

The Punjab under Colonialism: Order and Transformation in British India

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When Punjab was annexed in 1849, the British had already created well-established systems of political governance, financed by its efficient land revenue administration. Experience in Madras and Bengal afforded the British insight and expertise to gauge Punjab's potential as the 'model agricultural province' from 1860s onwards. Peace and prosperity in the province made service in the Punjab Commission of the Indian Civil Service extremely coveted. Hence special rules had to be devised so that creaming off the ablest officers could be precluded. For the British, Punjab was important because of the loyalty and prosperity of the cultivators. Therefore the 'troublesome' nationalist agitators were not given free reins. However ensuring political stability along with the agricultural development was a daunting task. The author investigates the three-fold process of (i) ownership and transfer of land, (ii) agrarian development and social engineering and (iii) customary law that formed the cornerstone of the British policy of political control.

When the British annexed the Sikh kingdom of the Punjab in 1849, they already ruled most of the subcontinent. From the mid-eighteenth century onwards, the East India Company had transformed itself from a trading monopoly to a territorial ruler. It had created well-established systems of political control which were financed by its efficient land revenue administration. In Madras this was based on the encouragement of peasant proprietors, in Bengal on the protection of the *zamindars*. Yet within a few years, the Punjab was regarded as India's model agricultural province.¹ Service in the Punjab Commission of the Indian Civil Service was so attractive that special rules had to be introduced to prevent it creaming off the ablest administrators. The Punjab's esteem in the colonial authorities' eyes rested on the loyalty and prosperity of its cultivators. The former characteristic ensured that 'troublesome' nationalist agitators were kept at bay; the latter was an eloquent testament to the British ability to do good to their Indian subjects. The requirements of political stability and agricultural development were not, however, as easily reconciled as the self-congratulatory official colonist discourse allowed. This paper examines the contradictions between order and transformation which lay at the heart of the imperial enterprise in Punjab with respect firstly, to ownership and transfer of land, secondly, to agrarian development and social engineering, and thirdly, to customary law. Before turning to these areas, it is necessary to examine the background to the conflicting claims of order and transformation in the Punjab's colonial discourse.

Order and Transformation in Colonial Punjab

The conflicting requirements of what in short hand terms might be summarised as the night watchmen and interventionist approaches to the colonial state were not unique either to the Punjab or the Indian subcontinent. These conflicting outlooks lay at the heart of all colonial situations. The two faces of British imperialism were etched in sharper profile in Punjab because of the region's strategic situation and the events of 1857. The Punjab was annexed because it was a frontier region through which successive waves of invaders had entered the plains of central India from the time of Alexander the Great onwards. Even when the five frontier districts were separated in 1901 to form the North West Frontier Province, the region was still regarded as a vital part of the British security state in North-West India. The threat from the expanding Russian Empire in Central Asia was attested to by the cantonments, strategic roads and railways of the Punjab, its hill-top forts and such engineering feats as the crenellated double-decker iron bridge soaring above the narrow Indus gorge at Attock.

Punjab's loyalty during the 1857 revolt had strengthened its strategic importance in British eyes. The civilian population of the newly annexed region was not merely quiescent, but provided irregular military support to the beleaguered British. Muslim and Sikh forces played a vital role in the re-imposition of British authority in the rebellious areas of the Gangetic Plain to the east. If the Punjab had gone up in flames, it would have been infinitely more difficult for the East India Company to restore its authority in North India. My earlier research on the Tiwana family illustrates the way in which Punjabi landholders who were 'steadfast' in 1857 were able as a result to embark on lengthy and lucrative 'loyalist' careers. The Tiwanas who provided the last Prime Minister of the pre-partition Punjab were merely the most prominent representatives of the class of rural collaborators. A nexus developed between landholding and military service that continues to exert a profound influence on contemporary Pakistan. As Clive Dewey, myself and David Gilmartin have pointed out², the Punjabisisation of the Indian Army from the 1870s onwards possessed its ideological underpinning in the Social-Darwinist 'martial castes' theory, but was primarily motivated on the pragmatic grounds of the Punjab's stability in 1857 and its proximity to the frontier through which a Russian invasion was feared. Punjabis were not only believed to be physically more suited to fighting in this harsh terrain, but could be paid at the local service rate. Soldiers serving on the Frontier from more distant parts had to be paid extra 'foreign service' allowances.³ By 1875, the Indian Army drew a third of its recruits from the Punjab. The proportion had risen to three-fifths in 1914, although the Punjab provided only around one-tenth of British India's total population.⁴ The imperative to secure order in its rural recruiting areas understandably exerted a profound impact on British policy in the province. This has been admirably explored by Tan Tai Yong in his recent work, *The Garrison State*.⁵

British policy was rationalised by the historicist reaction to Benthamism. During the decades, which preceded the 1857 revolt, Utilitarian thought had inspired progressive attacks on Indian 'backwardness.' British rule was justified in terms of its transformative effects on outmoded social and cultural practices, patterns of landholding, social organisation such as caste and in its substitution of a rational and scientific government for that of despotism. The historicist riposte of such writers as Sir Henry Maine, while accepting the inevitability of progress, cautioned against ethnocentrism and the dangers of attempting to force the pace of social and institutional evolution.⁶ The new epistemology went hand in hand with the political and administrative 'conservative' reaction to 1857. While order was hereafter privileged over transformation, the progressive evolutionary strand in historicism was never totally overwhelmed by its conservative counterpart. Moreover, the 'hidden hand' of market forces imperiled order by its unleashing of socio-economic transforming forces.

Order, Transformation and Land Ownership in Colonial Punjab

The closing decades of the nineteenth century saw the colonial strategic imperative of rural stability and order in Punjab threatened by the transformation arising from the commercialisation of the region's agriculture. From the 1860s onwards, agricultural prices and land values soared in the Punjab. This stemmed from the ending of political insecurity and vastly improved communications and canals. New cash crops such as wheat, tobacco, sugar cane and cotton were introduced. By the 1920s, Punjab produced a tenth of British India's total cotton crop and a third of its wheat. Wheat, which had previously rotted whenever a bumper crop had occurred, was exported in vast quantities via the new railway network. Whilst other regions such as Bengal, Bihar and Orissa were experiencing a growing agricultural crisis, the Punjab had emerged as the pace-setter of Indian agricultural development. Per capita output of all its crops increased by nearly 45 per cent between 1891 and 1921.⁷

This rapid agricultural transformation threatened rural order as it was accompanied by indebtedness. Improvident farmers took advantage of easy credit to finance conspicuous consumption, especially in terms of wedding costs. A revolution in landholding was threatened as urban moneylenders used the British legal system to foreclose debts of mortgaged land. Land began to pass into the moneylenders' hands at alarming rate, particularly in the backward Muzaffargarh and Dera Ghazi Khan frontier regions of Punjab. British officials such as S.S. Thorburn, the Deputy Commissioner of Dera Ghazi Khan, in his famous tract, *Musalman and Money-lenders in the Punjab*, warned of the possibilities of unrest as land passed into the hands of absentee moneylenders. Such anxieties were encapsulated in the following Revenue Department 'Note on Land Transfer' penned in October 1895.

It is essential on the one hand that the management of the villages should be in the hands of men who possess the confidence of the villagers, and it is equally essential on the other that if the

executive is to be obeyed and its objects rightly understood, there should be a class of men intermediate between the Government and the mass of the people who, while trusted by government, should have influence over their neighbours. In this respect the moneylender can never take the place of the large ancestral landlord or the substantial yeomen whom he dispossesses.⁸

G.N. Barrier⁹ and Clive Dewey¹⁰ have recorded in detail the debate within the colonial administration between the ‘paternalists’ who sought judicial intervention to ensure order, and those who opposed state intervention with respect to private property relations. Thorburn’s view of the danger of land transfers secured support in the revenue secretariat of the Punjab Government, but was opposed by the Lieutenant Governor James Lyall. Under pressure from the Secretary of State for India, he agreed to an exhaustive study of land transfers. The confidential enquiry was undertaken in 1895 by Sir Denzil Jelf Ibbetson, the author of the magisterial 1881 Punjab Census Report. In his opinion, state intervention was required to bolster the loyalty of the rural intermediaries. ‘To secure the contentment of the masses is our first duty in India; in it lies our safety.’ Ibbetson maintained, ‘As long as they are loyal to and contented with their rulers, the internal peace of the country is secure, and the professional agitator powerless. And most of all the loyalty and contentment of the sturdy yeomanry from whose ranks we draw our native soldiers, the safe foundation upon which our rule can rest secure.’¹¹ Nevertheless, *laissez-faire* attitudes were still held by some Punjab officials including Mackworth Young who succeeded Lyall as Lieutenant-Governor.

Ultimately, the paternalists who wished to curb the danger of land transfers through judicial intervention won the day over those who professed *laissez faire* views. Their opponents could not trump the card of the special nature of the colonial state in the Punjab and the need to secure the loyalty of its recruited peasantry. In what was regarded as a ‘revolutionary’ step’, the 1900 Alienation of Land act prevented the urban commercial castes from permanently acquiring land held by the ‘statutory agriculturalist’ tribes. This Magna Carta of the Punjab’s peasantry structured political developments in the province for the remainder of the colonial era.¹² The agriculturalist lobby remained loyal to the British and eschewed communalism in the common defence of its privileges from the encroachment of the urban Hindu moneylenders. The Congress’s response to the legislation put it very firmly in the latter camp. It was thus unable to challenge the colonial state and was weaker in the Punjab than in any other province of British India.

The 1900 Alienation of Land Act was to be accompanied by franchise arrangements which ensured the political predominance of the ‘loyalist’ rural population. The political arithmetic of the colonial Punjab encouraged cross-community cooperation and coalition politics. It also sealed off the towns and countryside in water tight political components. The rural power-holders comprising of Jat peasant proprietors in East Punjab and Muslim landlords in the West took their cue from the colonial structure. They also shared common

interests in the resistance to the depredations of the urban commercial castes. Indebtedness, together with the depressed prices of the inter-war slump years reinforced an anti-urban bias. The agriculturalists joined hands in the cross-communal grouping of the Punjab Unionist Party. Despite the existence of peasant unrest and the activities of the Kisan Sabha during the 1920s and 1930s, the Unionist Party was able to overcome rural opposition to its power and served as a loyal pillar of support to the colonial state. Its greatest usefulness was at the time of the Second World War, although it was also at this time that the conditions were laid for its eventual demise. Significantly communal violence only spread to the Punjab countryside when the Unionist led collaborative mechanism broke down on the very eve of independence.

Agrarian Development and Social Engineering

Colonial policy privileged the Punjab's agrarian development at the expense of industrial growth. This legacy continues to impact on the Indian Punjab region. The waters of the region's five rivers were harnessed in an ambitious irrigation development which was to reach fruition in the opening of the canal colonies in the West Punjab. The transformation of 6 million acres of desert into one of the richest agricultural regions in Asia was a stupendous engineering feat that was seen as the colonial state's greatest achievement. It was an attempt to remake both the natural environment and its people. Nowhere were the ideals of the modern rational state better epitomised than in the neatly laid squares of land in the canal colony villages, and the eight bazaars in the new market town of Lyallpur radiating out from the central clock tower, 'a telling symbol of middle class regularity.'¹³

Once again, however, a contradiction emerged between the requirements of order and transformation. While local settlement officers emphasised the opportunity to create a new kind of 'modern' cultivator in the ordered world of the colony villages, the Lieutenant-Governor Sir Charles Aitchison in 1885 maintained that, 'It is of the greatest importance to secure for these tracts a manly peasantry capable of self-support and of loyal and law-abiding disposition.'¹⁴

The contradictions in British policy were laid bare by the 1907 disturbances in the canal colonies. The protests were shocking for the colonial state as they called into question the much vaunted claim that the Punjab's stability rested on the loyalty of the rural population. An immediate response was to pin the blame on 'urban' 'agitators' who had stirred up the loyal rural population. The principal 'agitators', Lala Lajpat Rai and Ajit Singh were arrested and sent into exile. Officials also understood the protests as arising from the peasant farmers' conservative resistance to attempts to modernise them. They were seen as especially resentful at the system of fines designed to ensure compliance with rules relating to sanitation, inheritance and residence. State controlled supervision designed to create the ideal conditions in which modern progressive cultivators could thrive was virtually abandoned by the 1912 Colony Act. Two years later, the Governor, Sir Michael O'Dwyer developed the scheme for

grants of land in the colonies to the 'landed gentry.' Their holders were to provide 'natural' leadership for the settlers. Seven and a half per cent of the area of the Lower Bari Doab Canal Colony was reserved in this way. The main beneficiaries were the large landholders of West Punjab such as the Noons and Tiwanas who were loyalist military contractors for the Raj. British policies of encouraging capitalist farming thus uneasily coexisted with the desire to retain a feudal presence in the colonies. Its critics, such as Imran Ali, have maintained that the policy bequeathed Pakistan a legacy not only of political 'underdevelopment' but a stagnant agrarian economy.

Order and Transformation: The British and the Customary Law

The Punjab's legal system further illustrates the contradictions between the need for order and stability. On the one hand, 'the colonial state was the agent of an expanding commercial society which had tied India into the world economy', but it also depended 'for purposes of political control, on the maintenance of an indigenous political base.'¹⁵ The result was what David Washbrook's has termed a 'Janus-faced'¹⁶ legal system. Its 'public' face enforced modern commercial transactions; its private face reinforced primordial 'traditional' status. While the former drew on British commercial and criminal law principles, the latter was indigenous in inspiration. Significantly from the 1872 Punjab Laws Act onwards, personal law was not rooted in an Islamic or Hindu religious framework, but rather in tribal customary law. The latter differed from religious law in such important areas as inheritance. Female rights would have been greater under the Islamic *shariat* than they were under customary tribal law. The British preferred the tribal based custom precisely because of its independence from a religious system in which they could not fit as Christian outsiders. Moreover, as upholders of bureaucratic rationalism, they could codify and systematise the existing patterns of customary law. This provided a modern rationalisation for British rule, at the same time as strengthening the pattern of rural social organisation, around which the colonial state constructed its authority.

The dichotomy between 'modern' public law and 'traditional' private law was a feature of the Indian colonial situation. Its distinctiveness in the Punjab was that it formed a crucial element in the linking of the state with the rural intermediaries of this strategically sensitive region. The primacy of customary law was as an important element in the paternalist system of imperial rule in the Punjab as was the 1900 Alienation of Land Act.

Conclusion

Despite assaults on the concept of Punjabi 'exceptionalism' with respect to its agrarian economy in the colonial area by such varied scholars as Mridula Mukherjee and in a different manner by Imran Ali, this paper argues that with respect to agrarian relations, capital accumulation and investment, it followed a different trajectory to other regions.¹⁷ At its heart and common to land transfer

policy, canal colonisation policy and the development of a system of colonial law in the Punjab were the conflicting pulls of the region's strategic importance and the tying in of its agricultural economy into the world market. At one level, the need for order can be seen to have triumphed unequivocally. A laissez-faire approach to political economy was jettisoned in favour of restrictions on land transfer. Social engineering in the canal colony development was modified. Customary tribal law was privileged over both western and religious law to the detriment of female rights to inheritance.

Yet it is important not to overstate the case regarding the triumph of order. Such celebrated British Officials as Frank Brayne continued to see the canal colonies in the 1920s as a 'modernizing' force for social change. C. L. Tupper who laid the foundations for the Punjab's customary law in the early 1880s recognised the need for social progress along with that of political stability. 'A tribe in the chains of its own customs, unrelaxed and unrefined, may stand still for centuries, but a tribe recognised and lifted into the system of British administration', he declared, 'has, in the guardianship of the governing body, the best possible chance of disusing savagery and learning the wisdom of civilised men.'¹⁸ Progress and paternalism marched hand in hand in the colonial Punjab. Both tradition and transformation served the purposes of the colonial state by justifying the exercise of British power.

Notes

¹ See, I. Talbot, 'British Rule in the Punjab, 1849-1947: Characteristics and Consequences', *The Journal of Imperial and Commonwealth History* 19, 2 (May 1991) pp. 203-222.

² C. Dewey, 'The Rural Roots of Pakistani Militarism' in D.A. Low (ed) *The Political Inheritance of Pakistan* (Basingstoke, 1991) pp. 255-84; I. Talbot, *Punjab and the Raj* (New Delhi, 1988); D. Gilmartin, *Empire and Islam. Punjab and the Making of Pakistan* (Berkeley, 1988).

³ I. Talbot, 'British Rule in the Punjab', p. 207.

⁴ Talbot, *Punjab and the Raj*, p. 41.

⁵ Tan Tai Yong, *The Garrison State: The Military, Government and Society in Colonial Punjab, 1849-1947* (New Delhi, 2005).

⁶ C. Dewey, *The Settlement Literature of the Greater Punjab* (New Delhi, 1991) p. 26 & ff.

⁷ N. Charlesworth, *British Rule and the Indian Economy 1800-1914* (London, 1982) p. 26.

⁸ N.G. Barrier, *The Punjab Alienation of Land Bill of 1900* (Durham, N.C. 1966) p. 37.

⁹ *Ibid.*

¹⁰ C. Dewey, 'The Official Mind and the Problem of Agrarian Indebtedness in India, 1870-1910' (Unpublished PhD thesis University of Cambridge, 1972).

¹¹ Quoted in Barrier, *The Punjab Alienation of Land Bill* pp. 37-8.

¹² For an elaboration of this see, Talbot, *Punjab and the Raj*.

¹³ D. Gilmartin, 'Migration and Modernity: the State, the Punjabi Village and the settling of the Canal Colonies' in, I. Talbot & S. Thandi (eds) *People On the Move, A Century of Punjabi Local, Regional and International Migration* (Karachi, 2003).

¹⁴ *Ibid.*

¹⁵ *Ibid.*, p. 13.

¹⁶ D. Washbrook, 'Law, State and Agrarian Society in Colonial India,' *Modern Asian Studies* 15, 3 (1981) pp. 653-4.

¹⁷ See, M. Mukherjee, *Colonizing Agriculture: The Myth of Punjabi Exceptionalism* (New Delhi, 2005); Imran Ali, *The Punjab Under Imperialism, 1855-1947* (Princeton, 1988).

¹⁸ Cited in Gilmartin, 'Empire and Islam' p. 17.