Customary vs state laws of land governance: Adivasi joint family farmers seek policy support

The case of Kurichya joint families in Wayanad, southern India
This paper is part of the wider research project: Family Farming and People-Centred Land Governance: Exploring Linkages, Sharing Experiences and Identifying Policy Gaps, coordinated by Silvia Forno, Luca Migiano and Michael Taylor.

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Abstract

This research into the land governance system of Kurichya joint family farmers in southern India explains how the traditional social organisation and customary property rights laws of the community have evolved to fit with its ecological and political settings in such a way as to prevent land fragmentation and alienation. Informed by ethnographic methods, this paper argues that the Kurichya system, which functions through kinship relations, matrilineal property succession, rituals, and communal labour arrangements, is a unique model of land governance based on collective ownership, collective farming, and equitable resource sharing. Kurichya joint families follow a sustainable system of natural resource management that ensures ecosystem continuity, natural recycling of organic matter and water, and protection of agro-biodiversity to ensure future food security. However, centralised state laws on land governance and development policies do not allow political space for systems such as that of the Kurichya and often conflict with them. This paper calls for urgent political attention and changes in policy to ensure the inclusion of pluralistic systems like that of the Kurichya into the wider food production system.

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The M.S. Swaminathan Research Foundation (MSSRF) is a non-profit research organisation that was established in 1988 in Chennai, India. Its work centres on pro-nature, pro-poor, pro-women, and pro-sustainable on-farm and non-farm livelihoods, based on appropriate eco-technology and knowledge empowerment. Its Community Agro-biodiversity Centre (CAbC) addresses the livelihood and food security needs of poor families in Wayanad district of Kerala in a gender-oriented manner. By adopting economically viable, ecologically sensitive, and socially inclusive approaches in research and development, the CAbC works to achieve sustainable livelihoods and food security for local communities in the hilly districts of the Malabar eco-region of the Western Ghats.
Glossary

Karanavar
In the language of the Kurichya, the most senior (i.e. oldest) male member of a household is called Karanavar; the same term is used for other male elders.

Koodippani
A system of contributing labour for family farming activities.

Kootam
Decision-making council within a mittom, restricted to male elders of the family.

Kunjukuttiyum Makkalum
Kunjukutty are the female descendants of a Kurichya joint family. Makkal are the children of these female members. Kunjukuttiyum Makkalum are the true rights-holders of the family and property in the Kurichya matrilineal system.

Mittom
A Kurichya household irrespective of family type, i.e. joint, nuclear, or of any size, is generally called a mittom.

Moonaman
The Moonaman is a permanent outside member in the decision-making body (Kootam) of a Kurichya mittom. He is a member of a neighbouring mittom belonging to the same clan and may or may not be connected by kinship. He acts as a witness for various social, cultural, and ritual activities of the mittom.

Negal
The Kurichya worship the spirits of the dead, but only the spirits of outstanding men of the matrilineage who have contributed to the prosperity and well-being of the family. They are called Negal (“shadow”) or Muni.

Odekkaran
Kurichya headman. A male elder who acts as the leader or manager of the mittom. He may or may not be the eldest (Karanavar) and may be replaced if the family members wish.

Odekkarathi
Wife of the Odekkaran, and leader of the mittom’s womenfolk.

Shaman
A shaman is an adult male member of the household who may or may not be related by kinship. The Kurichya believe that gods, goddesses, and ancestral spirits appear through the shaman, who acts as a mediator, and give their verdict on decisions relating to religious rituals, marital ceremonies, problem solving, and all other social activities. The shaman is trained for this purpose.

Tharavadu
The joint family house complex forming the head quarters of a particular clan.
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Introduction

This year, 2014, has been designated the International Year of Family Farming (IYFF) by the United Nations. In both developing and developed countries, family farming is the predominant form of agriculture and food production, with 40% of households globally depending upon it (FAO, 2014). In India 56% of the workforce is engaged in agriculture, and 80% of agricultural land holdings are smallholdings. Small-scale family farming is thus the backbone of India’s food security, though only 33% of cultivated land is owned by smallholders (FAO, 2002).

This research investigates policy conflicts faced by small-scale food producers by focusing on the case of Kurichya Adivasi farmers in southern India. The Kurichya practice collective family farming on comparatively large land holdings, utilising a unique system of organisation of family labour. These traditional farmers cultivate at least 27 native varieties of rice, and contribute to food security and the protection of biodiversity by conserving native plant varieties and breeds of livestock. Kurichya men and women possess rich traditional knowledge of agro-biodiversity and sustainable management of natural resources.

Underpinning this sustainable way of life is a unique system of land governance that prevents land alienation and fragmentation, which are among the main threats faced by family farmers worldwide. However, the Kurichya system of land governance, which ensures equitable use of land and other resources, is facing conflicts with national and state laws on land governance and with development programmes.

The Abu Dhabi Statement on Family Farming of 21–22 January 2014 asserted: “Equitable access to land is basic to the wellbeing of rural households, to the stimulation of economic growth in agriculture and livestock raising, to the reduction of poverty in rural areas and to the achievement and guaranteeing of the food sovereignty of nations. As such it should be a priority for governments” (IYFF, 2014).

Land is the primary factor in agricultural production. With the world’s growing human population, the availability of land for agriculture is declining, while at the same time demand for food is on the rise. This situation demands an inclusive approach to expanding food production and ensuring farmers’ access to cultivable land. Wayanad, the district of Kerala state where this research was conducted, is an agrarian economy in which the majority of people depend upon agriculture as their main livelihood option. Though the world is advocating support for family farmers, access to land is a major threat faced by smallholders in Wayanad. With an increasing population, land is becoming fragmented and the area of cultivable land in each village is shrinking. Capitalistic development and moves towards a market economy mean that the value of land is increasing and traditional agrarian patterns of land use are changing significantly. Most small-holder farmers are not in a position to acquire more land or even to retain their traditionally owned land. It is time to seek alternative arrangements for land ownership to ensure equitable access for all.

The Kurichya have a unique system of social organisation characterised by matrilineal joint families, and a unique system of land governance and cooperative farming based on kinship labour, which prevents land fragmentation and alienation by means of collective ownership.
However, the needs of the Kurichya have been neglected under India’s current agrarian and land policy framework. This research examines this issue in detail, seeking to answer the following questions:

» How do the Kurichya’s land governance system and methods of farming contribute to on-farm conservation and sustainable management of food biodiversity and other agro-ecosystem services?

» What are the land-related and organisational challenges faced by Kurichya joint family farmers in the current food production systems governed by state laws?

» What policy gaps exist in terms of integrating the Kurichya family farming system of land governance into the state’s land law regime to optimise the benefits of their livelihood systems for wider food systems?

This paper examines how the Kurichya have sustained their system of subsistence agriculture in the face of severe pressures and outside influences from the state and a globalised world. It focuses primarily on their land governance system and resource management strategies, which are critical in the continuation of their family farming system, from historical and cultural perspectives. The paper explains the process of social evolution of a traditional farming system in protecting access to and control over cultivable land. It critiques the policy frameworks of centralised states, which do not include systems like that of the Kurichya, and argues for urgent policy support for such systems to integrate them into the larger food system by considering their contribution to conserving and protecting biodiversity.

Following this introduction, section two outlines the methodology used for this research. The third section attempts to explain the Kurichya joint family system, the communities’ unique system of land governance, and their farming tradition through functional expressions of Kurichya culture, kinship organisation, labour arrangements, matrilineal succession, and associated rituals. The fourth section provides a short history of land governance in Wayanad, outlining historical processes of land alienation for different Adivasi communities in the region and how the Kurichya have managed to hold on to at least some of their land. The history of land tenure in the region over the past seven centuries helps to understand the socio-political context for the cultural and social evolution of Kurichya joint families.

The fifth section deals with the conflict created by state land laws and development initiatives that are based on individual property rights and patrilineal succession, and looks at the process of social change that Kurichya joint families have gone through to cope with this conflict. It also discusses the mechanisms developed by their system to cope with these challenges and to ensure its own continuity. This analysis highlights the degree of resilience shown by the Kurichya system and its significance as an alternative model of land governance.

The sixth section concludes by highlighting the important contributions of the Kurichya land governance system and the legal and political conflicts it faces in the wider context of land use change and the future of family farming. The paper suggests that the Kurichya need urgent policy support and recognition for the services that they are providing to the whole world, setting out a series of specific policy recommendations. It also highlights the need to learn lessons from the Kurichya system of joint land ownership and the great potential of this system for collective farming.
Methodology

The methodology used for this research involved three strands of data. First, data was collected from a review of secondary materials, including historical and statistical publications, to sketch out the history of land governance and agriculture in Wayanad. Second, ethnographic methods were used to gather empirical evidence from the field. Third, the research was informed by a participative process with the Kurichya community to identify specific policy recommendations.

Secondary data sources included historical and sociological publications on Wayanad, land and agrarian relations in the district, state laws defining land governance and development in the region, and anthropological literature on different communities. Colonial-era publications dealing with administration were also helpful in reconstructing the story of land governance in Wayanad. Sources included books, academic publications (published papers and doctoral theses), statistics from government bodies such as the Scheduled Tribes Development Department, analytical studies and reports by various agencies, and government websites as reference for different land laws and acts. This literature was used to trace the history of agriculture and land governance in Wayanad, providing a political and sociological context for the cultural evolution of the Kurichya. In analysing this material, the researchers compared historical records with narrative histories in the primary dataset.

Qualitative research into the Kurichya system of land governance was informed primarily by ethnographic methods. It was originally planned to conduct the ethnographic fieldwork for this research in five Kurichya joint families. However, the demographic data published by the state government of Kerala was not sufficient to gain a common understanding of land ownership and family and membership patterns, so the researchers had to conduct a preliminary survey of all Kurichya joint families in the district using a questionnaire to obtain a general picture. The team also mapped joint family households using Global Positioning System (GPS) technology and generated maps using ArcGIS software. The ethnographic research work eventually concentrated on three joint families, which allowed the team to gain an in-depth understanding of individual members of neighbouring mittams and their customs and traditions relating to land and agriculture. Two persons conducted the survey and the ethnographic fieldwork simultaneously, using tools such as in-depth interviews, participant observation, oral histories, and historic time-line analysis to collect data on the Kurichya land governance system and to document changes within it.

Participating in the decision-making councils of joint families and their joint agricultural work helped the research team to gain an understanding of the interpersonal dynamics, labour arrangements, and gender division of labour within the community. The researchers concentrated on collective and individual property rights and user rights arrangements, and the issues faced by the community as part of a macro system of state laws. They also interviewed revenue officers, agriculture officers, and tribal extension officers in the area.
As a participative tool to identify specific policy gaps, the researchers then organised a community-level workshop in which 120 Kurichya farmers participated. The farmers were divided into six groups and discussed six different aspects of collective land governance and farming. These group discussions were facilitated by a Participatory Rural Appraisal (PRA) expert using a SWOT analysis. In this exercise, community members analysed their own unique system of land governance and food production in the current political context, and each group came up with policy recommendations to help include Kurichya farmers in the wider food production system of the state. These discussions and recommendations were added to the research’s primary dataset and used in the process of analysis.

Following the community workshops, a 12-member committee was selected as a policy advocacy group. This group, together with the research team, held two separate meetings to work on the policy recommendations and to finalise the policy brief. The policy advocacy group has now communicated its recommendations to the state government of Kerala and to Local Self Government Institutions at the district, block, and Panchayat levels. It has also begun disseminating the results of the research via a community organization, Kurichya Samudaya Samrakshana Samithy, to carry forward the message through different platforms.

1 The organisation works to protect the traditions and culture of the Kurichya through social reformation and to mobilize the community under a single umbrella.
The Kurichya of Wayanad: one of the largest groups of family farmers in the world

Wayanad

Wayanad is a hilly district of Kerala, southern India. This important region of the Western Ghats is part of the Nilgiri Biosphere Reserve and is known for its rich biodiversity. The district has a mixed population of Hindus, Christians, and Muslims. According to the 2001 census of India, the total population of the district is 780,619, with 17% of the population consisting of Adivasi communities. The population of Wayanad is basically agrarian, with the majority of the working class involved in agriculture either as cultivators or as agricultural labourers. The 2001 census showed that 47.3% of the district’s total workforce was involved in agriculture. Wayanad has a land area of 2,131 sq km, with 788 sq km of forest accounting for 37% of the total. Approximately 1,142 sq km of the total area is used for agriculture. The economy is largely based on agriculture and dairy farming (Wayanad Initiative, 2006: 28), though an emerging tourism industry also contributes. Wayanad has been affected by India’s agricultural crisis, with farmer indebtedness and suicides reported as after-effects of economic crisis in the district (Mohankumar and Sarma, 2006: 1553).

The current status of Adivasis in Wayanad: According to the 2001 census, the total population of Adivasis in Wayanad was 136,062. The district has the highest percentage of Adivasis in Kerala: 17.43% compared with 1.14% for the state as a whole. The main Adivasi communities

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Indian society is characterised by a socially stratified caste system, which is now also used as a basis for affirmative action. Historically, the caste system separated communities into thousands of endogamous hereditary groups called jathies. The jathies were grouped by Brahminical text into four categories called varnas, according to their occupation in society. Certain groups, now known as “Dalits”, were excluded from the varna system altogether, ostracised by all other castes and treated as untouchables. The British colonial administration began a policy of affirmative action by reserving a certain percentage of government jobs for the lower castes. After India achieved independence, this policy of reserved jobs and positive discrimination based on caste was formalised with lists of Scheduled Castes (Dalit) and Scheduled Tribes (Adivasi). The term “Scheduled Tribes” (ST) refers to specific indigenous peoples whose status is acknowledged to some formal degree by national legislation. “Adivasi” is the collective term used to describe most of these indigenous peoples.
living in this region are the Paniya (44.8%), Mullukuruma (17.5%), Kurichya (17.4%), Kattunaikka (10%), Adiya (7.1%), and Uralikuruma (2.7%). Government records distinguish 11 indigenous groups in Wayanad, with other communities having a nominal presence in the population (Government of Kerala, 2011). They can be broadly classified into farming communities (Mullukuruma and Kurichya), agricultural labourers (Paniya and Adiya), artisan communities (Uralikuruma), and hunter-gatherer communities (Kattunaikka) (Nair, 1911: 110-113; Wayanad Initiative, 2006: 35). These heterogeneous groups live in economic and ritual interdependence with one other and with Hindu castes, with hierarchical relationships existing between them (Münster and Vishnudas, 2012: 38). The Kurichya and Mullukuruma are land-owning marginal agriculturalists who practise rice cultivation on their communally owned land. The Kattunaikka and Uralikuruma live mainly in protected forest areas, and depend solely on forest produce and labouring for their livelihoods. The Paniya and Adiya are landless agricultural labourers. Landless Adivasi communities (all except the Mullukuruma and Kurichya) have been alienated from the resources on which they once depended for subsistence, first by colonial rule and then by the national and state Forest and Wildlife Department (Kurup, 2010: 28). These communities remain the most vulnerable and backward in education, health, sanitation, and housing, compared with the general population of Kerala (Wayanad Initiative, 2006: 33).

The Kurichya and Wayanad

The social organisation of the Kurichya, a landed agriculturalist and hunting community, is based on large joint families (Vayaleri, 1996: 38; Ravi Varma, 2004: 170; Chakko, 1994: 19). They are well known for organised game hunting, the conservation of numerous plant and animal species, and for their immense traditional knowledge of the natural resources around them (Kumar et al., 2010). This research identified 288 Kurichya joint families (mittoms) in Mananthavadi and Vythiri taluks of Wayanad (see Figure 1).

Figure 1: Distribution of Kurichya mittoms in Wayanad district of Kerala

3 In Kerala, a taluk is an administrative division below the district level; the state has 75 taluks.
Demographic profile: According to government statistics, there are 5,427 Kurichya families in Wayanad, with a total population of 25,266 and a male to female ratio of 12,855: 12,411 (1,000: 965). They make up 16.5% of the total Adivasi population of the district. The Kurichya have a high literacy rate of 84.8% compared with the general Adivasi rate in Wayanad of 71%, but this is lower than the overall district literacy rate of 89% (see Table 1). The Kurichya are also a healthy community, according to health surveys conducted by the Kerala government in 2008, which found only 2.8% of the population to be unhealthy (i.e. with a chronic illness or regularly suffering from disease). The great diversity in their culinary tradition may be one reason for this good health, along with the joint family system, which ensures food for all family members. The Kurichya cultivate a variety of food grains, vegetables, and tubers in their home gardens and hunt, fish, and collect wild plants, which until recently formed an integral part of their diet. This clearly indicates the importance of land ownership in determining the living standards and livelihood patterns of a community.

The Kurichya still own a considerable amount of land collectively, while most other Adivasi communities are alienated from their resources. Government records show only 153 Kurichya families (2.6%) as being landless. Records also show that 265 families (4.8%) have less than 5 cents of land,4 while 2,139 families (36.8%) have more than one acre (see Table 1). The remaining families own between 5 cents and one acre apiece. A majority of 4,136 families (71.2%) derive their land from ancestral properties (Government of Kerala, 2011), while just 160 families have received land from the government (see Figure 1). Some 48% of Kurichya depend solely on agriculture as their principal livelihood option (see Table 2). This directly relates to land ownership or access.

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4 A cent is the basic unit of land measurement, equivalent to 1/100th of an acre.
### Table 1: Demographic profile and land ownership of different Adivasi communities in Wayanad

<table>
<thead>
<tr>
<th>Community</th>
<th>Population</th>
<th>Literacy rate (%)</th>
<th>Health (% of individuals who have physical and mental challenges)</th>
<th>% of landless families</th>
<th>% of families with less than five cents of land</th>
<th>% of families with more than one acre of land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paniya</td>
<td>69,116</td>
<td>64.72</td>
<td>4.05</td>
<td>8.26</td>
<td>29.39</td>
<td>7.44</td>
</tr>
<tr>
<td>Adiya</td>
<td>11,196</td>
<td>66.18</td>
<td>8.3</td>
<td>4.43</td>
<td>18.21</td>
<td>3.92</td>
</tr>
<tr>
<td>Kurichya</td>
<td>25,266</td>
<td>84.8</td>
<td>2.83</td>
<td>2.63</td>
<td>4.8</td>
<td>36.80</td>
</tr>
<tr>
<td>Mullukuruma</td>
<td>20,987</td>
<td>86.94</td>
<td>6.35</td>
<td>2.06</td>
<td>5.81</td>
<td>41.5</td>
</tr>
<tr>
<td>Kattunaikka</td>
<td>17,051</td>
<td>60.14</td>
<td>12.96</td>
<td>4.87</td>
<td>21.95</td>
<td>12.7</td>
</tr>
</tbody>
</table>

### Table 2: Principal livelihood options of different Adivasi communities in Wayanad (age group 15–59)

<table>
<thead>
<tr>
<th>Community</th>
<th>Population (age group 15–59 years)</th>
<th>Agriculture (%)</th>
<th>Agricultural labourer (%)</th>
<th>NTFP (%)</th>
<th>NREGA (%)</th>
<th>Other</th>
<th>Forest labourer (%)</th>
<th>Govt. employment (%)</th>
<th>Jobless (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paniya</td>
<td>42,197</td>
<td>0.5</td>
<td>78</td>
<td>1.3</td>
<td>6</td>
<td>0</td>
<td>1</td>
<td>0.2</td>
<td>13</td>
</tr>
<tr>
<td>Adiya</td>
<td>7,004</td>
<td>0</td>
<td>78</td>
<td>0</td>
<td>2</td>
<td>7</td>
<td>2</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>Kurichya</td>
<td>16,952</td>
<td>48</td>
<td>22</td>
<td>0</td>
<td>8.8</td>
<td>6.3</td>
<td>2</td>
<td>2.9</td>
<td>8</td>
</tr>
<tr>
<td>Mullukuruma</td>
<td>15,024</td>
<td>28</td>
<td>34</td>
<td>0</td>
<td>12</td>
<td>6</td>
<td>1</td>
<td>7</td>
<td>12</td>
</tr>
<tr>
<td>Kattunaikka</td>
<td>10,416</td>
<td>3.7</td>
<td>57</td>
<td>8</td>
<td>6</td>
<td>4</td>
<td>8</td>
<td>0.3</td>
<td>11</td>
</tr>
</tbody>
</table>


Figure 2: Origins of Kurichya land ownership

Note: “Encroached” refers to families occupying government land, such as forest fringes, without permission.
The Kurichya agrarian system

Anthropologist A. Aiyappan describes the Kurichya as "one of the largest joint families ever reported in anthropological literature" (Aiyappan and Mahadevan, 1990: 33). Traditionally, a Kurichya mittom houses a joint family of more than 100 members living in a single house complex with a large area of land under possession (Ravi Varma, 2004: 179). The Adivasi agrarian system is based on collective ownership of land, cooperative agriculture, and kinship labour (Aiyappan and Mahadevan, 2008: 24). It resembles the agrarian society that existed in Kerala before the caste system was first introduced during the Sangam period. According to historian Sooranad PN. Kunjan Pillai (1971: 84), "In the Sangam period society was characterised by subsistence production based on redistribution and reciprocity and cooperative labour of kinsmen." The Kurichya's unique social organisation based on matrilineal succession and subsistence-based agriculture has survived as a sustainable model of natural resource management.

The principal property of each Kurichya mittom is traditionally a large land area that includes one or two small hills and extensive wetlands in the valleys between them. Each mittom keeps hundreds of cattle and buffalo and cultivates crops such as rice. The Kurichya's evolution as agriculturalists has been driven by the need to protect their land and to pool human resources for maximum efficiency. Having land under collective ownership avoids fragmentation and helps them to maintain tree cover on the hillsides and to manage water in the valley wetlands. Marshlands are left untouched, retaining their natural vegetation, and act as water reservoirs in all seasons.

Having large land areas under collective ownership has helped the Kurichya to develop a land management system that ensures the ecological continuity of the landscape, maintains the water cycle, and protects biodiversity. Elsewhere in Wayanad, individual land ownership and multiple land use priorities in fragmented agrarian landscapes are actually destroying ecological continuity and the micro-climatic conditions for agriculture. While other agricultural communities in the district have completely given up on food production, the Kurichya mittoms have been able to continue rice production because their particular system of collective farming and land ownership has prevented land fragmentation. Organised family labour by Kurichya men and women in joint families is an added strength of the system; rice production is labour-intensive, and other farmers in the region face a lack of available labour and higher costs.

Contribution to the conservation of biodiversity: The Kurichya cultivate 27 different varieties of paddy rice, 13 varieties of banana, and numerous vegetables, tubers, and medicinal plants. In dryland areas they cultivate coffee and other cash crops. Kurichya homesteads are diverse, incorporating food crops, medicinal trees, sacred groves, and alternate staple crops that can resist adverse environmental conditions such as drought or flood (tubers and a wide variety of traditional rice germplasm) (Kumar et al., 2010: 199). Kurichya culture and tradition are associated with biodiversity, with traditional varieties of rice such as Chennellu, Veliyan, and Gandhakasala being used as offerings to the gods and for feasts and other rituals. The Kurichya observe six different rituals relating to the lifespan of a rice plant.

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5 The Sangam period of ancient southern India extended from roughly 350 BC to 300 AD.
6 Currently the average land holding for a mittom is about 18 acres; see section 5.3 for further details. There are mittoms with more than 100 acres of land too.
All Kurichya mittoms include service specialists such as traditional healers, basket weavers, and skilled carpenters. A number of native plants are associated with the Kurichya’s traditions of healing, handicrafts, and making weapons and other implements. They grow many of these plants on their land and rely on forest biodiversity for others. For example, they use four different plants to make bows and arrows, their principal weapons. These four plants grow wild and are rare in the agricultural landscapes of Wayanad, but they are grown on all Kurichya homesteads. As the Kurichya consider contact with all other communities (except Brahmins) polluting, they have developed a system of self-reliance in almost all fields. As Vellan, an Odekkaran (headman of a household) of Paramoola mittom, recalls, “... In those days we went to market only for salt and clothing, but only once or twice in a year. All other things we had here.”

The vegetables, rice, and other cereals and tubers cultivated on Kurichya homesteads are the most diverse of any community in the region. More than 50 species of inland fish and numerous plant species found in the paddy fields form part of their diet. Until the enactment of India’s Wildlife Protection Act in 1972, game meat from the neighbouring forests was an integral part of the Kurichya culture and food basket. Research for this paper shows that only 10% of Kurichya families in the study area rely on markets for more than 20% of their total vegetable and meat consumption. Around 83% of the vegetables and tubers they consume are cultivated on their homesteads and 14% are collected in and around their home gardens or paddy fields or along streams. Nearly 32% of individual members of the sample joint families engage in commercial vegetable cultivation for local markets, either as individuals or in groups.

Most of the literature concerning the Kurichya highlights their remarkable expertise and knowledge of agriculture and biodiversity (Vedavalli and Kumar 1998: 101). They have accumulated an immense reserve of traditional knowledge of agriculture over the years through interacting with and learning from the natural world around them, and have developed intelligent agricultural practices and resource management systems that ensure the maximum recycling of organic matter and continuity of the ecosystem. A clear gender division of roles and responsibilities within the community has led to the development of separate sets of traditional knowledge for men and women.

Kurichya culture and social organisation have evolved to protect the land and other resources under collective ownership, and the community has continued to farm with great vigour amidst the crisis in India’s agriculture sector. Of the 288 mittoms in Wayanad, those with large land holdings are still prosperous in terms of agricultural production, human resources, and ritualistic festivals. However, those with smaller reserves of land and other resources are struggling to continue as joint families in today’s changed society and are in a state of disintegration. It is evident that collectively owned land is the main resource underpinning the unity and prosperity of Kurichya joint families. This collective ownership is established through a matrilineal joint family system, which also involves joint farming and the sharing of food. The following section discusses the kinship and labour organisation of the Kurichya, the matrilineal succession of land and other property rights, and rituals as functional expressions of their unique system of land governance.
Kinship organisation

Family organisation: The Kurichya follow a matrilineal joint family system. Traditionally, a joint family consisting of more than 100 members lives in a single house complex (mittom) under the leadership of a headman, who is called Odekkaran; his wife is known as Odekkarathi. The Odekkaran is elected by all the elder male members, and the decision must be approved by the ancestral spirit (Negal) and the three main gods (Malakkari, Thampai, and Moonnamdaivam), through the shaman. His duty is to lead and manage all activities within the mittom. It is not a permanent position, and the family has the right to change the Odekkaran if it wishes, on the decision of the Kootam, the council of male elders. There are families where a female elder performs the duties of an Odekkaran under the guidance of a Karanavar (the oldest male member of the mittom, also known as Pittan).

Each mittom comprises a cluster of houses around a common open yard which, along with its paddy fields and dryland in the surrounding hills, is its common property. The Kurichya worship the spirits of dead ancestors (Negal or Muni); a man who establishes a mittom by acquiring land and people becomes a Negal after his death. The whole system is based on the belief that the land, buildings, and family are the sole property of the Negal, and the current generation must protect these resources by acting as custodians. The second basis of the system is that property rights or membership of the family are dictated by descent through the female side – the matrilineal system. Kunjukuttiyum Makkalum (literally, “sisters and their children”) – women who are members of the family by birth and their children – have a very important role within the system. Property under collective ownership is known as Kunjukuttiswath (swath means “property”). In all rituals the Negal, through the shaman, asks the current head of the family about the well-being of the Kunjukuttiyum Makkalum.

According to the matrilineal system, the Kunjukuttiyum Makkalum are the family members who have property and ritual rights in a mittom. This means that the children of all female members will continue in the lineage of the family. At the same time, marriage rules mean that a woman must leave her mittom and live in that of her husband, where she does not have any rights to property but does enjoys a separate set of ritual and customary rights. Her children, both male and female, born in her husband’s mittom will be moved back to her own mittom when they are mature and able to work. There is a saying among the Kurichya that when a kundan (boy) is able to look after the cattle and a pennu (girl) is able to sweep the yard, the elders of their mother’s mittom will take them back from their parents. The marriage of children, both male and female, is the responsibility of the maternal mittom. Girls then live in their husbands’ mittom, though if the husband dies the woman and her children will return to her maternal mittom. Generally all male members of the matrilineage and their families are residents of a mittom, and all male and female members have ritual and property rights and membership of the mittom.

The Karanavar the eldest male member of the family, is always well respected (Aiyappan, 1990: 53). All family members, including nephews and nieces, accept his opinion as head of the family in all decisions. The eldest female member of the family, known as Muttachi,

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7 The word Negal derives from the Malayalam word Nizhal, which means “shadow”.
also has a respected position and acts as leader of the womenfolk, with specific ritual and social roles within the family. The ancestral spirits of the eldest women of the lineage are worshipped as Pena (female spirits). Pena Muttachi has a separate room in the vadakkiniperā and are considered to be as powerful as the (male) Negal. There is a saying, “Nooru theyyathinu oru pena porum” (“One Pena is enough for 100 gods”). Usually the mother of a Negal becomes a Pena. There are also mittoms where powerful Kunjukutti (female elders) became Pena.

All the decisions in a Kurichaya mittom are taken by a council of male elders called a Kootam. A member of a neighbouring mittom, called Changathi, is essential in the Kootam as a witness from the community. The Kootam does not permit the presence of women, but women can convey their interests via their husbands or brothers. A Kunjukutti can always give her opinion on decisions and issues that affect her life, and the Kootam will listen to her voice. There are specific divisions of roles and responsibilities for men and women within the mittom; for decisions relating to women’s responsibilities, the Odekkaran will consult the Odekkarathi, who represents the interests of the womenfolk. All important decisions taken by the Kootam need to be approved by the Negal/Muni ancestral spirits, via the shaman. In mittoms such as Cheruvayal, the approval of the Pena is also essential because the Pena is believed to own the property (Penente swath).

Agriculture is the main economic activity of all Kurichya mittoms, and male and female members are involved in farming activities all year round, in both drylands and wetlands. Besides farming, the main duties are herding livestock, housework, and cooking. Male and female members in different groups are assigned to specific tasks. The rice they produce is used for food while cash crops are used for financial needs.

Labour organisation

All members of a joint family are organised under the Odekkaran, the family head, who is responsible for managing the community’s property and organising both family affairs and agricultural activities. The main duty of the Odekkaran day to day is organising male family members for agricultural activities while his wife, Odekkarathi, who acts as leader of the womenfolk, deputes women members for agricultural tasks and to work in the kitchen. The Odekkaran is the custodian of the mittom’s stores of seeds and of paddy and other grains. One of his daily duties is to distribute grain for cooking, while distributing cooked food amongst family members is the duty of the Odekkarathi. In addition, the Odekkaran is in charge of all major decisions and transactions, buying and selling of crops and property, negotiating with government departments, initiating religious rituals, arranging puberty and marriage ceremonies, performing death rituals, and attending Orukootam, among other responsibilities. However, the Kootam has to approve all his decisions.

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8 The vadakkiniperā is a building on the southern side of the mittom house complex, and is reserved for the womenfolk of the family, especially unmarried women, girls, and elders. The padinjatta is a building on the western side, and is for the Karanavar or Odekkaran. Its main room is devoted to the Negal, and the building is also used for grain storage. The thekkiniperā (north side) is for families. There are also separate buildings for the kitchen (sadukkalappēra), a building for dehusking rice and other grains (nellukuthupēra), and a separate house for women to stay in during their menstrual periods (orakkood).

9 Grama Sabhas are village level decision making bodies under the system of local self-government, Gram Panchayat; Orukootams are separate Grama Sabhas for Adivasi communities.
Cooking for the large family is always undertaken in a communal kitchen by a group of women of different generations. As custodian of the common grain store, the Odekkaran has to release enough grain for each day's cooking to the Odekkarathi, who organises a group of women for that day's cooking and hands the grain over to them. They carry out all necessary steps in food preparation, including collecting vegetables from the yard in different sub-groups. The distribution of cooked food is always the duty of the Odekkarathi, who serves it directly to all family members, male and female, including children. This is considered to be the most important duty in a Kurichya joint family.

Groups of women work on a rotational basis to cook, do housework, and carry out farming activities. Similarly, men work in groups to perform different jobs in the field, such as cattle herding, land preparation in wetlands and drylands, sowing seeds, preparing manure, etc. All agricultural and other duties of the mittom are carried out by members of the joint family, who in return are supplied with food and other basic necessities such as clothing, medicine, and shelter. Even the Odekkaran and Odekkarathi work in the fields, taking their turn with others. However, children and older people who are not able to work usually stay at home.

There are clear gender divisions in labour. Cooking and housework are solely the responsibility of women. In preparing land for agriculture, sowing and applying manure are clearly the domain of men, while replanting, weeding, reaping, cleaning harvested grains, and so on are activities done by women. In land preparation, sowing, and harvesting, men and women have different but interdependent tasks and roles. They have developed different sets of expertise and knowledge in their own domains, but they also have common areas of work and intersecting knowledge. This is also true when it comes to making agricultural and kitchen implements and weapons. Generally, men collect the materials and process them, while women undertake the weaving, drying, and finishing work. Making and maintaining bows and arrows is the responsibility of men, however. Most Kurichya elders have at least some knowledge of traditional healing practices, but each mittom or family also generally has a specialist healer, who can be either a man or a woman.

A particular feature of the Kurichya system is that all matrilineal children are brought back to their mother's mittom to join the workforce when they are old enough. Each mittom therefore has a rich human resource pool, with different skills and knowledge contributing to the labour force and food production system. The Odekkaran organises and manages all day-to-day activities in the field, house, and market to maintain the system's self-sufficiency in terms of labour, while the Kootam makes decisions on all important events and determines the human resource management plan.

Matrilinial property rights, membership, and land governance

All ancestral property in a Kurichya mittom is owned collectively and is inherited strictly matrilineally (Ravi Varma, 2004: 161; Chakko, 1994: 32; Vayaleri, 1996: 17). Rights to land and produce and ritual rights always rest with the children of female members. The Kurichya believe that the sole owner of the land is the Negal: successive Odekkarans are his representatives and are only acting as custodians of the land and other property. It is the duty of the current generation to protect the land and resources for the generations to
come. They must ask permission from the Negal for each and every decision on land and agriculture, communicating through the shaman. Ownership or property rights are defined as membership of the family; all children of female family members have full ritual rights. Women have to live in their husband’s mittom after marriage, but grown-up children return to the mother’s mittom, where they have full rights. If a husband dies, it is the duty of the Odekkaran to safely return the widow and her children to her own mittom.

Ravi Varma (2004: 183) is critical of the system of property rights from a gender point of view, writing: “In the Kurichya matriliny a woman has practically no right/opportunity to enjoy rights in the family where she has birth rights. But she has to live and work for her husband’s family while her children live in her own family.” However, as the Kurichya system does not allow for individual property rights for women or men, the current research sees the system of land ownership in a different light, with the Kurichya matriliny acting as a social mechanism to avoid individual claims on land and other resources. As property succession is through the mother’s line, and the mother and children are living in another mittom where they do not have any ritual or property rights, it is not easy to establish individual rights or to take individual decisions on land and other property. Individuals in a mittom have ritualistic rights and membership; in practice, there are no individual property rights, but all family members are able to live on the common resources. It is also important to note that collective decisions made by the Kootam also have to be agreed by an outside person from the community (the Changathi). It is evident that the continuity of the system through collective ownership of land and resources is important for Kurichya joint families, and so discussions of women’s ownership of land and access to it are not valid in this context.

Aiyappan (1990) claims that Kurichya women enjoy a better position within joint families than women in any other comparable community, citing as evidence the importance of the Muttachi and Odekkarathi (Ammayi10) in rituals and day-to-day activities. Widows do not suffer any social stigma and do not need to take part in rituals (Aiyappan, 1990: 29). In all rituals related to rice cultivation, the Odekkarathi has an important role to play alongside the Odekkaran. Women who marry into a mittom have many specific ritual rights that are restricted to the Kunjukutti of the same mittom. Women are certainly highly valued in the Kurichya community, but they also face many restrictions over purity and pollution relating to menstruation. We have to assume that this may also be the reason for excluding women from the decision-making process of the Kootam. There are taboos for both men and women: for example, men from the matrilineage cannot enter the Pena’s room and women are excluded from the Negal’s room. It cannot be said that the Kurichya system of matriliny offers equal status for men and women within the community, however. Even though beliefs and rituals accord high value to women for their ability to produce new members of the family, in practical terms there is a clear male dominance in decision-making on day-to-day affairs. Nevertheless, Kurichya women have unquestionable rights to land and other resources through their husbands and brothers.

10 Ammayi in Malayalam means “uncle’s wife” (“auntie”). The Odekkarathi is sometimes called Ammayi as the members of the family are her husband’s nephews and nieces.
Documentation of land: The land documents of Kurichya mittoms are usually in the name of a former Karanavar of three or four generations back. In Paramoola mittom, the land is registered in the names of three women from three generations back. Documentation of land in individual names became statutory with the British system of land settlement, so the mittoms registered their land in the name of the then Odekkaran. Some mittoms registered land in the names of female elders (Kunjukutti) to ensure matrilineal succession and to prevent further fragmentation. The present study reveals that 40 out of 288 mittoms registered their land in the name of women. Five registered their land in the name of both men and women; it is interesting to note that these were not husbands and wives, but mothers and sons. Nine mittoms do not have proper land documents, since they have been lost or are not known to the current generation. The children of sons in these mittoms do not have ritual or property rights to land, according to Kurichya law: the heirs are their sisters’ children. For government records, successive Odekkarans have had to obtain possession certificates from the Revenue Department of the state government in order to pay land tax in their own names. However, Kurichya beliefs and community land governance do not permit individual property rights. Very often they conflict with state laws and land-based welfare programmes, which are framed in terms of individual property rights and patrilineal succession.

User rights to land and produce: The Kurichya do not believe in individual property rights, and all the property of the mittom, including land, houses, and agricultural produce, is collectively owned. All family members work together on the land to produce food, especially rice. However, the matrilineal rules provide minimal but essential rights to all individuals, and the Kurichya have developed different strategies to meet individual rights concerning land. Rice cultivation in Wayanad is usually divided into two seasons called Nanja (June–December) and Punja (January–May). In the first season (Nanja), cultivation depends mainly on rain and in the second (Punja) on irrigation from rivers, streams, and ponds. Mittoms with large land holdings usually put rice grown in the Nanja period to common use to meet the food needs of all their members but, with the permission of the Kootam, allow individuals to use pieces of land for their own cultivation in the Punja season. This produce can be used by individual families to generate additional income to meet cash needs. Individuals, both male and female, are also able to cultivate ginger, turmeric, and other short-duration crops in the drylands to meet their individual financial needs. In this way the system allows a kind of individual user right on land that is collectively owned. These user rights are not restricted to matrilineal members of the family, but are available to all residents of the mittom. This means that female residents, the wives of male members who are not members of the family, and their children, also have the opportunity to use land and resources. Women collectively cultivate vegetables in the second season for consumption by the joint family. Individuals or groups of women carefully maintain small vegetable gardens on different parts of the commonly owned land, and are often proud of their contribution to the common stock of vegetables for the next year. The Odekkarathi is the custodian and manager of this vegetable store, and it is her duty to share out common produce equally. Other social and individual needs of women are the responsibility of the Odekkaran or the mittom in general.
To summarise, each Kurichya mittom guarantees food, shelter, and basic needs for all its members. The system allows minimal rights over land to all individuals, but denies individual property rights that could lead to the fragmentation of land and further alienation. It ensures food for all through equitable distribution of the grain produced and ensures food security for future generations by protecting land, other resources, and the continuity of agriculture. The history of land governance and agriculture in Wayanad over the past 700 years shows a great deal of competition for land and resources due to repeated migrations and political processes. It is clear that the Kurichya system has acquired its traits as customary strategies to prevent further alienation of land in the process of cultural evolution. This has given the community considerable capacity to resist shocks from agrarian changes and the economic distress that has occurred in much of Wayanad.

Rituals

The continuity of the Kurichya joint farming system is rooted in the culture, which is expressed through numerous beliefs and rituals. There are three types of ritual observed in a year: life-cycle rituals of individuals, annual offerings to the deities, and rituals associated with agriculture. Important life-cycle rituals are observed on the occasions of birth, puberty (for girls), marriage, and death. All these rituals are the responsibility of the individual’s maternal mittom, irrespective of gender. The rituals marking puberty and death are the most important. It is the responsibility of all members to be present and to organise the annual offerings to the family gods and goddesses. There are six different rituals associated with rice cultivation, all of which are observed in the first season (Nanja) of rice cultivation. The Kurichya cultivate traditional rice varieties during Nanja, and all these rituals are associated with specific varieties. This means that the conservation of traditional rice varieties is very much integrated into their culture.

The whole process of collective rice cultivation is ritualistic. The sowing of the first nursery seeds (Vithidal) takes place the day after Vishu (Kerala’s popular harvest festival). Before this, the Kootam is convened to obtain permission from the Negal and Thampayi, one of the three main gods. This is a day-long process, with the gods and the Negal communicating through the shaman, holding long conversations amongst themselves and with the members of the Kootam. Decisions are agreed after long negotiations, and the mittom is then blessed. This process is repeated before all rituals.

Each stage of rice cultivation begins with a ritual. The transplanting of rice seedlings, a process known as nattippani, begins with a ritual known as nattivaekkal and a major feast called Sambalamoott. The Kurichya worship their buffalo before they begin ploughing and land preparation. They believe that the day Makam in the Malayalam month Kanni marks the birth star of rice and, to celebrate this day, they worship the flowering of the first rice panicles. In the following month, they celebrate reaping the first rice panicle of the season in a ritual called Kathirukettal, and after this they take part in a ritualistic game hunt in the nearby forests. Koythu thudakkam is the official beginning of the harvest. After the harvest is finished, they conduct the Puthari kolu ritual, which involves making offerings to the gods as thanksgiving.

11 The Kurichya’s three main gods are Thampai, Moonandaivam, and Malakkari. Kulyan is a sub-deity under Malakkari who looks after crops.
The rights to perform rituals rest with members of the matrilineage, but the *Odekkaran*, *Odekkarathi*, and male and female elders also have specific roles to perform. Shamans and the lead organiser of the rituals are always men. All the rituals bring men and women together before the gods and the *Negal* and repeatedly bind them together in agreement on collective action. Hunting is also a social mechanism that binds members of the group together. It is evident that this set of rituals and beliefs has evolved to protect the collective ownership of land, the community’s unique system of land governance, and the integrity of the family. The traditional Kurichya system of agriculture provides an admirable model of sustainable land use, management of human and natural resources, and livelihoods. The following section looks at the history of land governance and agriculture in Wayanad, to help trace the political context of the evolution of the Kurichya land governance system.
History of agriculture and land governance in Wayanad: the political context of Kurichya cultural evolution

Evolution of settled agriculture: Evidence of organised human life in Wayanad dates back to the New Stone Age (Johnny, 2007: 12). The written history of the district begins with the regime of the Vedar (wild hunter) kings, who are believed to have been the ancestors of the present-day Adivasi community, the Mullukuruma. Until the middle of the 12th century AD, Wayanad was predominantly inhabited by different Adivasi groups subsisting on hunter-gathering and shifting cultivation (Logan, 1887: 512). The Mullukuruma and the Kurichya led settled lives practising slash-and-burn (shifting) cultivation. The Paniya and the Adiya depended largely on food collection, while the Uralikuruma and the Kattunaikka were hunter-gatherers who also engaged in fishing (Balakrishnan, 2004: 179) and cultivated subsistence crops in the abundantly available and fertile forest land. Immigrant Jain farmers from Karnataka introduced settled wetland agriculture to Wayanad (Panikkar, 1900: 21), and Adivasi cultivators imitated their settled production of rice and other cereals. However, frequent waves of immigration from Karnataka led to a scarcity of easily available fertile land and compelled the Adivasi cultivators to settle for sedentary agriculture. The expansion of settled agriculture by immigrants also resulted in a shortage of labour, and nomadic Adivasi groups such as the Paniya and Adiya became agricultural labourers.

Emergence of landlordism: It is believed that the neighbouring kingdoms of Kottayam and Kurumbranad established their rule in Wayanad by defeating the Vedar kings in the late 14th or early 15th century (Johnny, 2007: 29). The Rajas of Kottayam introduced regular government to Wayanad by dividing it into ten administrative regions known as Naads. They also brought 57 Nair families – a group in the Kerala caste system consisting largely of soldiers and landlords – from the coastal region and deployed them as administrative chieftains of the Naads (Nair, 1911: 17; Mundakkayam, 2003: 18; Nair, 2010: 49). The Nairs became hereditary holders of the land and then became Janmies, or landlords. In the mid 18th century the remaining lands became the property of Hindu temples (Devaswom) and the Nair families were appointed as Ooralans (managers) of the temples, thus becoming custodians of these lands too. With the political support of the Rajas, the Nair landlords expanded rice cultivation in Wayanad. This encouraged more migration from the plains of Kerala to Wayanad and led to more organised and settled agriculture. The expansion of permanent paddy cultivation enslaved more Adivasi groups as labourers. The Adivasis who were practising shifting cultivation (the Kurichya and the Mullukuruma) became tenants under the Nair landlords and thus part of a feudal system emerging in the district (Balakrishnan, 2004: 180).
In 1760 Tippu Sultan, ruler of the neighbouring state of Mysore, mounted a military invasion of Wayanad. The Kottayam Raja fought back by mobilising a tribal army and recruiting men from the Mullukuruma and Kurichya communities. These Adivasi soldiers were allowed to possess and cultivate land in return for their military service; before this in Malabar, this kind of possession right had been the monopoly of Nair soldiers (Innes, 1905: 308). After capturing Malabar, including Wayanad, Tippu Sultan introduced a comprehensive system of land revenue (tax) assessment. This system encouraged the direct payment of land revenue by cultivators, avoiding the supremacy of landlords and chieftains. It also provided additional incentives for the extension of agriculture, and encouraged more and more immigration from neighbouring districts of Karnataka and Tamil Nadu (Innes, 1905: 354). The Chetties and Gowdas migrated in large numbers, purchased land in Wayanad, and expanded agriculture. They also brought in more Paniya and Adiya labourers from Karnataka and Tamil Nadu.

British rule: The British defeated Tippu Sultan in 1799 and Wayanad came under their rule from 1805 until 1947. The British restored the rights of landlords (Janmies) from “customary” to “statutory” and privileged them with legal rights to increase rents and evict tenants. They used the landlords as their agents to increase revenue and considered them to be the sole owners of land in Malabar, which gave a firm legal basis for caste-based land relations (Moore, 1905). This administrative intervention gave Nair, Jain, and Gowda landlords statutory powers to collect taxes from Adivasi cultivators such as the Kurichya and Mullukuruma. This sudden change in land governance and the resulting heavy taxation were serious blows to these subsistence producers (Kurup, 1999: 45).

The Adivasi rebellion: From 1792 to 1805 the Adivasis of Wayanad, especially the Kurichya and the Mullukuruma, conducted guerrilla warfare against the British under the leadership of the Kottayam Raja Pazhassi. The first prolonged local struggle against the British came to an end with Pazhassi’s death in November 1805 (Kurup, 1999: 39; Scaria, 2007). After the suppression of the Pazhassi rebellion, Wayanad was brought under strict control by the British. The Kurichya and Mullukuruma who had joined Pazhassi to fight were subjected to untold miseries and injustices by revenue officials and the military (Raveendran, 1976). New revenue settlements (tax levies) and a change in the mode of collection from in kind to cash wrought havoc on their lives. The higher taxes were arbitrary and heavy to bear for subsistence-based rice farmers (Raveendran, 1976); as a result, in March 1812 an Adivasi rebellion broke out, led by the Kurichya. Within a short time the rebellion spread across Wayanad and acquired tacit support from all groups, including the landlords, but they could not withstand the sophisticated weapons of the British troops, and by May 1812 the revolt had been crushed. However, the British had become aware of the need to reduce the burden of the revenue administration, and tried in many ways to appease the people of Wayanad, especially the Kurichya (Kurup, 2004: 45).

The emergence of feudalism: The British policy of land settlement defined all land as private property (Nair, 2010: 54). As recorded in the Malabar Gazetteer, they awarded titles for all land classified as Janman (with permanent hereditary rights or held by customary landlords), Devaswom (temple land), Revenue (land under government ownership), or Forest (forest land under government ownership) (Innes, 2005). Thus, by recognising the dominium
status of landholders, the British defined Janmam rights as consisting of the right to use the land, to enjoy its fruits, to sell or consume, to possess exclusively, and to transfer to an heir (Balakrishnan, 2004: 174). These reforms granted the rights to all cultivable land to upper-caste landholders and denied the pre-colonial land rights of lower-caste tenants and Adivasi labourers, leaving the Adivasis of Wayanad absolutely landless. Most Adivasi cultivators (Kurichya and Mullukuruma) became tenants or mortgagees of the landlords. This feudal model of production persisted in Wayanad and defined agrarian relations for more than a century, until in 1963 the state government of Kerala passed the Land Reform Act. This imposed a ceiling on the extent of land a family could own and recognised the absolute rights of tenants to the land they were living on and cultivating. The act put an end to landlordism and helped Kurichya and Mullukuruma farmers in Wayanad to achieve ownership of the land they were cultivating.

Changing cropping patterns and agrarian distress in Wayanad

Introduction of cash crops by the British: The British East India Company leased out large areas of forested dryland to the largest landlords in Wayanad to encourage long-term cultivation of cash crops, based on plantations. The middle of the 19th century saw expanded cultivation of plantation crops by many land-owning communities and a shift to a capitalistic form of agriculture. However, Kurichya and Mullukuruma cultivators continued their practice of shifting cultivation of different cereals such as *ragi*, *thina*, *chama*, millet, maize, and dryland rice varieties in the private forests of the *Janmies* up until the enactment of the Kerala Land Reforms Act in 1963.

The 20th century saw large-scale peasant immigration from the southern plains of Kerala to Wayanad. The government encouraged immigration under the “Grow more food” programme to address the food crisis after the Second World War by leasing out forest lands. This migration continued for 20 years and led to extensive dispossession of Adivasis, mainly Mullukuruma and Kurichya, from their agricultural lands. Encroachments and illegal transfers of Adivasi land forced many of these traditional agriculturalists to become agricultural labourers, and they lagged behind general levels of development in the state (Prasad, 2003: 32; Wayanad Initiative, 2006: 56). Migration also changed Wayanad’s demographic profile by making the Adivasi population a minority. In 1942 the Adivasi population was 61,000 out of a total of 74,000, but today it accounts for only 17% of the district’s total population (Krishnaprasad, 2010).

Migration, along with state agricultural policies, has also changed the cropping patterns and ecology of Wayanad, with a move to intense food crop production and then a shift to cash crops grown on smallholdings. However, the capitalistic cash crop economy could not ensure sustainability in the district’s economic development and management of biodiversity (Kurup, 2010: 45), and fluctuating prices for cash crops on international markets combined with crop failures led to a collapse in its agrarian economy. Over 400 farmer suicides were reported in Wayanad between 1999 and 2006, largely attributed to indebtedness associated with farming (Mohankumar and Sarma, 2006: 1557). Notably, none of these involved Kurichiya farmers; their unique model of joint family farming gave them a greater chance of surviving the pressures, and they have been able to keep their traditions more or less intact.
In much of the region, agricultural policies aimed at mass production have encouraged the extensive use of chemical fertilisers and pesticides, while the introduction of improved seeds has swept away traditional agro-biodiversity. A report by the Kerala Biodiversity Board, based on analysis of data from People's Biodiversity Registers, estimated that Wayanad's agro-ecosystem had lost 160 varieties of rice, 12 varieties of pepper, 13 types of banana, and numerous vegetables and tubers (Government of Kerala, 2011). This hub of biodiversity had become a land of plant diseases and soil and water pollution and faced a steep decline in the productivity of all crops.

In 1960 there were 40,000 hectares of rice fields in the district, but this had shrunk to 11,832 hectares in 2007, and these plots were scattered (Kumar et al., 2010: 197). The rice field ecosystem is home to many species of plants, birds, and other organisms; it also supports an immense recharge of groundwater and enables water flow to the surrounding hilly areas. Shifts in cultivation practices in the low-lying wetlands have resulted in environmental problems such as severe drought (Abdussalam, 2004: 41). Changes in agriculture and land use priorities have also disturbed the livelihood patterns and social organisation of Adivasi communities, which have evolved around the rice production system (Nair et al., 2010: 27; Kulirani, 1996: 12). Despite all these changes, however, Kurichya joint families have resisted the invasion of capitalistic cultivation of cash crops and have continued as subsistence producers, with rice as their principal crop (Balakrishnan, 2004: 182). The main reasons for this appear to be their matrilineal property rights and land governance system, both of which demand greater attention in this context.

An emerging tourism industry in the district is now creating new conflicts over land and other diminishing resources. Higher land prices and a growing population are increasingly limiting farmers' access to cultivable land, and agricultural land is being sacrificed for the tourism business. All the district's farming communities are experiencing high levels of alienation of land and resources, and Wayanad is currently witnessing large-scale emigration by farmers. Kurichya joint families are still maintaining their cultivable land as a healthy ecosystem, with rich biodiversity and water under collective ownership. However, mainstream development processes and state land governance laws that do not recognise collective ownership are coming into conflict with the Kurichya system and exerting pressure on them. The following section examines the legal, political, and social challenges currently faced by Kurichya joint families.
Social change and conflict: political and social challenges faced by the Kurichya in the wider context of an organised state

Challenges to the Kurichya land governance system began with the introduction by the British of land documentation in individual names. The heavy land taxation introduced by the British administration forced large Kurichya joint families to register their land in many different names, and led to a forced split of families. The Kerala Land Reforms Act of 1963 helped many Kurichya joint families to claim rights to the land they cultivated, but for some families it led to fragmentation of land. Development projects, tribal affirmation programmes, and welfare schemes introduced by the Indian state were based on individual land ownership and patriarchal property rights, which created a difficult situation for Kurichya joint families. Their matrilineal descent of property came into conflict with the patriarchal property rights rules of government agencies and mainstream society, and created confusion among family members. This led young Kurichyas to set up individual houses for their families, a new trend that has been boosted by financial assistance for housing through the Scheduled Tribes Development Department and Local Self Government Institutions (LSGs).

Patrilineal property rights, together with modernisation of life and economic development, have influenced the Kurichya people and their world view (Aiyappan and Mahadevan, 1990: 32; Ravi Varma, 2004: 158; Chakko, 1994: 43; Vayaleri, 1996: 78). The practice of returning children to the matrilineal mittom has now almost ceased in order to meet the educational needs of the current generation. Education, health care, and other social needs have increased the need for money, and individuals have sought ways to generate more income, leading to some significant changes in the Kurichya way of life in recent years.

For example, 75% of Kurichya youth in the study area depend on wage labour in the fields of migrant farmers, construction work, or trading for their livelihoods. Among women, 2% opt for wage labour as an additional source of income, while 42% engage in group farming as part of the state’s programme of women’s empowerment and 9% work in other occupations, such as secretaries for the Community Development Society (CDS), Scheduled Tribe (ST) promoters, Anganwadi workers, or Asa workers. The rice produced on collectively owned land is no longer enough for the subsistence of all family members, due to a steep decline in productivity,
which is also linked with changes in the wider ecosystem and climatic conditions. Joint families are currently reorganising themselves into individual households under joint land ownership to cope with this situation and to protect their joint property. These structural adjustments can be seen as adaptive strategies by the Kurichya community to ensure the continuity of their social system, a process that is also affecting the structure of the joint family itself.

Changing kinship relations and family organisation

In the past it was common for Kurichya joint families of more than 100 people to live in one house but this is now changing. A number of factors are driving this change, including the system of ration cards introduced under the Public Distribution System (PDS), the education needs of individuals, and various land-based development programmes and tribal housing schemes.

Ammalu, a member of Pallookappil mittom, outlines the history of reorganisation: “A single ration card for one family to obtain grains, kerosene, and sugar through the PDS put us in trouble. The joint family with 20–30 member families only got the allocation for a single family with 4–5 members. As a strategy, we applied for different house numbers for different rooms in the joint family household. Then there were some families with ration cards and some without, those who got rice and sugar from the ration shop and those who did not… Some families started using their share in their rooms, and then problems started. When the government started giving people individual houses under tribal development schemes, youngsters used the money to build separate houses.”

This has seen the evolution of nuclear families with separate houses around the common household. Land ownership is a problem when it comes to obtaining government aid for housing, however. Government rules demand an ownership certificate in the name of the applicant in order to obtain financial aid for housing through Scheduled Tribe (ST) development schemes. The Kurichya have overcome this barrier by means of non-objection certificates from the Odekkaran. To obtain these, the family has to make an application to the Kootam for permission to use a piece of land to build a house. Usually the Kootam gives permission without any objection, and the applicant must then go the Revenue Department along with the Odekkaran. Having received the non-objection certificate from the Odekkaran, the village officer issues a possession certificate to the applicant.

The area of land that can be used for this type of residential arrangement varies from mittom to mittom, ranging between five cents and 50 cents. User rights also vary in different mittoms. In some places this simply means the right to build a house and to use the land around it to cultivate vegetables and tubers. In other mittoms, individual families enjoy rights to cultivate and use produce. There are actually no set rules; each mittom and Kootam decides on its own. Individuals can also use pieces of wetland for household cultivation to meet their food and financial needs; this is also decided jointly in meetings of the Kootam.

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13 The PDS is a food security and social welfare programme introduced by the Government of India. It provides rationed amounts of basic food items (rice, wheat, sugar, oils) and non-food products (kerosene, standard cloth) at subsidised rates to consumers through a network of ‘fair price’ or ration shops throughout the country. Each family is given a ration card, which also serves as an ID card and is needed to obtain various benefits from the state.
While individual families consisting of a husband, wife, and their children live in separate houses, the main joint family household remains the centre of all activities. The Odekkaran and his family live there with other families who do not have individual houses. Widows, orphans, handicapped individuals, and all others who want to can remain in the joint family household. All member families remain under the leadership of the Odekkaran and Odekkarathi. Residential and cooking arrangements are devolved from the communal kitchen to the individual houses, but the communal kitchen and the joint family house are still used for all common functions. In many mittoms the members gather in their joint family household every evening. All agricultural work is coordinated by the Odekkaran and on these days cooking is done for the whole family in the joint family household. All rituals on occasions such as marriages and death are the joint responsibility of the mittom.

Individuals can work and earn money for their daily needs, and have absolute rights over any income that is generated individually. Men look for new opportunities in the job market outside agricultural labour to generate income, such as painting, construction, or electrical work. Women still depend largely on group farming, growing vegetables and spices such as ginger and turmeric, or rearing poultry and cattle. This social reorganisation has scattered the collectively organised womenfolk and has doubled their caring duties, as they now have two houses to tend to. Kurichya women in all the sample joint families said that they had had collective space in the joint family households but had lost that space in the reorganised families. The importance of the Ammayi and Muthachi has also diminished in this new situation, as they live in different houses or in different mittoms.

Governance of the joint property is conducted in the same way as before, under the leadership of the Odekkaran and according to decisions made by male elders in the Kootam, in the presence of the Changathi. However, there have been a number of adaptations in the way the family is organised. The first of these concerns the role of the Odekkaran and the process of selecting him. Most mittoms have continued with the traditional system of choosing a male elder as their leader, but he will have one or two educated men to assist him. The Edathana Tharavadu elects a male elder as Odekkaran for three years. Not everyone can be an Odekkaran: the candidate must be an elder male member of the same matrilineage. The decision is confirmed by seeking consent from the Negal, through the shaman. Then the new leader and his family have to perform all the duties of the Odekkaran and Odekkarathi, as in traditional mittoms.

However, organising men and women for agricultural work and for all common festivals is much more difficult in the changed situation. In younger families, men give priority to individual income generation activities rather than to Tharavadu cultivation, as their families are reliant solely on that income. Women are more involved in collective farming activities in terms of work days. In recent years they have also had a greater involvement in group farming activities on collectively owned land to generate individual income. An in-depth analysis shows that most of these group activities contribute to the family food basket rather than to women's individual incomes.

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14 The Kerala state government has promoted group farming activities by women as part of the Kudumbashree women's empowerment programme.
Figure 3: Traditional residential arrangement of a Kurichya joint family

Figure 4: Changing residential arrangements of the Kurichya joint family
Conflict within the community

It is interesting to note that newly built single households are inherited by sons. It is very clear that daughters are sent to their husband’s house after marriage and the house goes only to the sons. This shows the emergence of a new order in Kurichya kinship relations within the joint family, and has also given rise to great confusion within the community about matrilineal descent and the collective ownership of land. This research shows that of the 288 Kurichya mittoms in the study area, 31 have seen disputes over land ownership between sons and nephews. At the time of writing, there were 17 ongoing court cases in Wayanad involving Kurichya land issues. An advocate who deals with Kurichya land disputes in the district court said that none of the judgments in such cases had been in favour of the forced introduction of patriliny; rather, the court has left it to Kurichya customary laws to decide.

From a gender perspective, these social changes have diminished the importance of the Kunjukuttiyum Makkalam in the individual houses and thus the status of women in the community in general. Gender relations within reorganised single families are very similar to those in any modern patriarchal family. Geetha Vijayan, a young Kurichya woman, said: “Land given to individuals and their houses always go to the male children in the next generation. Now youngsters have started asking for dowries, and some families give a share of land or gold to girls when they get married. In our community this was not the practice at all. Our people are also learning from others.” This clearly indicates the changing status of women within the community.

Matrilinal inheritance was practised by many communities in Kerala until the colonial government abolished it by enacting the Marumakkathayam Act in 1933. This act led to the total disintegration of Nair Tharavadus in Kerala, affecting agrarian relations and the structure of the family. The succession of family property through the father was enshrined with the passing of the Hindu Succession Act and the Hindu Adoption and Maintenance Act of 1956. These acts also covered numerous Adivasi communities who had their own customary laws for land governance and property succession — including the Kurichya, who have had to interact with the formal system of laws based on the individual. Police, Revenue Department, and municipal officers involved in Kurichya family property disputes tend to make decisions according to existing land laws based on individual property rights and patriarchy. To obtain the benefits of government affirmation programmes, Kurichya families need ration cards as proof of identity, land documents, and ownership certificates for their houses. Kurichya farmers can also use the same land documents to obtain government subsidies for agriculture, compensation for crop losses due to climatic disasters, agricultural loans from financial institutions, and so on.

15 The Hindu Succession Act was passed by the Indian Parliament in 1956 as part of the Hindu Code Bills. Other legislation enacted at this time included the Hindu Marriage Act (1955), the Hindu Succession Act (1956), and the Hindu Minority and Guardianship Act (1956). All of these acts were drawn up under the leadership of Jawaharlal Nehru, and were meant to codify and standardise the Hindu legal tradition. The Hindu Succession Act amended and codified the law relating to intestate or unwilled succession among Hindus, and laid down a uniform and comprehensive system of inheritance. It was amended in 2005 to give daughters of a deceased person equal rights with sons; this amendment essentially ensures equal property rights between males and females in the legal system.

16 These government programmes discriminate positively in favour of Adivasi communities with the aim of mainstreaming them into wider society.
At the same time, the Indian legal system recognises customary law. Article 13(1) of the Constitution provides that when the Constitution entered into force, all previous laws that were inconsistent with it were considered void. The Constitution defines “law” to include “custom or usage having in the territory of India the force of law.” The Constitution also provides protection for Adivasi communities and their customs through Articles 244, 244-A, 371-A, and the Fifth and Sixth Schedules. The Fifth and Sixth Schedules provide for a system of “Scheduled Areas” or tribal regions, which are designed to protect the interests of listed indigenous communities.

This creates a legal dilemma in Kurichya cases and puts the community in a situation of conflict. While formal laws, departments, and institutions of Kerala state demand adherence to a system of patriarchy and individual ownership of land and documents for all administrative purposes, national legislation favours customary laws. In reality, high demand for the division of Kurichya land is not easy to satisfy. Their customary laws and matrilineal community rights do not allow any individual to decide to partition land between children. Marriage rules and kinship arrangements also mean that members of a matrilineal joint family who have land and ritual rights are dispersed between different mittoms, and it is not possible to divide the land amongst all these members. In short, while the orientation of administrative and financial institutions towards the individual has influenced Kurichya youth to act as catalysts of change, the communities’s matrilineal customs and traditions have helped it resist pressure to divide land amongst family members.

This is underlined by elders in communities such as Kelu in Kakkottara Kurichya mittom, Achappan in Peruvadi, and Kunjamam in Athikkolly. They made comments such as: “Even the Supreme Court cannot find an alternative to the Kurichya land laws.” “No one can simply go to court and claim it is their father’s or grandfather’s … our land is the property of our great-grandfathers; many generations have lived on it, and so will many generations to come – it is for them.” “You cannot just divide it among individuals ... Any child who has lost his parents or any elderly or helpless people will not be an orphan amongst us. They can stay in the Tharavad; food and shelter are guaranteed.”

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18 The Fifth Schedule provides for the administration of Scheduled Areas and Scheduled Tribes in states outside the northeastern areas of India. The Sixth Schedule contains provisions for the administration of tribal areas in the northeastern states of India and grants tribes considerable administrative autonomy, endowing each regional administrative unit with its own regional council, and each district-level unit with a local district council. Autonomous councils are invested with both executive and legislative powers, subject to the approval of the provincial governor, to “make laws with respect to a variety of subjects”, and even to exercise “judicial authority through traditional legal systems embedded with certain features of federal law.” Under the Fifth Schedule, on the other hand, tribal affairs are administered by the provincial government.
Seeking legality and consensus

The land governance system and family organisation of the Kurichya are undergoing structural adjustments to resolve this conflicting situation between individual needs and continuity of the social structure. Around 90% of mittoms still follow the tradition of matriliney in property and ritual rights, but with significant adjustments in the organisation of their families and communities. The survey conducted for this research of 288 Kurichya joint families shows that nearly 40% of them had lost a major part of their land during various stages of land alienation in the district, and also that 40% now hold less than 10 acres of land. Currently the average land holding of a Kurichya joint family is about 18 acres, equally divided between drylands and wetlands (rice fields).

A total of 92 families have allowed individual land rights by dividing a portion of land between members. Here the individual families have full rights on the land allotted to them, but a considerable area of land has been kept as common property, governed in the traditional way: on average, 5.4 acres of dryland and 6.4 acres of wetland are still under the joint ownership of the family. This indicates that even when a family breaks down into individual households, it still keeps nearly two-thirds of its land under joint ownership. Six mittoms have registered their common property under a trust and ten families are in the process of registering themselves as trusts. The other mittoms have continued with traditional collective ownership, finding alternative ways to satisfy individual needs.

Apart from the broad survey of 288 joint families, the researchers undertook detailed collection of ethnographic data from three different mittoms. Detailed profiles of these families, including user rights to land enjoyed by individual families, are set out in Table 3 and help to illustrate the pattern and profile of structural changes within joint families.

Table 3: Family profile and land holdings of sample joint families selected for this study

<table>
<thead>
<tr>
<th>Name of joint family</th>
<th>Total number of members</th>
<th>Male</th>
<th>Female</th>
<th>Number of individual families</th>
<th>Average area of land to which individual families enjoy user rights (acres)</th>
<th>Total land area under the possession of the mittom (acres)</th>
<th>Land under collective ownership (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Dry</td>
<td>Wet</td>
<td>Dry</td>
</tr>
<tr>
<td>Paramoola</td>
<td>148</td>
<td>77</td>
<td>71</td>
<td>31</td>
<td>3.28</td>
<td>1.59</td>
<td>101.79</td>
</tr>
<tr>
<td>Edathana</td>
<td>559</td>
<td>299</td>
<td>260</td>
<td>114</td>
<td>2.14</td>
<td>0.84</td>
<td>244.17</td>
</tr>
<tr>
<td>Athikolly</td>
<td>132</td>
<td>72</td>
<td>60</td>
<td>28</td>
<td>0.89</td>
<td>1.15</td>
<td>25.09</td>
</tr>
</tbody>
</table>

The research observed three kinds of arrangement of social structure and economic organisation that the Kurichya have adopted to cope with the current situation.

» Some have continued with traditional collective ownership under the management of an Odekkaran, while simultaneously allowing user rights for individuals.

» In some cases there has been a total disintegration of the joint family and land has been divided amongst members, but a nominal area of land (both dry and wet) and the joint family household have been maintained under collective ownership, for the purpose of rituals and festivals. All the families living on the land in and around the joint family
household are considered as individual owners, and such families have also adopted an “issue-based approach” to find consensus on different claims to ownership. This option has generally been adopted by comparatively resource-poor families, but decisions are still taken by the Kootam with the support of other elders in the community.

The third option taken by some families is to completely change their traditional political organisation and register their joint property under a trust (in line with the Indian Trust Act of 1880) to make it more formal and democratic.

In the case of trusts, a considerable amount of land is set apart under community ownership; the rest is divided equally among family members. The area of land and the families who are eligible for individual shares of land are decided by the Kootam. All the families living in the mittom at the time of division are eligible for a portion of land; in some families land is also given to daughters and nieces who have married out of the family. Rules of descent for individual property can be decided by the individual, but the ritual and property rights of the land held under the trust are strictly matrilineal and collective – no individual rights are accepted. It is interesting to note that families continue to call meetings of the trust under the Kootam and they retain the traditional posts of Odekkaran, Changathi, etc. Membership of a trust is determined by birth through the mother’s line, as in the traditional joint family. The trust elects a governing body/executive committee every year to take charge of governance and a family to live in the joint family house. The husband and wife of the selected family act as Odekkaran and Odekkarathi, and this family takes the lead role in joint farming of the collectively owned land and in all day-to-day activities of the joint family household. Rituals, festivals, and joint household functions are still important. All individual and family needs are defined. Individual needs such as education, regular medical care, clothing, and day-to-day expenses are met from family members’ personal incomes, but expenses for joint cultivation, rituals, festivals, marriages, deaths, serious medical needs, and orphans and vulnerable individuals are considered to be joint needs (Tharavadu Avasyam) and are met from the joint family account. Cash crops produced on collectively owned land are used for all common financial needs. In resource-poor mittoms, individual families also contribute to collective needs if required.

Collective farming: Traditional rice varieties are the principal crop grown on all collectively owned wetlands in the first season of the growing year (Nanja). The Kurichya are very careful to follow traditional practices of organic cultivation, using cow dung as fertiliser. All family members contribute to cultivation under the leadership of the Odekkaran, observing all rituals associated with rice cultivation, and the harvested rice is used solely for collective needs, such as festivals and common work days in the field. In some mittoms the produce is also shared amongst families for their own consumption. Families living in the joint family household and the Odekkaran eat rice from the joint grain stock, but in principle any member of the mittom has the right to eat from the common property. Single families depend on the Public Distribution System for food to supplement the rice they produce. The system is slightly different in each joint family, depending on factors such as their land holding, the quantity of rice they produce, and other crops grown.
User rights and individual farming: In the second growing season (Punja), it is the turn of individual families to cultivate the commonly owned wetlands. They can ask permission from the Odekkaran, via the Kootam, for a piece of land and can choose what crops to cultivate. The common trend seen in this study is that if cultivation is done by an individual family, they prefer to grow rice for home consumption, mostly a new and improved short-duration variety to ensure maximum yield. Groups of men or women prefer the mono-cropping of bananas, ginger, yams, or vegetables to generate additional income. Women in individual families, and also in groups, largely prefer to grow different types of vegetables to supplement the family’s food supply. Crop selection also depends on the availability of water and the type of soil on the land allotted to the family. The same land is not allotted to the same family every year, but is rotated between families.

Labour organisation: The Kurichya do not hire labour from other communities; cultivation of community land is practised collectively by all members of the joint family. For individual family farming, labour is shared amongst family members, in a practice called Koodippani. It is interesting to note that even individuals who have government jobs join other family members in the season of rice cultivation, especially for replanting (Natti) and harvesting (Okkal). They take turns to complete agricultural tasks to avoid compromising their individual jobs, and some even work at night. In the drylands they cultivate cash crops using family labour and sell the produce to meet their collective financial needs. Paddy cultivation is labour-intensive and demands more involvement by women than dryland cultivation. While everyone is involved in wetland paddy cultivation, which is often related to rituals and festivals, dryland cultivation often suffers due to the non-availability of labour. A cultural affinity for wetland cultivation, with its links to rituals and festivals, is also evident; the Kurichya continue to observe all rituals associated with rice cultivation much as they have done in the past.

The Kurichya have found ways to continue the performance of rituals and joint farming through structural adjustments, and these rituals can be seen as cultural traits that have evolved to protect the political and social organisation of the community. Its political organisation and property rights have evolved to protect the land from fragmentation and to organise joint labour for food production. The current reorganisation has helped the community to continue ritualistic observance by matrilineal heirs by keeping an area of land and the Tharavadu under collective ownership. Inheritance rights to this collectively owned land are always matrilineal, while land divided between member families (either by ownership or by user right) is inherited through the father’s line. In practice, this means two types of inheritance within the community. The matrilineal and women’s rights to land are becoming more ritualistic, although joint farming of collectively owned land and labours sharing by families on individual land continue under the leadership of elected Odekkaran and other Karanavers (male elders).

This research shows that the Kurichya land governance system has the capacity to resist outside political and legal pressures, to an extent, and that always endeavours to ensure a structural continuum. However, in-depth analysis shows that, in the process, the Kurichya are losing the underlying concept of matriline, even though elders in the community assert that ‘without matriline there is no Kurichya’. This indicates that conflict within the community will increase until the wider political system recognises this customary system of land governance. The direction of the current transformation process is towards a complete patriline and individual land ownership.

As a result, outcomes can be predicted such as land fragmentation, multiple priorities for land use, collapse of the food production system, and increased vulnerability of the community.
Conclusion

This research explains the political and institutional conflicts faced by a traditional agricultural community, the Kurichya of Wayanad, to sustain their way of life within the larger policy framework of a centralised state. The Kurichya are one of the largest groups of family farmers in the world and follow a model of family farming based on communal labour, self-sufficiency, the production of safe food, and the conservation of genetic resources. Their system adds to the idea of family farming the concept of collective ownership and management of land to ensure ecosystem continuity and sustainability in agriculture. Their social organisation, which functions through matrilineal property rights, kinship relations, shared labour arrangements, and rituals, has evolved to protect their collectively owned land.

The joint family system denies individual rights to land, but defines membership and user rights in a way that ensures equitable access to land through matrilineal succession. The Kurichya matriliney does not mean ownership of land by women, but the succession of membership and user rights through the mother's line. In terms of gender dynamics, Kurichya's social organisation has some of the characteristics of a hunting community in the form of restrictions on women and pollution and social taboos related to menstruation, but at the same time it is an agricultural community in which women have a larger role and more involvement and space. The matriliney can be seen as a cultural strategy to avoid individual land claims and to create a labour pool with the maximum of human resources. It also recognises user rights for women to land and other property of the mittom. Kinship relations, labour organisation, and rituals bind individuals together in collective farming to overcome multiple land use priorities and prevent land fragmentation. The history of land governance and agriculture in Wayanad over the past seven centuries shows a great deal of competition for land. State interventions in agricultural production and land governance have shaped the politics and inter-community agrarian relations of the region. The unique land governance system of the Kurichya has helped them to protect a considerable area of land and to resist large-scale alienation of Adivasi land at different stages in their history.

However, the Kurichya system of collective land ownership conflicts with state laws and land-based welfare programmes, which are framed along lines of individual property rights and patrilineal succession. As an adaptation strategy, Kurichya mittom have permitted minimal individual land rights and occupational changes, while protecting collectively owned land and joint farming through structural adjustments. These adjustments have helped them to continue with joint farming and land management, but have failed to protect women's rights to land and other resources and thus the status of women in the community. The community's main economic activity continues to be subsistence farming, although in today's new economic situation the younger generation cannot depend solely on farming as a livelihood option. While young men are becoming wage labourers in the new market economy, women continue to provide the labour force for collective family farming. The introduction of individual land rights has led to a move towards patrilineal succession. This has created two different types of succession law within the community and has led to legal conflict between customary land laws, state land laws, national legislation, and individual practices.
Focusing on the case of the Kurichya, this paper explains how pluralistic systems of governance have evolved around micro environmental and political conditions and how they can be rendered powerless by the intervention of the centralised state and its governance mechanisms. State policy is based on documentation and money, acts as a means of subordination, and generates conflict within the community. In part, the community has failed to develop subsistence farming into an economic activity that would provide them with a livelihood, and many have become labourers in the job market of the new economy. The political situation prevents them from utilising traditionally owned resource bases of land and biodiversity for their livelihoods. It pushes women into a less privileged position within the community and denies them power in wider society. This situation demands political attention and interventions to create space for communities like the Kurichya by integrating their subsistence production system and governance systems into state governance structures. The government must recognise collective ownership of land by the Kurichya and their mode of collective farming, giving special attention to integrating their system into institutional arrangements for affirmative programmes and agricultural development programmes.

Specific policy recommendations

» Policy-making processes in development and agriculture should be decentralised to create policy spaces that can integrate systems like that of the Kurichya from the grassroots. An adaptive land management policy is needed that ensures decentralisation of land management to the community level.

» The government should document the customary laws of communities like the Kurichya and add them to the reference documents of line departments such as revenue and agriculture.

» The process of decentralisation should empower Local Self Government Institutions to integrate systems like that of the Kurichya and their concerns into development strategies.

» Separate rice cultivators’ associations (Padasekara samithies19) should be created for Kurichya and other traditional farmers.

» Traditional agricultural areas like that of the Kurichya should be classified as separate agricultural zones or genetic reserves and cooperative modes of group farming should be promoted under their traditional organisation. Traditional land and resource management systems should be protected through tax exemptions and conservation service charges.20 Productivity should be enhanced through integrated land use planning and management strategies, and linkages should be established to market and value chains to ensure on-farm employment and livelihood options.

» There is a need to create a rights-based, flexible policy environment to protect women’s rights by integrating their productive skills and knowledge into development planning and programmes, thus helping them to expand their community space into a more political social space that can lead to empowerment.

19 An association of all rice farmers in a single wetland unit, constituted by the Government of Kerala to promote group farming, through which all agricultural development schemes are implemented and subsidies and incentives are distributed.

20 An annual payment to farmers who conserve biodiversity on their land.
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T.R. Suma

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Customary vs state laws of land governance: Adivasi joint family farmers seek policy support

The case of Kurichya joint families in Wayanad, southern India

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