

FLUID ECOLOGIES, SOVEREIGNTY, AND COLONIALISM

Princely contestations over riverine islands in colonial India

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ABSTRACT: This article analyses the disputes over riverine islands between two princely states in colonial southern India in the 19th and early 20th centuries. These disputes arose because of changes in the islands' landmass caused by water movements. Such tidal temporalities challenged cartographic rigidities and the established notions of sovereignty of states. What were assumed to be sovereign, undisputed and infallible were unsettled by such hydrological power and the fluid ecologies involved. A set of challenges emanated from external concepts arising from colonialism which undermined the native geographical understanding of the land-water continuum due to the monetisation of land. This article makes a critical appraisal of this double challenge to the traditional understanding of fluid ecologies while also highlighting the counter challenges from the princely states. These contests were particularly pronounced as the princely states had considerable autonomy in internal matters of administration and thus differed from the rest of the colonial territory directly ruled by the British in India. The article contributes to the study of riverine islands by investigating the nature and fluidity of shifting islands, whose variation in temporal contexts has been barely acknowledged in Island Studies to date.

KEYWORDS: Fluid ecology, princely states, colonialism, sovereignty, riverine Islands

Introduction

While Island Studies' research has tended to overlook the distinct nature of riverine islands,¹ it is notable that disputes over land and water have been an integral part of human history, taking different forms over different regions and times. This article is about a particular kind of dispute involving both land and water with a fluid existential relationship between them.

¹ See a discussion of this lack in Fleury & Hayward (2021) and see Baruah & Murkherjee (2018) and Hong (2020) as exceptions.

It concerns a set of riverine islands in the southwestern part of the Indian subcontinent in the 19th and 20th centuries. These islands were in the River Periyar which formed the border between the princely states of Travancore and Cochin (which are part of the modern-day state of Kerala in India). These two were among the few hundreds of such princely states which differed significantly from the rest of the colonial territory which was directly ruled by the colonial state. The princely states accepted the suzerainty of the British but they had considerable autonomy in internal matters of administration – while being conditioned and constrained by colonial hierarchies. In this particular case, as the dispute involved two different princely states, the colonial state intervened as a mediator.

This particular dispute threw up an interpenetrating set of challenges to pre-existing understandings of land and water relationships and concepts of sovereignty. Unlike static forms, these riverine islands had fluid and tenuous existence. They appeared and disappeared according to particular fluvial movements. Hence, the disputes over them and the possible solutions were challenging in several ways. To start with, these shifting formations (islands) became subject to dispute because of rigidities introduced by colonial cartography. Earlier (i.e., before the colonial period), there were no claims and counterclaims over such fluvial formations. Thus, it was the colonisers who created the dispute which they then came to mediate over. Apart from the fluidity of the formation and the alien cartographic imposition, the colonial situation also brought further challenges through new understandings of matters like sovereignty. This was even further complicated in the case of princely states which were a peculiar colonial phenomenon involving some kind of sovereignty under suzerainty. The western preoccupation with the question of sovereignty had seeped into the princely rulers' political worldview too in spite of the conditions and constraints of colonialism. Thus, the princely states were particular sites of contestation between native and alien ideas and concepts. On the one hand, colonial ideologies impacted the conception of sovereignty, and through it, the initiation of the disputes. But on the other hand, the native overlords did not allow the new situation to go unchallenged. In some cases, the very western ideas themselves were deployed for asserting the native voice over the colonial strictures.

II. Land, Water, Colonialism

Colonialism impacted the social conception of property. Probing the decline of the traditional water management system in colonial South Bihar, Sengupta (1980) argues that colonialism transformed the social organisation of irrigation. The *ahar* (tank) and *pyne* (channel) systems of South Bihar relied on a pre-colonial system of mutual responsibilities shared between tenants and landlords which was invariably derailed by the colonial revenue arrangements. It was primarily due to colonial revenue policy that the indigenous conception of “land-water combine” was replaced by one that was focussed on “land” alone (1980, p. 182). This shift in the conception of revenue by the colonial state left the routine maintenance of irrigation in tatters. In her study of the role of fluid ecologies in the formation of urban Calcutta in colonial Bengal, Bhattacharya (2018, p. 8) underlines the shift of property speculation from “geographical fluidity of the landscape to the economic intractability of landowners” She argues that the technological interventions in the transformation of the coastal areas of Bengal can only be comprehended through the attendant legal processes influenced by colonialism. From the 18th century onwards, these processes converted “soaking ecologies into a political economy of property” (2018, p.10). The tidal temporalities – the unpredictable movements of water – often go against the

cartographic fixation of boundaries between humans, land and water. In a comprehensive study of the *char*² islands of lower Bengal, Lahiri-Dutt (2014, pp. 27-28), attributes the “exorcism of water from land” to the influence of Smithian economics and the English concept of the environment during the colonial period. The new colonial revenue arrangements complicated the pre-existing socio-political relations throughout India but princely states were sites of particular complexities.

With the overwhelming interference of colonial masters and the asymmetrical power equations involved, the rights of princely states were often restricted. Saksena (2020) identifies that from the late 19th century onwards, princely states became assertive in negotiating political rights by raising arguments based on international law.³ Her work focuses on the rift over the questions of the scope of rights and degrees of power between the colonial administration and princely states such as Keonjhar, Baroda and Travancore in the late 19th century. Saksena clearly articulates the importance of the idea of “territorial sovereignty” for princely Travancore, where it was a dual panacea to limit British interference and control domestic politics. The rigid sovereign claims were impractical in the indeterminate borders in the peripheries (mainly because of geographical alienness). In a study on the Hyderabad-(British) Bombay border in the late 19th century, Beverley (2013) argues that the indeterminate political boundaries made out of fuzzy borders gave leeway to the subordinated states in resisting colonial overreach. Such works on colonial India prove convincingly that in the British Empire, there were no homogenous imperial units but contested, uneven, and multiple systems of sovereignty.

Hintjens and Hodge (2012) in their study of complex British administrative arrangements in the post-1970s Caribbean islands acknowledged that the islands possessed the characteristic “unruliness” of sovereignty forms. This “unruly” sovereignty of islands manifested more deeply in the case of the riverine islands in Periyar which constituted the border between two princely states. In a study on the port of Cochin, Shankar (2022) argued that a “slippery sovereignty” existed at the indeterminate borders that the princely state and colonial state tried to assert and extend. As the external and internal maintenance of the idea of territorial sovereignty was integral to the existence of the princely states in colonial India, a plethora of claims and counterclaims on fuzzy borders was common. The indeterminate borders created out of the uncertainty of land parcels often lead to contestations among different stakeholders. In a contemporary study on the *char* islands in the Brahmaputra-Megha basin, Podoplelov (2018) points to the unilateral actions taken by India and Bangladesh in claiming the islands formed out of fluvial processes. The study also points out that the poor demarcation of the geographically fluid Indo-Bangladesh border resulted in further contestations over the *char* islands, especially provided the high value attached to land possession in both countries. In their contemporary study on the “fluid sovereignty” of the Hasbani basin in Southern Lebanon, Mason and Khawlie (2016, p. 1344) attribute an “incomplete centralization and territorialization” as the character of a “fractured state”. According to them, the “fractured state” stems from the “inability of the state to assert

² The constantly changing and reappearing islands on the floodplain of a river are known as *chars* in the Bengali language.

³ The term “international law” was coined by the utilitarian philosopher Jeremy Bentham in 1789 as a collection of rules governing relations between states. The rapid expansion of the British empire generated new ideas about relations among different polities. Even amidst the dichotomy of ‘civilised’ European and ‘uncivilised’ non-European societies prevalent in the western legal circles, both princely and colonial administrations used it to further their respective positions. For detailed discussion of this, see Saksena (2023).

volumetric control of, and authority over, basin waters” (2016, p. 1344). Princely states in colonial India were also “fractured” states which were bounded by many inabilities, which they often resisted. Such inabilities inflicted upon the princely states by the colonial power are witnessed in the riverine disputes dealt with in this study.

II. Riverine Dispute between two Princely States

With this understanding, we will look at the riverine island disputes between Travancore and Cochin (Figure 1), and see how the colonial power was involved in it as an instigating mediator. Here the concept of instigating mediator is framed to capture the role played by British colonial power in these disputes. By imposing the western conception of discreteness on land and water and the monetisation of property, colonial rule instigated the dispute in the first place. As the paramount power, the responsibility to solve the dispute between the two native states occurred over their heads, ultimately making them the instigating mediators.



Figure 1 - Map of the states of Travancore and Cochin, *Atlas of the Southern part of India* (1854).

From ancient times, the Malabar coast, with its spices, had a vibrant maritime trade. The English East India Company became the most successful out of all the European trading companies in establishing political control. The states of Travancore and Cochin were part of the subsidiary alliance with the British, who in turn appointed a Resident to oversee the arrangement. Fisher (1984) states that a fuller understanding of this indirect control can only be made after taking proper cognizance of the role of Resident, who acted as the medium to implement British policies in the native states. The Resident not only supervised but also interfered in the administration. This office turned out to be a decisive player in negotiating the contesting claims of the princely states over the islands in River Periyar. The political boundary of Travancore and Cochin mainly coincided with the Periyar River - which was considered as “the finest, the largest and the most important river of Travancore” by Nagam Aiya who was the state chronicler and a highly placed bureaucrat in the Travancore state services in the late 19th century (Aiya, 1906, p.17). There were numerous islands that emerged and disappeared in this river (see Figure 2 for a contemporary rendition), which the princely states contested for their proprietary rights.

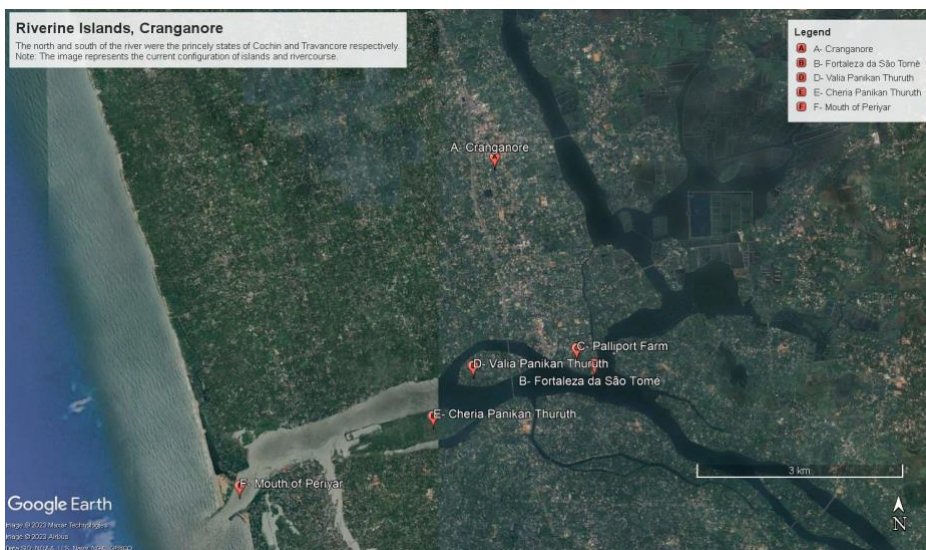


Figure 2 - The Google Earth image of the Riverine Islands in Periyar (August 2023). NB the map represents the current configuration of island and rivercourse.

III.a. The beginning of the dispute

Cranganore (present-day Kodungallur in the Thrissur district of Kerala state), was a promontory that had great historical significance as it served as the capital of the ancient Chera dynasty. The once vibrant port had maritime trade relations with the Roman Empire (Menon, 1967). The strategic nature of Cranganore was unchanged as it was the mouth of River Periyar where it could regulate the traffic of trading vessels. The Portuguese built the Fortaleza da São Tomé there in 1523. In the next century, the Dutch established supremacy on the Malabar coast and brought the fort under their control. On the eve of the imminent invasion by the neighbouring state of Mysore in 1789, the Travancore government purchased the fort and its belongings from the Dutch (Menon, 1878). This brought the area

under the nominal sovereignty of the government of Travancore. This was accepted by the colonial government through its Resident, Macaulay (1805) who stated that the “sovereignty in and over the river” passed from the Batavian government to Travancore (1805, p2).⁴ The administrative boundary of the princely states along the fuzzy border made by a river that changed its course consistently made the situation politically volatile. The region also had many scattered riverine islands yjay evolved as sand bars and often expanded into islands. These islands brought ‘triangular’ disputes on sovereignty between princely states and the colonial power.

III.b. The unpredictability of the River

In the year 1805, colonial records mention the “clashing claims” of the two states with regard to the ownership over the ‘sand projections’ (Macaulay, 1805, p.1). It is fruitful to ponder here upon the unpredictability of the river as understood by the stakeholders. The understanding of the fluid ecology of the region was blurred by the colonial cartographical fixing of “moments in the movements of land and water in time and space” (Bhattacharya, 2018, p.16). In the examination of a *sarvadhikaryakar* (a senior Cochin official⁵) in August 1805 by the Resident, the former stated that the river changed its course to the south in the year 1776 and the sand projections had been colonised by the planting of trees. The earliest archival records (Macaulay, 1805) mention the evolving islands as “sand projections”, which are identified by the Malayam term *thuruth*, which means an ‘island’. The vernacular word sufficiently satisfies the idea of the riverine island, while the English usage of “sand projections reflects the suspicious attitude the British had towards such unruly landforms. Often sovereignty was claimed over these islands by an agricultural extension, mostly at the behest of the state.

The uncertainty of these riverine islands is acknowledged even in later stages when the Dewan of Travancore⁶, Sir T. Madhava Row,⁷ remarked that “several islands in Cranganore” tend to “appear and disappear in this large river” (Row, 1871, p.34). The local colonial position about unpredictable fluid ecology’ can be understood from the Arbitrator’s Award (Hannington, 1882, p.38), which stated that:

the bed of the river has been undergoing constant changes. Islands have been formed and have disappeared. Islands which then existed are no longer to be found and it is altogether improbable that what now exists will continue as it is for many years.

⁴ Colin Macaulay was a senior official of the English East India Company who served as the British Resident in Travancore and Cochin in the first decade of the 19th century and acted as the adjudicator of the First Dispute in 1805.

⁵ *Sarvadhikaryakar* is the title of the senior bureaucrat in the Cochin princely state who undertook ministerial and managerial tasks of the state. *Sarvadhikaryakars*, who were sometimes hereditary appointees, worked in close contact with the royal household.

⁶ The Prime Minister in the princely state was called the *Dewan*. He was the head of the executive and was second only to the King in the state.

⁷ Sir T Madhava Row was a high-standing Indian statesman who served as the Dewan of Travancore between 1857-1872. He was respected and regarded as an enlightened native administrator by the colonial state. He played a pivotal role in modernising the princely state of Travancore.

III.c. The co-production of knowledge and dispute resolution

The correspondence of Macaulay (1805) gives considerable insight into the ways in which the colonial state handled such differences. The colonial administration acknowledged the importance of a “clear and accurate point of view” for the government to deal with the “important subject” (i.e., the territorial dispute between two subsidiary states). The Resident instructed his staff to check the veracity of the claims by examining oral testimony and written records of the natives. A great deal of confidence on the part of the colonisers arose from their reliance on the precolonial revenue officials who were considered to be “intelligent natives”. The officials who were involved in the revenue administration of the locality before the onset of the colonial regime were absorbed into the services of the Company. It is interesting to note that the British were hopeful of gathering necessary evidence through the “medium of local experience” and “laudable industry” of British officials. This sheds light on the colonial construction of knowledge with the active involvement of natives. It also falls in line with the argument made by Raj (2007) about the active participation of natives in co-producing knowledge – even though the power asymmetry restricted their roles. But when we look into the timeline of the dispute, in the later years, the high-handedness of the British in the creation and validation of knowledge is evident. This is born out of the sense of superiority that the coloniser felt on the basis of their scientific advancements.

III.d. Cartographic assertions

Edney (1997, p.32) remarked that “cartographic culture” imposed “European science and rationality on the Indian landscape”. The various claims for sovereignty were adjudged by the credibility of the information the parties provided. The racial stereotype – for instance, when the Resident (1805) condemns the “spirit of deceit, encroachment and refractoriness” of the Raja of Cochin (Macaulay, 1805, p.2) – was often reflected in the decision-making. (Such a remark might have been prompted by the “barbarous and unhuman” pillaging of ship-wrecked property by the men of the Raja of Cochin at a disputed island (Macaulay, 1805, p.2). In the adjudication, princely claims had to gather the trust of the colonial officials through proper documentation. During the dispute of 1805, the Dewan of Travancore convinced the colonial state through well-documented claims. The “extravagant assertions” made by the native side were also thwarted by the cartographical overview of the colonial state. Cartography was the mode through which the colonial state asserted irrefutable and absolute authority on the land. Various surveys initiated under the colonial regime fixed the geographical features on a map. Such cartographical fixation later aided in monetising the land as revenue-generating property. For instance, the plan sketch made by “Captain Blair of Engineers” received special mention in the correspondence. It is after all these measures that the Governor General granted the durbar of Travancore the “sole right” to the “sand in question” (Barlow, 1805, p.17). The interesting aspect of these correspondences is that at the local level, even the colonial officials spoke about sovereignty over the river while the central administration⁸ only acknowledged sovereignty over the land. Such an approach diminished the united nature of land-water in the Indian conception of territoriality. It is

⁸ Here in this context, the local level colonial official is the British Resident in Travancore, while the central administration denotes the office of the Governor General of India. After the establishment of Crown Rule in 1858, the Government of Madras - the neighbouring province/ Presidency of directly ruled British India - had central administrative authority over the princely state throughout the second phase of the dispute.

also very important to underline here that the differences in colonial understandings at the local and central levels show that the colonial state itself was not a monolithic structure.

IV. The return of the dispute

IV.a. Private occupancy and the assertion of sovereignty

The question of sovereignty over riverine islands came up again in the 1870s. The political conditions had changed drastically as Company rule was replaced by Crown rule in 1858.⁹ The areas adjoining the fort at the promontory of Cranganore (known as Pallipport Farm) were leased to individuals for agrarian “improvement”. Through the 1830s and 1840s, agriculture was extended in the now-disputed islands known as Panikan *Thuruth* [two islands known as *Valia* (big) and *Cheria* (small) Panikan]. The Vernade family was holding the Pallipport Farm as early as 1826. The lessee enjoyed relative autonomy in managing the farm, which went to the extent of mortgaging the island in 1861. The lease of the islands to Samuel Vernade ended in 1869. But before that, the lessee switched his side to Cochin who offered a better rent term. Cochin had acquiesced to the Travancore’s occupation of the riverine islands for at least fifty years by that time. But now, with the lessee on their side, Cochin staked a claim on the islands as its territory. The government of Travancore, for its part, pointed to the “early and continued occupation” of the island by the state (Row, 1871, p.34) and quashed the claims of Cochin. The island formations which were not found in the Trigonometrical map of Ward and Conor were designated by the Dewan of Travancore, T. Madhava Row (Row, 1871, p.34) as “new alluvial formations”. Row also argued before colonial officials that the revenue administration and policing of the island were also undertaken by the state of Travancore. Row certified that the island extended beyond the centre line of the river after its occupation by Travancore. He also pointed to the fact that the “waste character” of any riverine islands was the identification mark of the pending dispute regarding proprietary rights. Thus, by identifying to the rich agrarian profile of the island, the Dewan rejected the argument of Cochin. The extension of the island can be grasped by remarks in Carr (1909, p. 133) stating that the area of the island had grown from 7.5 acres in 1824 to 55.03 acres. Confirming Row’s argument, he also states that while there were 1615 trees in 1859, there were 2668 trees in 1909 – highlighting the extension of landmass and agriculture. This shows the expansion of the land area of the island and demonstrates the human interference in making ‘property’ of these ‘land parcels’ at the behest of the state.

IV.b. Sovereignty of land or river

The 1880s saw arbitration of the proprietary rights over these islands. The arbitration was a forum to debate the understanding of sovereignty over the river. The “undisputed” sovereignty granted to Travancore in 1805 was questioned by Cochin. In his award, John Child Hannington¹⁰ declined Travancore’s claim of owning the “whole river including its bed and its water” by virtue of its purchase of the fort area from the Dutch (1882a). By citing

⁹ Following a large-scale native uprising in 1857, the administration of India had passed from the English East India Company to the British Crown. Under the Queen’s Proclamation Act of 1858, the residual powers of the Company were vested in the Secretary of State for India who presided over the India Office in London. The Governor General of India who headed the central administration took on the title of ‘Viceroy’ to reflect his role as crown representative.

¹⁰ John Child Hannington who served as the British Resident in Travancore and Cochin became the arbitrator of border disputes between Travancore and Cochin states in the year 1880.

the provision of free use of the river by Cochin and British vessels in the Dutch deed of sale, the colonial arbitrator concluded that the rights of Travancore were “not omnipotent”. The award marked a line between the river that gave the larger of the two islands (*Valia Panikan Thuruthu*) to Cochin – asking Cochin to pay Travancore, honouring the latter’s purchase from the Dutch. Shungrasoobyer¹¹ (1882), the Boundary Commissioner representing Travancore, was taken aback by the “sudden turn of events” and insisted the Dewan assert Travancore’s position with the arrangement made by Macaulay in 1805.

IV.c. The appeal against award

Travancore’s assertion of sovereignty over the Arbitrator’s Award resulted in further engagement on the ideas of sovereignty with ample invocation of British notions by the Travancore side. The Boundary Commissioner of Travancore brought to the attention of the Dewan the State Survey in 1837 wherein the disputed islands were measured as part of its territory. The Arbitrator, in turn, felt it was futile to press for “mathematical precision” in deciding on a “long pending dispute” where the “rights of sovereignty are obscure and where the right of possession is doubtful and long disputed”. The Travancore side was reminded of the principle that mere “possession gave no title” on these disputed islands (Hannington, 1882b, pp. 46-47). But Travancore went ahead with an appeal to the Governor of Madras claiming that sovereignty is not “obscure”. (Ramiengar, 1882). It also highlighted the right of fishing and the revenues collected for it between 1870 and 1882 by Travancore. But the Madras Government did not admit the appeal on the grounds that both the princely states were bound by the treaty of 1880 which made the arbitrator’s decision final on the “settlement of boundary disputes and other matters of contested sovereignty” (Master, 1883, p.53). Travancore again contested it by terming the award “evidently unjust and unreasonable” in a manner that required an appeal (Ramiengar, 1883, p. 56). Quoting the arguments of eminent jurists and international law in an appeal to the Madras Government, Ramiengar¹² (1883, p.57) warned of a “substantial failure of justice.” This is another instance where the princely states used international law in asserting native positions in matters of sovereignty.¹³ But again the Madras government rejected the appeal of Travancore, after seeking the opinion of its Advocate General, as informed by Logan (1883). Even though the dispute was arbitrated in 1882 (with the dismissal of the appeals over it in 1883), the issue was not resolved even after two decades. There was another round of talks and a fresh arbitration on fixing the compensation from Cochin during 1908-09. This time both the princely states made it a point to demand the right to appeal to the Madras Government against the Arbitrator’s decision. However, both states were to be bound by the decision from Madras (Davidson, 1908). The dispute over islands in the Cranganore River ended in 1910 when the Cochin state finally paid compensation to the Travancore Durbar and

¹¹ The Boundary Commissioner Shungrasoobyer later rose to become the Dewan of Travancore between 1892-1898.

¹² After his retirement from the Madras Civil Service, V. Ramiengar served as the Dewan of Travancore from 1880 to 1887. During his tenure, he was credited for policies aimed at encouraging indigenous industries, irrigation, and finalising the revenue settlement in Travancore.

¹³ Recent scholarship has argued how International Law was used by native states in articulating their vision of sovereignty. In many instances, the colonial overreach and intervention were defended by the native states with arguments strengthened by International Law. (Saksena, 2016). Shankar (2022) has also revealed the assertion of partial sovereignty by the princely state of Cochin over the British Port in Cochin in the late 19th century. She also draws attention to previous studies where the Ottoman Empire and Qing China familiarised themselves with International Law to utilise it in disputes with European powers.

Travancore lost its claim regarding its century-old claims/rights over the island formations (Figure 3).



Figure 3 – Present day Valia Panikan Thuruth and River Periyar (2023). © M. Sudhindranath

Conclusion

The overview of the disputes over riverine islands between two princely states gives us significant insights into the complexities involved both in understanding and resolving them. Colonialism had brought disruptive and transformative changes to the indigenous conception of the terrestrial-aquatic combination of the physical world. It can also be argued that the dispute demonstrates the phase of Indian history where the indigenous conception of fluviality of landform was questioned by the rigidity of European conceptions. Colonialism also made the unpredictability of a landform fixed through engineering political and cultural conceptions. This article underlines the contentious administrative rigidities of two princely states claims in the context of a fluid ecology conditioned by the ideologies of colonialism. This brings us to an interesting moment when the colonial government had to resolve a dispute that majorly arose out of its influence. The colonial influences include the divorce of the land-water combine, the transformation of land into highly monetised properties, and the cartographic fixation of land in the colonial imagination and revenue records. At the same time, it is also interesting to look at the differences in the perception of such islands formed out of fluvial processes among different levels of colonial bureaucracy through different chronological periods. Accessing the archival evidence of over a hundred years on the same dispute reveals the changing dynamics of colonial ideologies, and the renewed mastery of the princely administrations in tackling such disputes. These reminders from past contentions can perhaps provide present-day stakeholders with some pointers for current and future disputes and possible avenues for resolving them.

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