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Casinader, Niranjana, de Silva-Wijeyeratne, Roshan and Godden, Lee

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From Sovereignty to Modernity: Revisiting the Colebrooke-Cameron Reforms - transforming the Buddhist and Colonial Imaginary in 19th Century Ceylon

Dr Niranjan Casinader, Dr Roshan De Silva Wijeyaratne and Prof Lee Godden*

Abstract

The Colebrooke-Cameron Reforms (1831) have been characterised by David Scott (1995) as marking the transformation of colonial Sri Lanka from one kind of political rationality - that of mercantile sovereignty, – to another – that of *colonial governmentality*. Whilst consonant with the view that the Commission marked a moment when the colonial administration moved away from a strategic reliance on Asokan or Buddhist forms of authority in the earliest phase of British rule, we argue that there is a more nuanced genealogy to this transition. The Reforms, while directed to the administration, judicial and political institutions of the colony, also contemplated extensive commercial restructuring that inculcated a self-improvement mode into ‘everyday life’. Drawing on colonial archives, we show how elements of a logic of *governmentality*, such as educational, land, and fiscal reform, were utilised at different times by the colonial administration to commence the *modernisation* of the colony well before 1832. It is also evident that the transformation was partial, and at points strongly resisted by local Buddhist communities. Instead of marking a clear point of transformation, the Colebrooke-Cameron Reforms gave legibility and a national imprimatur to a process already in train, while providing further impetus to a socio-political rationality that had begun to shift decades prior. The secular logic of the colonial State, however, was later to unleash a movement of Sinhalese Buddhist reform and cultural re-valuation that generated, ‘a more modernised Sinhalese Buddhist nationalism to create expanding areas of social, cultural and religious life for the nationalist cause.’

Keywords: Ceylon; colonial governmentality; Colebrooke-Cameron Report; Asokan Persona; Buddhism and nationalism; colonial education; Judicial reforms; land tenure; contract and labour

I. Introduction

The Colebrooke-Cameron Reforms in colonial Sri Lanka (Ceylon) in 1831-2, emanated from the Commission of Eastern Inquiry, initiated by the British Parliament in 1822.¹ The Inquiry, and its subsequent reports and recommendations, it is argued, instituted *governmentality* throughout the British Crown colony. Indeed, David Scott suggests the Reforms ‘inaugurated the modern’,² transforming colonial Ceylon (Sri Lanka) from the prevailing political rationality of mercantile sovereignty, as the ‘triumph’ of a form of surplus extraction that was dependent on, and for the benefit of, the sovereign State, to a political economy of *colonial governmentality*. In its practices of account, audit and report, and in its focus on statistics, productivity and reform, the Colebrooke-Cameron Reforms represent a characteristically modern assemblage of the method and objectives of government. This governmental rationality was directed at the affective economy of the ‘population’;³ that is the regulation and conduct of everyday life, including, and most significantly, its religious and cultural practices.

The movement finds parallels in other colonies that were examined by the Eastern Inquiry.⁴ From another perspective, the Commission represents a point when the colonial administration in Ceylon moved from a strategic reliance on Asokan or Buddhist forms of authority that had distinguished earlier phases of European rule, whether Portuguese, Dutch or British.⁵ We argue, however, that older social and religious forms were never totally disabled as changes in the *telos* of the colonial State reconstituted the *Asokan Persona* within the horizon of the utilitarian bureaucratic order. Moreover, the transformation of colonial sovereignty was initiated earlier, but in a more piecemeal manner, than occurred in comparable British colonies as the abolition of slavery provided strong momentum for change.⁶

Notwithstanding, whilst the Colebrooke-Cameron Reforms in Ceylon resulted in an intensification of the transformation of the politico-cultural and social conditions of life on the island, these were still referable to a Buddhist imaginary that was Asokan in nature. Following Michael Roberts, we characterise this imaginary as forming an *Asokan Persona*,⁷ a group of broadly Hindu-Buddhist hierarchical cultural and ritual practices that, in both precolonial and postcolonial Sri Lanka, inform the imaginary of the state and the diverse ethno-religious relationships that the state institutes. In the pre-British period, the *Asokan Persona* was transmitted through the all-encompassing logic of Buddhist kingship and the rituals of kingship that brought kings and the laity into a symbiotic relationship. The rituals of polity functioned as the symbolic capital that held the centre, periphery and semi-periphery of Sri Lanka’s pre-British polities (such as the Kandyan kingdom) together.⁸

*Dr Niranjan Casinader, Faculty of Education, Monash University, Australia (niranjan.casinader@monash.edu), Dr Roshan De Silva Wijeyaratne, Griffith Law School, Griffith University, Australia (r.desilva@griffith.edu.au) and Professor Lee Godden, Melbourne Law School, The University of Melbourne, Australia (l.godden@unimelb.edu.au). The authors acknowledge the funding assistance of the Melbourne Law School and the Faculty of Education, Monash University in the conduct of archival research used in this publication.

¹ W.M.G. Colebrooke, *Commission of Eastern Inquiry: Report upon the Administration of the Government of Ceylon* (1831) National Archives, United Kingdom, Series CO54, Folio 122

² David Scott, ‘Colonial Governmentality’ (1995) 43 *Social Text* 191, 206

³ *ibid* 204.

⁴ Mauritius, and the Cape Colony were also subjects of the Inquiry.

⁵ Roshan de Silva-Wijeyaratne, *Nation, Constitutionalism and Buddhism* (Routledge 2014) 84.

⁶ Zoë Laidlaw, ‘Investigating Empire: Humanitarians, Reform and the Commission of Eastern Inquiry’ (2012) 40(5) *The Journal of Imperial and Commonwealth History*, 749, 753

⁷ Michael Roberts, *Exploring Confrontation: Sri Lanka -politics, culture and history* (Harwood, 1994) 52-72

⁸ H. Seniveratne, *Rituals of the Kandyan State* (Cambridge University Press 1978) 90-114

The rituals of royal legitimation were subject to constant expansion, but they masked the fact that, the further one moved out from the centre, there was also ‘a diminishing replication of the central domain in the satellite units’,⁹ thus resulting in highly (administratively) devolved forms of State that were largely non-bounded in nature. British officials initially guaranteed that the devolved administrative structure of the Kandyan kingdom would continue under the British Crown. Maintaining indigenous Asokan forms of administrative authority (and thereby a devolved administrative structure) in the provinces of the Kandyan kingdom was guaranteed under the Kandyan Convention, a treaty signed by the British Governor and notable heads of the Kandyan aristocracy in 1815.¹⁰

This early colonial mediation of Sinhalese Buddhist cultural and institutional forms would undergo a radical transformation-cum-*modernisation* through the Colebrooke-Cameron Reforms. However, in contrast to Scott, we argue that the significance of the Reforms was more that they marked an 'epistemological break', or a variation in the order of knowledge. In the precolonial period, Buddhist texts and Chronicles and conceptions of kingship grounded in Asokan principles spoke to a karmic understanding of the political - the *telos* of the texts or rites of kingship were ontological in that they spoke to questions of being in the world. However, under the conditions of colonialism enforced by the Reforms, these texts and rites began to be read as outlining how the social and the political ought to be organised in the future, ideas that related specifically to the context of Sinhalese nationalism.

Further, we establish that there is an earlier genealogy to the transition to an economy of *colonial governmentality* than that traced by Scott.¹¹ Drawing on colonial archives, we demonstrate how various elements in the logic of *colonial governmentality*, such as education, land tenure, financial administration and judicial institutions, were utilised by the Colonial Office and the colonial administration in Ceylon to commence the *modernisation* of the colony to extract new forms of wealth, well before 1832.¹² Again, these elements were not totally divorced from pre-colonial Ceylonese societal structures. In common with British colonial administrative practice in India and, later, in Africa,¹³ they reflected a dependency, to varying degrees, on using local, more traditional forms of authority as a conduit for implementation of colonial administration, but with a progressive instantiation of *colonial governmentality* in specific colonies over time.

⁹ Stanley Tambiah, *Buddhism Betrayed? Religion, politics and violence in Sri Lanka* (University of Chicago Press, 1992) 174

¹⁰ de Silva-Wijeyeratne (n 5) 82

¹¹ Scott (n 2)

¹² *ibid* 207

¹³ Lawrence James, *The Rise & Fall of the British Empire* (Abacus, 1998) 296

Consequently, the Colebrooke-Cameron Reforms in Ceylon¹⁴ gave legibility to a process in train,¹⁵ but which continued in tension with a plural religious and cultural order.¹⁶ This attention to plurality confounds the adoption of a linear 'history as progress' discourse that has characterised western accounts of the colonial endeavour.¹⁷ The British utilised the rationale of a superior civilisation to effectively invade the Kandyan Kingdom,¹⁸ a society which mid-nineteenth century British historical accounts would later designate as a retrogressive feudal society.¹⁹ This rationalisation by the British allowed them to be regarded as having supposedly to rid the kingdom of a feudal tyrant. Such an historical account obscures the socio-political complexity of the Kandyan Kingdom as a pre-European Ceylonese society.²⁰ It was not a society with a feudal system in the European mould;²¹ rather it exhibited aspects of the liberal ideals that had their equivalents in the 'modern' system introduced by the British.

¹⁴ Hereafter the 'Commission'. There are three reports that comprise what is generally referred to as the Colebrooke-Cameron Report: Report of Lieutenant-Colonel Colebrooke, *Administration of the Government of Ceylon*, 24 December 1831; Report of Lieutenant-Colonel Colebrooke, *Revenues of Ceylon*, 31 January 1832; Report of Charles Hay Cameron, *Judicial Establishments and Procedure in Ceylon*, 31 January 1832. Commission of Eastern Inquiry, Vol.2 Ceylon, 13th March 1832, The House of Commons, The National Archives, United Kingdom (CO 54, Folio 122)

¹⁵ H.V. Bowen, Elizabeth Mancke and John G. Reid (eds), *Britain's Oceanic Empire: Atlantic and Indian Ocean Worlds c. 1550-1850* (Cambridge University Press 2012)

¹⁶ de Silva-Wijeyaratne (n 5) 85

¹⁷ Ratna Kapur, 'Human Rights in the 21st Century: Take a Walk on the Dark Side' (2006) 28 *Sydney Law Review* 665, 671

¹⁸ Lee Godden and Niranjana Casinader, 'The Kandyan Convention 1815: Consolidating the British Empire in Colonial Ceylon' (2013) 1 *Comparative Legal History* 179, 189-190

¹⁹ see, for example, James Emerson Tennent, *Ceylon; an Account of the Island Physical, Historical, and Topographical with Notices of Its Natural History, Antiquities and Productions: Volume 2* (2nd edn, 1859)

²⁰ Godden and Casinader (n 18) 189-90.

²¹ Upali C. Wickremaratne, *The conservative nature of the British rule of Sri Lanka: with particular emphasis on the period 1796-1802* (Navrang 1996) 4-5. A more complete examination of the circumstances of the Kandyan Kingdom is given below.

The plural communities and legal identities that were evident in Ceylon thus require careful attention to be given to the contingency and compromised nature of the ‘modern secular’ State as it emerged in Ceylon during the nineteenth century after the Colebrooke Cameron Report.²² Firstly, although separation between State and religion was reflected in the official right to practise a range of faiths under British rule, the colonial administration’s emphasis on Christianity as the ‘official’ religion was mirrored in its explicit and implicit support from the early days of British governance for the provision of privately-funded mission-based education.²³ Nor was the territorial hegemony of the colonial State complete at this point, as ‘[t]ransitions to modern statehood in the long nineteenth century did not eliminate patterns of territorial unevenness’.²⁴ The incomplete territorial control was emphasised by the 1818 and 1848 “rebellions” in Ceylon, inspired by a Buddhist consciousness, which sought to restore Sinhalese Buddhist kingship as a counter to an expanding colonial State.²⁵ These occurrences of local resistance demonstrate that the ‘colonial governmentality project’ remained in articulation with a Buddhist imaginary, well into the first half of the nineteenth century.

II. The Colebrooke Cameron Report on Colonial Ceylon

1. The Commission of Eastern Inquiry

Amid escalating debates about colonial rule, the treatment of colonised peoples and the financial burden of Empire, the British government appointed sixteen Commissions of Inquiry between 1818 and 1826. Six travelled to non-European colonies and another three investigated Ireland. The Commission of Eastern Inquiry was established by the Westminster Parliament to study the state of colonial government in three colonies, the Cape Colony (now South Africa), Mauritius and Ceylon. The Commission was to focus on each colony as a whole, but with special consideration of the structures and cost of the civil government, the economy and the administration of justice.²⁶

The inauguration of the Commission reflected an emerging nexus between humanitarian ideals, good government and the economy.²⁷ The British-based humanitarian reform movement and advocates for the abolition of slavery drew on apprehensions about the corrupting influence of Empire, ‘to press for commissions as vectors of imperial probity’.²⁸ Simultaneously, colonial administrations used the Inquiries to argue for colonial reforms in labour relationships, land law, tenure and taxation, and in the judicial and administrative sectors. These reforms were to secure good government and ‘Britishness’ in the aftermath of the French Revolution and Napoleonic wars. Consequently, the Inquiries surveyed the

²² A ‘secular’ State was a hallmark of Bentham’s reformatory project, but in the colonial context it was always thoroughly compromised (Crimmins 1990). It was ironic that a consequence of the secular objectives of the Colebrooke-Cameron Reforms was a movement that subjected Sinhalese Buddhism to a nationalist revaluation (i.e. the secularisation of Buddhism). See James E. Crimmins, *Secular Utilitarianism: Social science and the critique of religion in the thought of Jeremy Bentham* (Oxford 1990).

²³ Niranjan Casinader, *Transnationalism, Education and Empowerment: the latent legacies of the British Empire* (Routledge, 2017) 64-98

²⁴ Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge University Press 2010) 4

²⁵ de Silva-Wijeyaratne (n 5) 85

²⁶ Laidlaw (n 6) 749

²⁷ *ibid* 753

²⁸ *ibid*

colonies to address a convergence of practical, financial and religious concerns, and to recommend reforms for the governance of Empire.²⁹ The overarching aim of the Commission, however, was to evaluate the cost of administering each colony, a part-public relations exercise that enabled the government to enhance its transparency with the British public.³⁰

In Ceylon, the parameters for the Commission's inquiry derived from two contemporary concerns. Firstly, the end of Franco-British hostilities after 1815 had long-term strategic consequences for the colony, (which after 1815 included the former, independent Kandyan Kingdom, and thus, much of the island's interior). The declining French threat meant that the strategic value of Ceylon no longer overrode consideration of the substantial financial support that the heavily-indebted colony received. Now, the Colonial Office was determined to make the colony - along with others in the British sphere - financially sustainable.³¹ Hence, the Inquiries examined economic productivity in Mauritius, Ceylon and the Cape Colony. The second concern was labour and land reform resulting from pressure exerted by British national anti-slavery groups, particularly in respect of the Cape Colony, the first port of call for the Commission.³² Ceylon was of lesser concern, partly because '... the phasing out of slavery [that] had begun in 1816, would serve as an exemplar for the rest of the empire'.³³ The mix of objectives and motivations for the Commission and its specific implementation in Ceylon underscores the complexity of the *in situ* transformation of British colonial rule and directs attention to the engagement of the Commission with Buddhist cultural and institutional forms.

2. Discontinuity in British Rule in Ceylon

Further, while the Eastern Inquiry was informed by liberal values, to explain British rule in South Asia as an unproblematic expansion of the Metropole, bringing modernisation to subject peoples, is no longer tenable. Chatterjee's influential critique of the 'rule of colonial difference'³⁴ that attended the modernisation of colonial territories challenges prevailing historiography.³⁵ He draws a distinction between colonial and modern power, arguing that collapsing the two relegates 'the colonial' to 'little more than an episode in modern, that is, Europe's history'.³⁶ Benton similarly contests, '[E]urocentric world histories that emphasise the unique, progressive character of European institutions or that view global change as emanating exclusively from the dynamics of Western material history'.³⁷

²⁹ *ibid*

³⁰ *ibid*

³¹ K.M. De Silva, *A History of Sri Lanka* (Vijitha Yapa /Penguin 2005) 317

³² Laidlaw (n 6) 754

³³ *ibid* 753

³⁴ Partha Chatterjee, *The Nation and its Fragments* (Princeton University Press 1994)

³⁵ Catherine Hall, 'Introduction:thinking the postcolonial, thinking the empire' in Catherine Hall (ed), *Cultures of Empire: Colonizers in Britain and the Empire in the Nineteenth and Twentieth Centuries* (Routledge 2000) 1-33

³⁶ Scott (n 2) 194

³⁷ Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge University Press 2001) 6

Scott's analysis of colonial governance in Ceylon at the time of the Eastern Inquiry,³⁸ also confronts the classic narrative of 'Western' historical development, but by reframing the constituent power embedded within the narrative.³⁹ Drawing on Foucauldian perspectives, he suggests that while modern power distinguishes later forms of colonial rule in Ceylon, it re-calibrates, 'the structure and project of colonial power'.⁴⁰ The path to modernisation is not, 'the mere historical reiteration of a single political rationality whose effects can be adequately assessed in terms of the 'more or less' of force, freedom, or reason.'⁴¹ Instead, modern power is concerned with '...the complex of men [sic] and things....' in which property and territory are merely one [sic] of its variables'.⁴² Thus, British rule is to be assessed in terms of how modern political rationality sought to disable, 'old forms of life by systematically breaking down their conditions, and with constructing in their place new conditions so as to enable-indeed, so as to oblige-new forms of life to come into being'.⁴³ Primary among those 'old forms of life' was the adherence to Buddhist forms of authority and meaning – the *Asokan Persona*. For Scott, the Colebrooke-Cameron Reforms emerged as a critical juncture in displacing a form of colonial rule characterised by a reliance on the mediation of this older (Buddhist informed) corpus of knowledge.⁴⁴ Close investigation of specific colonies allows greater precision in the examination of transformative moments in colonial rule. It is mindful of Benton's caution against the invocation of firm boundaries and decisive breaks with earlier plural orders as colonial States took shape in the early nineteenth century.⁴⁵

³⁸ Scott (n 2) 196

³⁹ For discussion of whether the reforms initiated 'progress', see Wickremeratne (n 21)

⁴⁰ Scott (n 2) 196

⁴¹ *ibid* 204

⁴² Michel Foucault, 'Governmentality' (1979) 1979/n6 *I and C World* 5 11

⁴³ Scott (n 2) 193

⁴⁴ Roberts (n 5) 57-73. For accounts of how colonial information was mediated by indigenous knowledge in British India, see C.A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge University Press 1996) and Norbert Peabody, 'Cents, Sense, Census: Human Inventories in Late Precolonial and Early Colonial India' (2001) 43 *Comparative Studies in Society and History* 819

⁴⁵ See Benton (n 37)

Whilst the Colebrooke-Cameron Reforms directed attention to the ‘heterogeneous conditions of life’, such preconditions for instantiating a modern State were the subject of earlier reform and experimentation (and often reversion to older modes). Reforms occurred in land tenure and servitudes, taxation, education, and the separation of judicial and administrative functions throughout the early period of British rule. Thus, the disassociation of the State from mercantilist sovereignty, in part, can be traced back in some instances earlier than the conquest of the Kandyan Kingdom in 1815.⁴⁶ The Kingdom was the last autonomous Sinhalese (Hindu-Buddhist) dominated polity in what was to become the Crown Colony of Ceylon. It had resisted both Portuguese and Dutch attempts at incorporation into the formal administrative structures of the Maritime Provinces of Ceylon.⁴⁷ At least initially, the incoming British colonial administration of Governor Brownrigg sought to acknowledge a plurality of religious and cultural ‘life’ in the former kingdom.

III. The Early Phase of British Colonial Rule and the Asokan Buddhist State

More widely, the colonial legal order was typically plural, in multiple imperial contexts from the Iberian Peninsula to the British Empire.⁴⁸ The legal history of British India demonstrates that disputes over jurisdiction ‘simultaneously shaped the formation of the colonial State’⁴⁹ as a far from monistic entity and ‘responded to contests over cultural boundaries’.⁵⁰ In fashioning cultural boundaries, the State ‘came to be invested with a special authority, one that not only subsumed alternative legal authorities’,⁵¹ but which crafted ‘a monopoly claim to define within a taxonomic frame, political identity’.⁵² In British India, in spite of the process of near total displacement of indigenous legal forms, (the transition from status to contract in Bernard Cohn’s classic account), what we really see is a contested process of change that produced a far from uniform, but thoroughly variegated, plural legal scene, albeit one in which State law would claim a dominant authority.⁵³

Ceylon’s colonial legal history similarly reveals a contested process by which British legal forms secured ascendancy *vis-à-vis* the plural legal order that they encountered. Initially, British rule maintained a degree of continuity with Dutch colonial policy.⁵⁴ Dutch administrative practices worked with the grain of indigenous practices. Within the coastal littoral, Dutch officers who sought to fashion themselves as headmen replaced the Sinhalese *disavas*.⁵⁵ Citing a Dutch source, H.W. Tambiah (1968) notes that justice was administered ‘according to the laws in the fatherland [the United Provinces] and the Statutes

⁴⁶ Schrikker suggests the process began with Governor North instituting reforms. See Alicia Schrikker, *Dutch and British Colonial Intervention in Sri Lanka: 1780-1815: Expansion and Reform* (Brill 2007) 37

Wickremeratne cautions that North was not attempting to replace the traditional system, only to better define it, see Wickremeratne (n 21) 37; Colvin R. de Silva, *Ceylon under the British Occupation 1795-1833*, vol 1 (2nd edn, Navrang 1995)

⁴⁷ de Silva-Wijeyaratne (n 5) 78-83

⁴⁸ Benton (n 24)

⁴⁹ *ibid* 564

⁵⁰ Lauren Benton, ‘Colonial Law and Cultural Difference: Jurisdictional Politics and the Formation of the Colonial State’ (1999) 41 *Comparative Studies in Society and History* 563

⁵¹ *ibid*

⁵² Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (Princeton University Press 2001) 44-45

⁵³ Benton (n 50); B.S. Cohn, ‘From Indian status to British contract’ (1961) 21 *Journal of Economic History* 61.3

⁵⁴ Schrikker (n 46) indicates that British fluctuated in their approach, 195

⁵⁵ A ‘*disāva*’ was akin to a provincial governor in the Kandyan Kingdom, and was both judicial officer and revenue collector.

of Batavia. The natives are governed according to the customs of the country, if they are clear and reasonable, otherwise according to our laws'⁵⁶. In the interests of not antagonising the indigenous population, the Dutch soon began to emphasise the application of local customary laws.⁵⁷ However, it is likely that, in line with Portuguese judicial practice, the Dutch applied the Roman-Dutch law of personal relations to the Sinhalese Catholic community.⁵⁸

Following the Proclamation of 1799, which transferred administrative power over the Maritime Provinces of what would become the colony of Ceylon, the British recognised Roman-Dutch law as the common or general law of the territory, but not as traditionally understood.⁵⁹ Under the terms of the Proclamation of 1799, the British applied Roman-Dutch law to the Sinhalese of the Maritime Provinces in all civil and criminal matters. While the Dutch had not themselves applied Roman-Dutch law in all matters pertaining to the Low Country Sinhalese, the British were clearly under the impression that under the terms of the Proclamation, they were giving effect to what they understood to be the existing system of legal administration.⁶⁰ In the British reading of the indigenous landscape, which was more political than topographical, knowledge was gained through a series of close intimate relationships between colonial officers and key 'native' intermediaries.

As in British India, these encounters between the rulers and the ruled would fashion in Ceylon, by the end of the nineteenth century, an ethnographic State that was a product of the belief that Ceylon could be 'ruled using anthropological knowledge to understand and control its subjects'.⁶¹ Colonial officials set about this task with immense zeal; not only did the relationships with 'native' informants fashion 'colonial understandings of local social organization and cultural life, but [they] also [became] key anchors for colonial authority'.⁶² Relying on Asokan (Buddhist) forms of authority – and when it was deemed necessary, modifying them by recourse to both imperial and English legal principles – served the early phase of British rule well. We now focus on this early period before considering the transformational impact of the Colebrooke-Cameron Reforms.

⁵⁶ Henry Tambiah, 'The ideology of merit and the social correlates of Buddhism in a Thai village' in E. Leach (ed), *Dialectic in Practical Religion* (Cambridge University Press 1968) 28. See also T. Nadaraja, 'The administration of justice in Ceylon under the Dutch government' (1968) 12 *Journal of Ceylon Branch Royal Asiatic Society* 1, and Henry Tambiah, *Principles of Ceylon Law* (H.W. Cave 1972) 119-121

⁵⁷ L. Cooray, *An Introduction to the Legal System of Ceylon* (Lake House Publishing 1972) 60-62

⁵⁸ *ibid*

⁵⁹ *ibid* 71

⁶⁰ J. Van der Horst, *Who is He, What is He Doing? Religious rhetoric and performances in Sri Lanka during R. Premadasa's presidency (1989-1993)* (VU University Press 1995); M. Horst, *The Roman Dutch Law in Sri Lanka*, (Free University Press 1985)

⁶¹ Dirks (n 52) 44. Many of the leading colonial officials (John D'Oyly, Hugh Nevill and HCP Bell) in Ceylon were also gifted linguists and amateur ethnographers of great repute.

⁶² Tony Ballantyne, 'Strategic Intimacies: Knowledge and Colonization in Southern New Zealand' (2013) NS14 *Journal of New Zealand Studies* 4, 5. Enter John D'Oyly who, in July 1803, was appointed as President of the Provincial Court at Matara, and shortly thereafter was appointed as Agent of Revenue and Commerce for the Matara District in the deep south of the island. Ramesh Somasunderam, 'British Infiltration of Ceylon (Sri Lanka) in the Nineteenth Century: a study of the D'Oyly Papers between 1805 and 1818', *The University of Western Australia* 2008) 25-26. D'Oyly, who became fluent in both Sinhala and Pali, provides us with the most complete account of the religious, social and administrative practices of the Kandyan kingdom, the last Hindu-Buddhist polity that succumbed to British rule in 1815, in large measure due to D'Oyly's intrigues with the Sinhalese Kandyan aristocracy on behalf of the Crown. V.K. Samaweera, 'The judicial administration of the Kandyan Provinces of Ceylon, 1815-1833' (1971) 1 *Ceylon Journal of Historical and Social Studies* 123, 128-9.

At the centre of Buddhist authority, at least as far as the relationship between rulers and the ruled was concerned was Buddhist kingship. The Asokan State model was a *mandala* in form.⁶³ At the apex of the Asokan State stood the ‘king of kings subsuming in superior ritual and even fiscal relation a vast collection’ of subordinate polities.⁶⁴ However, this vast territorial enterprise, far from being a centralised monarchy, was more likely to have been a ‘galaxy-type structure with lesser political replicas revolving around the central entity and in perpetual motion of fission or incorporation’.⁶⁵ The Asokan State and subsequent Buddhist polities, such as the Kandyan kingdom in 18th century Ceylon, were modelled on a mandala-type pattern that ‘had central royal domains surrounded by satellite principalities and provinces replicating the center on a smaller scale’, while at the margin there were ‘even more autonomous tributary principalities’.⁶⁶ Much like the Asokan State, sovereignty in the Kandyan kingdom revealed its public face through forms of tributary overlordship that were highly ritualised.⁶⁷ These ritual forms suggest that the marginal polities were kept on a tight rein by the centre, but in actuality the absence of effective communication ensured that the margin maintained a healthy distance from the centre’s desires to effect control.⁶⁸

In turn, the early years of British colonial rule also retained many aspects of mercantilist colonial rule. The Treaty of Amiens effected a change from Dutch to Britain colonial authority over Ceylon, and came into operation in 1802. However, concerned about the possible moves of the French before the finalisation of that Treaty, the British installed a dual administration between 1796-1802. In exchange for a trade monopoly on cinnamon, the East India Company was induced to extend its commercially-focused administration of India to Ceylon.⁶⁹ In 1798, the first Governor, Sir Frederick North, arrived from London under authority of the Colonial Office⁷⁰ as Ceylon, in effect, was administered as a Crown Colony prior to a formal transfer by the Dutch under international law. In this manner, the British consolidated their rule in the Maritime Provinces but it would take further time, a failed war and then strategic engagement with Buddhist aristocratic ambitions in the autonomous Kandyan Kingdom of the interior before the British controlled the entirety of the island. The British held misconceptions about the kingdom and were under the belief that the means to institute colonial rule in one region (that is, India) could be readily transferred to the Ceylonese context.

Overall, initially, the British approach to the Kandyan Kingdom was that adopted by the East India Company in India, in which close networks were built with regional indigenous leadership figures, who were then used as conduits to control local affairs. But, as later events proved, this was built on the false assumption that the Kandyan Kingdom

⁶³ O.M Wolters first emphasized the concept of the *mandala* within the framework of Southeast Asian historiography. See O.M.Wolters, ‘Ayudhya and the rearward part of the world’ (1968) *Journal of the Royal Asiatic Society*, 166-178

⁶⁴ Stanley Tambiah, *World Conqueror and World Renouncer: a study of Buddhism and polity in Thailand against an historical background* (Cambridge University Press, 1976) 70

⁶⁵ *ibid*

⁶⁶ Stanley Tambiah (n 9) 173.

⁶⁷ Malcolm Roberts, ‘Himself and project – a serial autobiography: our journey with a zealot, Anagarika Dharmapala’ (2000) 1 *Social Analysis* 60; de Silva-Wijeyaratne (n 5) 72-74

⁶⁸ Seneviratne (n 8)90–114.

⁶⁹ V.L.B. Mendis, *The Advent of the British to Ceylon: 1762-1803* (Tissaro Prakasakayo 1971)

⁷⁰ KM de Silva (n 31) 275

represented a pinnacle of Ceylonese Sinhalese indigeneity.⁷¹ In reality, the Kingdom was a highly cosmopolitan society, with longstanding demographic, social and trade links to the Kingdom of Siam, Burma and South India.⁷² The last line of Kandyan Kings were Nāyakkars, a group of South Indian Tamils who had married into the Kandyan royal line for mutual political reasons.⁷³ Trade connections between South India and northern Ceylon around Jaffna, just north of the Kandy Kingdom, had seen Malabar Tamils and Arabic traders settle in that region since circa 800 AD.⁷⁴ The cosmopolitanism of the Kandyan Kingdom extended even to its army, which included mercenaries from Malaya, European army deserters, various tribal groups from Southern Africa, Indian sepoy (indigenous Indian troops), Muslims and South Indian Tamils.⁷⁵

Nevertheless, despite the diversity and cosmopolitan character of the Kandyan Kingdom, the technique borne out of the India experience of using local networks as a means to colonial acquisition proved effective to a degree. John D'Oyly was a member of the colonial administration under Governor Robert Brownrigg; the Governor who succeeded in bringing the Kingdom under British control. A Cambridge trained linguist with a knowledge of Pali and Sinhalese, D'Oyly had a keen interest in constitutional architecture, and was an early scholar of the social and governance structures of Kandyan (Sinhalese) society.⁷⁶ The British committed to legal pluralism as an avowed principle of public policy and, in practice, this drew British officers such as D'Oyly into an intimate relationship with the symbolic and ritual world of Sinhalese Buddhism. Whilst, in the Low Country, the colonial State adapted existing European practices with respect to the administration of native customs and laws, greater reliance was placed in the Kandyan Kingdom on what was the European mediation of indigenous knowledge. Through D'Oyly, Brownrigg took advantage of the local discontent with King Śrī Vikrama Rājāsīnha, Sinhalese opposition that seemingly had adopted an anti-Nāyakkār trope.⁷⁷ The Kandyan Convention, proclaimed in January 1815, is acknowledged to have been drafted by D'Oyly, who is credited with acquiring the assent of the disaffected Kandyan aristocracy.⁷⁸

In line with the British focus on the Kingdom as a centre of indigenous Sinhala-ness, the Convention enshrined the continuance of Asokan principles under the cloak of British colonial authority. Under the Kandyan Convention, 'the religion of the Boddhoo, professed by chiefs and inhabitants of these Provinces is declared inviolable and its rites, ministers and places of worship are to be maintained and protected'.⁷⁹ The British guaranteed the 'continuation of the traditional administration',⁸⁰ via the Convention, thus maintaining the

⁷¹ Sujit Sivasundaram, *Islanded: Britain, Sri Lanka and the Bounds of an Indian Ocean Colony* (The University of Chicago Press, 2013) 48

⁷² *ibid* 43

⁷³ *ibid* 39

⁷⁴ Niranjan Casinader, *Transnationalism, Education and Empowerment: The Latent Legacies of Empire* (Routledge 2017) 59

⁷⁵ Sivasundaram (n 71) 46-47

⁷⁶ K.M. De Silva, 'The Coming of the British to Ceylon, 1762-1802' in K.M. De Silva (ed), *History of Ceylon, Vol 3* (University of Ceylon 1973) 1

⁷⁷ J. Duncan, *The City as Text: the politics of landscape interpretation in the Kandyan Kingdom* (Cambridge University Press 1990) This anti-Nāyakkār tone seems to have been directed at the Nāyakkār entourage who were starting to threaten the economic interests of the Kandyan nobility. See Seniveratne (n 8) 55-61.

⁷⁸ Godden and Casinader (n 18) 189-90

⁷⁹ Ceylon Government Gazette, No. 700, January 10th 1815, CO 58/1 The National Archives, United Kingdom

⁸⁰ Samaweera (n 62) 125

jurisdiction and powers of the *adigars*, *disavas* and the chief and subordinate headmen.⁸¹ In recognition of the unique status of Kandy, the Kandyan Department in Colombo administered the region, although daily administration was initially in the hands of the Board of Commissioners, who showed remarkable ‘zeal in preserving the laws and customs of the people.’⁸²

The constitutional model of the Kandyan Kingdom had been devolutionary. Both *adigārs* exercised general jurisdiction throughout the Kandyan kingdom, with the first *adigār* responsible for the north and east of the kingdom and the second *adigār* responsible for the south and west of the kingdom. In their judicial capacity, they heard ‘appeals from their respective parts of the kingdom except in cases which the king chose to reserve for his own hearing and decision’.⁸³ Poor communication networks also worked against the *disāvas* of the outer provinces so that the further one travelled from the centre, the authority of the *disāvas* became increasingly reliant on their principal headmen who were domiciled in the capital.⁸⁴ Such was the multicentric nature of the Kandyan polity that it was the king who, in the absence of a developed monetary economy, remained dependent on the ‘loyalty of the *disāvas*’.⁸⁵ The degree of support for Asokan cultural forms by the British was further reflected in the attempts by the colonial authorities to expel Malabar Kandyans and ‘repatriate’ them to South India in order to preserve the perceived Sinhalese nature of the Kingdom, a move that was resisted strongly by those affected, for they saw their identity as being very much tied to the island of Ceylon, and not the mainland of India.⁸⁶

... the British were concerned to track indigeneity and to exalt it as a determinant of difference, while isolating the foreign. This was partly a result of the need to stabilise the colony in political terms and to order it as a unit. The irritations between different forms of British governance meant that the Malabars, who later became Tamils, were said not to belong in a Crown territory but rather in mainland India.⁸⁷

Perhaps not coincidentally, it was not until 1834, after the Colebrooke-Cameron Report, that the policy of forced repatriation ceased, except for relatives of the deposed Kandyan king.

IV. Interventions by the British Colonial State

⁸¹ The *adigars* (chief ministers) were central to the administrative devolution of the kingdom, which was concomitant with the inability of the king to enforce his will in a manner that was consistent with the classical claims of Buddhist kingship. The responsibilities of the *adigars* were extensive, requiring them to act as exercise both military and judicial authority.

⁸² F.A. Hayley, *A Treatise of the Laws and Customs of the Sinhalese Including Portions Still Surviving Under the Name Kandyan Law* (H.W. Cave 1923) 9

⁸³ L. Dewaraja, S. Arasaratnam, and D.A. Kotewale, ‘Administrative systems: Kandyan and Dutch’, (1995) in K.M. de Silva (ed.), *History of Sri Lanka Vol. II* (Sridevi) 325

⁸⁴ *ibid* 333

⁸⁵ *ibid* 338

⁸⁶ Sivasundaram (n 71) 48-62

⁸⁷ *ibid* 61-62

We now consider the nature of what we term the epistemological *break* with the generation of colonial knowledge and practice that the terms of reference of the Commission made possible, ever mindful that the conditions of possibility of this *break* made their presence felt in the early years as new administrative structures were progressively incorporated into the colony. The Colebrooke-Cameron Reforms, while clearly driven by metropolitan-based humanitarian concerns converged with a utilitarian internal reorganisation within the colony itself, as the administration and governance of the Ceylonese colonial State became increasingly centralised. Reform in the spheres of education, land tenure and administration and judicial and administrative organisation pre-eminently marked the arrival of modern colonial power in Ceylon prior to 1832. In terms of education, the reforms were more a consolidation and affirmation of existing practices, with certain exceptions. The situation was more varied with respect to land tenure and servitudes, economic productivity and revenue sources, and the operation of the judiciary and civil administration. In terms of colonial governmentality, this examination directs us to focus on the objects of the reforms to understand, ‘what is colonial power organising and reorganising?’⁸⁸

1. *The New Rationality in Education*

A constant in British colonial policy was the use of education to transform the lives of the colonised. In colonial Ceylon, as in India, education had three purposes: to inculcate the values and attitudes inherent in the British way of life, including the diffusion of Christianity as the vehicle for that dissemination; to act as a symbol and visible actualisation of the perceived superiority of Britishness; and to prepare members of the colonised population to serve in the lower levels of the colonial administration.⁸⁹ It can therefore be identified as being one of the key elements within the structures of *colonial governmentality*.

The process of creating the educational elements of *governmentality*, however, were in train much earlier than 1832. Whilst the Colebrook-Cameron Reforms did install a more rigorous structure for government education in the colony, more informal or ‘ex-officio’ structures of educational *governmentality* had been constructed since the early days of British rule, particularly since the period 1815-1818.⁹⁰ During this time, the island of Ceylon was unified under one jurisdiction for the first time in its history, when the British garrison, under the command of Governor Robert Brownrigg, succeeded in integrating the Kandyan kingdom into the existing British reality of the Maritime Provinces.⁹¹

Prior to 1832, the Colonial Office in London placed the provision of education low on its list of priorities, primarily because of a lack of funds. Although the Portuguese and Dutch administered the colony in mercantilist terms, the initial British interest in Ceylon as a strategic naval location had an impact on the manner in which the British colonial administration managed the colony's financial affairs prior to 1832, which will be discussed shortly. After officially taking over the colony in 1802, Governor North established the Colombo College in order to ‘...to prepare youths educated in English for the public service; especially the higher grades of the public service.’⁹² The connection between Christianity and education was evident from the start with the appointment of the Rev James Cordiner

⁸⁸ Scott (n 2) 193

⁸⁹ Casinader (n 74) 74-88

⁹⁰ *ibid* 94-95

⁹¹ Godden and Casinader (n 18) 202

⁹² T. Ranjit Ruberu, *Education in Colonial Ceylon* (The Kandy Printers 1962) 67

as the first headmaster.⁹³ The Dutch system of parish schools that doubled as churches in each village was maintained, but lack of funding meant that very little educational progress was made beyond the colonial capital of Colombo.

The impact of Governor Brownrigg's military success on educational provision was immediate. The paucity of available government funding meant that Brownrigg himself was not able to develop a Christian educational system as an instrument of colonial government policy. Nevertheless, he supported the work of missionary groups from the moment that he took office, to the point that both he and his wife were commended specifically for their educational patronage on their departure from Ceylon in 1820.⁹⁴ He was, for instance, very public in his encouragements for people to donate to the missionary societies for the purposes of their educational work.⁹⁵

By 1818, there were four major missionary school systems operating in Ceylon. The Baptist Mission (established 1812), the Wesleyan Mission (1814), and the Ceylon Mission of the Church Missionary Society (1818) all focused on the central and south-western ethnic Sinhalese regions around Colombo and the hill capital of Kandy. The American Mission (established 1813) focused on the Tamil areas of the north, northeast and eastern coast. The fact that three of these societies were operating within Ceylon before the annexation of the Kandyan Kingdom in 1815 was an indication of the determination and speed of purpose under which the Societies functioned with the tacit support of Brownrigg's colonial administration. So, too, was his allowance of the entry of the American Mission into the northern Jaffna region so soon after the loss of America as a British colony in the late 18th century.

Unlike in India, where English became the mandated language of instruction in colonial education, these missionary schools taught in the vernacular languages of Sinhalese and Tamil and made formal education available to girls for the first time. Three years after the defeat of the Kandyan Kingdom rebellion in 1818, the impact of the logic of *colonial governmentality* in the field of education reform was no better demonstrated by the accounting of the colony's main government school – the School of Colombo – under 'Ecclesiastical Establishments'.⁹⁶ Such an assignation indicated clearly that, not only did the colonial administration perceive education and religion as being inextricably linked, but that it also saw education in the new colony as being primarily the responsibility of the Church, and not government. The ordering transformation of Ceylonese society in the British educational idiom had commenced in earnest.

The success of the missionary school systems was such that, by 1830, just before the arrival of the Commission of Eastern Inquiry in Ceylon, the number of missionary-run schools outnumbered the official 22 government schools on the island by a ratio of 10 to 1.⁹⁷ In

⁹³ *ibid*

⁹⁴ Incoming Governor Barnes, Speech on departure of Governor Brownrigg, Ceylon Government Gazette, No. 956, January 15th 1820, CO Series 58 Folio 3 The National Archives, United Kingdom

⁹⁵ Ceylon Government Gazette, No. 886, September 9th 1818, CO Series 5 Folio 3 The National Archives, United Kingdom

⁹⁶ Ceylon Calendar (1821). Colombo: Government Press. Department of National Archives, Sri Lanka, Series W/1/17, 73

⁹⁷ The Ceylon Almanac and Compendium of Useful Information (1830). Colombo: Government Press. Department of National Archives, Sri Lanka, Series W/1/22, 57-59

addition, there were over 700 privately run schools, including those operated by the Catholic Church, predominantly in the areas formerly colonised by the Portuguese.⁹⁸ The reach of these missionary schools into the lives of the colonised can be seen in their training of local Ceylonese to be teachers in the various educational institutions that each missionary society operated. For instance, in 1830, the Ceylon Mission of the Church Missionary Society employed 83 Ceylonese teachers across their 52 schools that catered for 1619 Sinhalese students.⁹⁹ Nevertheless, the religious focus of these schools was firmly kept in mind, for the primary aim of the schools was to ensure that the local populations ‘...are instructed in the fundamental principles of Christianity, as the great object kept in view is their spiritual benefit.’¹⁰⁰

The efficiency of the missionary school system was such that the Colebrooke-Cameron report recommended that the government system of education be reconfigured to follow the pattern established by the missionary school networks.¹⁰¹ It highlighted that the efforts of missionaries in ‘...making for the instruction of the people, both in the vernacular of the country and English, [had been] left unrecognised’¹⁰² and condemned the existing government school system as being ‘...extremely defective and inefficient’.¹⁰³ At that stage, the educational aspects of *colonial governmentality* had been in place for some twenty years. Far from initiating a transformation of the lives of the colonised, the Colebrooke-Cameron Report only consolidated it, turning an approach that had been nurtured indirectly by its island representatives for nearly two decades into official colonial policy.¹⁰⁴

2. Constructing an *Economic Rationality*: Land, Labour and Revenue

The shift from hierarchical sovereign control over territory and the extraction of wealth through monopolistic, mercantile legal forms to sustain that State and its imperial power is identified as critical to the inauguration of a modernising *colonial governmentality*. In colonial Ceylon, British sovereignty was embodied in a succession of more or less despotic governors,¹⁰⁵ who exercised both political and economic power. At various points, the performative logic of this governmental power assumed the mantle of traditional forms of Asokan Buddhism, and utilised ethnographic constructions of ‘native’ law and custom. Accordingly, the plural forms of authority and commerce of the Dutch era initially continued in the economic sphere,¹⁰⁶ although with progressively stronger assertion of direct British control over vital sources of revenue.

⁹⁸ *ibid*

⁹⁹ *ibid* 58

¹⁰⁰ *ibid* 60

¹⁰¹ See generally, Ruberu (n 92)

¹⁰² Colebrooke (n 1) 31.

¹⁰³ Great Britain, Board of Education, *Special reports on educational subjects. Volume 5. Educational systems of the chief colonies of the British Empire. (Cape Colony: Natal: Commonwealth of Australia: New Zealand: Ceylon: Malta.)* (H.M.S.O. 1901) 769, 31

¹⁰⁴ Colebrooke (n 1) 202.

¹⁰⁵ Lauren Benton ‘Just Despots: The Cultural Construction of Imperial Constitutionalism’ (2011) 9 *Law Culture and Humanities* 213

¹⁰⁶ Schrikker, citing a journal by Van Seden of his travels around Trincomalee and interior areas in 1786, argues that the Dutch began the intensification of agriculture and commercial cinnamon prior to British rule; see Schrikker (n 46), 78-86

Yet, some commentators question whether the period to 1832 was predominantly organised ‘around the mercantilist rationality of sovereignty’.¹⁰⁷ Schrikker identifies early administrative transformations that began to displace the mercantilist model. She notes that the ‘island was set apart from the East India Company administration and placed directly under the control of the Crown’ in Governor North’s administration in 1801.¹⁰⁸ British administrative practice also oscillated between reliance upon indigenous forms of authority and initiating governmental change to the traditional authority structures and customary practices. Thus, colonial administration was characterised by a series of bureaucratic reforms, but also reversion to a plural system when changes were met by local resistance or avoidance. The British Government experimented with new revenue sources drawn from the colonies, due to the need for financial stringency resulting from the loss of the American colonies, and costly European wars.¹⁰⁹ Concurrently, this translated into local experimentation in land tenure, labour organisation, taxation and trade in Ceylon,¹¹⁰ prompted also by a continuing deficit in the revenue of the colony. As Colvin de Silva states, ‘the early British period shows three main characteristics. The budget showed a recurring deficit, trade a regularly adverse balance and the exchange a steady decline’.¹¹¹ This context also illuminates the fixation of the later Eastern Inquiry with the costs of colonial administration and its recommendations that Ceylon encourage new forms of economic productivity.

The economic importance previously attached to various Crown concessions and monopolies is strikingly apparent in the degree of government attention directed to the cinnamon trade – perhaps not surprising as it formed a major, if somewhat erratic, source of commercial income in the colony.¹¹² Successive British Governors were charged with the responsibility of ensuring the commercial viability of the cinnamon monopoly as well as other revenue sources based on primary production, such as the ‘Pearl Fishery’ and salt monopolies that operated within the colony.¹¹³ Yet a new political and economic rationality directed to changing forms of wealth extraction that would disrupt the Sovereign–subject hierarchical relationship to allow new social and cultural ordering to emerge was in flux prior to the Commission of Inquiry.¹¹⁴

Within the scope of the Commission of Inquiry, Commissioner Colebrooke directed detailed consideration to the labour conditions within the colony. Given the confluence of laissez-faire and Benthamite values that surrounded the Eastern Inquiry, it is not surprising that the Commission expressly examined the labour obligations associated with personal servitudes in the Kandyan Province.¹¹⁵ The Commission also sought evidence about practices of slavery in Ceylon, despite the earlier, formal abolition of slavery in the colony.¹¹⁶ Early census and statistical records of the colony, comprised in Almanacs, reveal listings of

¹⁰⁷ Scott, (n 2) 43; see also Samaweera, (n 62) 133-50

¹⁰⁸ Schrikker, (n 46) 1-11

¹⁰⁹ Godden and Casinader, (n 18) 149

¹¹⁰ Schrikker, (n 46) 185-187

¹¹¹ Colvin de Silva, (n 46) 532

¹¹² See for example, North to Board of Revenue and Commerce 19 June 1801, Proc. of Board of Revenue and Commerce 6 July 1801, Factory Records, Ceylon, vol. 17, 446 cited in Wickremeratne, (n 21) 113. See also Ch 6, especially 103-106

¹¹³ For primary source material, see Wickremeratne, (n 21) Ch 6

¹¹⁴ See discussion of the changing administration of trade and customs in Wickremeratne, (n 21) Ch 5

¹¹⁵ *ibid*

¹¹⁶ Colebrooke (n 1) 25

the number of slaves and freed slaves.¹¹⁷ Unlike the other two colonies examined by the Eastern Inquiry, however, slavery was not a pressing issue for the Commission in Ceylon. Commissioner Colebrooke did report on the existence of slavery in the Northern ‘Malabar’ districts,¹¹⁸ and the remnant, personal slavery that still existed in some Dutch households.

A more overriding concern for the Inquiry in Ceylon were the *Rajakariya* (traditional service and labour obligations); with ‘every inhabitant of Ceylon owing to the state an obligation of customary service’.¹¹⁹ This focus of the Inquiry illuminates a political rationality that deployed Enlightenment reason, humanitarian and abolitionist ideals, as well as local ethnographic knowledge to seek to organise and reorganise the labour systems in the colony. Its remit included examination of the extraction of revenues and taxes from the population, as well as labour relations within the dominant caste-based customary authority structures and how these interacted with the colonial State itself. In short, the Inquiry would concern itself with the economic in the sense that the productive conduct of the population became the focus of State intervention.

Oscillations between traditional practices and modern power remained apparent, though, in respect of land law and administration. The Commission was directed in its Terms of Reference to examine land tenure, land grants and the land tax, the encouragement of loans to cultivators, and the introduction of machinery, all presumably designed to strengthen the foundations for commercial agriculture and plantations in the colony and to encourage European capital to the island. Well before the Inquiry, there was continual agitation to open the colony to European capital and settlement to expand cultivation. Initially, long-term British and European settlement was prohibited outside of Colombo. Governor Maitland, by contrast, urged the expansion of European capitalism to improve the material situation of the colony. After 1810, there was some, albeit limited, promotion of European settlement.

While the measures outlined were directed to securing the financial viability of the colonial State, its security was to be achieved by a power that increasingly constituted in its reach, ‘a dominion over the wants of the universe.’¹²⁰ *Governmentality* invited the use of tactics, so as to arrange things so that people, according to Bentham, ‘following their own self-interest, will do as they ought’.¹²¹ It was in the arrangement of things and the disposition of institutions to this end, that modern power was to be directed. It manifested in Ceylon in the adoption of instrumentalities that supported the emergence of a system of individual property, free or at least market-based paid labour, rather than or traditional caste-based models, and an independent judiciary to adjudicate disputes over land and labour; all features of a modern civic and commercial society.

The preconditions for the emergence of a society of self-improving, self-interested individuals were apparent prior to 1832,¹²² in the early reforms that focused on the abolition

¹¹⁷ Ceylon Calendar (1821). Colombo: Government Press. Department of National Archives, Sri Lanka, Series W/1/17, 73 11

¹¹⁸ Colebrooke (n 1) 25

¹¹⁹ Colvin de Silva (n 46) 385. See also below

¹²⁰ *ibid* 209

¹²¹ Bentham, quoted in Scott, (n 2) 103

¹²² Asoka Bandarage, ‘The first phase of British Rule in Ceylon’, *Colonialism in Sri Lanka: The Political Economy of the Kandyan Highlands 1833-1886* (Mouton 1983) 52-60

of *rajakariya* (as a form of unpaid customary labour). These were attempts to undermine and reorganise customary Buddhist authority, together with augmenting paddy rice production to stem costly imports. These forms of internal reorganisation were to subsist, alongside the encouragement of European capital to *improve* the colonial State.¹²³ These trends were later strengthened by Colebrooke's recommendations to facilitate a major reorganisation of the land tenure system and to develop land sales to Europeans to attract a predicted influx of capital. Over the course of British rule, advocacy for an inflow of capital into the colony grew, with an influential pamphlet written extolling the virtues of Ceylon as a destination for such capital inflows.¹²⁴ Colebrooke's recommendations to reduce dependency on Crown monopolies reinforced this position, but it would require a suite of other reforms before a capitalist plantation-based economy would develop in the island later in the nineteenth century.¹²⁵

Land reform occurred over a long period, with the first of a series of substantial tenure and revenue reforms, including an initial abolition of *rajakariya* occurring in 1796. The changes were initiated by Robert Andrews, the Superintendent of Revenue, when the Maritime Provinces of Ceylon were still subject to a dual system of administration between the East India Company and the British Crown.¹²⁶ The reforms invoked a revolt against them in 1797, and a later Committee of Investigation recommended revocation of the measures. North, the newly appointed Governor in 1798, had instructions to revert to the Dutch system of taxation and indirect management of island affairs. The Dutch system, as noted, utilised local customary structures and service tenures based around the authority of headmen (*mudaliyars*).¹²⁷ North's attempts to restore the service tenures were rendered difficult by problems in identifying specific tenures, and the actual persons subject to the associated labour obligations. In the face of highly irregular land documentation, North introduced public land registration, a measure which ultimately proved costly to implement, and partially ineffectual due to local resistance. North's experimentation with this feature of *colonial governmentality* signalled an early adoption of an instrument that came to characterise many land administration bureaucracies in British colonies by the mid-nineteenth century. Even more, the abolition of customary service was to have lasting effect, as even a partial reinstatement by Governor Maitland, who succeeded Frederick North, did not return the system of customary obligations to the previous pre-colonial basis.¹²⁸

Governor North's legacy is a contested one. On the one hand, he is praised for liberal reforms that modernised the tenure and land law system, introducing monetary payments to headmen rather than grants of land, and for transferring the administration of justice from local headmen to British civil servants.¹²⁹ Other commentators castigate him for causing administrative chaos although Wickremeratne suggests that North's reform were motivated by an imperative to introduce efficiencies into the existing land tenure system,

¹²³ Roberts (n 7) 74–5

¹²⁴ Alexander Johnston, Letter to Graves C. Haughton, Honorary Secretary to Royal Asiatic Society, in John D'Oyly, 30 A Sketch of the Constitution of the Kandyan Kingdom, *Transactions of the Royal Asiatic Society of Great Britain and Ireland* 191-2

¹²⁵ For discussion, see Asoka Bandarage, 'Plantations and the Conflict over Land' *Colonialism in Sri Lanka: The Political Economy of the Kandyan Highlands 1833-1886* (Mouton 1983) Ch 5.

¹²⁶ Wickremeratne (n 21) 30

¹²⁷ Schrikker (n 46) 143

¹²⁸ Colvin de Silva (n 46) 385; see also Bandarage (above n 125) 54-5

¹²⁹ Schrikker (n 46) 159

service obligations and revenue system, rather than to totally displace the existing system.¹³⁰ Similarly, he contends that the caste system of customary labour relations and the power of the headmen were not substantially altered between North's governorship and the Colebrooke-Cameron recommendations.¹³¹ This historiography seeks to reduce the influence of British colonial reform, by emphasising the extent of the preservation of Buddhist authority and traditional cultural practices. Similar 'modern' tenure arrangements however were adopted in the Kandyan provinces after 1815.

3. The Kandyan Convention 1815: Reforming Society?

The Kandyan Convention, in consolidating British sovereignty over the entire island,¹³² reproduced, in part, governance arrangements already established in the Maritime Provinces.¹³³ Simultaneously it recognised local authority and custom, through inclusion of an Article that saved to the Sinhalese nobility, '...the rights, privileges and powers of their respective offices...according to the laws, institutions and customs, established and in force amongst them.'¹³⁴ The Convention, on its face, countenanced the continuation of legal and religious pluralism, yet set the preconditions for a modernising *governmentality* in the Kandyan provinces.

Later Articles gave substance to that *governmentality* through measures related to funding the expenses of colonial administration, even though the Convention retained Crown monopolies and supported trade. Article XI provided, 'The Royal dues and revenues of the Kandian provinces are to be managed and collected for His Majesty's use, and the support of the provincial establishment'.¹³⁵ This arrangement generated hostility in Kandyan society.¹³⁶ Effectively, it undermined the income of the local headmen and religious nobility who had assumed that such income would be guaranteed to them by the Convention. Instead, the Resident and Commissioners were vested with the judicial and revenue collection powers previously exercised by the headmen.¹³⁷

The British also radically reformed the *rajakariya*, personal service obligations, in the Kandyan provinces by substituting them for payment of a paddy tax on lands.¹³⁸ Nonetheless, de Silva argues that the restrictions on customary labour obligations were

¹³⁰ Wickremeratne (n 21) 56

¹³¹ *ibid* 84-5

¹³² E.F.C. Ludowyck, *The Modern History of Ceylon* (Weidenfield and Nicolson 1966) 42; KM de Silva, (n 31) 300

¹³³ KM de Silva (n 31) 325-6

¹³⁴ In effect, this acknowledged the proprietary rights and interests of the nobility; see Article 4 of the Convention, Ceylon Government Gazette, March 2nd 1815, The National Archives, CO 54/55. See also H. Lauterpacht, *Recognition in International Law* (Cambridge University Press, 1947) 73

¹³⁵ Ceylon Government Gazette Extraordinary, Kandyan Convention, March 6th 1815, The National Archives, CO 54/55, Article XI.

¹³⁶ Colvin de Silva (n 46) 392

¹³⁷ KM de Silva (n 31) 334

¹³⁸ Colvin de Silva, (n 46) 392-3. de Silva notes a transfer of some labour obligations to the newly instigated Board of Commissioners but with some provision for monetary commutation.

often evaded in practice.¹³⁹ Moreover, the British government until Governor Horton, (in power at the time of the Commission of Inquiry), relied on various forms of service obligation for roads and public utility upkeep in many local districts. Colebrooke made a confidential report on the *rajakariya* labour system as part of the Commission reports.¹⁴⁰ An Order in Council in Britain of 12 April, 1832 followed almost immediately that comprehensively abolished customary personal servitudes in Ceylon. While hinging on the promotion of free labour as a basic right of individuals, the law also was animated by the view that the improvement of society was only possible where societal institutions supported freedom of labour.¹⁴¹ The Order in Council is informed by the contemporary emergence of constructs of consent and free will; implicit also to Colebrooke's recommendations for re-ordering labour conditions within colonial Ceylon. Thus, the movement of modern colonial power was to arrange for the population to follow their own free will and self-interest - or at least to have a semblance of choice as to how that self-interest was discharged.

The final Article in the Convention concerned trade concessions granted by the British Crown, with the interests of the British East India Company and the cinnamon trade uppermost.¹⁴² To the extent that the Convention reinstated the British Crown's reliance on monopolies and trade concessions, it retained a mercantilist orientation but also contained measures to improve the local economic situation. Now, colonial power in Ceylon had to comprehend the integration of diverse cultural fabrics and socio-economic systems, rather than simply occupying sovereign territory and extracting, (more or less successfully) its wealth.

4. Monopolies and Rents

The system of monopolies in Ceylon was introduced by the Portuguese, expanded by the Dutch and continued by the British. Colvin de Silva made an exhaustive study of rents as a form of monopoly (this was both an economic and status position akin to an administrator/tax collector) in the period of British rule prior to 1832. Some 'rents' such as in the cinnamon trade (cinnamon trees were vested in the British Crown) and the pearl fishery were classically monopolistic in character.¹⁴³ Other taxes were for service rights or internal custom duties, such as bazaar taxes or taxes on 'luxury' consumption. Even so, the appointment of persons as renters (who thereby controlled the incomes from the large farms in many districts) was a means of both perpetuating the powers of the traditional headmen, while maintaining the existing economic system. A major policy change prior to 1832 established paddy farmers as their own 'renters'; a measure designed to enhance agricultural productivity as rice cultivation became of central importance to the economy.¹⁴⁴ Colebrooke later recommended extensive reforms to these administrative structures focussed on local headmen. Some land grants were made to encourage rice cultivation but

¹³⁹ *ibid* 392

¹⁴⁰ 'Report of Lieut-Col. Colebrooke upon the Compulsory Services to which the Natives of Ceylon are subject' 16 March 1832. National Archives, United Kingdom, Series CO54 Folio 145

¹⁴¹ Schrikker (n 46) 218

¹⁴² Article XII Ceylon Government Gazette Extraordinary, Kandyan Convention, March 6th 1815, The National Archives, United Kingdom CO Series 54 Folio 55

¹⁴³ Colvin de Silva (n 46) 500-1

¹⁴⁴ *ibid* 354

the lack of repair to the irrigation (tank) systems hampered expansion. Increased rice cultivation was vital to reversing the adverse balance of trade for the colony. While reforms were piecemeal prior to the Inquiry, Colebrooke's report made sweeping recommendations for the eventual abolition of the land tax, with its commutation in the interim to a form of monetary payment and the institution of land grants to be made freely, with no discrimination between 'natives' and 'non-natives'.¹⁴⁵ Other recommendations were the reduction of capitation taxes and licences, and their replacement by increased stamp duties on transfer of property and a series of indirect taxes.¹⁴⁶

The continuing failure of the cinnamon monopoly to redress the adverse balance of trade for the Colony forced the British Governors prior to 1832 to considerably reduce expenditure. The deficit (and significant military expenditure) was met by the British Treasury.¹⁴⁷ Ironically, the trade monopoly in cinnamon and the pearl fishery only became prosperous, around the time of the Commission of Eastern Inquiry. The Governors typically supported the monopolies - a position opposed by the Commission of Inquiry. Colebrooke particularly objected to the government's mercantilist monopolies of cinnamon and salt. They were, he said, 'injurious to commerce and to the influx and accumulation of capital.'¹⁴⁸ Colebrooke recommended abolition of the cinnamon and pearl fishery monopolies, and eventual eradication of the salt monopoly, while private capital was to be encouraged through land sales and agricultural endeavour.

In summary of the Colebrooke recommendations, Scott notes they were not simply the rationalization of the economy but introduced, 'the conditions for a new order of social power wherein conduct was enabled and disabled by the automatic regulation of free exchanges.'¹⁴⁹ To create new social and legal conditions of property and labour, and to inculcate the legal order of the desiring subject, modern colonial power had to direct itself to breaking down 'ancient usages' that 'irrationally' connected people to obligations of service and, through the construction of individual rights, to shift the site of agency so that it came to be assigned to the private sphere. The sphere of individuality, thus created was regulated not by the discretionary demands of an all-powerful sovereign extracting tribute, but by the volitional agency of free will.¹⁵⁰

In Ceylon, the Buddhist imaginary increasingly would come to be infused by obligations predicated on new relationships based in self and productiveness, rather than the old forms of authority and hierarchy; principally based on caste. After 1832, the principles of economic authority progressively were re-defined by the demands of the market; not caste, law and custom, but by individuals responding to the rational pressure of self-interest.¹⁵¹

¹⁴⁵ *ibid* 572

¹⁴⁶ Colebrooke (n 1) 48

¹⁴⁷ *ibid* 566

¹⁴⁸ As quoted in Scott (n 2) 210.

¹⁴⁹ *ibid*

¹⁵⁰ *ibid* 211

¹⁵¹ *ibid*

The redesign of the economic structures in Ceylon from the report of the Eastern Inquiry onward were to be guided by Adam Smith's invisible hand and matched by utilitarian reforms in the government, administrative and judicial spheres.

5. Judicial and Administrative Reform

The Colebrooke-Cameron Commission saw in the existing administrative and judicial practices in Ceylon an approach that ran counter to a secular and universalising logic (financial reform and the rule of law for example) that was increasingly dominating British colonial policy. From the vantage of the metropole, colonial reform was motivated by a humanitarian/Christian outlook that had initially targeted the abolition of slavery as a key site for imperial policy reform. Reformers connected humanitarian concerns 'to the ostensibly secular concerns of imperial government and to invoke the national and material rewards that would follow from pursuing humanitarian policies'.¹⁵² While the abolition of slavery was part of the remit that concerned the Commission of Eastern Inquiry, by the time the Commission arrived in Ceylon in 1829 the focus of inquiry was on financial, administrative and judicial reform.¹⁵³ Questions of judicial and administrative reform were placed under the authority of Charles Hay Cameron, whom Sir Leslie Stephen described as one of Bentham's last disciples.¹⁵⁴

The primary recommendation of the Commission was that the colony be brought under a single judicial administration. The Kandyan Convention obliged the State to protect the institutional links between Buddhism and the former Kandyan Kingdom. As already emphasised, the colonial Governor morphed into the Buddhist king, thus maintaining the legitimating nexus between kingship and Buddhism.¹⁵⁵ Opposition to the State's protection of Buddhism however, in what was now a *virtual* Kandyan kingdom, increased as Christian missionary activity spread. The end outcome desired by missionaries was, in tactical terms, simultaneous to the outcomes favoured by the Commission; an end to D'Oyly's legacy of administrative complicity with the ritual and legal consciousness of the *Asokan Persona*, alongside a legal system motivated by utilitarian secular principles of 'inducing desired effects on conduct by a careful and economic weighting of rewards and punishments'.¹⁵⁶

¹⁵² Laidlaw (n 6) 763. Laidlaw's account of the Commission does not adequately link the *telos* of humanitarianism to the increasing influence of Bentham's utilitarian project, whereby legal reform was to be motivated by a secular principle of utility, the purpose of reform been that of maximising collective gain. It was David Hume who gave the name of utility "to the tendency to produce happiness, and pointed out that men's social instincts lead them to judge the utility of a course of conduct by its effect upon the happiness of others as well as upon their own". F.C Montague, *Introduction to Jeremy Bentham, A Fragment on Government* (Clarendon Press, 1891) 33

¹⁵³ Mangalaruby Sivakumar, 'The Recommendation of The Colebrooke– Cameron Commission in 1833, Marked The Beginning Of A New Era In The History Of Sri Lanka-A View' (2015) 1 *Asia Pacific Journal of Research* 14 14

¹⁵⁴ Scott (n 2) 211

¹⁵⁵ B. Smith, 'Kingship, the Sangha, and the process of legitimation in Anuradhapur Ceylon' in B. Smith (ed), *Religion and the Legitimation of Power in Sri Lanka* (Anima Books 1978) 74-6

¹⁵⁶ Scott (n 2) 211. While Buddhist kingship was abolished in 1815, the ethnographic evidence suggests that facets of the obsequious rituals that characterized the Asokan Persona continued to be reflected in the rituals of supplication between local notables and tenants/subordinates; see G. Obeyesekere, *Land Tenure in Village Ceylon* (Cambridge University Press 1967) 221-22. Following D'Oyly these relationships were actively adapted by British colonial officers in the early period. Eric Stokes, *The English Utilitarians and India* (Oxford University Press

As early as 1818, in the aftermath of the Kandyan rebellion D'Oyly's legacy was already being undone; the Commission of Inquiry in 1831-2 merely systematised the breaking of the nexus between the colonial State and the *Asokan Persona*. Following the Proclamation of 1818, the State embarked on a sustained programme of judicial (and revenue) reform in the Kandyan provinces designed to ensure that all from the Kandyan Chiefs down to the peasantry would feel the hand of *utility* that was designed to create an expeditious and economic system of justice. Governor Brownrigg dismissed the opposition of D'Oyly and the Board of Commissioners to a process that severely limited the judicial functions of the Chiefs, the *adigars* and other officers of the Kandyan polity.¹⁵⁷ In their place, Government Agents were sent to the 'outlying districts of the Provinces, and to them, the Board of Commissioners delegated the exercise of broad executive ...and judicial powers.'¹⁵⁸ While the reforms were grounded in misunderstanding and confusion, with the British misrecognizing the status and nature of Kandyan law and the Kandyans having to confront a set of alien procedures, the underlying rationale was clear: commanding obedience from the ruled.¹⁵⁹

By the time the Commission had gathered evidence, it concluded that the system of distinct colonial administrations, for the Kandyan kingdom and the Maritime Provinces respectively, had 'encouraged social and cultural divisions, and that the first step toward the creation of a modern nation was the administrative unification of the country'.¹⁶⁰ Applying the same principle to an existing judicial system that was fundamentally plural in nature, but one that remained tethered in some instances to religious consciousness, Cameron proposed that this be unified into 'one system and be extended to all classes of people, offering everyone equal rights in the eyes of law.'¹⁶¹

Following the Charter of Justice in 1833, the coastal areas and the Kandyan provinces were all brought under the umbrella of an administrative system that organised the island into a unified territory. The Reforms took away the near-absolute prerogative powers from the Governor, which was often unchecked in its colonial setting. Intrinsic to this process of limiting the Governor's powers (an issue of great Whig concern) was the establishment of Executive (replacing the Advisory Council) and Legislative Councils.¹⁶² The Executive Council, which appointed members of the Legislative Council, placed special emphasis on native membership, and in 1833, three of the fifteen members were native Ceylonese: the Governor nominated them to represent low-country Sinhalese, Burghers, and Tamils, respectively.

The Commission's reforms divided the colony into five provinces, with each province divided into four or five districts. A Government Agent (GA) controlled each province and an Assistant Government Agent (AGA) in charge of each district, but answerable to the GA of the province. The reforms also established the Ceylon Civil Service (CCS) as an exclusive and elite cadre, distinct from the rest of the public service, and never numbering

¹⁵⁷ Samaweera (n 62) 134-7

¹⁵⁸ *ibid* 135

¹⁵⁹ Scott (n 2) 199

¹⁶⁰ Sivakumar (n 153) 15

¹⁶¹ *ibid*

¹⁶² Importantly, the introduction of limited self-government in the colony far out-stripped reform in other 'settler' colonies e.g. in what would become Australia, where self-government would not occur until the 1850s.

more than 120 people throughout the nineteenth century, which became an important vehicle for elite native participation in the government of the colony.

With respect to judicial reform, Cameron laid down the rationale for reform in the following utilitarian terms: Ceylonese natives lacked a moral disposition towards restraint and hence, at every turn, the natives needed to be met ‘with devices and measures which constrained them against immoral conduct.’¹⁶³ The purpose of government was one that had ‘their improvement at heart, the necessity not only of providing cheap and accessible judicatures for the relief of those who have suffered injury, and the punishment of those who have inflicted it, but also of guarding with peculiar anxiety against the danger that the judicatures themselves should be employed as the means of perpetrating that injustice which it is the object of their institution to prevent.’¹⁶⁴

Setting up a classic *rule of difference*,¹⁶⁵ Cameron continued that ‘the administration of justice to natives is of far more importance than its administration to Europeans, because they are so much less disposed to do justice to each other voluntarily; and I know of no instrument so powerful for gradually inducing upon them habits of honesty and sincerity as a judicial establishment, by which fraud and falsehood may be exposed to the greatest possible risk of detection and punishment’.¹⁶⁶ The ‘rule of difference’ aside, what was at stake here was even more fundamental, in terms that echo with Foucault’s account of the transition from a sovereign economy to an economy of *governmentality*. What these judicial reforms proposed was that, in the domain of the political rationality of the State, the *telos* of power now ‘sought at once to construct and work through [the body of the colonised] in order to induce its improving effects on colonial conduct.’¹⁶⁷

Cameron had spent significant time attending in person jury trials in the colony. Trial by jury – which, on the whole, did not animate Benthamites - had been introduced by the Charter of Justice of 1810 promulgated by Chief Justice Sir Alexander Johnston. Cameron contended that ‘the impression on my mind is, that an institution in the nature of a jury is the best school in which the minds of the natives can be disciplined for the discharge of public duties.’¹⁶⁸ Scott notes that the jury “‘was exemplary of a certain arrangement whose aim was to constrain the native’s behaviour in a certain direction. As with the school proper, crucial to the working of this technology was the overseeing ‘eye’ of the European: the courtroom was to produce the effect of a panopticon’¹⁶⁹ that would generate the self-management of affect in the direction of a secular rationality contra a constructed native passion.”

Collectively these reforms (administrative, fiscal and judicial) of government were motivated by a Whig concern for the expansion of a colonial public sphere and a

¹⁶³ Scott (n 2) 212

¹⁶⁴ Cameron, cited in *ibid* 213

¹⁶⁵ Chatterjee (n 34) 14

¹⁶⁶ cited by Scott, (n 1) 212. As an instance of the practical consequence of the implementation of these reforms natives, “had to incur heavy expenses to seek justice from rural courts...It is worth mentioning here that even the judgments given in those courts were not altogether satisfactory to meet the aspirations of the parties”.

Sivakumar (n 131) 18

¹⁶⁷ Scott (n 2) 208

¹⁶⁸ as cited by, *ibid* 213

¹⁶⁹ *ibid*

concomitant increase in the democratic accountability of the State – through, for example, the establishment of Executive and Legislative Councils that would (at least in the case of the latter) admit native members. The public sphere would be guaranteed through the ‘great Whig principles of an English education and a free press,’¹⁷⁰ as well as institutional changes that would hold the State to account in the court of the public sphere. Through these reforms a new modality of power, (that is, *colonial governmentality*) came ‘to be directed at the destruction and reconstruction of colonial space so as to produce not so much extractive-effects on colonial bodies as governing-effects on colonial conduct.’¹⁷¹

By moving away from reliance on Asokan forms of authority, effectively vacating the cultural space of Sinhalese Buddhism, the State provided Buddhism with a significant degree of autonomy which, in the late nineteenth and early twentieth centuries, enabled it to develop a counter-narrative to the colonial State – even if this narrative was organised around a European Orientalist understanding of Theravada Buddhism. In vacating this space, the colonial State was, in effect, violating what Sinhalese Buddhists imagined as an ontologically grounded relationship between the Asokan State and the Buddhist laity. Changes in the *telos* of the colonial State did not necessarily lead to a gradual diminishing of the memory of Buddhist cultural forms *among* the ruled, but rather to its reconstitution within the horizon of the bureaucratic order put in place by the Colebrooke-Cameron Reforms. The secular logic of the colonial State unleashed a movement that subjected Sinhalese Buddhism to a nationalist revaluation (that is a process of secularization) by the emerging Sinhalese Buddhist bourgeoisie. Obeyesekere suggests that facets of the obsequious rituals that characterised the *Asokan Persona* continued to be reflected in the rituals of supplication between local notables and tenants/subordinates.¹⁷² Roberts has argued forcefully that it continues to inform contemporary political processes in Sri Lanka.¹⁷³

V. Conclusion: Re-evaluating the Significance of the Reforms

Superficially, Scott's assessment of the Colebrooke-Cameron Reforms is consistent with the argument that the Commission marked a turning point in the colonial administration of the island.¹⁷⁴ Mendis and, more recently, KM de Silva, presents the Colebrooke-Cameron Reforms as a temporal rupture with the pre-modern, marking out the starting point of Ceylon's path towards progressive modernisation. Mendis notes that the reforms ‘...turned the course of the history of Ceylon in a modern direction and enabled Ceylon to fall in line in many ways with modern developments and ultimately to attain to the stage to which it has risen today as an equal member of the Commonwealth of Nations.’¹⁷⁵ In a similar vein, KM de Silva observes of the Reforms that they established an institutional framework that guided the ‘...island's future political development...to give it a more liberal form of government than that which had previously prevailed.’¹⁷⁶

¹⁷⁰ *ibid* 204

¹⁷¹ *ibid*

¹⁷² Obeyesekere (n 156)) 221-2; G. Obeyesekere, ‘Political Violence and the future of democracy in Sri Lanka’, 15 *International Quarterly for Asian Studies*, 55-6

¹⁷³ Roberts (n 7) 121-45; de Silva-Wijeyeratne (n 5) 135-92

¹⁷⁴ G.C. Mendis (ed), *The Colebrooke-Cameron Papers: Documents on British Colonial Policy in Ceylon 1796-1833*, vol 1 (Geoffrey Cumberlege/Oxford University Press 1956); KM de Silva (n 31); contra Bandarage above n 122, 62-3

¹⁷⁵ Mendis (n 150) lxiv.

¹⁷⁶ KM de Silva (n 31) 335

In this narrative, modernisation necessitated a breach with the administrative, political and cultural practices that had characterised the early period of British colonial rule. The Reforms signalled the triumph of administrative restructuring, whereby political authority was “centralised to Colombo and thence to England”.¹⁷⁷ Its central purpose was (through artifice) to insert Ceylon into the traditional history of sovereignty in the West, one associated with the linear progression to nation-state sovereignty, a journey from Westphalian, to domestic to international sovereignty, each one critically associated with territorial control.¹⁷⁸ The Commission concluded that in the past, overly influenced by scholar administrators, such as Sir John D'Oyly, the system of administration had both relied and hence encouraged ethno-religious and cultural divisions, ‘and that the first step toward the creation of a modern nation was the administrative unification’¹⁷⁹ of the colony. In accordance with the Westphalian story, the *telos* of these Reforms was territorial control under a unified centralised colonial State.¹⁸⁰

In contrast, Scott represents the Commission and its Reports as the moment when *colonial governmentality* became the key focus of the colonial administration’s architecture of power and the means of ‘the systematic redefinition and transformation of the terrain on which the life of the colonised was lived.’¹⁸¹ The Colebrooke-Cameron Report designated a significant ‘transformation’ in which there was a distinct move away from ‘...one kind of political rationality - that of mercantilism or sovereignty – [to] another – that of governmentality’.¹⁸² Colonial power became directed toward changing the ways in which the colonised population of Ceylon ‘lived’, rather than maintaining a system of colonial rule that reflected the traditional Asokan informed rituals and practices of pre-colonial Ceylon.

In Scott’s terms, following the Colebrooke-Cameron Report, ‘the point of application of power’¹⁸³ changed wealth extraction to one that had greater concentration on the ‘“local habits,” their “ancient tenures”, their “distinctions” and “religious observations”...[as]...a significant variable in the colonial calculus.’¹⁸⁴ Such a focus aligns with Laidlaw’s more recent observations that the Colebrooke-Cameron Report –part of the much wider Commission of Eastern Inquiry –acted as a conduit for the introduction of contemporary humanitarian philosophies into colonial administration.¹⁸⁵

The difficulty with the historiography of this shift is that the archival evidence in Sri Lanka and the United Kingdom supports an argument in favour of an earlier, albeit more *ad hoc* institution of *colonial governmentality* in Ceylon. The colonial archives reveal how various elements of the logic of *colonial governmentality*, including education, land law, and fiscal reforms, were utilised by the colonial administration to commence the *modernisation* of the colony well before 1832.¹⁸⁶ The Colebrooke-Cameron Reforms were the visible

¹⁷⁷ Sivakumar (n 153) 14

¹⁷⁸ Benton (n 24) 278-9

¹⁷⁹ Sivakumar (n 153)15

¹⁸⁰ Scott (n 2) 206

¹⁸¹ *ibid* 205

¹⁸² *ibid* 207

¹⁸³ Wickremeratne, (n 21) 207

¹⁸⁴ Laidlaw (n 6) 207

¹⁸⁵ *ibid*

¹⁸⁶ We exclude judicial reform from this time line.

substantiation of a process already under way, but gave enhanced impetus to a shifting socio-political rationality. The systematic reconfiguration of “society itself” became particularly evident after the suppression of the Kandyan Kingdom ‘rebellion’ in 1818. In reflection, the Ceylon Calendar of 1821¹⁸⁷ encapsulated the new administrative focus, providing a comprehensive accounting of the expenditures and sources of government income, albeit interspersed with snippets of local custom, religious observance and guidance on appropriate dress. In short, it reflected a constellation of the old modes of colonial wealth extraction based on monopoly and taxation, augmented by colonial governmentality, but still suffused with the conduct of the everyday practices of the people, practices that continued to be animated by a Buddhist imaginary.

The administrative unity engendered by the Colebrooke-Cameron Reforms also marked an epistemological break, one that rendered a plural politico-cultural existence more problematic, and which found later expression in Sinhalese nationalist responses to Tamil minority political claims for greater decentralisation of the legal and administrative architecture of the State. The historical legacy of the Colebrooke-Cameron Reforms has been an over-centralisation of the State that has enabled the numerical supremacy of the Sinhalese Buddhist community to fashion a State as well as a constitutional order that has systematically ostracised minority communities on the island. Such has been the marginalisation of the Tamil minority, in particular, that it took to arms for a considerable period of the recent past and persuaded the even smaller Burgher minority to migrate in significant numbers. Bearing in mind contemporary attempts at constitutional reform in Sri Lanka, this interrogation of the Colebrooke-Cameron Reforms is a prescient reminder to Sinhalese nationalists that, when they valorise a centralised State, they fetishise what was a British colonial creation.

¹⁸⁷ Ceylon Calendar (1821). Colombo: Government Press. Department of National Archives, Sri Lanka, Series W/1/17