement was completed, only 1,392 acres of this excess was confirmed as free grazing land in the final Settlement Registers. One hundred and three munds were registered in the 883 Settlement Report. The recognised Todapattas in Kundanad, Paranganad and Todanad accounted for considerably less than the forty-six acres prescribed by the 1843 and 1863 grants. In Todanad, the average size of patta holding was only 20 acres, in Kundanad 14 acres and in Paranganad only 8.6 acres per mund. In Merkanad, in contrast, five munds held an aggregate of 497.26 acres, or 99.45 per mund. This lack of fit, between the allowance given by government and property apparently held, caused the government no anxiety.
By the 1880s, the Todas were behind in their payment of revenue. The *Tahsildars* recommended a remission since no individual liability existed. The Commissioner, L. R. Burrows, disagreed. He proceeded against the Toda lands of Ithalar and Keti circuits, attaching one hundred and thirteen acres from two *pattas* on which the revenue had been unpaid for the last three years. The land attached represented a quarter of one and more than four fifths of the other *patta*. When the land was subsequently auctioned, usufruct was limited to grazing and, unsurprisingly, no planter purchased the lands. Perhaps more surprisingly, in light of the constraints placed on grazing by plantation expansion and forest reservation, no Badaga bought the land either. The land was finally bought by government at a nominal price of 2 annas for each lot. Once attached to government, the restrictions on the land were removed and the Collector arranged the sale the lands under the terms of the *Waste Land Rules* with full usufruct rights. On hearing about this case, the Madras Revenue Authorities recommended that in future remissions should be granted in cases of non-payment. In future Toda communities would be permitted to continue land use despite the loss of legal title. The money owed by the Toda communities in land assessment was also written off against the compensation due to the Todas for land purchased by the government at Ootacamund in 1837. In 1884 when the Todas gathered at Ootacamund to collect the annual Rs 150 compensation, the money was withheld on the grounds that no assessment had been paid by the Todas for two years.

With the policy of remission rather than confiscation, the Collector, Burrows, remarked that ‘the position of the Todas becomes one of absolute dependence on the generosity of Government’. In 1882, the *South of India Observer* published an editorial hinting at just this conclusion: ‘It has been suggested by a paternal government to these innocent denizens of the Blue Hills not to pay but to relinquish their lands to the state. The Todahs won’t see the goak and can’t pay.’ In response to a hasty and categorical denial from the Collectorate authorities the next edition of the paper published a full retraction and stated that government had no intention of taking over the management of Toda lands. All the newspaper had done, however, was to repeat the gossip of the Ootacamund club and library rooms. The continual remissions of rent given by government and the fairly complete restrictions already placed on the terms of Toda land tenure made total governmental control, to some, a logical conclusion to the administration of Toda lands.
The loudest voices for such a transfer came from the Forest Department. *Sholas* were disregarded by foresters as a sustainable resource. Nevertheless, the inclusion of *shola* in almost every Toda *patta* was an irritation for a department that regarded any and all forest usufruct as suspect. The case made by foresters was couched in the now ascendant discourse of paternalism developed in ethnology and revenue administration. In 1891, the Conservator of Forests, Col. I. Campbell Walker, remarked that: 'The object of Government, ever since I have known the Nilgiris has been to protect the Todas against themselves.'

The Todas were given more diffuse rights over forests than any other community. Under the Forest Act of 1882 Todas were exempt from paying grazing fees in reserved forests open for grazing and neither were they subject to fees for the collection of forest materials for their own use. A key principle which guided the Commission that investigated *shola* conservancy in 1878, in line with the 1874 directives of the Madras government, was the provision of fodder and shelter for Toda buffaloes. All *sholas* in the ‘immediate neighbourhood’ of Toda *munds* were to be reserved from sale and Toda *munds* were treated as enclosures within reserved forests. Although the Todas did not have to pay for forest products or grazing, their use of the *sholas* was not free. In 1884, the same Todas who were refused the annual compensation payment complained about the cumbersome system imposed upon their access to *shola*: 'A Toda who wants to cut down a tree in a reserved shola has to get a certificate from the Deputy Tahsildar that he is a person who has the right to do so, he then has to find a forester and obtain as order for a Forest Guard to accompany him to the shola and mark a tree which he may be permitted to take.'

The latitude (as the foresters saw it) allowed to Todas, however, eventually ran against the course of reservation procedures. In 1892, the reservation notification of Welbeck reserve had to be abandoned when it was found to consist almost entirely of Toda *patta* lands. The only forest to which government could establish a clear right was considered too small to be worth reserving in isolation. This incident precipitated an investigation of the respective rights of *pattadar* and government over the Toda ‘reserves’. The Forest Department urged that the Forest Rules be extended to Toda *patta* lands. The total reservation of the *sholas* included in *Todapattas*, however, was impossible. Reservation required the exclusive management of the forest by the state, an impossible imposition when recent and demarcated Toda *pattas* were deemed to include areas of forest. Instead, a
principle of ‘joint interest’ and therefore ‘joint management’ was invented under which all Todapatta lands would be notified as reservations under section 33 of the 1882 Madras Forest Act.113 The principle of joint interest was lauded by both forest and revenue authorities.114 Joint management implied the recognition of Toda patta rights but simultaneously it facilitated the effective reservation of all the forests on patta lands. Joint interest reservation was distinct from the normative course of forest reservation because it applied to the whole of Toda pattas: grazing, cultivable and mund land. The Forest Department, as the government partner in the joint management, was now responsible for mediating all Toda use of land: grazing, firing or cultivation.

The protection of both shola and tribe was now dependent upon the strict management of both by government: ‘Unless decisive action is at once taken it is certain that some of the finest sholas in the district will be felled and a considerable advance will have been made towards the final extinction of the Toda race.’115 The Todas were under the control of the Forest Department as an extension of the sholas. In contrast to Grant’s lobby to have the forests nearby the munds protected from the settlers, the Revenue Settlement Superintendent now argued for the sholas to be protected from the Todas. The Todas were ‘too idle and careless to protect the sholas themselves’.116

The decades after the normalisation of Toda patta lands during the Revenue Settlement saw a gradual attrition of the lands held by the community. In the 1883 Settlement Reports, 54.40 acres were registered in Paranganad as Todapatta, 601.4 acres in Merkanad and 2,540.69 acres in Todanad, a total 3,206.49 acres.117 Ten years later, 2,948.67 acres of Toda patta were recorded, a figure which was reduced to 2,795. acres by 1937.118

Whereas reservation had begun as a guarantee of rights within certain limits it became a permanent delineation of those rights as all that the community were entitled to, set apart from the rights assured to other communities which were based not on identity but a normative fact of subjectship. Not only this, but by the end of the century government claimed the right to determine not only the extent but also the appearance of the munds.
Imperial Landscapes and Inalienable Land

THE MUND AS LANDSCAPE ICON

By the end of the century the aesthetic of the *mund* had become a resource to be protected by legislation against the potentially destructive agency of the Todas. At the beginning of the 1890s, a group of Todas petitioned the Collector for permission to cultivate their grazing lands. The Collector initially refused, but appealed to the Madras government for guidance. The revenue authorities supported the Todas’ application but under a host of conditions: that cultivation must not exceed one acre; that permission to cultivate must be sought in each case in writing to the Collectorate and that no land within the settlements must be cultivated. The crops grown were to be limited to ‘food crops’ and a request made by Todas the following year to cultivate coffee was turned down flat by the Madras Government. These restrictions may have ostensibly been intended to prevent the appropriation of Toda lands by outsiders but they also represented a refusal to allow the Todas to determine or maximise the productive capacity of the land.

The terms established for agriculture on Toda *patta* land included one remarkable restriction in which the iconography of the *mund* as a sight merged with official administration. The Collector, J. D. Rees, stated categorically that the cultivation should not ‘result in the deterioration of their land in the vicinity of their *munds* from a pastoral or from an artistic point of view’. Government confirmed Rees’ restriction stating that ‘no green sward or shola immediately adjoining ... [a] mund ... is [to be] dug up or destroyed’. Cultivation, when permission was granted, was to be placed well away from the *mund* site. Two *munds* in Ootacamund were to be particularly restricted. Candalmund, now located behind Sylk’s Hotel, and Manjakalmund in the government botanical gardens, were not to be permitted to be cultivated under any circumstances. The *mund* stereotype now seeped back into the revenue policy of the hills, over-riding any desire to see the Todas ‘progress’ to sedentary cultivation.

By the end of the nineteenth century the inalienability of Toda lands was a legislative institution and the *mund* site/sight an aesthetic, and ethical, resource. While the communal holdings of other communities were being fragmented and individualised, Toda rights were aggregated in place-specific ‘nodes’ of enforced communal property. The *mund* ideal became a potent component of hill colonisation, so much so that by the end of the century the image had become prescriptive, rather than simply descriptive.
The legal ambiguity of inalienability was accommodated within the rights handed over to the Forest Department under joint management but remained an exceptional ruling. The juridical and sentimental narratives of place had become highly selective and conspicuous demonstrations of the coloniser’s accommodation and protection of aboriginal rights. When munds were located in convenient proximity to the colonising settlements, they were maintained, forcibly if necessary, in a manner which met the expectations of those spectators who had consumed written accounts of their aesthetic and exotic worth. For the revenue authorities, responsible for regulating the productive landscape, the tangibility of these urban munds fleshed out the tabular life of the depleting inalienable mund land allocation in the hinterland of the settlements. These two, imaginary encounters of protection and preservation were mediated by two very different signifiers, the iconography of the mund and the inalienability of the patta. Both representations served, within separate but intersecting realms, to assuage and accommodate the anxieties of the colonial intervention.

The pretence of physical and economic separation achieved by reservation, and above all the notion of ‘preservation’, belies both the instrumentality of the act of separation and the failure of the inalienable reservation to protect those lands. The scant physical presence of the Todas in Imperial histories of the hills was matched only by the incessant deployment of the Todas as a medium through which colonisers sought to attach themselves to the plateau. The attraction of settlers to the Todas as mascots of colonisation also created other encounters far less enduring than the fixture of allocations in the land registers of the state. The next and concluding chapter explores an encounter between incomers and indigenes in which the gaze was confronted, discomfited and eventually displaced.

NOTES

Imperial Landscapes and Inalienable Land


3 Cederlöf, ‘Narratives of Rights’, p. 322.


5 Baines, Athelstane, ‘Ethnography (Castes and Tribes)’. In *Grundriss der Indoarischen Philologie und Altertumskunde (Encyclopedia of Indo-Aryan Research)* 11.5, Strassburg, 1912.

6 Harkness, H., *A Description of a Singular Aboriginal Race Inhabiting the Summit of the Neilgherry Hills, or Blue Mountains of Coimbatoor, in the Southern Peninsula of India*, London, 1832.


11 Ibid.


14 N. A. Roupell, Acting Commissioner to MBR, 14/11/1881, PMBR 6/1/1882, no. 23, p. 24, TNSA.

15 Dispatch of the Court of Directors, 21/6/1843, PMBR 14/12/1843, pp. 19191–19206, TNSA.

16 PMBR 14/12/1843, pp. 19191–19206, TNSA.

17 Ibid.

Other Landscapes

19 W. E. Underwood to MBR, 17/1/1852, PMBR 15/4/1852, no. 11, pp. 4886–4922, TNSA.
20 N. A. Roupell, Acting Commissioner to MBR, 14/11/1881, PMBR 6/1/1882, no. 23, p. 24, TNSA.
21 P. Grant, Collector of Coimbatore to MBR, 27/4/1863, PMBR 12/5/1863, no. 2831, pp. 2779–2780, TNSA.
22 P. Grant, Collector of Coimbatore to MBR, 17/10/1864, PMBR 11/11/1864, no. 133, UDR.
23 Ibid.
24 R. S. Benson, Special Assistant Collector, in charge, Nilgiri Settlement, to MBR, 9/7/1881, PMBR 6/1/1882, no. 23, p. 24, TNSA.
25 P. Grant, Collector of Coimbatore to J. C. Harrington, Special Assistant Collector, 28/3/1866, CCLS, 25/11/1865–16/6/1867, UDR.
26 The Carnatic Coffee Company, having been refused an area of shola near Pykarra by means of an official sale, promptly bought the same land directly from the Todas. No effort was taken to invalidate the sale by the Collectorate, Carnatic Coffee Company to J. W. Breeks, 16/1/1869, Land Letters Received, Jan–Jun 1869, UDR.
27 Ibid.
28 P. Grant to J. Hunter, 10/2/1866, CCLS, 25/11/1865–16/6/1867, UDR.
29 J. C. Harrington, Special Assistant Collector to P. Gant, 20/4/1866, CCRL Jan–Jun 1866, UDR.
30 PMBR 13/4/1849, nos. 3,4, pp. 2123–2155, TNSA.
31 J. C. Harrington, Special Assistant Collector to P. Grant, Collector, 15/7/1865, CCR, Jul–Dec, 1865, UDR.
32 PMRD 12/4/1859, nos. 5–6, p. 115, OIOC.
33 P. Grant to Claude Vincent, 14/1/1863 and 28/1/1863, Coimbatore Collector's Letters Sent, 14/1/1863–28/9/1863, UDR.
34 J. W. Breeks, Draft Administration Report, Miscellaneous Sent, 1869, UDR.
35 J. C. Harrigton to P. Grant, 20/4/1866, CCR Jan–Jun, 1866, UDR.
36 Ibid.
37 Anon, The Visitors Handbook of the Nilgiris, Madras, 1897, p. 32.
39 Markham, Travels in Peru and India, p. 363.
40 J. D. V. Packman, Companion to the Blue Mountains, Madras, 1850, p. 45.
41 J. Ouchterlony to Deputy Surveyor General of India, 24/9/1844, PMBR 14/10/1844, no. 62, pp. 13515–13529, TNSA.
43 Kennedy, Magic Mountains, p. 73. Kennedy erroneously claims that ‘numerous pictorial representation’ of the Todas showed them as ‘noble figures herding their cattle on rolling green slopes.’ (Ibid., p. 74) In fact few, if any, images exist of the Todas undertaking any subsistence activity.
44 The Madras Mail, 22/2/1869, p. 3, col. 3.
45 The prominence of the mund in descriptions of the Nilgiris and the Todas became so embedded within the colonial archive that even Baden-Powell’s sober account of land tenure and revenue systems described the ‘curious enclosed, domed huts’ of the ‘mand’. Baden-Powell, The Land Systems of British India, footnote, p. 185.
52 Murray Mitchell, In Southern India, p. 362.
53 Ibid., p. 269.
54 Revd. F. Metz to J. W. Cherry, Collector, 28/2/1859, CCRL, Jan–Apr, 1859, UDR; Philip points out, ‘Toda informants had long been lying to European enquirers.’ Philip, Civilizing Natures, p. 43.
55 A Mrs. Freundman accused Todas of pilfering from her garden and causing a nuisance by passing her house, Mrs. Freundman to E. B. Thomas, //862, CCRL, Jan–Jun, 1862, UDR.
57 Breeks, J. W. An account of the primitive tribes and monuments of the Nilagiris, Edited by his widow (S. M. Breeks). London, 1873.
59 J. W. Breeks, Draft Administration Report, 1869, Miscellaneous Sent, 1869, UDR.
60 P. Grant to MBR, 27/4/1863, PMBR 12/5/1863, no. 2831, pp. 2779–2780, OIOC.
61 PMBR 6/1/1882, no. 23, p. 24, TNSA.
63 Breeks also took Metz with him to a kedr in 1869, see Chapter 7.
Other Landscapes

64 F. Metz to J. W. Breeks, 12/11/1869, Miscellaneous Letters Received, 16/9/1869–28/12/1869, UDR.
67 J. W. Breeks to MBR, 10/8/1871, PMBR 12/9/1883, no. 2743, UDR.
69 J. W. Breeks, Draft Administration Report, 1869, Miscellaneous Sent, 1869, UDR.
70 Commissioner’s Memorandum on Toda Lands, 6/3/1879, Misc. Received Letterbook, UDR.
71 PMBR 10/2/1880, pp. 795–98, no. 208, TNSA.
72 N. A. Roupell, Acting Commissioner, to MBR, 4/2/1881, PMBR 17/2/1881, no. 283, p. 850, TNSA.
73 Ibid.
74 F. Brant, Collector of the Nilgiris, to MBR 14/7/1883, PMBR 30/7/1883, no. 2182, TNSA.
75 L. R. Burrows, Acting Collector to MBR, 21/8/1884, PMBR 13/9/1884, no. 3208, UDR.
76 Ibid.
77 PMBR 13/9/1884, no3208, UDR.
78 Suit 123 of 1882, Register of Civil Suits, vol. 6., Udhagamandalam District Court Records, Udhagamandalam.
79 Ruling on Suit no 96 of 1880, by Subordinate Judge W. E. J. Clarke, 27/1/1883, Misc. Files, 1880–1893, UDR.
80 Ibid.
81 N. A. Roupell, Acting Commissioner, to MBR, 14/11/1881, PMBR 5/1/1882, no. 23, pp. 25–29, UDR.
82 Ibid.
83 Ibid.
84 PMRD 18/4/1882, no. 397, UDR.
85 R. S. Benson, Special Assistant Collector, in charge, Nilgiri Settlement, to MBR, 9/7/1881, PMBR 6/1/1882, no. 23, p. 24, TNSA.
86 In 1879, the Commissioner remarked that the land was granted in 1863, ‘on the clear understanding that they were not to sell the land’, Commissioner’s order, 6/3/1879, Miscellaneous Received, 1879, UDR.
87 PMBR 27/4/1882, no. 1164, p. 626, TNSA.
88 PMBR 9/5/1882, no. 480, p. 221, OIOC.
89 F. Brandt, Collector of the Nilgiris, to MBR 10/4/1883, PMBR 27/4/1883, no. 1189, TNSA.
90 Ibid.

188
Imperial Landscapes and Inalienable Land

91 F. Brandt, Collector of the Nilgiris, to MBR 14/7/1883, PMBR 17/8/1883, no. 2423, TNSA.
92 F. Brant, Collector of Nilgiris to MBR, 11/8/1883, PMBR 12/9/1883, no. 2743, TNSA.
93 PMBR 9/5/1882, no. 480, p. 221, OIOC.
94 PMBR 6/1/1882, no. 23, p. 24, TNSA.
95 PMBR(LR) 27/3/1888, no. 309, UDR.
96 PMBR 23/5/1882, no. 156, UDR; R. S. Benson, Special Assistant Collector to Director of Revenue Settlement and Agriculture, 20/11/1884, PMBR 6/5/1885, no. 1338, UDR.
97 Benson, *Descriptive Memoir and Eyesketches*.
98 PMRD 21/3/1893, no. 249, pp. 405–411, OIOC.
99 L. R. Burrows, Collector of Nilgiris, to PMBR (Land Revenue), 7/12/1887, PMBR (LR) 27/3/1888, no. 309, UDR.
100 PMBR (Land Revenue) 27/3/1888, no. 309, UDR.
101 SIO 26/7/1884, p. 9, col. 4.
102 L. R. Burrows, Collector of Nilgiris, to Commissioners of Land Revenue, 7/12/1887, PMBR (Land Revenue). 27/3/1888, no. 309, UDR.
103 SIO 5/1/1884, p. 9, col. 4.
104 SIO 12/1/1884, p. 10, col. 1.
105 Col. I. Campbell Walker, Conservator of Forests, Southern Circle to C. F. MacCartie, Acting Collector of the Nilgiris, 22/6/1891, PMRD 26/10/1891, no. 1008, pp. 725–727, UDR.
106 NDG, 8/1/1887, no. 1, vol. XIX.
107 Forest Reserve Commission to Government, 16/1/1878, PMBR 27/8/1878, no. 2400.
108 PMRD 6/11/1897, no. 5723, misc., OIOC.
110 SIO 26/7/1884, p. 9, col. 4.
111 C. F. MaCartie, Acting Collector to Land Revenue Commissioner, PMRD 26/10/1891, no. 1008, pp. 725–727, OIOC; PMRD 21/1/1892, no. 402, misc., OIOC.
112 PMBR (Land Revenue) 18/4/1993, Forest no. 283, UDR.
114 Brandis, *Suggestions regarding Forest Administration*, p. 36; J. D. Rees to MBR, 15/4/1892, Cherry to MBR, 26/4/1892, PMBR 21/3/1893, no. 249, pp. 405–411, OIOC.
115 R. S. Benson, in charge Revenue Settlement to MBR (Settlement Department), 9/7/1881, PMRD 18/4/1882, no. 397, UDR.
116 C. F. MacCartie, Acting Collector to Land Revenue Commissioners, 13/6/1891, PMRD 26/10/1891, no. 1008, pp. 725–727, OIOC.
117 Benson, *Descriptive Memoir and Eyesketches*.
Other Landscapes

119 PMRD 28/4/1892, no. 421, pp. 675–6, OIOC.
120 PMRD 30/10/1893, no. 4181, misc., OIOC.
121 J. D. Rees, Collector, to Commissioner for Land Revenue, PMRD 28/4/1892, no. 421, pp. 675–6, OIOC.
122 PMRD 15/8/1892, no. 854, pp. 529–30, OIOC.
123 Ibid.
Authority, Spectacle and Ethnography

The role of ‘spectatorial lust’ in the imperial project has been established by several studies. The invention of a range of physical and textual exhibitionary spaces – the museum, the exhibition hall, travelogues, the ethnographic text, the photograph – announced the difference of the colonised other as an aspect of an exemplary imperial order. This chapter explores the narrative, institutional and judicial bounds of ethnology which formed around Toda funerary rituals on the hills during the course of the nineteenth century. In particular, it traces the means by which the imperial gaze, by no means as robust as the inequalities through which it was constituted, could be unnerved and displaced.

On 9 April 1897 the Nilgiri News announced:

To many of our visitors, who have never seen the peculiar burial ceremonies ... of the Todas it may be of interest to learn that a young Toda man died yesterday at “Barkoosmund” kust this side of the Lawrence Asylum and within a three mile drive of Ooty. The Kadoo takes place on Wednesday next at Minickmund just beyond the Mysore Maharajah’s palace.

The newspaper had been misinformed and five days later it carried a letter from an angry and disappointed correspondent, ‘Disappointed Globe Trotter’, who wrote that a ‘great number of people’ who had taken their information from the newspaper had missed the event which had taken place the day before.

The tone of the rebuke made by the ‘Disappointed Globe Trotter’ makes clear that by the end of the nineteenth century the funerary ceremonies of the Todas had been domesticated within the banal and everyday, incorporated into drawing-room debates and newspaper correspondence.
Local newspapers carried frequent accounts of the ceremonies, including eye witness accounts, debates on the morality of the event and news of accidental gorings which took place when the buffaloes were caught and killed. For the colonial inhabitants and visitors to the hills, whether European, Eurasian or Indian, access to the kedr went beyond the representative text; physical access to the events as a spectator was a presumption of their existence. The newspapers’ misinformation also indicates that this access was not simply the culmination of the trouble-free collation of imperial information. Instead it indicates that the kedr were far from stable sites, and sights, of imperial domination.

The kedr ceremonies became spaces of spectacle, curiosity and science, attracting large numbers of visitors who, as the example above demonstrates, had only to open the local English weekly to learn of their taking place. As early as 1846, a gentleman ethnographer who attended the event stated that he had been informed by ‘residents here that ... [the funeral] ... was an extraordinary scene and worth witnessing’. An audience, and the expectation of an audience, had already formed around the event in the mid-1840s. The same account continues: ‘There were very few Europeans present – 3 only, and perhaps a dozen servants from the Cantonment. I believe it was not generally known that the ceremony was to take place, or perhaps the attendance would have been greater.’

The two types of funeral ceremonies under discussion can be crudely described as cremation and memorial. During cremation rituals, etvainolkedr, some relics of the dead were taken and carefully preserved: hair and nails before cremation and fragments of bone and skull from the ashes after cremation. These fragments, along with those taken from other individuals who had died over a certain period, became part of the far larger marvainolkedr at which they were burned. Important marvainolkedr lasted for up to three days. A number of buffaloes, the basis of the Todas’ pastoralist subsistence, were killed before the cremation at the etvainolkedr and before the burning of the relics at the marvainolkedr. At the largest types of the marvainolkedr, the slaughter was preceded by what became the principal spectator event of the ceremony, a display honed long before the colonists and ethnologists arrived on the hills: the herding of the buffaloes into a stockade into which young Toda men would leap and harry the animals, hanging on to their horns and pulling their heads down to submission, before releasing them again. The death blow was administered later by a single strike from the back of an axe between the eyes of the buffalo. The
sites of the kedr, called kertníôdr, were many and varied. Each clan had at least two, and often more, kertníôdr for the etvainolkedr ceremonies, using the principal one for the marvainolkedr. The relationship between the two ceremonies was complex and determined by codes of segregation, kinship and the age and sex of the dead. The course of ritual at each kedr varied according to the patrilineal and matrilineal clan affinity of the dead, their age, status and gender. The kedr, and in particular the larger and more elaborate marvainolkedr, provided a forum for the intersection of the extensive networks of communication, supply, exchange and redistribution that existed between the hill communities. Members of the agrarian and artisan Kota community supplied music for the event and in return for that, and other gifts, took the buffalo carcasses for meat and hide. The agrarian Badagas and the Kurumbas and Irulas of the lower slopes of the hills attended the funerals and between events acted as both suppliers and custodians of the various objects used in the ceremonies. It was within this network that colonial authority and public spectatorship took its place from the 1830s onward.

Little textual evidence exists, save occasional petitions and depositions written at the point of refusal and resistance, of how the Todas, and members of other hill communities, saw the ethnographers, photographers, sketchers, police and civil servants and bystanders, both Indian and European, who, by the penultimate decade of the century, crowded their ceremonies. Spectators at the kedr were confined to the peripheries of an elaborate, ritualised event. None of the preparation, organisation, social processes or ritual segmentations of the kedr had any meaning or significance for them. The Todas, on the other hand, incorporated and engaged with the presence of spectators and strategised around consecutive stages of state legislation and authoritarian surveillance. These uninvited visitors were a source of commercial gain. The spectators were dependent upon hill community informants and willing to pay in order to find and view the kedr. The spectators were also representative of an authority which sought to survey and control both the ceremonies and participants. Petitions sent by the Todas in the later nineteenth century accuse the spectators of being responsible for the irritation of state intrusion.

In the first years of the twentieth century, anthropologist and psychologist W. H. R. Rivers spent five months on the hills applying his ideas on genealogical mapping as a method of anthropology to a study of the Todas. When describing funerary custom Rivers noted that, ‘The funeral
ceremonies are open to all and visitors are invited by the Todas.’ However, for Rivers the only perceptible result of the spectators’ presence was that the ceremonies were ‘more frequently described’ than other aspects of ‘Toda ceremonial.’

Rivers’ lack of attention to the effects of the colonial intervention in his work has been documented. However, a glance at the many volumes of ethnological work produced on the hills indicates that spectatorship has never been written into, or rather has been written out, of history. It is not despite but because of the endurance of the Todas as a subject of anthropological enquiry that the presence of visitors at the funerals ceremonies has remained overlooked.

THE NILGIRI KEDR

Early authoritarian cognisance of the rituals was perfunctory. In the 1840s, the Court of Directors in London had condemned the kedr as ‘degrading and senseless ceremonies’ and ordered their complete suppression, though the order appears to have resulted in little, if any, action. The kedr was brought to the attention of the Court of Directors once again in 1856, years after it had become the subject of casual spectatorship, in a report on the Nilgiri hill tribes by E. B. Thomas, then Collector and Magistrate of Coimbatore. The killing of buffalo at Toda funerals was only one of a number of ‘objectionable practices’ which this report identified as a concern for the civil administration on the hills, alongside Toda infanticide, Badaga ‘bride kidnapping’ and the burning of cloth at Badaga funerals.

Thomas claimed to have already achieved a degree of personal influence among the Todas signalled by his ability to influence the kedr:

The Todas at every funeral used to sacrifice 20 and 30 fine buffaloes ... the loss of property was great and the mode of sacrifice [is] a brutal and savage one – the animals were clubbed, not to death, but to inability to move, by a broken spear and then left to die in agony. With some difficulty I have persuaded the ‘Todas’ to give me their word and signature, willingly that in future one or two, at most, will be sacrificed at every funeral ... they have kept their word for two years now, and appear now glad of it.

In response to Thomas’ report, the Government of Madras recommended a total suppression of the slaughter at Toda funerals. This order was approved by the Court of Directors in 1857, and was thereafter communicated to the Todas.
Two years after this ban was confirmed by both the Madras and London authorities, the Madras Government, in response to a petition, remitted a fine of Rs 109 which Thomas had imposed upon twelve individual Todas for sacrifices that had taken place on two different occasions in 1858. The petition itself demonstrated that the Todas were apparently less impressed by Thomas’ adjudication than he imagined and were familiar with the hierarchy of control to which he was subject. The remission signalled an authoritarian ambivalence on the question of suppression and highlights a discrepancy between the local and centralised expressions of colonial governance over the kedr. The Madras Government was happy to sustain Thomas’ personal adjudication only as long as it remained a local, personally mediated and uncontested expression of the better influence of the civilised over the savage. However, suppression of buffalo slaughter, in the post-rebellion period, could not, if tested, be sanctioned by the higher, executive functions of government.

Thomas’ response to the remission, which he regarded as a slight to his own local authority, claimed that as a direct effect of the indulgence the delicate and personal nature of his authority over the Todas had been unbalanced and the sacrifices had resumed:

Taking advantage of my absence in England, [the Todas] sent in the petition, (evidently written for them); and emboldened by the fine (they had voluntarily submitted to) being entirely remitted, they have now reverted to their barbarity and as I have no means of punishing them otherwise than by fine, I feel my hands tied in the matter, much to my regret; persuasion has of course been tried, but with only partial effect.16

The Board of Revenue, whilst maintaining that Thomas had ‘exceeded just limits’ in imposing the fine, did admit that, ‘He has, for the moment, lost his influence over the Todas ... He should ... inform the leading man among them that ... the Governor in Council regards the cruel practice of killing buffaloes by a lingering death at funerals with the same disapprobation as before.17 These instructions to Thomas raise an interesting question about the deployment of colonial authority on the Nilgiris. How was Thomas to rally the informants and the information which had of necessity to prefigure any effective surveillance and regulation of the kedr?

Not residing on the hills, Thomas relied upon the information communicated by Soondra Mooldely, the Tahsildar attached to the Nilgiri taluq headquarters in Ootacamund. Mooldely submitted a substantial report
on a funeral which had take place ‘clandestinely in a shola, 8 miles from Ootacamund’ on the 16th August 1859. Acting on his orders, a deputation brought back to the Cutcherry a group of Todas, including a man called Aknaud Tody, three unnamed Kotas and six buffalo hides confiscated from the Kotas with news of six more hides which had already been taken to the Kota village of Sholur. From this group, Moodelly established the names of the two Todas for whom the funeral had taken place, and stated that Aknaud Tody and another man, Carooppavanoo, who were respectively the uncle and younger brother of the two deceased, were primarily and jointly culpable for the slaughter. One other Toda, Bellavanoo, ‘a chief man’ without whose consent ‘the [other] Todas would not have dared to make the sacrifice’ was accused of assisting in the slaughter. Moodelly wrote that upon seeing the deputation from the Cutcherry, Bellavanoo had concealed himself in a nearby shola, an evasion that suggested his involvement. Bellavanoo himself, however, denied having attended the kedr or having been privy to any information concerning it.

The informants in this case were two of the chief village officers on the hills, Goondoogul, the Toda Monigar of Merkanad, and Patha Gowdeh, the Monigar of Todanad. The testimony of these two men is especially interesting. Neither claimed to have been present at the funeral. Goondoogul had gone to Ebanad, a hamlet in Todanad, and Patha Gowdah was ‘at the Cusbah’ at the time of the kedr. Both village officers, however, confirmed Bellavanoo’s guilt as party to the slaughter. The denouncement of a Toda ‘chief man’ to colonial authority by two Monigars, one a Toda himself who had in the past resisted land appropriation on the hills, reiterates the dependence of authoritarian cognition of the kedr upon the voluntary provision of information and the existence of factional divisions, in this case an apparent conflict between local big men, which engendered the receipt of information. Bellavanoo held no official post but his influence over the other Todas, the evidence of his culpability, was affirmed by both Monigars. Could this have been indicative of a tension between the village officers, nominally the employees of the state, though relying for income upon their ability to exercise influence over inter- and intra-village affairs and production, and those members of the hill communities whose authority received no sanction from the government but who were perceived to pose a potential threat to the authority of the Monigars?

This conflict, or at least complexity, in the arrangement of power allowed the state an information inroad but obscured questions of discipline and
accountability. Following the Board’s instructions for a reprimand of the leading man, who was Thomas to chastise and remind of the Governor’s disapprobation? The Collector’s response reveals this difficulty in linking the intelligence available to punitive measures. Having imposed fines (a disciplinary measure which did allow for a finer distinction of individual culpability and punishment) on twelve individuals in 1858, one year later he sought permission to withhold the annual payments of Rs 150, the amount set to compensate the Todas as an entire and undifferentiated ‘tribe’ for the loss of the land at Ootacamund, if the buffalo slaughter was not stopped entirely. The absence of nodal points of accountability among the Toda community undermined the possibility of rule enforcement or the punishment of transgression except on a collective basis not, as was common in colonial India, of a village but of an entire ethnographic category.

The moment of the Madras Government’s determination to suppress the funerary sacrifices completely, however, was brief. In 1858 the Queen’s Proclamation provided for a relaxation of the Madras Government’s indignation and in 1859 total suppression was abandoned, giving way to ordering and invigilation, as the Madras Government grudgingly agreed to permit the buffalo killing on the repeated condition that the slaughter be confined to two buffaloes and that the animals were to be put to death immediately, avoiding the ‘lingering death’ described by Thomas in 1856.22

After repeated attempts to ban the rituals were abandoned, the next significant imprint of the kedr ceremonies in the colonial archive came only a decade later courtesy of Collector and amateur ethnographer James W. Breeks, although the initiative was not his.23 His attention was drawn to legislation regarding buffalo slaughter only because a group of Todas approached him in January 1869, claiming the right to kill twenty-four buffalo for the eleven Todas who had died during the previous calendar year.24 Breeks was baffled by their request, having no knowledge of the 1859 government order under which the Todas now appealed. The attention of the local state in this case was incapable of sustaining legislation without external stimulation. The legislation restricting the slaughter of buffaloes at marvainolkedr had gained significance and therefore some form of legitimacy within the communities themselves.

Breeks eventually discovered an old official communication from E. B. Thomas to the Ootacamund Tahsildar which mentioned the permission
to kill two animals. Breeks attended the funeral with Friedrich Metz who, he believed, was ‘intimately acquainted with the Todas, their manners and their customs’. Breeks, like Thomas, made no comment on the presence of other Europeans at the funeral; it seems unlikely, however, that they were the only spectators in attendance.

The tone of Breeks’ subsequent report is strikingly different from Thomas’ account of a decade before. No Todas are named and the place of the funeral is not specified. In this account, more a descriptive ethnography than Thomas’ staccato account of a misdemeanour, the number of buffaloes killed is not mentioned and juridical surveillance is limited to the question of ‘unnecessary cruelty’ which accompanied the penning and slaughter of the buffaloes:

In spite of Mr. Metz’s warning that there was to be no unnecessary cruelty, I saw enough to make me think it desirable that a European in authority should be present ... I would suggest that the Assistant Superintendent of Police should be present at all such ceremonies.

For the ritual itself, however, Breeks expressed appreciation:

Until the Priest announces the proper time for the sacrifice ... the young men, with their clubs, dance in the kraal, and drive the animals round and round, while a stray one turns and charges – a danger which the men skillfully ward off with their clubs.’ He concluded that the use of clubs ‘cannot, consistently with the safety of the performers, be altogether prohibited.

The Board of Revenue confirmed Breeks’ recommendations. Permission would be granted to hold the ceremony on condition that the Todas informed the Collector of the time and place of the proposed kedr. A separate licence was to be applied for and granted on each occasion that buffaloes were to be killed. The ‘objectionable practice’ of the mid-century had been replaced with a skilful and masculine display by ‘performers’.

The government’s regulation of the funeral slaughter pivoted on two criticisms, neither of which justified or required an outright ban. The first was wastage, both of Toda resources and government revenues, which had motivated Thomas’ attempts to suppress the slaughter. The pass system would limit the killing to only two buffaloes at any funeral. The second emphasis was cruelty, which featured in every judicial, media or scientific report after Thomas’. In ethnographic accounts, wastage, far from being condemned, was read as a sign of authenticity; the phrenologist
W. E. Marshall decried the slaughter of ‘old and barren cows’ as a recent corruption, ‘a commercial gain for moral loss’. The destruction of the buffalo represented the annihilation of a potential source of revenue, yet government showed little interest in that facet of the slaughter. Why was the focus of authoritarian attention cruelty, an imprecise and contentiously debated measure of moral behaviour which the judiciary had few legislative tools, and little inclination, to limit, and not the more tangible grounds of waste? The history of the state cognisance and invigilation of the kedr highlights the differential attitudes of a colonial government toward conspicuous consumption. In early modern Europe, the suppression of the conspicuous consumption of village surplus served both to protect taxable resources and depress horizontal, village-based relationships which detracted from, or could be potentially detrimental to, vertical village-state hierarchies. The colonial state in British India, as well as lacking the convergence between state and religious institutions which in Europe provided the moral leverage to effectively condemn extravagant surplus consumption, had less interest in suppressing lavish rituals than they did in attempting to place representatives and representations of colonial authority within the sphere of these rituals. The colonial state had more to gain from the accumulation of symbolic capital than it stood to lose in the way of revenue through the slaughter of a few hundred buffalo.

EUROPEAN SPECTATORS AT THE KEDR

Event accounts formed the basic unit of collection centralised in incipient metropolitan institutions from the 1830s onwards. Accounts of specific rituals and events promised a means of elucidating the civilised past through the uncivilised present, or rather through fragments of the barbaric present, discovered and distilled into text by ethnography. This paradigm prefigured the event as both the central analytic and representation. Concomitant with the event as textual representative of both the savage and as the mode of encounter was its role in accounting for the stasis of the living savage. Why had they remained at the stage through, and beyond, which civilised nations had passed? One theory which further fixed the gaze of both scholarship and authority upon the ethnographic event was that the answer lay in the rituals. Whereas the superior, analytical mind of the European had questioned and strayed from ritual and therefore precipitated social and technological change, the slavish observance of custom bound
primitive societies to primitivism. The event was therefore at once typical and exceptional, it was both representational and analytical, strange and comprehensible. The event encounter became both the dominant mode of representing the savage and the locus upon which, and within which, colonial authority sought to impress itself.

Attendance at, and therefore the constitution of, tribal spectacle like the *kedr*, was thereby sanctioned by both scientific and administrative agendas and became an eminently acceptable Victorian hobby. From 1878, at least, funerals were advertised as attractions in the local English press supplementing the networks of information concerning the funerals which had developed in the settlements. The *kedr* was both a collectable experience, which could be accounted and recounted in journals, newspapers and ethnologies, and a site where material could be collected; photographs, sketches and trinkets were obtained and purchased at the *kedr*.

The tone of *kedr* descriptions was sensual, emphasising a sense of barbaric ‘display’ and portraying the European as an overwhelmed and reactive spectator:

> About 2 o'clock pm a general bustle seemed to prevail amongst the Todas, they being all in motion, discordant music struck up, tom-toms, horns, and other deafening sounds. Then a movement of the herd of buffaloes toward the enclosure commenced ... the band of men that surrounded them closed in upon them and began to belabour them with their heavy clubs, when a terrible scene of confusion ensued, the crowd shouting, the Buffaloes bellowing, and the horrid music tending to increase the excitement ... several of the poor animals fell, and were trampled upon by the others, all were desperately beaten by the Todas, some to death.

Moreover, narratives generated and consumed locally inevitably developed their own genre dynamics. The idea and accusation of cruelty, derived from the familiar debates on sport and more particularly hunting, domesticated the event in settler cosmologies, moving the *kedr* towards a moral space familiar to a European audience. The Nilgiri chapter of the Society for the Prevention of Cruelty to Animals, formed in the 1870s, was called upon to prevent and attempted to intercede at *kedr*. In 1897 a correspondent of the Nilgiri news wrote:

> Several people labour under the delusion that the chief part of the fun lies in the cruel slaughter of buffaloes. No refined European would go miles to see such a butchering ... The slaughtering does not take place till the end
Authority, Spectacle and Ethnography

almost and then due notice is given when the onlookers ... [may] ... leave the
spot. The slaughtering of the buffaloes is not attended with any cruelty; the
successive collectors we have had, have all insisted on a painless death...
Some ladies who do not object to a pigeon, grouse or pheasant shooting,
cry out at the idea of a buffalo being slaughtered; these women will stand by
and see dozens of innocent birds cruelly hurt, and enjoy the scene. 38

Cruelty dominated authoritarian cognisance in orders and reports and was
frequently debated in the local press. The cruelty of the kedr, however, was
a bounded, manageable curiosity. The kedr of the ‘harmless race’ of Todas,
unlike the blood sports of the English working class, were never perceived
of as threatening, riotous assemblies the attendance at which by gentlemen
was roundly condemned. 40 On the Nilgiris, the elite anxiety which might
have been attached to buffalo slaughter and the accompanying assembly
was more acutely felt about the three settlements’ bazaar or ‘native’ areas
which were a constant source of disquiet among the European elite. The
unease surrounding these areas of the settlements, indispensable as pools
of labour and market activity, ranged from a constant preoccupation with
sanitation to concerns about the blurring of racial/cultural boundaries via
sporadic hysteria over rumours of anti-European violence. 41 In September
1880, rumours of an uprising in the Ootacamund bazaar led to the upper
echelons of the European society, including the visiting Governor of Madras,
the Duke of Buckingham, locking themselves in government office cellars.
A few days later a perplexed delegation from the Muslims of Ootacamund
arrived to swear their continuing allegiance to the Empress. 42

As well as a pervading paranoia about native violence, the uncontrollable
visual horrors which were believed to abound in India created acute anxiety
amongst elite whites. In 1877, an unfortunate, if oversensitive, daughter
of a local planter ‘fell into hystericis and died’ after seeing a naked corpse
being carried through the bazaar in Ootacamund. 43 The idea that a visual
experience could jeopardise physical well-being had a substantial genealogy
in Europe. 44 In India, and most particularly in the hill stations where lines
of segregation were, at least in principle, drawn more distinctly, the degree
of racial and cultural otherness caused these threats to be taken even more
seriously.

In contrast to the unpredictable, impinging and disordered visual
threats from the bazaar, which could endanger the hapless and cultured
European at any time, the kedr were spatially limited, observable and were
believed to have shown clear signs of responding to legislation and the
steading hand of European invigilation. The kedr provided the thrill of the macabre and exotic within the exonerating parameters of science and authoritarian moderation.\textsuperscript{45} After the initiation of police surveillance in 1869, subsequent official reports and ethnographic accounts strongly prefer that European authority had moderated the savagery of the event.\textsuperscript{46} In 1886, the Government ordered a crucial realignment of responsibility, one which could be afforded to the colonised savage but never the European poor. Henceforth, it was the police officers present who were to be ‘held responsible for any cruelty’, not the Todas themselves.\textsuperscript{47} The notion of the morally insentient savage and the desire of Europeans to look upon that savagery absolved the Todas from any restriction on the basis of the self-control so central to the development of the notion of animal protection in eighteenth-century Europe.\textsuperscript{48} Government orders broadened the role of the police to include the protection of the ‘people assembled’ as well as the prevention of cruelty. The colonial government, from then on, invigilated the kedr as an event, providing criteria for its ordering and expressing the responsibility of the state towards those assembled as spectators and to its proper execution.

Like visitors to the munds, spectators brought with them textual accounts which allowed them to both comprehend and distance themselves from the kedr. Over time, however, the spectators did become a part of the kedr event, which was as adaptive and reflexive as any form of public ritual or festival. And in turn the kedr became a part of settler society. The spectators’ perceptions of the kedr speak for the relationship between the hill communities and the settler society as it was imagined by the latter. In placing, and comprehending, the Todas at the kedr, the settlers were placing themselves on the hills and in a wider colonial moment.

Accounts of the kedr provided a space for the expression of the tensions and ambivalences intrinsic to both local and global experiences of colonisation. Individuals sought to behold, admire, describe and explain but were themselves part of a far larger historical moment, that of ‘progressive’ intervention, compelled to recognise difference and resistance to progress as obsolescence and savagery. Accounts of the kedr gave textual space for the expression both of colonial guilt and of imperial faith, affirmations of the ‘truly British feeling’\textsuperscript{49} which would protect the colonial project, and the authors, from the documented brutalities of past imperialisms.
Any attempt to coerce [the Toda] would soon break his fine spirit and end in the extinction of his race, and name. Look to America and see what Spain as done for the Incas, it is with pride I resort from such contemplations to the humane and generous policy adopted toward this interesting people by their rulers; their hereditary rights and immunities have been sedulously upheld; they are free from anything like foreign invasion.\textsuperscript{50}

The European spectators understood the possibility and conditions of their attendance through historical analogy that entirely disengaged the \textit{kedr} from the physical or cultural topography of the hills and re-placed it as a moment of historical significance which was both essential to the imperial project but also superseded it. M. J. Walhouse, writing in the \textit{Indian Antiquary}, claimed that the \textit{kedr} was reminiscent of ‘the rites that went on under the shadow of the German or Gaulish Forest, and may have been witnessed on British Downs by cultivated Romans with the same feelings of half-contemptuous curiosity with which Englishmen now watch these savage ceremonies on Indian mountains’.\textsuperscript{51} The act of witnessing the \textit{kedr} allowed the coloniser a recognition of and sympathy for the other, and a past echo of Europe’s own colonisation provided both a lens for comprehension and a salve to the anxieties of domination. This extravagant elective affinity, combining colonial anxiety with a sense of European pasts and ideal spaces,\textsuperscript{52} were mechanisms for abstract recognitions, not expressive of a coeval or lateral understanding.

Just as the civic policing of the ceremonies detached the Todas from any sentient responsibilities for the savagery of the slaughter, ethnological accounts increasingly regarded the ceremonies as a space of exception in a general trend of decline. The event was discrete and exceptional; the \textit{kedr} ‘conveyed an idea of something immeasurably primeval and antique ... utterly isolated ... like the debris of a pre-existing organisation’.\textsuperscript{53}

Ethnographic texts constructed the \textit{kedr} as a fossilisation of now obsolete religious grammars that were comprehensible only through the use of classical texts. This fossilisation implied a rupture between symbol and significance that removed the Toda subject from any meaningful, private relationship with the ceremony and centred the ethnographer’s text as the only possible intelligible representation of the event. Relying upon Egyptian and Semitic analogy to interpret funerary ceremonies, Breeks surmised:
All the striking symbolism of their funerary rites have no meaning for the present generation. Like the numerous gods who are never worshipped, and the preparatory penances of the priests who perform no priestly offices, these are but the strangely suggestive relics of a bygone faith.\(^54\)

Ethnographic accounts detached participant from ritual, presenting the *kedr* as a shell, a hollow and antiquated performance of rites to which the Todas were no longer substantially and meaningfully attached. W. E. Marshall, an amateur phrenologist who was keener to explore physiognomic determinants of social behaviour than understand too deeply the course of Toda ritual, presented the second day of a *marvainolkedr* in the manner of stage direction:

\[\text{[S]cene:- The circular pen, of about thirty feet diameter, with surrounding wall, of unusual strength and neatness ... on which a dense crowd of people – Todas, Kotas, Badagas, and others are seated, each man with a staff and toga.}\(^55\)

The conviction that the Todas, in common with other tribal communities in India, were undergoing a long process of attrition following their spatial marginalisation by the invading Aryans met a rival conviction that the Todas were once settled agriculturalists who had lazily regressed, dragging the community’s subsistence back into pastoralist barbarism.\(^56\) In 1857, Baikie, enhancing the credibility of his own ethnography, claimed that ‘in late years [the Todas’] original simplicity of character has sadly deteriorated, and they are now only like the generality of the native inhabitants’.\(^57\) Aside from providing a scientific fillip to the ethnographic account, the trope of decline emphasised the dual role of the European in precipitating that decline and in providing cultural salvage. The Todas were passive victims of ‘Europeans who are pauperising them with their constant gifts .... Their constant cry for “elam” (alms) indicates a degeneration of character resulting from the curiosity they excite among all foreigners.’\(^58\) Again, this degeneration of the Todas was part of a larger historical moment, ‘in keeping with the deterioration among other aboriginal tribes where Europeans have colonised’.\(^59\) The *kedr* debate allowed settler society a chance to ruminate on the impact their presence had upon the hills. It provided a bounded, and discrete, space within which the colonial project could be conspicuously berated. Within this exceptional and liminal space, Europeans, without jeopardy, could condemn themselves as ‘invaders ... [who] ... have filched

204
from ... [the Todas] ... their hills and valleys ... and destroyed the freedom and comfort of the segregated life which all barbarians so love and enjoy”.60

In a poem sent to the South of India Observer staged as a ‘Toda harangue’, a dead Toda returns to condemn the living tribe as the last of the ‘Toda nation’:

‘Have we not raised the funeral pile high for our brothers souls, 
And slain the mighty hecatomb, where now their carriage rolls, 
ah! ye know not all the glory, all the fury of the fight, 
With a hundred mighty buffaloes to slay before the night, 
When each young man with his own club must crush on maddened beast,-
And then came he music, and the revelry and feast... 
What could we do? The Kompani was far beyond our power, 
They said the land was theirs-’twas ours, and is unto this hour, 
But we were simple pastoral men, they kings had overthrown; 
We were soft as melting ghee, the white men hard as stone’.61

Combining classical references and allusions to the contemporaneous North American frontier, this over-wrought and pompous poem is a Toda-voiced acknowledgment of imperial power and an acceptance of inevitable submission.62 The poem is bounded, uncritical and safe. All the ‘white men’ were guilty of was intrinsic superiority. The Todas were morally, physically and culturally weak. Ethnology’s removal of cultural cognition from the Toda participant, combined with the legislated attempts to remove Toda agency from land-rights discussed in the previous chapter, left a vacuum that the colonial voice now filled; it now spoke for the Toda.

Beyond the blind-sides of legislative discourse and lines of turgid poetry, however, it was clear that the Todas were aware of the presence of ethnographers at the events. The ethnographer assumed a posture of detached sobriety disturbed by the willingness of kedr participants to interrupt the course of the ceremonies by looking up and catching the observer’s eye. Marshall, claimed he was informed that ‘in the midst of crying [the Todas] would hold out their hands for a present”63 and in the last years of the century, Edgar Thurston, Superintendent of the Madras Government Museum, supplied as anecdote the story of a group of ‘stalwart buffalo catchers ... [who] ... turned up at the bungalow for a pour boire in return, they said, for treating us to a good fight’.64 Both these anecdotes are written into ethnographic texts as dismissive asides, as proof positive of nothing more, or less, than the degeneration of the Toda communities. However, these incidents were troubling confrontations of a spectatorship
which had created an idealised, and essentially passive, object for its gaze. These spectral encounters challenged spectators to recognise that their own desires had created an encounter in which the Toda was an active and necessary participant. The actions of the ‘stalwart buffalo catchers’ described by Thurston remind us that the European spectator, too, had been constituted as an idealised subject by those they wished to look upon. The ‘spectatorial lust’ of imperialism had compromised itself in organising and executing the fulfilment of its desires. By the 1890s a kedr was described as resembling ‘a great fair’. Far from being a secluded fossil of barbaric practice, the larger kedr had become busy marketplaces where along with trinkets and snacks, ethnographic favours were also sold.

REACTION AND RESISTANCE

Passes for the slaughter of buffalo at any particular marvainolkedr, intended to enforce centralised cognisance and surveillance, were immediately compromised, not by resistance, but by absorption. Applications for passes by the Todas increased over time, from one in 1869, the year of their introduction, to thirty-six in 1872. Between 1869 and 1874, sixty-seven licences were granted, permitting an aggregate slaughter of two hundred and fifty-four buffaloes, a number far in excess of the Government’s legislated two per ceremony. Did the Todas application for passes constitute a submission? Or was their co-operation an expedient acceptance of the information networks which had created a public around the kedr? Some of the ceremonies, especially the smaller etvainolkedr, could easily have taken place without any official cognisance, but the opening of the ceremonies as a tourist attraction, and the extensive preparations for the larger ceremonies, made a certain degree of negotiation inescapable. The number of passes applied for, thirty-six in 1872 to slaughter a total of one hundred and twenty buffaloes, for example, must have included smaller kedr which could have taken place away from the gaze of either the authority or casual spectator. Alternately, the Todas did not apply for a pass for every substantial marvainolkedr. In 1886, the District Magistrate of Nilgiris, C. D. Macleane, attended a funeral only because he saw a notice for it in the local Ootacamund newspaper.

The Todas, therefore, while accepting the application for licences as a facet of the funerary preparations did so only on a selective basis, shutting out authority from the events when it suited and paying no attention to
the official limit of two buffaloes per ceremony. The acceptance of the passes was not dependent upon submission to authority but the integration of the licensing system as a facet of legitimacy during the organisation of forthcoming *kedr* within the Toda communities.\(^6\) That the process of obtaining sanction for the funerals was the subject of contestation within the Toda community is demonstrated by two petitions, from 1879 and around 1900, charging the Sheristadar of Ootacamund and a village Monigar respectively with manipulating the licensing system for nefarious ends.\(^7\)

The acceptance of the licences within the social dynamics of the Toda community was also dependent upon slack regulation by the local authorities. In 1875, the Madras Government reprimanded the Commissioner’s Officer for lax enforcement of the licensing system and the inconsistent attendance of the Assistant Superintendent of Police, reiterating that the purpose of the licences was to ‘reduce this wasteful and barbarous practice to a minimum’.\(^8\) This attempt by the Presidency authorities to reinvigorate authoritarian control of the ceremonies was met by a direct contestation of the licensing system by the Todas. Pettha Todi, the Chief Head man, engaged the services of A. S. Cowdell, a prominent Ootacamund Solicitor who had previously questioned the practice of forced labour on the hills. Cowdell was engaged to represent the ‘entire tribe’, which was after all the only configuration of agency that the government understood, to contest the licensing system as a cause of ‘considerable delay and inconvenience’ and as an illegal government interference in ‘Toda theology’. Cowdell opened the *kedr* debate to far broader categories of significance, defending buffalo slaughter as a ‘time immemorial … custom’ which was underwritten by the ‘liberty of worship’ guaranteed to all colonial subjects.\(^9\)

The representation introduced a manipulative encoding of the 1859 *kedr* legislation which the local authorities seemed unable to challenge. The petition claimed that the Todas had already been ‘restricted’ in their established practice of determining the number of buffaloes to be slaughtered according to the number of relatives of the deceased, although the petition claimed that this restriction limited them to ‘sacrificing two Buffaloes to Putcha Kadu and two to Varal Kadu [two principal deities] upon the death of any member of the tribe’,\(^10\) double the number of animals actually permitted for slaughter by the 1859 orders.\(^11\) This codification, taking advantage of the inability of the local *Cutcherry* to keep the details of specific legislation in operative memory, was fused with an evocation of
the over-riding, and irresistible, authority of the 1858 proclamation which guaranteed a policy of non-interference in religious practice. Provisions for prosecution under the charge of cruelty to animals did exist under the Police Act in British India but the powers of that bill were limited to towns.\textsuperscript{75} No legal provision existed for prosecution of the Todas on the grounds which had pre-occupied local commentators for decades. Besides, restrictions based on the issue of passes could ‘not be on the grounds of cruelty, as the same principle would apply to the sacrifice of two buffaloes as of a larger number’. Cowdell added that the grounds of waste, as well as being a restriction without legal ground since both the buffaloes and the ground on which they were killed were Toda property, was economically unfounded. The Kotas who attended the ceremony took meat and leather from the buffalo corpses and selective slaughter of non-milk-giving cattle made perfect utilitarian sense for the Todas’ pastoral economy. The petition concluded by invoking the custom of \textit{hijrat}, threatening that the ‘whole tribe of Todas intend to emigrate to some other place where they may be allowed to perform the rites of their tribe without interference’\textsuperscript{,76} The hybridity of Cowdell’s representation, in its amalgamation of legal precision and customary resistance does much to illustrate the complexity of the \textit{kedr} as an interface between settlement and hill communities by the second half of the nineteenth century and highlights the contradictions and fragility inherent in the local state’s invigilation of the events.

At the close of the century, a second attempt by the local authorities to reinvigorate the existing restrictions on the number of buffaloes killed at any one ceremony provoked a second petition which ranged directly on the presence of the European audience at the \textit{kedr}. One hundred and twenty Todas signed a petition stating, ‘Unfortunately for your petitioners’ community, it has of late years become the fashion for Europeans to attend the kedus as a kind of theatrical display got up for their benefit.’\textsuperscript{77}

This petition acutely observed that it was not complaints of any spectator that generated accusations of cruelty but the very presence of a European audience at the \textit{kedr}s which drew the objectionable attention of the state. Spectators past and present, and the texts they generated, were now held responsible by the petitioners for the discourse of ‘cruelty’ and ‘waste’ which invaded and irritated the performance of the \textit{kedr} rites. The attendance of casual visitors had been deployed as leverage against state regulation of the ceremonies.
Official co-option of the *kedr* reached an apogee in 1900 when just over 100 acres of land was excluded from forest reservation on account of being ‘Places where Todas perform their funeral ceremonies.’\(^7\) This demarcation of rights is exceptional in the course of forest survey and reservation on the Nilgiris. In other cases rights to worship and permission to collect material for sacred purposes were denied or admitted only under special, restrictive licence. The Todas themselves presented no claims to the sites, a procedural necessity in any other case of reservation, and their notification and demarcation was completed entirely by the officers of the forest survey.\(^7\) These spaces were reserved as ‘places of public utility’ yet to which public did the notification refer? Given the ambivalence of the colonial state in South Asia over the question of whether a colonised people could possess a ‘public’ realm, it seems more likely that the public in question was the coloniser. The verb, ‘perform’, therefore, seems apposite. By this demarcation, the *kedr*-like the *munds* selected by their proximity to the colonial settlements, were co-opted by the state as ‘public’ resources, binding the existence of the ceremonies regulative legislation and spectator access.

This late-century state surrogacy compromised the barbarity and secrecy, the latter more a motif than a reality, which had made the early *kedr* accounts so compelling. The buffalo slaughter at the *kedr* belonged to a wild, macabre and fascinating space, not a predictable space of official designation and public heritage. By the end of the century, the *kedr* as an ideal and idealised space of barbarity, ethnology and invigilation was beginning to show signs of stress. Attendance required the leisured visitor or resident to read the local newspaper and go to a demarcated area, an area possibly – if nominally – under the control of the Forest Department, to watch an event attended and mediated by police and magistrates.\(^8\) The belief that insentient savage nobility, ethnographic discovery and disinterested authoritarian surveillance could intersect without effecting the fragile integrity of each was no longer defensible. The Todas had perceptively contested invigilation and openly performed for, and prospered by, ethnographic spectatorship.

**THE KEDR ECLIPSED: COLLECTION AND DISPLAY**

The *kedr* was too complex, too contested a sight, and site, to be restructured around colonial authority, either ethnographic or judicial. By the end of the century, the *kedr* was superseded by the creation of new rituals. Scientific
observation at the *kedr* was replaced by the systematic collection and arrangement of material culture which could stand in for, and illustrate, 'tribal culture'. Organised collection and display could incorporate, even claim to celebrate and conserve, the exotic colour of the savage while maintaining the symbolic precedence of colonial sovereign authority. Staged performances of 'tribal dancing' were organised for the entertainment of the Governor of Madras in 1880, and for the Jubilee Celebrations of 1887. These organised events bore a keener and less ambiguous impression of colonial authority than could be stamped upon the *kedr*. At these rituals, the attention of the majority of spectators was directed towards the representatives of government as spectators. They were a conspicuous celebration of the imperial right to look at the colonised without the need for interpretation, informants or embarrassment. The dance itself was entirely and deliberately decorative; unlike at the *kedr*, it was for the performers, and not the spectators, that these displays were detached from any customary significance. For settlement society, on the other hand, the events were carefully orchestrated around familiar social and spatial hierarchies and significant calendrical dates.

The *kedr* had been a poor subject of photography; the ceremonies were too complex and too animated to capture. Sketches allowed the ethnologist to isolate moments of the ceremony; for example, W. E. Marshall’s study included a line drawing of Toda mourners. Breeks managed to obtain what seems to have been one of the only photographs of the *kedr* taken in the nineteenth century. It shows the male corpse’s hand being made to clasp the horns of a slaughtered buffalo (Plate 7.1).

Physiognomic images and maps – descriptions, measurements, photographs, plaster casts – of the tribal bodies eclipsed event narratives as professional, race-fixed anthropology replaced the sensual genres of travelogue and event encounter ethnography at the end of the century. On the hills, collection and display went through a dramatic reorientation. In the 1850s, a museum was planned for Ootacamund ‘which will tend to create Native interest and open up the resources of the country’. This museum, and an accompanying agricultural exhibition, were intended to ‘be useful ... though probably not at first quite understood or appreciated in its objects by the native land holders’. The museum’s exhibits would be aimed at the hill communities; they would display the paraphernalia of civilisation for the edification and improvement of the indigenous communities and agrarian production. By the 1870s, there was a reversal of
this exhibitionary order. Exhibits were no longer intended as a demonstrative order aimed at the improvement of the indigenous hill communities but were collections designed to remove, indeed salvage, the declining material culture associated with them. A number of authors commented upon the deterioration of the distinctiveness of Toda material culture and a fading of the qualities that had made them so attractive formerly. Thurston noted that, ‘I was lately shocked to see a Toda boy studying in the third standard in Tamil, instead of tending the buffaloes of his mund. The Todas, whose natural drink is milk, now delight in bottled beer. …Tiles and kerosene oil tins are substituted for the primeval thatch.’

The culture of the hill communities was now created as distinct, a thing apart from the Todas themselves and the idea of the ‘tribal’ was re-organised into, or rather as, material fragments. Material culture, ostensibly preserved from corruption, now entered new and elaborate fields of significance. All over India, in common with other colonised societies, mundane objects were transformed and made desirable through their association with the culture of tribal or peasant communities. During the ‘Toda dance’ organised for the Governor of Madras in 1880, ‘a silver necklace worn by
One of the women ... took his fancy as an oriental curiosity. The cost of this ornament was estimated at Rs 60, but when his Grace's anxiety to become the possessor of it was perceived it was inevitable that an enhanced valuation was immediately put upon the ornament. The necklace was eventually purchased by his Grace for Rs 100.89 The 'intrinsic value' of the necklace included not just its weight in silver or its workmanship but the allure of its association with the Todas as constructed by the colonial imagination. Collections of Toda jewellery and embroidery were sent to the Calcutta and Chicago Exhibitions of 1883 and 1892 respectively.90 In 1892, a club 'used in massacring the buffalo at a green funeral' was among 30 specimens sent from the Nilgiris to the India Museum in Calcutta.91

The correspondence between Museum Curators and Collectorate Officials reveals a tension between the desire to create a centralised, authoritative depot of material culture and the contingencies of local collection. Objects were requisitioned by a list sent from the Government Museum in Calcutta collated from existing exhibition and collection catalogues. Ornaments for these collections were bought off the bodies of Todas, Badagas and Kotas on market days in Ootacamund or obtained through the mediation of Monigers. Prices to be paid were scrupulously controlled according to those given in the earlier Exhibition catalogues. The museum's only possible response to the uncertainties of collection and the known risk of inflation was to be pedantic and stingy. The Monigers who supplied objects were forced to petition repeatedly before they received payment. Ironically however, prices, once supplied in exhibition catalogues, became the only proof of authenticity possessed by museums buying from afar with no pre-emptive knowledge of the appearance of any particular object. Despite the corruptive quality of commerce in the acquisition process, an object gained its specific identity because it cost a certain amount. In the early 1880s, for example, a necklace priced at Rs 35 on a requisition list sent by the Calcutta Museum was bought for Rs 50. The India Museum immediately returned it refusing to sanction the extra funds.92 This awkwardness speaks volumes of the doubly corruptive process of acquiring objects supposedly 'rescued' from pristine, pre-monetary, indeed prehistoric, cultures. Buying and selling, the logistics of removing material from its source, soiled and endangered the meaning of an ethnographic exhibit constituted by its inclusion in a museum. The embarrassment and tight-fistedness also belies the complete ignorance of the museum about the objects requested. Publicly, this embarrassment
could be concealed through a condemnation of the increasing greed, and therefore corruption, of the hill communities, proof positive of the need for museological friezes of their declining culture. In truth, the Calcutta collectors often had no idea of how what they were requisitioning should appear. Collection constituted a neglected and rather ramshackle portion of the museum profession: the moment of collection was the moment at which the ethnographic impulse was at its most vulnerable, circumcluded by a paranoia of deception, a total dependence upon given information and a conviction that objects were snatched from a degenerating context. Unlike the kedr, however, this imperial impulse had hope of relief. Acquisitive encounters with the objects in their everyday life within the hill communities was only a moment, albeit the most awkward one, in a larger project. Once obtained, objects could be reassembled within the confines of museums and curatorial order imposed. Ethnographic photography illustrated and typified frozen associations between particular material culture and specific, generally segregated ethnographic types (Plate 7.2 overleaf), while the objects collected could also be arranged as a culture grouping itself (Plate 7.3, p. 215). W. E. Marshall created a heraldry of Toda material culture used at the kedr and other ceremonies (Plate 7.4, p. 216). This image, like the dances, abstracted and safely reassembled material culture in a familiar, and highly contrived, arrangement.

Outside the museum, as the Madras Governor’s desire for a silver necklace illustrated, desirable objects – obtained as closely as possible to the site of presumed authenticity – were potent means of marking difference and identity. Breckenridge has described the colonised and colonial assemblages of appropriate material culture for the westernised Indian and the erudite English household. The westernised Indian was to be surrounded with the genteel accoutrements of civilisation while the collection of Indian ‘bric-a-brac’ testified to the knowledge and experience of the old India, white, hand. Like any idealised arrangement of material culture and society, however, it could easily be disrupted. In the early 1880s, a number of Todas were contracted by the agents of P. T. Barnum’s circus as ‘ethnological rarities’. The ‘specimens … procured’ as exhibits for Barnum’s Grand Congress of the Nations were first exhibited at a private exhibition to press and clergy at Madison Square Garden in New York on 15 March 1884. They subsequently travelled extensively in Europe, Australia and North America. On returning to the hills in 1889, one or more of these men gained notoriety as the ‘Travelled Toda’. The Travelled Toda returned
to the Nilgiris with a command of English and his own collected fragments of European material culture which disconcerted the proper order of the kedr and the Todas’ place within it. A correspondent with a local newspaper reported that,
I was attending a ‘kedr’ or Toda funeral, when a piquant vision of female loveliness burst on my astonished sight ... shading her bare head with a silken parasol, she wore a tight bodice, and a white robe of some gauzy texture descended to her ankles ... Judge my amazement when I learnt that this pretty aristocrat was a Todaess! 'It is all my work,' said the travelled Toda proudly ... 'When I have completed her education, I am going to take her to see the Queen.'

“Do you like this sort of thing?” I enquired pointing to the spot where a number of Todas were engaged in annoying the buffaloes destined to be slaughtered to the manes of the deceased, 'I don't like it one damn!' she ripped out in English with a vivacity which made me jump.96

At the late kedr ... the Travelling Toda ... said, indicating his tribesmen with a contemptuous gesture, '[These] are jungle men. You must not suppose they have any affinity to me. I'm an American.'97 ... He speaks in glowing terms of the Queen Empress whom he had the happy fortune of seeing personally. He shows the eager crowd around him the Royal presents bestowed on him by Her Majesty ... the rings he wears on his fingers ... and his watch which bears the impression of a crown.98
The Travelled Toda was not an anglicised Indian. Nor was his appropriation of western material culture part of a deliberate assimilation to western tastes and aesthetics. The tone of the reports poked fun at his mannerisms, but it is equally clear that the Travelled Toda was laughing back. The Travelled Toda introduced a threat of reverse, or inversion, as he owned, through object and language, fragments of the European metropolis and radically transformed them through new contexts and cosmologies closed to the European spectator. His ordering of his experiences and his appropriation of European material culture disordered the ideal of the body and material culture of the savage properly enshrined, and entombed, in ethnography and glass cases.
Local and imperial cognition and commemoration of ‘tribes’ and ‘tribal culture’ moved from an event embedded within Toda society to off-site practices of cultural preservation. The kedr developed a life within the accounts of settlers and ethnographers as a theatre for debate on the role and place of the settlers. As a space it furnished settler cosmology with a site for the imposition of a benevolent and educated European control and moderation. The kedr was also a site of barely concealed dilemmas which were reflected in the ambiguous and inconsistent formulation and enforcement of legislation. The Todas began to hold the eye of the ethnographer, profiting from the urges of the educated settler to see, document and collect. Petitions demonstrate that the communities were willing to tolerate so much and no more authoritarian interference than they could absorb and profit by.

The funerals were eclipsed by encounters more adequately embedded within the certainties and power hierarchy of commodity exchange. Spectators were no longer confined to the periphery of an event over which they could assert no control but were instead the audience to new spectacles, which were subject to none of the instabilities or disruptions of the kedr. Objects, photographs and physiognomic measurements disembodied and distilled the ‘fascinating’ Toda into reassuring and safe arrangements.

The presence of spectators at the Toda kedr receives no mention in Frederick Price’s narrative nor in any of the many histories and ethnographies written of the hills. The elision is more than mere oversight. The exceptionalism associated with the Todas offered a means of compensating for the transformative interventions pursued across other aspects of the landscape: forests, settlements and agriculture. However, exceptional treatment, whether with regard to land-rights or cultural preservation, troubled the colonial administration until, at the end of the nineteenth century, it was reformed into a trope of spatial separation and juridical exclusion.

NOTES


4 *Athenaeum*, 29/9/1846, Walter Elliot Collection Eur. Mss, D 318, OIOC
Other Landscapes

5 Ibid.
10 Rivers, *The Todas*, p. 337.
12 E. P. Thomas, Collector of Coimbatore, to Government, 7/9/1859, PMJD 24/9/59, no. 26028, pp. 81–82, OIOC.
13 E. B. Thomas to Govt. 25/6/1856, PMJD, 12/8/56. no. 7–8, pp. 2549–2557, OIOC.
14 Ibid.
15 Court of Directors Dispatch, 12/8/57, no. 12, TNSA; PMJD, 5/5/58, nos. 39–40, p. 183, OIOC.
16 E. B. Thomas to Government, PMJD, 24/9/59, nos. 26–28, pp. 81–82, OIOC.
17 Ibid.
18 Translation of an urzee, by Soondra Moodelly, 30/8/59 in PMJD 24/9/59, nos. 26–28, pp. 81–82, OIOC.
19 Ibid.
20 E. B. Thomas to Government, 7/9/1859PMJD 24/9/1859, no. 26–28, pp. 81–82, OIOC.
21 Goondookullun/Goondoogul was the Monigar of Merkunad in 1837, who refused to accept the money offered to the Todas as compensation for the land appropriated by the Company for the Ootacamund cantonment, see Chapter .
22 PMJD 24/9/1859, nos. 26–28, pp. 81–82, OIOC.
23 Breeks’ ethnography of the hills, *An Account of the Tribes and Monuments of the Nilagiris*, was published posthumously in 1872 by his wife.
25 Ibid.
26 Ibid.
27 Ibid.
28 Ibid.
29 An important aside is that Christian missionaries on the hills undertook economic, and not primarily moral, arguments against the kedr. The missionaries achieved a far greater degree of impact on the ceremonies by the divisive introduction of the idea of ‘rich’ and ‘poor’ Todas, and appropriate and differential ritual behaviour. See Metz, *The Tribes Inhabiting*. Two Church of England Zenana missionaries, Ling and Macdonald, arrived on the hills in 1886 and pursued an effective campaign against the kedr along these lines. Based in the munds, after a Government grant of inalienable Toda lands in 1893, MRDP 26/5/1893, no. 459, OIOC. Their story belongs principally to the early twentieth century, and its beginnings will be circumvented here.
Authority, Spectacle and Ethnography

30 Marshall, A Phrenologist amongst the Todas, p. 184.
36 Athenaeum 29/9/1846, in Walter Elliot Collection Eur. Mss, D 318, OIOC.
37 SIO 30/1/86, p. 9, col. 2; SIO 7/2/91, p. 8, col. 1.
39 Marshall, A Phrenologist among the Todas, p. 185.
41 An editorial in 1888 reported that children of ‘obviously pure European parentage’ had been found ‘clad in native costumes and in companionship with children of dusky hues,’ SIO, 25/8/88, p. 4, col. 4.
42 SIO, 1/1/81, p. 6, col. 2.
43 SIO, 23/5/77, p 3, col. 4.
44 See, for example, Rublack, U. ‘Pregnancy, Childbirth and the Female Body in Early Modern Germany’. In Past and Present, no. 150 (1996), pp. 84–110.
45 A Collector claimed Police presence would cause ‘the objectionable features ...to disappear,’ PMJD 30/3/86, no. 834, pp. 119–121, OIOC.
47 MJDP. 30/3/86, no. 834, pp. 119–121
49 Unpublished paper by D. S. Young, 22/5/1827, West Papers, Mss Eur. D 888, OIOC.
50 Ibid; a later author asked whether the Todas would ‘perish like Red Indians of America or the aborigines of Australia?’, Geofry, Ooty and her Sisters, or Our Hill Stations in South India, Madras, 1881, p. 35.

‘The Aboriginal Races of India’ a print cutting, Aboriginal Caste Book, vol. 1, WEC, OIOC.

Breeks, An Account of the Tribes and Monuments, p. 26

Marshall, A Phrenologist among the Todas, p. 181


Chandler, J. S., ‘Aborigines of the Nilgiris in South India’. In Scientific American, 29/9/1900, pp. 203–204.

‘Viator’ in The Native Herald; Congreve, ‘The Antiquities of the Neilgherry Hills’.


The hecatomb was an ancient Greek public sacrifice of one hundred oxen.

Marshall, A Phrenologist Among the Todas, p. 183


Cockerell, Collector, to government, 17/10/1874, PMJD 27/10/74, no. 142,143, OIOC; Rees, 1892


The length of time for required for preparation of large marvainolkedrs was estimated at three months by two Badaga Monigars, C. D. MacCleane, Acting District Magistrate, to government, 14/12/1886, MJDP 30/3/1886, no. 834, pp. 119–121, OIOC.

Ibid.

An example of licences being contested within the Badaga community takes place in 1879 when the Monigar of Ketti petitions the Commissioner not to issue a rival car with a licence during commemorative funerary rights, Miscellaneous Letter Book, 1879, UDR.


MJDP 27/10/74, no. 142,143, OIOC.

A. S. Cowdell, Attorney for the Todas, to D. F. Carmichael, Chief Secretary to Government, 13/7/1875, MJDP 2/8/75, no. 3–5, pp. 936–939, OIOC.

Ibid.

E. B. Thomas to government, 7/9/1859, MJDP 24/9/59, no. 26–28, pp. 81–82, OIOC.

C. D. MacCleane, Acting District Magistrate, to government, 14/2/1886, MJDP 30/3/1886, no 834, pp. 119–121, OIOC.

A. S. Cowdell, Attorney for the Todas, to D. F. Carmichael, Chief Secretary to Government, 13/7/1875, MJDP 2/8/75, no. 3–5, pp. 936–939, OIOC.
Authority, Spectacle and Ethnography


78 The land was spread over 6 plots in Nanjanad circuit, MRDP 26/3/1900, no. 295, 295A, pp. 784–801, TNSA.

79 Ibid.

80 Accounts refer to the Kota bands, who supplied the music for the event, coming accompanied by policemen. Thurston, ‘Anthropology of the Todas and Kotas of the Nilgiri Hills’. In 1892, the killing of the buffalo was postponed until the Collector arrived to invigilate, SIO, 1/10/92, p. 8, col. 2.

81 SIO 23/10/80, p. 7, col. 4; SIO 15/2/87, p.3, col. 1.


83 A similar photograph is contained in Rivers, The Todas, p. 355, fig. 53.

84 Quarterly Report of School of Industrial Arts, Madras, April–June 1867. I would like to thank Deepali Dewan for this reference.

85 Collector to MBR, 12/5/1856, PMBR 2/6/1856, no. 35, p. 8999, TNSA.

86 Ibid.

87 Edgar Thurston, quoted in NN, 8/12/1897, see also R. F. Burton, Goa, and the Blue Mountains, London: Richard Bentley, 1851; J. Shortt, An Account of the Tribes on the Neilgherries.


89 SIO 30/10/1880, p. 7,col. 4.


91 MBRD (Rev. Settlt., Land Rev. & Agro.) 8/6/92, no. 5022, mis, UDR.

92 Correspondence between the Collectorate and Bidie, Curator at the Calcutta Government Museum, Misc. File, 1880–1883, UDR.


96 The South of India Observer and Nilgiri Express, Saturday 13/4/1889, p. 3, col. 1–2.

97 SIO, 2/1/86, p. 8, col. 3.

98 SIO, 23/1/86, p. 9, col. 3
CHAPTER 8

Conclusion

As the colonial settlement project began on the plateau, the rights of precedent possessed by indigenous inhabitants offered colonists the means to acquire land beyond, or regardless of, the rule of the Madras Government. The same rights, once subject to an alternative codification by the revenue officers of the Madras Government, provided the index through which the Madras authorities sought to wrestle back control of the unruly settlements. The juridical necessity of indigenous precedent, which lent these codified rights their prominence in the order of colonisation, was embellished by a sentimental pretension that Company colonisation in India was never unmindful of native rights. This pretension, however, crumbled through the course of the century and the spatial order of colonisation was reversed. By the end of the century, the recognised rights of indigenous communities were spatially curtailed exceptions to the colonial landscape celebrated in Frederick Price’s history. The hill communities were despatched to another landscape and another time, outside of history.

It is unsurprising that the imperatives, indeed the nature, of colonisation cauterised the stated desire to protect the rights of indigenous precedent. However, the greater claim of the colonists, to the space and resources of the hills and to the indulgences of government, was never the subject of directive legislation. Injunctions by the Madras or the Home authorities emphatically, if only occasionally, restated throughout the century the primacy of indigenous rights. The tension between intrusive colonisers and indigenes was gradually resolved in the legislative and spatial curtailment of categories that were to stand beyond, and in counter-definition to, the colonised landscape. The legislative delineation of the Toda munds towards the end of the nineteenth century sought to create exemplars of
Conclusion

legal and spatial differentiation. These bounded spaces demarcated the stewardship of the state and marked the Toda indigene as a curated residue of the uncolonised hills. Similarly, the sholas were relegated through their valuation as a resource incomparable to and incompatible with the forests imagined by colonial forestry in the second half of the nineteenth century. Beyond these selected exceptions, a narrative of the plateau’s colonisation was invented which replaced intrusion with a notion of redemption: land that had been neglected by indolent pastoralists or damaged by swidden cultivators could, through colonisation, be restored. Forests could be repaired and improved, property relations reorganised, poor subsistence replace by profitable plantations and barbaric customs moderated.

These displacements and re-orderings of the landscape as it was imagined for the purposes of rule did not confer control. Transformations simply engendered caveats and deferral which would spare the embarrassment of officials who exercised scant authority. Forest management over the course of the century replaced a policy of conservation as taxed destruction with an administrative regime inseparable from expectation and suspension. By the 1880s, scientific forestry regarded the comprehensive reconstitution of the forests as a precondition for proper management. When, and only when, the forests had been reconfigured by the mass plantation of exotic species, could imperial forestry begin. In turn this condition of imperial forestry promised a comprehensive transformation of the landscape. Orderly forest exploitation, a proper revenue regime and the regulation of the agrarian landscape would be enforced through the reconstitution of the forests on the hills. Until that time, however, the forested and agrarian landscape of the hills could only be defined by its inadequacy: a judgement that allowed the imposition of the scientific forestry regime to be deferred.

The promise that an unrealised regime of forestry had the potential to provide a definitive structure to the agrarian landscape bears testament to the compromised and fragmentary control exercised by the revenue authorities. Certainly, revenue officers tended to be a more compromising species. However, during the nineteenth century, the ‘colonised’ landscape was characterised by ambiguity and overlapping claims and rights. The cadastral landscape (which could not include Toda habitation since the inalienable mund sites were not, by definition, property) was hardly known at all. To graft a culture of property onto the hills in order to moderate and legitimate colonisation – coded in defined boundaries, grants, estates, leases, titles, signatures and stamp paper – depended upon the creation
of a cartography against which both land claims and legislation could be calibrated. Surveys of hills, originally undertaken as a means to control and temper the claims of private colonists, became dependent upon those very same claims. The colonial authorities repeatedly failed to acquire an authoritative cartography with which to mediate the land-market on the hills; cadastral information trickled into the District Revenue Office when land was bought at auction or when settlers saw fit to register their property at the Collectorate. Topographical survey, like forestry, was placed in a position of perpetual postponement. Past surveys were condemned as inadequate; only future survey would, finally, translate the lands of the hills into known and controlled quantities. Species introduction similarly offered the salve of reinvention, unburdening the colonial state from the need to maintain a practicable system of invigilation and establishing an administrative rationale with which indigenous communities could be regarded as immediately and inherently incompatible.

At the beginning of the century, the legislative imperative was to abstract, measure and value indigenous rights within a single regime of land ownership and revenue payment, thereby establishing a legal foundation for colonisation. Ironically, during the course of the century, colonial law – the key precept of the civilising mission – was applied with the greatest rigour to spaces that were regarded as lying outside the colonised landscape. These exceptions to the colonised landscape were defined with far greater legislative clarity than were the land-rights of settlers.

This legislative ‘scaping’ achieved its fullest expression when directed towards the sites of Toda munds. The munds, like the shola forests, were sectioned off as fragments of the past, the guardianship of which allowed settlers to stake their claim to the future of the plateau. That claim, however, was mediated by conspicuous interaction with these fragmented, primitive pasts. The mund, kedar and shola accommodated the guardianship which was a necessary corollary to expansionist, transformative colonisation. The kedar, like the mund sites, were spaces for encounters with the uncivilised other. At both sites, the Todas were, in their idealised and imaginary state, an impermeable collective.¹

Settlers craved a generic experience in which the thrill of an exotic encounter could be matched by expectations that were firmly laid by authoritative texts. Such encounters, cultivated by the colonists to affirm their relationship with the Todas, were transactions and frequently exposed as such. The presence of spectators led to the over-articulation
Conclusion

of legislation at munds and kedrs and, in turn, contestation. Indigenous agency disrupted the gaze of spectators and resistance made the events less amenable to legislative definition and regulation. The coloniser’s gaze was embarrassed deeply by both resistance which exposed and contested legislation and by demands for money. Encounters with the primitive were desirable precisely because they appeared to take place in a space free from the presence of either the market or the state. Before too long the instability of these encounters necessitated their replacement with less compromising encounters: carefully staged performance; the scientific order of the museum; or the vicarious pleasures of the text.

These two orders of space which evolved on the hills – the legislated exception and favoured, though scarcely regulated, colonisation – were at once diametrically opposed and intimately related. Their relationship encapsulates the predicament of authority on the hills. That which lay outside the reach of colonisation was subject to a far more rigorous definition in the nineteenth century than that which purportedly came within the jurisdiction of the colonial authorities. The colonised landscape and its legislated other not only defined each other by providing spaces where the hills were experienced differently; they were linked by the graduated effects of an imperfect system of authority. The relationship between alternately configured landscapes – the colonised and uncolonised; agriculture and waste; alienable and inalienable land; forest and unforested – was key to administrative calibrations throughout the century. Successive pieces of legislation were formed and reformed according to the assumption of difference and threats of overlap and contamination.

Naturally, the stewardship assumed in defining the uncolonised hills was unenforceable in the context of quotidian affairs. They leave traces in the colonial archive as statements of, often forgotten, administrative intent. Despite emphatic legislated protection, the munds were alienated through informal agreements and the sholas continued to be eroded. In land appropriations, the relationship between land-hungry settlers and the customary regimes of shifting cultivation was opportunistic, even symbiotic. Protests by aggrieved planters against bhurty had immediate purchase with government and served to align, if only momentarily, the interests of both state and colonisers. However, settlers depended upon the fluidity of the indigenous agrarian landscape and the inability of the state to invigilate appropriations.
By the end of the century, the unobtainable landscape of plantations – occasionally interrupted by conserved and delimited remnants of the uncolonised hills – was the only landscape which cohered with normative administrative categories. Indigenous forests, agriculture and habitation were left in a state of incessant contravention. Despite the palpable superiority of indigenous cultivation in terms of sustainability and revenue payment, it repeatedly fell short of the speculative schematics of colonial governance. This reorientation of colonisation towards a vision of landscape that was reinvented was not intentional. The recession of the indigenous landscape, in its many forms, was the result of incremental changes, contingencies and adjustments in local policy.

The idioms of place, environment and ethnicity constituted during the nineteenth century endure. Non-plantation subsistence practices, such as grassland firing and swidden, are both regarded as inimical to the Nilgiri landscape and responsible for a long-term process whereby shola was pushed back to the margins of the grasslands. Post-colonial forest management has continued to plant grasslands with acacias and eucalypts in order to correct this attrition. The Indian Constitution transmuted the racial, ethnic or criminal category of the tribal into a category of deprivation. Contemporary Badaga claims to designation as ‘tribal’, for the purposes of state investment and access to educational and employment quotas, therefore, are couched in claims to autochthonous status. Little advocacy made on behalf of Toda communities departs from the preoccupations established in nineteenth-century ethnographies. Registers of Todapatta lands, registers of the fragmented and eroded lands held by these communities, now form the unquestioned basis of community claims.

This book has sought to demonstrate the importance of counter-definitions – the uncolonised, the primitive, the unruly – to the delineation of an aspirant imperial regime. The ‘other landscapes’ of the Nilgiri plateau provided spaces over which successive stages of the colonial project could be enforced through the enunciation of what it was not. This differentiation of space, custom and economy produced a system of administration which failed to regulate either colonisation or the remnants of the uncolonised hills. During the nineteenth century, these ‘other landscapes’ were both produced by, and provided the succour for, the imperfect and contingent assumptions of colonisation.
Conclusion

NOTES


4 Evam Piljain-Weiderman, a contemporary Toda representative, used the 1937 register of Toda patta lands in such a fashion in negotiating with the Forest Department, Piljain-Weiderman, pers. comm.
Bibliography

GOVERNMENT PROCEEDINGS AND CORRESPONDENCE

Tamil Nadu State Archives, Chennai; Oriental and Indian Office Library, London; Udhagamandalam District Records
Proceedings of the Madras Board of Revenue
Proceedings of the Madras Education Department
Proceedings of the Madras Judicial Department
Proceedings of the Madras Military Department
Proceedings of the Madras Public Department
Proceedings of the Madras Revenue Department

UDHAGAMANDALAM DISTRICT RECORDS

Nilgiri District Gazette, 1871–1900
Assistant Conservator in Charge of Nilgiri Forests, Letter sent Book, 1861–1862
Assistant to Special Assistant Collector’s Letterbook, Feb. 1860–Sep. 1864
Coimbatore Collector’s Letterbooks, Sent and Received, 1858–1879
Coimbatore Collector’s Neilgherry Letters Sent, 14/1/1863–28/9/1863
Commissioner’s Letterbook, 1879
Forest Department Received File 31/3/1868–25/3/1869
Index of Records, 1886
Joint Magistrates Letterbook, 2/1/1857–4/7/1861
Other Landscapes

Land Letters Received, Jan–Jun 1869
Land Revenue Receive, 1879
Miscellaneous Letters Received, Apr–Sept 1869
Miscellaneous Files, 1880–1893
Miscellaneous Sent Letterbook, 1869
Register of Civil Suits, vol 6., Udhagamandalam District Court Records.
Survey Dept. Received Letterbook, 1879
Unmarked Letterbook, 1869
Waste Land Surveys File, 1893

NEWSPAPERS

South of India Observer, 6/8/1877–30/12/1893
Nilgiri News, 2/1/1897–2/3/1900
Madras Mail, 1869–1870

MEMOIRS OF THE SURVEY OF INDIA


UNPUBLISHED SOURCE


PUBLISHED SOURCES

Anon., The Visitors Handbook of the Nilgiris. Madras, 1897.
Bibliography


Other Landscapes


Campbell, W., The Old Forest Ranger; or Wild Sports of India on the Neilgherry Hills, in the Jungles and in the Plains. London: How & Parsons, 1842.


Chandler, J. S., ‘Aborigines of the Nilgiris in South India’. In Scientific American, 29/9/1900, pp. 203–204.


232
Bibliography


Geofry, *Ooty and her Sisters, or Our Hill Stations in South India*. Madras, 1881.


Other Landscapes


Markham, C. R., Travels in Peru and India, while Superintending the Collection of Chinchona Plants and Seeds in South America, and their introduction into India. London, 1862.


Mitchell, John Murray (Mrs), In Southern India. A Visit to some of the chief Mission Stations in the Madras Presidency. London, 1885.


Packman, J. D. V., Companion to the Blue Mountains. Madras, 1850.

Paris Universal Exhibition of 1867; Catalogue of the British Section, containing a list of the exhibitors of the United Kingdom and its colonies and the objects which they exhibit. London, 1867.

234
Bibliography


Quarterly Report of School of Industrial Arts, Madras, April – June 1867.


Index

acacia plantations
abandonment 131–133
introduction 126

Ampthill, Lord (Russell, Arthur) 3

Babington, H. M. 118, 120, 126, 130

Badagas
agriculture 85, 88–89.
labour 68, 96.
land disputes 27–32, 35–42, 64–67, 69, 72

Baden-Powell, B. H. 49, 50, 77, 78, 187 (fn)

Barnum, P. T. 213

Barron, Richard 7–8.

Benson, R. S. 75, 102, 140, 141

bhurty (swidden cultivation)
outlawing of 69, 78, 98–101, 138, 167

Blavatsky, Helena Petrovna 161

Botanical Gardens, Ootacamund 183

Brandis, Deitrich 37–39, 44–46, 49

Breeks, James W.
ethnography 63, 170
forest regulations 118, 124, 129–131, 134
labour 97
survey of Toda lands 174–175, 179
Toda funerals 197–198, 203, 210, 214–215

Bundimee village 36–37

cadastral survey 11, 48–54, 56, 68, 73, 75–78, 102, 174, 223, 224

Campbell, Captain John A. 126–127, 129, 132, 133, 138

Candalmund 16, 21, 32–35, 42, 178, 183

Cederlöf, Gunnel 160, 184 (fn)

chinchona 1, 104, 128, 137, 147
Government Chinchona Gardens 95, 120, 176

Cleghorn, Hugh 118, 121, 128

Cockburn, David 63
coffee
estates 1, 25, 55, 59, 60–61, 81 (fn), 119–120, 128, 147, 183
indigenous cultivation 96, 104
colonial archive 5, 8–9, 30, 56, 63, 73, 97, 187, 197, 225

Court of Directors, London 4, 31, 79 (fn), 153 (fn), 162, 194

Cowdell, A. S. 97, 207–208

Crewe, Major, Military Commander on the hills 27–29
customary law (see also gudu) 19, 21, 23, 55, 78, 140, 172, 207, 208
desiccationism 106, 119, 121, 122, 136

Duff, Mountstuart Elphinstone Grant 30, 142, 144
durkast 51, 69, 101

East India Company 1, 6, 15, 52, 90, 222

Edinburgh International Forestry Exhibition 134–135
eucalyptus plantations
criticism 133–134, 138–139, 146
establishment of plantations 128, 131
Jungle Conservancy 129
scientific endorsement 135–136, 138–139

experimental farming

237
'experimental scotch farm' at Keti 27–30

forest
firewood 38, 60, 115–117
Jungle Conservancy 123–125, 129, 133, 134, 135
~ labour 143
~ offences 118, 130
ornamental planting 128
~ passes 115, 117–118, 124–125, 141–142
sale of ~ land 122, 125

gomonojum

forest fires 118, 124, 130, 142, 144, 158 (fn)

Forest Plantations
local communities and ~ 129
supply of firewood from ~ 124, 129–133
See also eucalyptus plantations; acacia plantations

Forest Settlement 136–146

Goondoogul, Monigar 22, 33, 196, 218 (fn)
gudu 17–21, 25–27, 32, 36, 40, 55–56, 85, 162, 166, 172
Guha, Ramachandra 138

Haig, J. 28–30
Hockings, Paul 90, 108 (fn), 109 (fn)
Huddlestone, A. J. 32–33

Indian Forest Act, 1878 136
Irulas 5, 10, 63, 96, 143, 193

Jackatallah
barrack land dispute at ~ 16, 35–42, 49, 93, 134
fire-wood supply to ~ 115–116, 126
forest plantations 132, 126–127, 132, 134, 138

jardinage 149
jumabundi 27, 100

Karalery 25, 106
~ Coffee Estate 61
Kedr (Toda funeral rituals)
etravainolkedr 192–193, 206
ekertnôdr 193, 209
marvainolkedr 192–193, 197, 204, 206
policing of 198, 202–203, 207, 209

Kurumbas 5, 10, 62, 86–87, 96, 97, 193
forest settlement 143, 103

labour 94–98, 105, 131,
landscape idealisation 6, 146–151, 166–173
Lascelles, A. W. R. 56, 68–69, 119
Lushington, Stephen 27, 33, 52
Lytton, Viceroy 1

Madras Forest Act, 1882 115, 136, 137, 139, 140, 146, 181, 182

Mapping and land-survey
~ and estates 77–79
Great Trigonometric Survey 50
~ and indigenous communities 49–50, 71–72, 75–79
Ouchterlony’s survey 25, 50, 162–163, 166–167, 174

Mandelbaum, David 160
Monigar, John 119–120
Mclvor, William G. 95, 119–120, 121, 147, 176

Metz, Revd. Freidrich 49, 72, 174–175, 198
Meyoor Appah Moodely 28–29
Mitchell, Timothy 135–136

monigar
government appointment of 91
responsibilities 91–94, 118, 141, 195–196, 212

Moodelly, Soodra 195–196
Morgan, H. R. 72, 117, 118, 122, 132–134
Munro, Thomas 3

museums
collection for 213
exhibitionary space 191, 225
India Museum, Calcutta 212
Madras Government 205
Ootacamund 210
Mysore 6, 17, 20, 87, 90, 91, 94, 95, 191

Nesbitt, W. S. 65–67
Norton, George (Advocate General, Madras) 23–53, 52

Oliphant, I. 34
See also Rumbold, William, Sir
Index

Opium cultivation 3, 30, 85, 88–91
Ochterlony, J. 36, 49, 50, 55–56, 78, 88, 162–163, 166, 174. See also
Mapping and land-survey

Peishkar 32
petitions 19, 124, 141, 154 (fn), 183, 193, 195, 207–208, 212, 217, 220 (fn)
Philip, Kavita 167
photography 147–148, 161, 167, 170, 173, 191, 193, 200, 210, 213, 217
phrenology 161, 198, 204
Plantation Registers 51, 61,
Price, Frederick 2–4; 107, 217, 222
Rae, H. D. 64–67, 71
Revenue Survey and Settlement 9, 75–79, 87, 94, 102, 104–105, 142, 178, 182
Rumbold, William, Sir 33–34

sholas
conservation 115–116, 121, 164
criticism of ~ 128, 150
~ and forest reservation 136–142, 150–151
~ and plantations 125, 128, 130–131, 137–139
reservation from sale 121–122
Shortt, John 134
Smith, E. Collector 27–29
Society for the Prevention of Cruelty to Animals 200
Sullivan, H. E. 111, 145
Sullivan, John
and forests 117, 119
land tax 43, 52, 88
and monigars 91
swidden cultivation (see bhurty)

tea
~ estates 1, 59, 64, 65, 72, 113 (fn), 119, 121–122, 125, 128
indigenous cultivation of ~ 96, 104, 106
Thomas, E. B. (Collector)
and bhurty 89, 98–102
and forest conservation 115, 118, 119–120, 121
and forest plantation 126, 128
and kedr 194–195, 197–198
and land colonisation 58, 69
and land-disputes 37–40, 47 (fn), 62–68
Thurston, Edgar 205–206, 211
Todas
joint-management of lands 181–182
pastoral economy 85
settlement sites 162–163
taxation 88, 90, 163, 165
Todapattas 179, 181

Underwood, W. E. (Collector) 37
Universal Exhibition, Paris, 1867 134, 173
Venkat Soobien 32–35.

Wasteland
official definition 53, 78
sale at auction 53–54, 56, 58, 69–70, 98, 101, 102, 112 (fn), 165, 180, 224
Waste Land Rules 81 (fn), 101–102, 122, 180
Wellington (see Jackatallah)
Wolfe-Murray, F. 106–107
Wroughton, J. C. (Collector) 35–36
NIAS Press is the autonomous publishing arm of NIAS – Nordic Institute of Asian Studies, a research institute located at the University of Copenhagen. NIAS is partially funded by the governments of Denmark, Finland, Iceland, Norway and Sweden via the Nordic Council of Ministers, and works to encourage and support Asian studies in the Nordic countries. In so doing, NIAS has been publishing books since 1969, with more than two hundred titles produced in the past few years.