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Understanding the Struggle for Panchama Land

by

C. Jerome Samraj

Madras Institute of Development Studies

79, Second Main Road, Gandhi Nagar
Adyar, Chennai 600 020

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Abstract

Colonial government in India in its attempt to connect the 'Depressed Classes' directly to land assigned cultivable wastelands to them; known as Depressed Class lands (Panchama lands). These lands have been illegally transferred to the non-depressed classes over the years. In 1994, Tamil Nadu witnessed a major struggle to retrieve the DC lands by Dalits. While the legal validity of Dalits' right over the DC lands still hold good, the Save Panchama Land Movement's in its effort to retrieve the lands made significant attempts in propagating the illegal possession of land by the non-Dalits in Tamil Nadu. This paper attempts to analyze the struggle for Panchama lands provides a brief history of the colonial course of action that lead to the assignment of DC lands, local memory of the past about agriculture, assignment of the DC lands to the Dalits and its subsequent transfer of land ownership.

I. Introduction

In October 1994 Tamil Nadu witnessed a major struggle by the *Dalits*¹ of Chengalpattu district to retrieve the Panchama Lands. This struggle gains its social and historical significance due to the fact that land was not conceived outside social relations² and moreover we have hardly witnessed any caste within the caste system struggling to gain direct access to land. The Panchama lands were once conditionally assigned to the Depressed Classes of Madras Presidency by the colonial government in their effort to connect the Pariahs directly to the land. However this assignment did not have an everlasting effect on the lives of *Paraiyars* as these lands were appropriated by Non-Depressed Class people, predominantly *Vanniyars* in the case of Northern Tamil Nadu and the 1994 struggle was to retrieve those lands back into the possession of *Paraiyars* (*Dalits*). While providing a brief history of the conditional assignments to the Depressed Class lands, this paper attempts to map the socio-economic context of the land assignments, cultivation and its subsequent change of possession from *Paraiyars* to *Vanniyars*. Further this paper

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¹ In this article, I have used the words 'Depressed Classes', 'Untouchables', 'Scheduled castes', '*Pariahs*' and '*Paraiyars*' synonymously to denote '*Dalits*'. In the village context, I preferred using the term '*Paraiyars*' as they are the only *Dalit* caste in the village.

² See Ludden (1978).

attempts to analyse the 1994 struggle to restore their lands, the role of rural *Dalits*, NGOs and that of the state to reason out the very short span of the movement. This paper is based on my fieldwork carried out in Karanai – the village where the struggle started in the year 1994, from mid-January till the end of June.

II. Depressed Class Lands

The system of land control that immediately preceded the colonial rule was known as the *Kaniyatchi*³ system. ‘*Kaniyatchi*’ was not an absolute individual property right just on land, rather it was a set of rights over village resources including land (both dry and wet), water, well and the customary rights over the labour of other touchable castes lower in the hierarchy, and the untouchable castes and the *Cheri* (*Dalit Colony*).⁴ The cultural economy of village society was marked by collective control of land by the *Kaniyatchikarars* and a spectrum of caste specific role in the agrarian production relations that reflected brahminical ritual hierarchy. At the top of this agrarian organisation were the *Kaniyatchikarars* who belonged to either Brahmin or Vellala castes, the cultivators (*Payirkarars*)⁵ who were mostly non-brahmin ‘touchable’ ‘lower’ castes, and the labourers were classified as *Pannaiyal* (or Permanent labourers, most often referred as *adimai*) – labour attached to the land and *Padiyal* – wage labourers who received their wages in kind. In the northern district of Tamil Nadu, the ‘touchable’ *Pallis* (*Vanniyars*) mostly worked as *Padiyals* for Brahmin *Kaniyatchikarars* and in some parts of the district, the *Palli*’s have gained the status of *Payirkarars* during the 19th Century. ‘Untouchable’ *Paraiyars* worked mostly as *Pannaiyals*, and as *Padiyals* in some places, for non-Brahmin *Vellala Kaniyatchikarars*.⁶ *Kaniyatchi* rights included an absolute right over agricultural labourers and the *Pannaiyals* were transferable by way of sale, mortgage or gift along with the *Kaniyatchi* right.⁷

Kaniyatchi system of land control underwent a series of changes during the revenue expansion activities of the Colonial government. The privileges of *Mirasidar* continued for most part of the colonial rule as the British abstained from intervening in local customary practice. Initially, the Colonial government viewed the *Mirasi* right as a private property,

³ The Tamil word ‘*Kani*’ has several connotations, ‘*Kani*’ is a measure of land approximately equal to 1.33 acres, it is also a hereditary right over any position in a set of social relations. *Aatchi*’ means dominion or control not only on land but also over the set of socio-cultural production relations. One who possesses the *Kaniyatchi* right is known as *Kaniyatchikarar*, who came to be known as *Mirasidars* in the 19th century. Ibid p. 6

⁴ See Shah (1985), S.S. Sivakumar and Chitra Sivakumar (1993) and Ludden (1978) for further reading on *Kaniyatchi* system.

⁵ *Payirkarars* (Pyrkaris) are cultivators belonging to non-Mirasi castes. The *Payirkarars* are classified into two categories, *Ulkudi* – who are cultivators with occupancy rights, and *Purakudi* (*Parakudi*) who move from one village to another. For a more detailed description of *Payirkarars* and the *Kaniyatchi* right, see Sivakumar & Chitra Sivakumar (1993), p. 11-16.

⁶ Hjelje (1967), p. 80.

⁷ Hjelje, in his paper writes on the status of agrarian bondage as “*In the Tamil country they often belonged to a community rather than to an individual, and slaves were seldom sold or mortgaged except along with land to which they were attached.*” Ibid, p. 75, and also Shah (1985) p. 69, and a primary evidence of such a sale is provided in Appendix C, “*Sale-Deeds Including Part of the Paraicheri and Slaves*”, cited in G.O. 1010, 1010A p. 27

which would affect the prospective revenue of the state if intervened and hence the pre-emptive right of *Mirasidar*'s over village lands, including the wastelands, which they did not cultivate, continued to exist. The process through which the system of collective control became private ownership was not through curbing the *Mirasi* privileges at once. Rather it has been a slow process reducing them as mere landowners and this happened only within the official records of the revenue department and this curbed the economic privileges of *Mirasidars*. The introduction of Permanent Settlement in the Madras Presidency and followed by *Ryotwari* tenure and its economic implications brought in significant limitations in the *Mirasidar*'s right over village lands, especially the 'waste'. *Ryotwari* system recognised state as the sole landowner and the cultivators were acknowledged as a *Ryots* and were granted *Patta*. *Ryot* who obtained the *Patta* was designated as *Pattadar* and he could cultivate the land as long as he continued to pay tax. This system forced *Mirasidars* to pay the taxes for the 'waste' lands which they neither cultivated nor allowed other *Payirkarars* to cultivate. Beyond a certain level, it is not only unfeasible but also irrational for the *Mirasidars* to with hold those lands by paying the taxes without any income from it. As *Mirasidars* could not pay the taxes these lands became available for non-Mirasi (*Payirkarars*) communities to cultivate on the payment of prescribed rates of tax and a fee (*Swatantrams*)⁸ to the *Mirasidars*.

While these changes reduced the status of *Mirasidars* to that of mere landowners in the official sphere, it never altered the role of an individual belonging to a particular caste. The role of an individual in the agrarian production process is structured by the spectrum of ritually hierarchical socio-cultural role as a member of a caste. The *Mirasidars* exploited the cultural ignorance of the Colonial government to make them oblige to their (*Mirasidar*'s) demand that only those individuals who have earlier been *Pattadars* may be eligible for assignment of land through the *Dharkhast*⁹, thus restricting the rights only to *Mirasidars* and non-Mirasi cultivators and keeping *Paraiyars* away from land.¹⁰ While the non-mirasi *Payirkarars* who belonged to the 'touchable' castes managed to gain direct access to land, as it can be evidentially inferred, all these changes brought about by the colonial revenue department did not effect the lives of the labouring castes, particularly the 'untouchable' *Paraiyars* in any significant manner. Thus, the structure of land ownership was structured by the order of caste, keeping the 'untouchable' *Paraiyars* as landless dependants of the landowning 'touchable' castes. Moreover, colonial revenue officers felt that ameliorating the living conditions *Paraiyars* as a Philanthropic activity and hence it is not the responsibility of the state.¹¹

⁸ In 1855, 'issue of separate *pattas* to *Payirkarars* was formally authorised and two types of *pattas* had been issued. One was *patta* to the *Mirasidars* for the land under their own cultivation, and the other was *Samudayam Patta* issued to the chief *Mirasidar* for the land cultivated by the non-*Mirasidar* cultivators', (See Mizushima, 2002, p 262). *Swatantram* is a fee (landlord rent) paid by the non-*Mirasi Payirkaris* to the *Mirasidars* landlords in case of lands for which the latter has the *samudayam patta*.

⁹ The *darkhast* (Land alienation rules) brought in 1863 to alienate unoccupied land and to issue separate *pattas* to *Payirkarars* who obliged to pay the revenue. Land under this category was not liable to pay any fee (*Swatantram*) to the *Mirasidars*. See Mizushima (2002).

¹⁰ For a detailed discussion on the customary land tenures and the power and significance of being a *Pattadar* and the chicanery of the *Mirasi* communities in preventing the *Paraiyars* from getting direct access to land, and the colonial revenue processes in this regard see Tremehere (1892), Hjejle (1967), Irschick (1994) Arun Bandhopadhyay (1992), Ludden (1993), Mizushima (2002) and Basu (2004).

¹¹ See Basu (2000).

Later, the colonial government decided to assign wastelands to *Paraiyars* who apply for land under *dharkhast* if they oblige to pay the prescribed taxes. The *Mirasidars* severely opposed this decision and they argued that the land may be assigned to *Paraiyar* applicants only if no *Mirasidars* or *Pattadars* or other *Payirkarars* applied for the same. So, whenever there were applications from *Paraiyars*, the ‘upper’ castes ensured that the *Paraiyars* don’t get it assigned by applying for the same land in question. In 1892 J.H.A. Tremenheere, the District Collector of Chengleput submitted a report titled “Notes on the Pariahs of Chingleput”, on the prevalent conditions of the Depressed Class people in the district and proposes three pronged policies to ameliorate their living conditions. On the other hand, ‘*The Slavery Abolition Act*’ was brought in the year 1843 and much was debated about identifying the ‘untouchable’ labourers in a state of bondage as agrestic slaves and the enactment of act.¹² Basing Tremenheere’s report, combined with discussions on enacting ‘*The Slavery Abolition Act of 1843*’ and the prolonged effort of the Christian Missionaries, the Madras Presidency passed the GO 1010, 1010A on September 30, 1892, approving the ameliorative policies suggested by Tremenheere viz., to assign plots of waste lands to Depressed Classes and secondly to construct Panchama schools and third, to assign permanent house sites for them. The ‘Special Form D’ ‘*Special form of order for assignments of lands to Scheduled Castes*’ [Board Standing Order 15, Para 9] consists of nine conditions of which the ninth is directly related to the issue of alienation. The condition may be summarised as

1. The land once assigned to a member of the Scheduled Castes, cannot be alienated by way of sale, gift, mortgage or lease of any kind to another person within the period of ten years from the date of assignment.
2. Even after the period of ten years, it cannot be alienated to any person who is not the member of the Scheduled Castes.
3. If the land ceases to be owned by the original grantee or his legal heirs or other members of the Scheduled Castes (after ten years) owing to sale by process of law or otherwise, or owing to default made in the payment of the Government revenue on dates prescribed the grant will be liable to be resumed by the Government who will be entitled to re-enter and take possession of the land without payment of any compensation or refund of the purchase money [BSO 15, Para 9].

The Colonial government however did not intend to make the Depressed Classes into independent land holding farmers and wanted them to be labourers despite owning plots of house sites and small plots of dry lands. Further the conditions also forbid the assignees from excavating ponds or pits to irrigate their lands and if planted with such plantations, the pits or ponds may be filled as soon as the plants are three years old. The conditions forbidding land alienation of any nature to members other than the Scheduled Castes shows the significance that the reformatory colonial revenue officers attached to the assignments. This measure of the Colonial revenue department could be termed, utmost as reformatory that cannot be imagined within the interest of any of the Indian states to undo the effects of caste and untouchability.

¹² Hjelje (1967) provides an interesting reading of the official debates between Madras Presidency and the British government and the significant role played by the evangelicals in recognizing slavery in South India and the enactment of the Slavery Abolition Act of 1843.

Following this G.O 1010, 1010A the conditional assignments were made in the year 1934. These lands are called Depressed-Class lands which are called as Panchama lands as these were assignments made to Panchamas. It is the duty of the officers of the revenue department to keep track of these assignments. The Village Administrative Officer is supposed to mention whether the land is Conditionally Assigned to the Depressed Classes and whether the conditions have been violated in Column 19 (Remarks) of the Adangal document (And also Chitta and A-Register).¹³ However, this has never been followed by the revenue department and the lands have been alienated by non-Scheduled Castes with the connivance of backward caste officers of revenue department. With this as the background, let us map the background and the events of 1994 Karanai land struggle.

III. The Background and the 1994 *Karanai* Land Struggle

Prior to 1994 Karanai land struggle, the issue of retrieval of Depressed Class lands came up in 1991 as a Caste Hindu from Karahathahalli village in Palacode taluk of Dharmapuri district filed a case against the Revenue Divisional Officer's (RDO) cancellation of his purchase of an assignment land from a *Dalit* in 1980. This land, originally assigned to a *Dalit* (Adi-Dravida) on 31. 12. 1955 has been subsequently sold to the above-mentioned caste Hindu on 26.11.1969. As the sale of land has violated the conditions of assignment contained in Clause (9) in Special Form D, the RDO cancelled the sale. The High court of Madras, citing similar cases of cancelling such alienation in Karnataka and Maharashtra, upheld RDO's cancellation of the sale in favour of Depressed Class (*Dalit*), further requested the district collectors of Tamil Nadu to follow suit with necessary action in respect to DC land in their respective districts.¹⁴

In Chengalpattu district Fr. L. Yesumarian has been involved in retrieving lands for *Dalits* since 1989. Subsequently he started '*International Ambedkar Centenary Movement*' (IACM) in 1990.¹⁵ Though he has not retrieved DC lands as such, he has successfully retrieved *Anatheenam* (immemorial waste) and *Manyam* (revenue exempt land) lands for the *Dalits* in few villages of Chengalpet district. Despite his disengagement in Karanai Panchama land struggle, Fr. Yesumarian, owing to his involvement elsewhere, was implicated and imprisoned as Accused 1 in the Karanai Panchama land issue. However, we are concerned about the strategies deployed in the process of taking control over the land. Initially, people go through the regular process of representing the issue to the collectorate and the thasildar office. The inactive attitude of the officials towards their representations necessitating repeated representations becomes in itself a process of politicization of *Dalits*. Once they gain some solidarity among them, they install a statue of Ambedkar and take control over the land. Thus, installation of a statue becomes a strategy to take adverse possession over the land. When the police and revenue officials intervene to stop this, the people gather around the statue to prevent them from any action. When the dominant castes tried to recapture the land, Yesumarian strategically opened a beef stall at the edge of the captured land and took the beef into the streets and sprinkled the blood all over the land to

¹³ See *Grama Niruvaga Aluvalar Matrum Kudimakkal Nadaimurai Nool*, second edition, page 42.

¹⁴ Copy of No: G1/4868/90 dated 15. 07. 1991 addressed to the Collectors of all district.

¹⁵ IACM was started by Fr. Yesumarian a *Dalit* Catholic priest and an advocate, after V.P. Singh; former Prime Minister of India announced the year 1990 as the year of Centenary celebration of Dr. B. R. Ambedkar.

‘pollute’, as the dominant castes will not any more enter the land. Even though Fr. Yesumarian was not directly involved in Karanai issue, one cannot deny that his activities elsewhere have set the precedence for Karanai.

In case of Karanai, Deepan Chakravarthy’s¹⁶ (hereafter Deepan) father Veerabathran has sold the land to a North Indian land broker named Gowtham Sait settled in Mahabalipuram in 1966. This has not been registered and Veerabathran’s family has continued to use the land for cultivation. In the mean time, the government issues *Pattas* to all the land holders in the year 1974, and Veerabathran has also received a *Patta* in his name. It is after the issue of this *Patta*, they have tried to register the sale, but the revenue department replied that the sale is not valid as these lands were conditionally assigned to the Depressed Classes and such a sale amounts to breach of the conditions. It is at this moment Deepan happens to know about the Depressed Class lands popularly known as Panchama lands.

Believing that these land assignments were made as remuneration to the *Paraiyars* by the British government for converting forestlands of the area into cultivable lands, he went on to collect information on whoever laboured in this process. Further, he is said to have unofficially assisted a Village Administrative Officer (VAO) of the neighbouring village, which enabled him to access the relevant revenue records. From the records he came to know that all dry lands in Karanai are in the names of *Dalits* that were assigned during early 1930’s on the basis of resolution passed by the Chengalpet district collector (5560/1926). He had also collected a few *Pattas* in the name of *Dalits* dated in 1974 from the *Dalits* of these villages.

On 2nd July 1990 he filed a petition at the Collector’s office as his (his father’s) land was transferred in the name of Gowtham Sait without any sale deed or revenue *Patta* transfer (RPT). Deepan has paid the tax for the same land on 18th June 1990 and the land was transferred on 27th June 1990. Subsequently he has also filed a case in the High Court of Madras. By 1994, he takes the case to many Non-Governmental Organisations and individuals including Fr. L. Yesumarian, Fr. Neethinathan, Mr. Gyanaprakasam of LRSA, and also to Fr. Martin, who runs an NGO called “Social Action Movement” (hereafter referred as SAM) in Maamandoor, near Chengalpet. Martin had then consulted the case with a set of lawyers in Chengalpet and ensures that such an assignment of land was made to the Depressed Classes and decides to fight for the retrieval of those lands legally. Given the socio-economic condition of *Dalits* and the land area ought to be retrieved being very large influenced their decision to politicize the issue for a speedy solution.

Fr. Martin who also took initiatives said “*at one level we tried to meet Dalit MPs and MLAs to mobilize and also to do some advocacy. At another level we wanted the people of the area to get involved in the movement*”. Martin, who by then was quite

¹⁶ Deepan Chankravarthy (51) is a *Dalit* from Karanai who initiated the struggle to retrieve lands that were assigned to his grandfather. He is a lone graduate of his generation who earlier was employed in the Vigilance department of the Tamil Nadu state. Due to his active involvement in the Panchama land struggle, he had to face as many as 265 cases on various charges and subsequently lost his job. He still continues his activism by mobilizing the descendants of the assignees to formally retrieve their lands by representing their case to various offices of revenue department.

familiar as a social worker among the villagers, thought it would be quite possible to mobilize the *Dalits*. Being an issue of *Dalits*, they thought that installing a statue of Dr. B.R. Ambedkar on the disputed land would help mobilizing *Dalits* and the statue was installed on October 5, 1994. Ever since things became very complicated as the police dislodged the statue and took it to the Chengalpet police station on the same evening. Hence the problem became an emotional issue of *Dalits*.

Following this, on 10.10.1994 (Monday) people gathered in front of Chengalpattu Sub-collector's office to protest against the removal of the statue and demanded its re-installation and to seek action for retrieval of the lands. Generally all Mondays are observed as 'Grievances-Day'¹⁷ on which the revenue officers meet the people to hear to their grievances. But 10.10.1994 despite being a 'grievances-day', the Sub-Collector refused to meet *Dalit* representatives and to make things worse they were pushed out of the Sub-Collector's office. This made the gathered *Dalits* agitated and they started hurling stones on the Thasildars office. A state transport bus was stopped, emptied and was set fire. Though the fire service station was very close to the venue the fire was not extinguished. Thus the police were given firing order and their execution without any warning, tear gas, rubber bullets or any other pre-emptive protocols of that sort caused the death of two *Dalit* youths. Of the two *Dalits*, Mr. John Thomas- a well-known activist of the area- died on the spot and Mr. Ezhumalai died on the way to the hospital.

On knowing this, Jayakaran Joseph¹⁸ of Vellore called for a meeting with all *Dalit* leaders in Chennai on 16.10.1994. In this meeting a network of *Dalit* NGOs and *Dalit* leaders was formed in the name of "*Dalit* Joint Action Committee – Save Panchama Land Movement" (DJAC). V. Karuppan, a retired Civil servant was named as president and Jayakaran Joseph was named as secretary. A huge rally was organized on December 6, 1994 from lighthouse to Panagal Park at Chennai, followed by an all-party public meeting for which about 15000 *Dalits* gathered in the city. Everyone who spoke in the meeting asserted the *Dalits*' demand as legal and the land should be retrieved and re-granted to them.¹⁹ Mr. Ram Vilas Paswan, who was also a union minister then, declared that a Statue of Ambedkar would be installed on the disputed land on 14.04.1995. And a huge statue was installed on 14.04.1995 on 15 cents of land bought by DJAC- Save Panchama Land Movement from Gowtham Sait who then owned Veerabathran's assignment land.

In the meantime, the government had issued an order to the district collectors to report about the D-C lands and the reports were submitted and were being consolidated. Further a commission was appointed to survey the D-C lands in all the districts of Tamilnadu with an instruction that if the land is under the control of any one who does not belong to the Depressed Class, it should be resumed and re-granted to the Depressed Classes. It is only through this report they came to know that there are 742 acres of

¹⁷ Every Monday is generally observed as *Grievances Day* on which the public represents their grievances directly to the authorities of the state government.

¹⁸ Mr. Jayakaran Joseph is a *Dalit* activist from Vellore.

¹⁹ Dr. Ramadas, the founder of Pattali Makkal Katchi (PMK) a political party of the *Vanniyars*, also took the stage and asserted that the *Dalits*' demand for the retrieval of land. Mr. Kothandaraman, who attended the meeting, said "Dr. Ramadas refused to take the VIP chairs on the stage saying that 'I won't take the VIP seat until the *Vanniyar* and *Paraiyars* share the same burial ground".

Depressed Class land in village Karanai, which was assigned to the Depressed Class *Paraiyars* of seven villages namely; Karanai, Nandhimanagar, Vadakadumbadi, Payyanoor, Kuzhippanthandalam, Valavanthangal, and Manambathi and also over 2, 26, 000 acres all over Tamilnadu.

Meanwhile, Fr. Martin had applied for some financial aid for the movement, which was rendered by a German donor. Shortly after receiving the funds, an internal dispute originated within the movement whether *Non-Dalits* can be part of the movement for the land rights of the *Dalits*. As a result Martin, Brindavan Moses and other *Non-Dalits* had to withdraw from DJAC. As Martin had received the fund through SAM, a *Dalit* from SAM represented the meetings of DJAC on his behalf. The inaction of the committee and the 'misuse' of money led Martin to write to the German donor to stop the funding. It is during this phase that the movement became diluted and lost its focus due to internal politics. In the recent years, the retrieval of Panchama land constantly figures as one of the basic agendas for many NGOs and other *Dalit* forums spread over many districts of Tamilnadu.

Insofar, we have seen the colonial history of Depressed Class land assignments, followed by the events of 1994 Karanai land struggle. With this background, let us now look into the local version of the history of assignment, cultivation and change of possession of the Depressed Class lands in Karanai that could possibly enable us to understand the movement's much lacked momentum within the village.

IV. Local Memory of the Past

Society, Agriculture, Assignments of DC lands and change of possession

Karanai was a *Ryotwari* village in the Chengalpattu taluk of Kancheepuram district, located about 9 Km from Thirukkazhukundram and 7 KM from Mahabalipuram. The *Dalit* colony (*Cheri*) is located on the main road and the *Urr*, the residential area of *Vanniyars* is located in the interior part towards the north, and it is quite unusual to come across this kind of a village setup. I have been in touch with a few *Paraiyars* who were trying to retrieve their lands formally through the revenue department. I had the chance to visit Deepan's house a number of times while accompanying them in their pursuit to register their grievances at the Collector's office to before I formally started my fieldwork in January 2006. As his house was located in the colony on the main road, near the bus stop, I never went inside the village. This outer image of the village gave me an impression that *Dalits* as a social group; are independent and quite dominant in Karanai. But this impression did not last long as the moment I walked through the village I found the Panchayat office, Village Administrative Officer's (VAO) office, fair price shop and a primary school all are being located in the *Urr*, area of *Vanniyars*. All these spaces that are supposedly public remain as if these are exclusively *Vanniyar* domain. The small school ground in the village is used only by *Vanniyar* youth to play cricket and *Dalit* boys can never be seen playing together with *Vanniyar* boys. The pond that is located in the middle of the village is also a similar space where no *Paraiyar* enters, either to take water or to bathe. *Vanniyars* are numerically dominant in the village with a total of 120 households and about 85 households in the *Dalit* colony.

When we talk to the elders in the village and around, the history of Karanai unfolds as a village where almost all the lands were once held by a *Vellala* Govindhasamy Pillai, who still remains in the memory of the villagers as '*Karanai Kanaka Pillai*', as he is often referred. As Kaathavarayan, *Dalit* aged 97 from Bangaru Pettai²⁰, recollected his memory about a person who was once a master for most *Paraiyar* and *Vanniyar* families including himself that "*almost all the lands in Karanai, Kaattur, Vadakadumbadi and Perumaleri belonged to Govidhasamy Pillai*". He immediately enacted how they (*Paraiyars*) would stand before him (Govindhasamy Pillai), with his body bent to his waist level, dhoti unfolded up to the calves, bare bodied with their turban removed and held in the armpit and hands held together and bare footed as a sign of veneration. His son aged 49 years, immediately emphasized, "*It was so even in my early days and only after we grew up, things changed. He was a very prominent personality in the area and today we cannot find a person of similar prominence in the neighbourhoods. Now all his descendants have left the village and they have lost (sold) all their assets, today we are the dominant group*". However this dominance is not in terms of the *Dalits*' asset holding, but in their social political presence. Even many *Vanniyars*, the dominant caste of the area today, who are categorized as one of Most Backward Castes in Tamilnadu, used to work in the lands of Govidhasamy Pillai. Those *Vanniyars* who had bits and pieces of land can work in their fields only after completing their work in Govindhasamy Pillai's field, they recollected.

In those days, cultivation was confined only to the wetlands and the rest of the area was forest. This is clear from the 1911 Revision Survey and Resettlement records as it refers the whole dry land of today as Karanai reserve forest²¹. Dry lands were seen inferior and were totally left uncultivated. Karanai tank was the source of irrigation for the wet land and majority of the *Vanniyars* and all the *Dalits* were agricultural labourers who worked in the lands of *Vellalas*. When asked about the earlier system of agricultural production relationships, *Vanniyar* elders refer to the *Pangu* system in which the whole village harvest was divided into four principal shares; one for the *Vellala* family and the rest three for three families of *Vanniyars*. The *Pangu* shares are divided by multiples of four and who ever wants to become a shareholder can buy a share of one-fourth or one-eighth, or one-sixteenth and so on, provided he is not a *Paraiyar*.²² The shareholders have to cultivate their share of land and have to pay to their labours from their respective shares. As generations passed, shares multiplied along with the number of descendents of each family; as a result, the share that each family would get from the harvest became negligible. As a remnant of the extinct *Pangu* system a large number of holdings in the wet land owned by the *Vanniyars* today range from 20 cents to less than one acre. Agriculture being the only occupation and the agrarian organisation confining the ownership rights to *Vellala* and *Vanniyar* castes; *Paraiyars* lived on their manual labour depending upon the land owning *Vellala* and *Vanniyar*.

²⁰ Bangaru Pettai is a hamlet belonging to the VadaKadumbadi village, located on the other side of the Mahabalipuram road opposite to Karanai

²¹ Revision Survey and Resettlement Records (1911) of Karanai Village

²² See Shah (1985) footnote 20, Page. PE -75. The land upon which *Swatantram* was imposed was called *Pangu* (*The Chengleput Maual* p. 287 as cited in Mizushima, T (2002) foot note 14).

It was in this socio-historical context the colonial government initiated assignment of wastelands, either cultivable or made cultivable, through the *Dharkhast* scheme to the Depressed Classes. As a part of this process, colonial government ordered the clearing of Karanai reserve forest to make it cultivable and Pariayars of Karanai and the surrounding villages laboured in clearing the forest. Kaathavarayan (97) when asked whether he remembers the assignments made in the 1930's, he recollected

“Forty acres were given to our Cheri people, as there were forty households, 40 households got 40 acres by Dharkhast, he (Raju Pillai F/o Govindhasamy Pillai) being Patta holder (Pattadar), who has own land, changed all those forty acres to his name”.

Kothandaraman, a *Dalit* youth of the village who is an active member of the DPI party recollected his inherited memory of the assignment as follows

“I have enquired with an elder, it was completely a forest,... the British government decides to de-forest the area and then pays ‘poththa kaalana’ (quarter Ana coin with a hole) as wage, even though they paid wages, when you see who laboured, it was only the SC s have laboured and not the two other communities. In those days, Pillai and Vanniyars were there, but they did not come and labour in this deforestation. Since they paid wages and Karanai forest being the largest in the neighbouring areas, people belonging to seven villages around Karanai, that too only the SCs from these seven villages came and worked here, As the SCs worked in this, those who paid the wages has taken account of the wages paid and here, he has taken caste-wise accounts of the wages paid that is he also noted the community to which the labourer belonged, say for instance, ‘if kothandan worked today, to which village he belongs, and to which community and he has been paid a quarter ana as wage today’, and when they look at the list, it was only the SCs who have worked and the scheme ends there and the forest has been cleared for cultivation.

What they do next is that, the British government... was is Jansi Rani??

Some group has come here for a visit, Queen Vicotria or some one, and when they visited they come across these people were wearing a loin cloth (Kovanam), carrying their children with them and being engaged in the deforestation work. And they empathize with them and then when they return to England they held talks with their government stating that these people are very poor and they earn their livelihood by working as labourers in the deforestation process. And we think that if those lands are given to them it will be useful for them. Then the British government passes an order and assigns these lands (so that is 1010...), it was at that time one collector of the British government it was some Rao (Not Rao, Tremenheere), he only passes one order and assigns the land, and he then decides on who should be the assignees of this land, so he takes the list of the names to whom the wages were paid when the forest was cleared. So the list covers the people belonging to seven-eight villages in the surrounding and when they see who those are, it was only the SCs who have laboured. Actually this assignment was not made just for the benefit of SCs, it was given to those who laboured in the deforestation process, and only the SCs have laboured, therefore it is the SC who really work on the land, and only they can protect and cultivate these lands and hence this list of names of the people has been sent to the British government. Only then they reserve these lands for the SCs, they do a survey of land and keep all the wetlands as general and assigns all the dry lands by keeping them reserved for SCs. So

each family gets an extent equivalent to the extent it has cleared and this order has been followed correctly, and they have cultivated the lands accordingly”, (Kothandaraman, a Dalit aged 26).

The assignments of land to the Depressed Classes were made during the 1930s. Being a dry zone and the lands assigned having no source of irrigation; cultivation was entirely dependent upon seasonal rains and this rendered cultivable only one crop a year. This means that for most part of a year, *Paraiyars* have to depend on *Vellalas* and *Vanniyars* who owned the wet lands. The assignment of dry lands did not entirely free the *Paraiyars* from their socio-economic dependence upon the *Vellala* and *Vanniyars*. The region experienced severe drought for seven consecutive years in the 1940s. Even during an era when there was no well, people subsisted by cultivating drier varieties of paddy (*varagu*) in the wet lands when monsoon failed, which were otherwise a dry land crop. This enabled *Vanniyars* to subsist during the serial droughts, while the *Paraiyar* families were compelled to migrate to other regions; including Ceylon and Kerala in search of livelihood. Another important reason for the change of possession from *Paraiyars* to *Vanniyars* is that, *Paraiyars* of all the seven villages were assigned lands in Karanai. Given the harsh labour conditions and structures, one would very well attribute this fear to the kind of social oppression the *Paraiyars* were subjected to.²³ Thus, the *Paraiyars* find themselves in a situation, which James Scott terms as ‘*crisis of dependence*’, “*involving a painful choice between an economically precarious independence and a more secure situation of dependence*”.²⁴ It was during this period much of the assignment lands of *Paraiyars* have gone into the control of *Vanniyars*. Kothandaraman narrated the process of transfer of lands as follows:

“Even if these people own land, they will work as labour in their (Vanniyars’) lands; this is because they don’t have any other economic source to start cultivation. In those days there was no wells to irrigate the lands, there may be a well about 1 Km away and that may be owned by a BC and he wont allow us to irrigate our land from that and will say, ‘you don’t have a well and what are you going to do with the land, you sell it to us’, and this is how most of us lost our lands”. Some sold due to starvation, some due to family problems, some because of inability to cultivate, some due to inaccessibility, and later, tapioca was brought into cultivation, once they started to cultivate tapioca the money circulation increased among them, but most of them had no land by then. The Pattas were not in their names. This was after the 1980’s, but by then Patta would have gone in some other’s name and he would have sold it to some one else and he would come and take possession over the land”, (Kothandaraman, a Dalit aged 26).

²³ One telling incident of the social oppression on *Paraiyars* in the recent past is that, in 1990 the *Paraiyars* working in the fields of *Vanniyars* in Karanai *Urr* had been severely beaten by *Vanniyars* for having washed their palm leave plates used to eat their food, in the village pond, (Deepan, 51). Whenever a conflict arises between the two communities, *Vanniyars* ‘*rightfully*’ raid through the colony to beat them up. Even in 1998, in one instance, the Karanai *Vanniyars* had come together to beat Deepan and the *Paraiyars* forced a tranquil on this traditional violence of *Vanniyars* on them by retaliating once with the aid of *Paraiyars* from Payyanoor in 2000. Payyanoor is a village in old Mahabalipuram road where the *Paraiyars* are numerically dominant, (Kothandaraman, a *Dalit* aged 26).

²⁴ *Scott (1976), p. 40*

“After the assignment, they (*Paraiyars*) have cultivated dry crops such as oats, varagu, ragi etc, and only one crop per year during the rainy season and rest of the year they work as wage-labourers in the lands of the *Vanniyars*. Then there was a continuous famine for seven years and it was during this famine they leased out the lands; and some who starved terribly went to the *Vanniyars* to ask for a few measures of food grains for their livelihood as their kith and kin were starving saying that they will be able to repay it by working for you, but the *Vanniyars* told you do not have to repay it, instead you give your land to me, what to do when it is so, they did not know the value of land...”, (Kothandaraman, a *Dalit* aged 26).

Being plagued by severe socio-economic deprivation and starvation induced by monsoonal failures in the region, digging a well, which requires a few thousand rupees, is nothing less than an unimaginable dream for the *Paraiyars*. But *Vanniyars*, given their land ownership, could provide surety to avail institutional loans from banks. Further, well, while supplementing water shortages, it also frees a cultivator from the authority of traditional system sharing lake water that provides a much-needed liberty for a new cultivator. Dry land cultivation gained momentum with the rise in the number of wells in the area and this set the base for the economic mobility of *Vanniyars* who took over the conditionally assigned dry lands of *Paraiyars*.

Very few *Paraiyars* have been able to continue their possession over their land till the 1970's. Tapioca was brought into cultivation in the 1970s and this gave an economic relief to the *Paraiyars*, but by then most *Dalit* families have lost their land to *Vanniyars*. By the end of 1970's, almost all *Paraiyar* families have lost the lands assigned to them either by sale or mortgage and some have just left the lands. Young and middle aged *Dalits*, who said that their father or grand fathers have sold the lands to Non-Depressed Class *Vanniyars*, said that they were not aware of the conditions of assignment forbidding such a sale. But *Dalit* elders aged above 90 years of age and who are legal heirs of original assignees said that though they knew about the conditions, they sold their lands due to the conditions forced by the family. *Vanniyars* on the other hand, denied the allegation that they cheated *Paraiyars* saying that the *Paraiyars* sold all the lands to them. When asked whether they are aware of the conditions of assignment, they said they were not aware of any such conditions and starkly replied, “if the sale is not legally valid, then why did they sell the land” (Gopal, a *Vanniyar* aged 31 years).

In 1974, 10 (1) *Chitta* has been issued as *Patta* to all the landholders including the assignees of Depressed Class lands as a document of ownership. In case of assignment lands being sold to the non-Depressed Class *Vanniyars*, the *Patta* has come only in the name of the original Depressed Class assignees as the sale was not registered. While a few *Dalits* have received the *Patta*, most of them did not know about the *Patta* and *Vanniyars*, owning almost all the D-C lands by then, ensured that the *Patta* did not reach the hands of *Paraiyars*. This was easily possible for them because, *Vanniyars* occupied the posts of Panchayat President and Village Administrative Officers (VAO) and also various positions at the district level in the revenue department. Even those *Paraiyars* who received the *Patta* in 1974 did not proceed further to occupy the lands as they have already sold their lands to the *Vanniyars* by then. To them, irrespective of whether the sale is legally valid or not, the land has already been sold. When asked whether they would approach the court to regain

those lands, almost all of them expressed their unwillingness and replied that “*they may take it if the government comes forward on its own to re-assign the lands*”, (Sekar, a *Dalit* 43, grandson of the assignee).

However, Deepan, the lone *Dalit* who has been the root cause of all the politicisation and has retrieved the land through the court says that

“*No Paraiyar has sold the land after the re-issue of Patta in the year 1974, and this being the case; the lands have been registered in the name of Vanniyars without any sale-deed or Revenue Patta Transfer (RPT)*”.

Taking the re-issue of *Patta* as a lead, he has approached the court of law apart from politicizing the issue, and has successfully regained ownership of the land legally in 1998, which was sold in 1966. At present, most of the Depressed Class lands are owned by *Vanniyars* of Karanai and a few lands are owned by people from Chennai. Dry lands that were once valued inferior are now valued higher than wetlands as the cultivation possibilities opened up due to the advent well irrigation. Apart from paddy, the dry lands allow a wide variety of crops like ragi and cash crops like ground nut and watermelon to be cultivated. Groundnut and watermelon are two major dry crops cultivated in the area, which yield very high returns in a relatively shorter period.

Today the major castes in the village are the *Vanniyars* and the *Paraiyars* and there are a few households belonging to *Nadar*, *Chettiyar*, *Asari*, *Vannar* (washermen), *Pandithars* (barber) and *Puthirai Vannar* (washermen for the *Paraiyars*) families. Almost all the cultivable wetland and dry lands are owned by *Vanniyars*, who are a numerical majority here. *Paraiyars* on the whole own not more than 10 – 12 acres of the whole cultivable land area of the village. The local agrarian relationships between the *Vanniyar* and *Paraiyar* castes have undergone vast changes that can be attributed firstly; to the changing pattern of cultivation induced by rise in well irrigation, the rise in non-farm employment opportunities and the coming of tractors and harvesters in the recent years.

Traditionally, paddy is the only crop that is cultivated in wetlands. Large farmers who own a well and an electric pump-set cultivate three crops of paddy in the wet land and those who do not own a well cultivate two crops depending upon the monsoon and adequate supply of lake water. Major dry land crops being paddy, groundnut, and watermelon, cultivators who own only dry lands with a well, generally secure their family’s annual food requirements from one crop of paddy, and then make a good amount of money in three months time by cultivating cash crops like groundnut and watermelon. The arrival of tractors and harvesters, have reduced the manual labour requirements but for transplanting and weeding. Many cultivators, who own either tractor or a pair of bullocks or power tiller, manage ploughing; levelling and sowing with their household labour and hence reduce their dependence on hired labourers, which reduces their expenditure. The normal wage for a male agricultural worker is Rs. 100 per day, and that of a female is Rs. 40. Given the vast difference in wages of men and women, the cultivators prefer to hire women for most works, except for ploughing and levelling which are generally regarded as masculine and needs intensive power. With the agricultural labour requirements shrinking day by day, most *Paraiyars* and landless *Vanniyar* men have resorted to non-farm employment opportunities outside the village, either as construction workers, or as

sculptors and also as labourers in the industries in Old Mahabalipuram road. From the 1990's, the sculpture industry in Mahabalipuram has been a major source of livelihood for many young men belonging to the landless families of the village.

In other words, while *Vanniyar* landowners see their ability to replace their labourers by farm equipments as an upward economic mobility, *Paraiyars* as a symbol of their assertion; break their traditional socio-economic dependence on *Vanniyars* by earning a 'decent' living from non-farm employment outside the village. Nevertheless, as owning a piece of land is regarded as a symbol of high social status and assertion, the thirst of acquiring land continues to fume in the hearts of the *Dalits*. This is very much evident from the way Kothandaraman hails Deepan for owning and cultivating more than five acres of land, saying "*with all my reservations against Deepan personally, I commend him because, while Vanniyars own whole of village lands up to the boundary of our colony, Deepan is the only one SC (Schedule Caste) in this village to expand his ownership towards the village*". And Deepan, despite owning about five acres of dry land, vows that "*somehow or the other, I will definitely buy and cultivate at least one acre of wet land*".

Having seen the Colonial background of the Conditional assignment of Depressed Class lands, the 1994 land struggle and the local perspective of the agrarian past, assignment and change of possession of DC lands, let us now analyse the successful retrieval of his ancestral land by Deepan and the unwillingness of other *Dalits* of the village.

V. Deepan's Successful retrieval of Land and Others' Unwillingness

Conflicting Moral Economy of the Market and Legality

There are a number of factors that underlie the *Dalits'* inability to mobilize to demand retrieval of the lands and movement's collapse failure, which are of significance. As far as Karanai is concerned, it is an irrefutable fact that whole of the dry lands are Depressed Class lands assigned to the 742 Depressed Class families of seven villages around Karanai. Almost all the *Dalits* have lost their lands mainly due to the following reasons; (i) some have sold, (ii) some gave away the lands to settle the loan they have received from *Vanniyars* due to poverty or to meet the expenses of life cycle ceremonies, and (iii) some lost their land through auction as they left the land uncultivated and have not paid the tax to the revenue department and hence auctioned. Two elders whom I interviewed for this purpose, when asked about the conditions regarding sale of Depressed Class lands, replied that

"We know that it is valid only for Panchamas and not valid for kudiyaanavan (Vanniyars), but we sold it to meet the life-cycle ceremonies, the sale was not registered. I wrote a bond for the sale", (Raman, 91 & Raghavan, 89 of Nandhimanagar).

But only these two elders said that they knew that these lands cannot be sold to *Vanniyars*, but were forced by their familial conditions to sell the lands. But a few others have given away their land to repay their debt to *Vanniyars*. The lands assigned being dry; allowing cultivation of only one crop per year, for most seasons they have earned their livelihood

through their agricultural labour and hence, the assignment could not make them economically independent. In this context, it would be appropriate to quote one of the respondents.

“one crop a year, only during the rainy season and rest of the year it will be left uncultivated and we used to work as labourers, now well is there and lake is there, now lake irrigation has extended up to Kunnappattu, we cultivate Tapioca, Varagu, Pisinu (a variety of rice), and only those can be cultivated, nothing else can be cultivated. Now wealthy persons have bought the land, they dug huge wells, erected bores and planted trees and they have made the land very fertile, but we don't have that much resources, if I have had the knowledge that I have today, we would not have lost those lands. My grandfather told that there is a house site on the main road in our name in Karanai, house sites were allotted there for the people of all the seven villages, not for Karanai people alone, If we had known that earlier we would not have lost that, all we lost because we did not know, we did not lose despite knowing”, (Paulraj, 53 S/O Manuel 87, an assignee).

Many of the families have not been able to cultivate the lands regularly owing to irregular rainfall, lack of financial resources to dig a well and to initiate cultivation, and the distance between their assigned land and their place of residence; as the lands for the families of all seven villages were assigned in Karanai. Given this, only feasible way for them to get away from their debt burden is to repay it by giving away the land. Some have even lost their lands through auction for not having paid the annual tax to the revenue department, as they were unable to carry out the cultivation. While the condition says that, those DC lands which are taken over by, the revenue department due to tax default can be assigned only to another member of the Depressed Classes, most *Vanniyars* got those lands to their names through their connivance with the revenue officers. This can be attributed to the representation of *Vanniyars* in the district, taluk and village level offices of revenue department.

However, for *Dalits*, the land once for all; has been sold, even if it was for a very meagre amount or debt and under whatever exploitative and vulnerable circumstance, it is sold. Even if the conditions render the sale invalid, it is unethical to claim those lands back as both, the buyer and the seller have consciously accepted its transfer. In most cases, even if the *Dalits* have got the *Pattas* issued in the year 1974 in their names even after the sale, they did not claim their right over the land as they have sold the lands already. More importantly, no *Vanniyar* objected the issue of *Pattas* to *Paraiyars*. It is at this point Deepan differs from rest of the members of his community. By saying that no *Paraiyar* has sold the land after the issue of patta in 1974, he hides the earlier sale prior to the issue of *Pattas* and hence evades from being morally accountable for his sale. He makes use of the legal invalidity of the sale to re-claim the lands, which he or his parents have sold in the year 1966. This significant shift, from one of moral consciousness of the self and that of market, which invalidates one's claim to ownership after a sale to enforce the legal invalidity of possession of the other to reclaim his right, can perhaps be understood through Deepan's awareness on the legal world of thought as an employee of the state. This legal invalidity of the sale as rendered by the conditions of assignment, also bestows the state to intervene and resume and re-grant the land without paying any compensation for the purchaser.

Second, Gowtham Sait, unlike others who now possess the DC lands in Karanai, is not a member of the local community to bind Deepan from reclaiming what he has sold, while others are bound by organic inter-personal relationship as members of the village society. Thus barring Deepan, for rest of the *Dalits* whose lands are now under the possession of locally dominant *Vanniyars* are morally bound by highly personalised nature of local relationships. The sale may however be legally invalid; nevertheless, they prefer to function as ‘*conscientious insiders*’²⁵ of the village than to enforce their legal validity to reclaim ownership rights. It will be useful to quote Sivakumar and Chitra Sivakumar on the local nature of jurisprudence in the colonial context and what he means by ‘*conscientious insiders*’

“... The early English officials such as Deighton and Place were almost solely dependent on the nattars for resolving numerous disputes, ranging from precedence to Jatis in rituals to claims and counter-claims for inheritance. It must be noted, however, that the nattars adjudicated over only those issues which could not be settled locally by Kaniyatchikarars and that the nattars’ adjudication relied far more on arbitration and compromise than did the later English courts.²⁶ The main reason was perhaps that the nattars based themselves on custom and tradition, had face-to-face relationship with the parties in disputes and, most crucially, tried to function as conscientious insiders of their own social milieu. The English common law, on the other hand, was a set of non-indigenours codes, impersonal with respect to the parties in disputes, and based on the idea of ‘objective’ distance of the judiciary from the milieu.”²⁷

The role of *Paraiyars* as ‘*conscientious insiders*’ and their unwillingness to assert their legal validity of a property, which going by the norms of the market, has been sold to others, represents what Scott calls as ‘*peasant view of decent social relations*’.²⁸ This is very much evident from their reply when asked about their willingness to reclaim their legally valid right over the DC land, which had been sold already.

“When I know that my father had sold the land, then why should I go to plough²⁹ the land, our conscience will not allow that I am not keen to do anything against my conscience”, (Paulraj 53, son of Manuel (87) assignee of DC-lands)

And hence, when asked “now they say that the sale is not valid and Deepan got his land by filing a case, are you willing to file a case in the court?” he replied

“No our conscience will not allow that, if the government re-assigns on its own, we may take it” (Sekar, a *Dalit* 43, grandson of the assignee).

Even though they express their unwillingness to personally involve in reclaiming the lands as they find that unethical, nevertheless, they expect the state to re-issue the lands. And when they expect the government to intervene, another factor which holds them from direct involvement is that, they are conscious about their sale. And if they have to get back the

²⁵ Sivakumar & Chitra Sivakumar (1993) p. 24

²⁶ “Even till date, jati courts function essentially with the purpose of pre-emption of disorder and instability rather than of the upholding of any canons of jurisprudence. As a result, arbitration and compromise predominate in their procedures”. *Ibid* Footnote 56.

²⁷ *Ibid*, p. 24

²⁸ Scott (1976), p. 41.

²⁹ In the year 1994, the *Dalit* leaders organized a series of struggles to reclaim the Panchama lands, as part of these demonstrations the lands were also ploughed.

land from the person who enjoys it now, they have to repay the price of the land at market rate, which is unimaginable given their economic position. In other words, even if they know that the *Vanniyars'* possession of the land is illegal, let the state enforce the legality on its own without any personal involvement of *Paraiyars*, as such an involvement will amount to breach '*decent social relations*'. This unwillingness of the socio-economically deprived *Paraiyars* is a social compulsion of inter-personal social relationship of the village society. All these factors suggest that the 1994 Karanai land struggle was not a struggle against the locally dominant *Vanniyars* who now possess most of the DC lands. While *Paraiyars* are inhibited moral members of the village community, *Vanniyars* establish their right to enjoy the land by enforcing this morality on *Dalits* and in turn conveniently pushing aside the context in which such a transfer occurred.

The unwillingness of the local *Dalits* in the movement is evident from their very minimal participation in the struggle, and most of the local *Paraiyars* did not know that a statue of B.R. Ambedkar was going to be installed in their village until the day it was installed. And on 4, October 1994 the statue was installed quite early in the morning, the installation was over at 9.30 in the morning in the presence of a large number of people from the neighbouring areas. All these evidentially show that all the planning was carried out by *Dalit* activists from outside. However the police dislodged the statue within a few hours of its installation and it was the local *Dalits* who consequently faced the brunt of police action. While the initial local support for the installation has been so minimal, on 10. 10. 1994, people gathered in thousands in front of the Sub-collector's office to protest against the removal of Ambedkar's statue, where two *Dalit* youth were killed and several other sustained bullet injuries in police firing.

Another major factor which hampered whatever minimal momentum that the statue installation induced was the excesses of police force deployed in the village to dislodge the statue, the arrests of innocent villagers who were not involved in the installation process, and the police firing in Chengalpattu on 10, October 1994 killing two *Dalit* youth and injuring several others. When asked about the arrests, most of them recollected that,

"for fifteen days, all the families passed their nights without the male members as all the men were arrested, and for more than two months, we slept in the lake bund as we feared police raid and we do not know when they will raid our homes and arrest us".

Thus, the people have been subjected to violent raids, arrests and physical torture by the police and this is evident from their emotional recounting of their traumatic experience and their explicit expression of displeasure, distress and helplessness.

A decade has passed since the killing of two *Dalit* youth in Chengalpattu. The 1994 struggle has been an eye-opener for hitherto uninformed *Dalits* and ever since, there has been a constant rise in the number of representations made by *Dalits*, to the District Collector and various revenue authorities at the district and taluk level regarding the retrieval of Depressed Class lands. Nevertheless, the revenue department has maintained an anti-*Dalit* stand and has never taken any measures to ensure the *Dalits'* legal right. All the representations have fallen in the deaf ears of the revenue authorities who have always remained inactive and have never explained their inactiveness towards the representations made by *Dalits*. In most cases, the revenue authorities have not even acknowledged *Dalits'*

complaints regarding Panchama Lands. This in turn warrants repeated representations from *Dalits*, which incur heavy costs in terms of physical effort and money. Kancheepuram being the district headquarters, one trip to the Collector's office costs a minimum of Rs. 80 - 90, in real terms it means that the poor labouring *Dalits* have to forgo a day's work which costs him Rs. 100 and spend another days earning to make his representation to the Collector office. Even if one manages this effort, the inactiveness of the revenue department renders this effort a waste, as this representation alone does not ensure any procedural action towards restoring the lands to them. However, the *Dalits* have not allowed this inactiveness of the revenue department to obstruct their representations, as they have been able to continue their relentless efforts despite the hopelessness forced against them.

VI. A Critical Analysis of the Movement

As noted earlier, the movement finds its origin from Deepan's effort to retrieve his D-C land, which his father had sold in the year 1966, after knowing the conditions forbidding such a sale. As his father had sold the land earlier as many other *Dalit* families, and the people of Karanai not being much aware of the conditions of the assignment of D-C lands, the people did not support his effort towards the retrieval of land. The moral consciousness of *Paraiyars*, coupled with their socio-economic dependence on *Vanniyars* forced by poverty and landlessness rendered them inactive towards the movement to retrieve their ancestral lands. Therefore to move further Deepan had to approach the people working on issues relating to *Dalits* for support and the key personalities were Fr. Martin, Brindavan Moses, Jayakaran Joseph, V. Karuppan (a retired IAS officer), Fr. L. Yesumarian and T.S.S. Mani many others who were and are still associated with non-governmental organizations and political parties. Moreover, Fr. Martin was the only person who had been directly involved in the Karanai D-C land issue before the police firing on 10.10.1994. As Fr. Martin's SAM had been working in the villages in and around Chengelpet since 1984, they were quite popular in the area. The rapport that had been built over time by SAM helped them in popular mobilization for the issue.

Originally this assignment was not a result of any politicized demand by *Dalits*. The historical subordination and ignorance of the *Dalits* necessitated external intervention to politicize the issue. However, the leaders themselves being outsiders who were actively involved in the movement would have been ignorant about the sale of D-C lands by *Dalits* prior to 1974. Deepan, who sought their involvement in the issue, normally obscure the history of transfer of the lands and while he emphasise more on the 1974 re-issue of *Patta* in the name of *Dalits* and the transfer of land in the name of *Vanniyars* without any sale deed or revenue *Patta* transfer. The heads of various NGOs and others who lead the movement were unaware about the issue of moral consciousness. The first and foremost priority of the initiators of the movement was to mobilize the *Dalits* in order to voice a deeper politicized demand for land in the larger political arena. Given the kind of socio-political awareness of the *Dalits* in general and about DC lands in particular in the year 1994, mobilizing for a political cause was not an easy task. Hence the decision to install the statue of B. R. Ambedkar was a strategy to mobilize. But this mobilization was not through social and political awareness but through iconising and relating the issue with the wider *Dalit* identity. Such a politicisation by spreading awareness about the conditions of

assignment and its violations, would have prepared the people better for the process of retrieval. In the absence of such a mobilisation and Deepan, being the only person from Karanai to be actively involved in the issue and the land in question being his own, the local *Dalits* could hardly envision the statue as a symbol of assertion of their land rights.

The leaders of the movement attributed its failure to lack of awareness among *Dalits* and the brutal wield of power by the police as they were ignorant about the issue of morality involved in it. The immediacy of the police action and the extent of force deployed can be sought no other explanation than the complainant being Perumalsamy, a retired Inspector General of Police who now owns 42 acres of Depressed Class lands. The absence of resistance by the *Dalits* could be attributed to their moral handicap that prevents them from exercising their legal right and their ignorance about the Depressed Class lands and its conditions and the excesses of police force.

Nevertheless, the *Dalits* gathered in thousands in front of the Thasildar's office in Chengalpattu to protest against the removal of Ambedkar's statue. The fierce attitude of Sub-collector towards the *Dalit* representatives followed by the agitation resulted in police firing causing the death of two *Dalit* youth and another unknown person. This resulted in the formation of *Dalit* Joint Action Committee - Save Panchama Land Movement. The constituent bodies of this movement were NGOs and other *Dalit* social and political organizations. The movement lost its stream and was hijacked from its village base and all its meetings were conducted in Chennai. All the leadership positions in the committee were held among the urban *Dalit* individuals like Karuppan IAS, Jayakaran Joseph; who took part in the issue only after police firing. The leaders of the movement lacked of foresight about its sustenance, as they did not take much effort towards a political mobilization by way of spreading awareness. Lack of awareness among the people made them outsiders rather than active members of the movement. Any little effort to politicize the issue would have increased the movement's sustainability and political strength.

The basic difference between International Ambedkar Centenary Movement (IACM) and Karanai struggle is that there was a considerable process of politicization by the IACM before they move towards taking adverse possession of the land. And it is this process that was absent and was taken so lightly in the case of Karanai Panchami land struggle. As Fr. Yesumarian claims, this process of politicization creates a feeling of 'our land', 'our statue' among *Dalits* that forms the basis for their quest for land. And even a very simple move of opening a beef stall and sprinkling the blood on the land keeps the *Non-Dalit* counterparts outside the land. One of the most important factors that caused the failure is the role of leadership in the struggle. For L. Yesumarian, who has a sound knowledge of what a socio-political movement is, the process of politicization of the people is so central to a struggle and the sustenance of the movement solely depends upon the solidarity of the people towards the cause. And it is this crucial aspect of a political mobilization that has been taken granted in the Karanai land struggle finally rendered it short of materialising the restoration of lands by the *Dalits*.

The only success of all these activism was that Deepan reclaimed 5 acres of D-C land to his name. But it is very difficult to attribute this success to the activism and struggle we have discussed so far. As mentioned earlier, being a struggle to establish a legal right,

its success is completely subjected to its success in the bureaucracy. These 5 acres that has been retrieved was not a result of activism but a result of judicial process that spanned from 2.7.1990 to 3.9.1998. This was a result of constant struggle with the revenue department which was unfruitful that finally needed the intervention of the court of law to issue an order to re-grant the land to Deepan.

VII. Conclusion

In the rural agrarian scenario, gaining access to land is always related to the caste to which the person belongs and whenever the under-privileged communities gain access to land, it is seen as an upward mobility in the caste structure. In other words, gaining land ownership and establishing control is definitely an act of assertion for the *Dalits*. But, for the powerful land owning castes, this is something that humiliates their sense of pride, honour and hegemony and hence they have every reason not just to oppose but also to control with all their power. With caste being the order of the society and role of each caste in the agrarian production process reflecting its ritual status, it is so innate for a historically enslaved labouring community such as the *Paraiyars* to be landless. Lands, for the *Paraiyars*, even if those are forests, cleaned and made cultivable by the *Paraiyas* themselves, has to be 'granted' by an authority for them to own. The existing structure of land ownership was never disturbed even during the most reformatory years of Colonial rule. New lands had to be made cultivable to be assigned to the *Paraiyars*; as *Paraiyars*, being untouchables cannot dream of owning a piece of wetland irrigated by the village lake. Whereas the *Mirasi* castes, can keep large tracts of land under their control even if those lands are kept uncultivated 'waste'. Such was the notion of social privilege and subordination of castes, as the right to own a piece of land depends upon the caste of one's origin. It is in this social background the assignment of waste land to the Depressed Classes was made.

The lands assigned being dry in nature and with the irrigational sources being completely controlled by the dominant castes even today, the assigned lands could never prove to be a mean to break the economic dependence of the *Paraiyars* on *Vellalas* and the *Vanniyars*. The severe poverty forced by a series of drought for about seven years have brought the dry lands into the control of *Vanniyars*, who never imagined to cultivate those inferior dry lands before it was deforested and made cultivable by *Paraiyars*. The possession by *Vanniyars*, however illegal, is strengthened by the helplessness induced by *Paraiyars*' sense of morality. The only plausible way to break this moral consciousness is to create awareness about the context in which the assignment was made and the reasonability of the conditions and especially the reasonability of resuming the land without paying any compensation in case of default and about the role of state as directed in the conditions of assignment.³⁰

The scope of retrieving these lands is limited to the administrative machinery of the state despite its social and political significance. Even if *Paraiyars* manage to repeatedly represent their legally valid claim to the revenue department, their claim is however not powerful enough to overcome the effects of communal violence that is feared to erupt due

³⁰ Condition 4 in the Special D Form, Special Form of Order for assignment of lands to Scheduled Castes, BSO 15, Para 9

to any legal action. Whenever one refers the Karanai village, the revenue officers never fail to emphasise its 'communal sensitivity', which, for them, is self explanatory for their inactive attitude towards the representations made by *Dalits*. Even though many surveys have been carried out as a result of repeated representations by *Dalits*, the reports are consciously buried from the public knowledge. It is clear from history that even the legitimacy of the land rights of *Dalits* is not enough to provide them the denied control over their land. Caste being the order of the society, the inactiveness of the revenue officers proves the state's bias favouring the *Vanniyars'* illegal possession of land in the name of remaining 'neutral'. This, coupled with the brutal unleash of violence by the police to preserve 'Law and Order', crippled the *Dalits'* movement favouring the dominant backward caste *Vanniyars*. It is imperative to note here that, one cannot imagine a *Dalit* to be posted as the collector of Kancheepuram district given its Brahminical significance nor a *Dalit* is posted as a Thasildar of Chengalpattu Taluk or Village administrative officer of Karanai. With the numerical dominance of the *Vanniyars* and the Panchayat being always presided by a *Vanniyar*³¹, the utmost possibility of the *Dalits* is to hope for a 'Candid', 'Good' *Non-Dalit*, if not *Vanniyar*, revenue officers.³² *Dalits* had to seek the court of law for justice, to restore their lands in two cases we have witnessed so far. Both the judgements were passed by the High Court of Madras; the first case is from Karahathahalli village of Palacode Taluk in Dharmapuri district and the second being Deepan's. It is imperative to note here that the High Court of Madras, citing various cases canceling the alienation of such lands in Karnataka, passed the judgment against the alienation of lands by caste Hindus. Further the copy of judgment has also been circulated to the collectors of all the districts. Hitherto, even this circulation has not initiated any action by the collectors of various districts. This endorses not just the need for a substantial process of politicization among *Dalits*, but also necessitates a serious sensitisation of the revenue department on issues of caste system and its embedded inequality, particularly emphasising the role of the state.

Given the socio-cultural milieu of the Tamil society, any struggle for land rights could be nothing more than a near impossibility but for its legality. The Karanai struggle for Panchama land in the year 1994 with all its inadequacies and failures signifies the extent of efforts required to politicise *Dalits*, even to claim their legal right. It is only after Karanai struggle that issues relating to the land rights of *Dalits* came to the forefront and in this sense, the 1994 struggle was a significant effort towards politicization. Ever since many *Dalit* organizations have started retrieving D-C lands through official representations and minor protests at district and taluk levels. In the past year or two, a series of conferences on the land rights of the *Dalits'* and on Panchama Lands have been conducted across Tamil Nadu by various organisations working on *Dalit* welfare. The police firing on 10.10.1994 causing the death of two *Dalit* youth has not brought an end to the movement, as it has been the point of initiation of the ongoing efforts to retrieve the D-C lands.

³¹ Most of the lands have been changed in the names of *Vanniyars* during Dhanusu Nayakkar's tenure as the president of Karanai Panchayat, his family have owned about 60 acres of D-C lands in Karanai. He was the Panchayat president of Karanai for more than 35 years and was replaced another *Vanniyar* in the last panchayat elections. *However, the President post was reserved for SCs in the recent (October 2006) local body election.* Village Administrative Officers posted in Karanai have always been a *Vanniyar*.

³² For a detailed discussion on how a caste alliance could dominate the proceedings of the revenue department in the colonial context, see Irschick (1994).

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This research is based on personal interviews conducted with Fr. Martin, Fr. L. Yesumarian, Ms. L. Sumathy, Mr. V. Karuppan, Mr. T.S.S. Mani Mr. Deepan, Ms. Sheelu and a few people from villages around Karanai including Manuel (87), Kanniyappan (78), Kaathavarayan (97), Raman (91), Ragavan (89), Duraisamy (95), Veerabadran (father of Mr. Deepan) (82), Mayasamy Nayakkar (103), Dhanusu Nayakkar (74), Kothandaraman (25), Kanniyappa Nayakkar (62), Sekar (43), shanmugam (28) and Gopal Nayakkar (31).

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