

Working Paper

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**SHIFTING THE GROUND OF
FATHERHOOD: MATRILINY, MEN
AND MARRIAGE IN EARLY
TWENTIETH CENTURY MALABAR**

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This paper was presented at a travelling seminar 'Exploring Masculinities' organised by UNIFEM and the North Eastern Hill University at Shillong in April 2002. I am grateful for stimulating ideas from Prof J.P.S. Oberoi, which I have made my own. A revised draft was presented at a workshop of the masculinities seminar group in Sariska in early 2003. A special word of thanks to Rahul Roy whose suggestion that I write a paper on the theme set me thinking anew about my research material. I have benefited from Dr Michael Tharakan's very careful and critical reading of a draft of the paper and from J. Devika, particularly for the song I use in the conclusion of this paper.

ABSTRACT

Central to the project of comprehensive reform of matriliney in early twentieth century Malabar was the affirmation of the conjugal bond as the principal property/material relation between men and women and parents (fathers) and children. In contrast to forms of property relations facilitated by matriliney, this constituted a demand for centering property relations arising from marriage. This paper attempts to capture the processes of reform that established, i.e., gave legal and social frame and detail to husbands and fathers among the matrilineal Hindus in early twentieth century Malabar. It is argued that the father as a distinct masculine identity was premised on the reconstitution of norms of female sexuality and male conjugal responsibility, within a framework of closely wrought patriarchal marriage. Female sexuality, including women's mobility, was re-wrought so that women could 'properly' be wives, in a relationship with men, that would be marked by the exchange of dependence (the underside being obedience) and protection. Redefinition of sexuality was crucial to the production of women's 'moral' commitment to the conjugal family, going far beyond sexual restraint to being a disciplining social force. However, this was also part of a larger project of defining normative masculinity — making 'men' out to matrilineal wastrels. Men as husbands and fathers were imagined as everything the *karanavan* (the much maligned oldest male member and executor of property in a matrilineal family interpreted by the civil courts as its head) was not. If the *karanavan* was arraigned as distant, dictatorial and negligent of the interests of the *taravad*, the father was sketched as accessible, naturally inclined and enterprising in the interests of his wife and children.

Key words: Masculinity, matriliney, marriage, colonial law, anthropology, social reform, gender

N. Sankara Marar, the late subdivisional *sherishtadar*, Tellichery, was once invited to a *kalyanam* [marriage] by a high official... All being seated, the host, on the entrance of an old man, an invited guest, got up and with much reverence introduced him to the *sherishtadar* as his father. The visitor passed into the interior apartments and in a few minutes another old guest made his appearance. The same ceremony was gone through by the host who again introduced the newcomer as his father. Sankara Marar tried to control his tongue, but could not, and on resuming his seat said: "Please Mr... excuse me if I do not get up when another of your father comes".

M. Othena Menon¹

The Madras Marumakkatayam Act, 1933 opened the floodgates for the partition and material disintegration of the *taravad* (matrilineal

¹ Remarks on C. Karunakara Menon's Observations on the Malabar Marriage Bill, (cited in K.N. Panikkar, 1998: 189). Such 'stories' circulated through newspapers and other means in the late nineteenth century were intended to convey the fragility and whimsical character of Nair marriage such that no Nair could know his 'father'. Early Nair reformers cited these stories as the *raison d'être* for reform of marriage (Kodoth, 2001: 370). Barbs aside, the narrative cited above reaches out to a notion of fatherhood that was dispersed over a generation and not posited entirely or necessarily in biological kinship. It was precisely this that came into ridicule from the mid nineteenth century

joint family) in Malabar, a district of the erstwhile Madras Presidency and one of three administrative units that went to constitute the state of Kerala.² In the melee of partition that followed, it was nearly forgotten that the legislation also resolved the question of marriage, which had been the cause of so much heartburn among Nair male reformers in the late nineteenth century. The British Indian civil courts had interpreted *sambandham* (the customary form of marriage) as constituting not marriage but promiscuous intercourse. The Act of 1933 legalized all existing *sambandhams*, constituting husbands and fathers as well as conjugal and paternal relations among the matrilineal 'Hindus'. In order to ask the questions, how and why were husbands and fathers brought into being (or more correctly reconstituted) among the matrilineal 'Hindus' at this particular historical moment, it would be necessary to characterize the manner of their prior absence – discursive and otherwise. This is one of tasks that this paper will take up. Very briefly, however, flowing from the legal position on *sambandham*, husbands and fathers were non entities – they could claim no rights and had no responsibilities vis a vis women as wives and towards their children. As social and cultural practices go, a notion of legitimacy i.e.,

onwards when matrilineal sensibilities regarding sexuality and family were increasingly exposed to a colonial institutional framework. As I will argue in this paper dispersal of fatherhood did not imply the denial of biological kinship with a father or affective ties based on such kinship. Anthropological work dwells on the ways in which biological fatherhood was indeed sought to be affirmed prominently in physical resemblance forming the basis of affective and material ties (see Gough, 1961, Raman Unni, 1987).

2 Kerala was formed in 1956 roughly out of the district of Malabar and the British residencies of Cochin and Travancore.

of legitimate cohabitation between men and women or of 'fathering' were far from unknown in matrilineal Kerala and were affirmed through several ritual and material transactions. Nevertheless, *sambandham* did not always or necessarily establish a property connection between father and children or husband and wife, the principal property connection being between mother and children, and divorce was fairly easy, conditions that flouted the requirements of marriage as understood by the British Indian civil courts.

Central to the project of comprehensive reform of matriliney was the affirmation of the conjugal bond as the principal property/material relation between men and women and parents (fathers) and children. In contrast to forms of property relations facilitated by matriliney, this constituted a demand for centering property relations arising from marriage. The legitimacy staked for patrilineal descent of property was on the grounds of 'nature', by resisting which, it was pointed out, matrilineal families found themselves in acute conflict. A position championed by reform sections in south Malabar even in the late nineteenth century, it gained even partial endorsement in north Malabar only in the third decade of the twentieth century. This paper attempts to capture the processes of reform that established, i.e., gave legal and social frame and detail to husbands and fathers among the matrilineal Hindus in early twentieth century Malabar. I will argue that the father as a distinct masculine identity was premised on the reconstitution of norms of female sexuality and male conjugal responsibility, within a framework of closely wrought patriarchal marriage. Female sexuality, including women's mobility, was re-wrought so that women could 'properly' be wives, in a relationship with men, that would be marked by the exchange of dependence (the underside being obedience) and protection. Redefinition of sexuality was also crucial to the production of women's 'moral' commitment to the conjugal family, going far beyond sexual

restraint to being a disciplining social force.³ In contrast reformers were to underscore the need for conjugal responsibility of men in the material realm – as providers and protectors of property.

Reform at the local level targeted those rituals and customs that were seen as celebrating female sexuality and shaped others that coded marriage in terms of emerging norms of male protection and female domesticity. Male social reformers then delivered at the doorstep of the Madras Marumakkatayam Act, a ‘husband’ and ‘father’ who would replace the patrilineally inscribed *karanavan* (oldest male member and executor of property in a *taravad* interpreted by the civil courts as head of family) of colonial law. However, this was also part of a larger project of defining normative masculinity — making ‘men’ out to matrilineal wastrels. Men as husbands and fathers were imagined as everything the *karanavan* was not. If the *karanavan* was arraigned as distant, dictatorial and negligent of the interests of the *taravad*, the father was sketched as accessible, naturally inclined and enterprising in the interests of his wife and children. And yet male conjugal responsibility had to be guaranteed by the force of law; ‘natural’ instinct too it would seem required the force of contractual security!

In order to grasp the fashioning of husbands and fathers at the local level, I will use the instance of the Uttara Kerala Nair Samajam, the single largest and most influential of caste-reform organizations among the Nairs in Malabar. The paper is in six sections. Section two will attempt to draw out the assumptions shared by the colonial

³ If women’s dependence on men for material sustenance was one facet of the domestic economy, analysis of writing and debate in the public sphere during this period suggests that women were to be its ‘moral’ providers, harmonising the economy through the exercise of their ‘natural’ skills for caring and discipline (Devika, 2002).

administration and by mid twentieth century anthropological work on Kerala that husbands and fathers could be constituted only in material-legal terms, which underpinned their interpretation of *sambandham* as concubinage. Section three considers the importance of land relations, caste and regional identity in shaping clear distinctions in fatherhood among matrilineal groups in north Malabar, central Kerala and southern Travancore. Section four analyses the efforts to reconstitute husbands and fathers at the local level in north Malabar in the mode of responsible providers and protectors of women and children, underpinned by women’s ‘sexual self discipline’. Section five attempts to draw out the norms of masculinity and femininity incumbent in legislative discussions and in the provisions of the law. The conclusion gestures at the constraints that emerge from naturalising conjugality and fatherhood.

Erasing ‘Husbands’ and ‘Fathers’: Unraveling the Discursive Constitution of Illegitimacy

The colonial administration in Malabar, prominently the civil courts, refused to recognize *sambandham*, the customary institution that sanctioned sexual relations between men and women following *marumakkatayam*, as a legally valid relationship i.e., as constituting marriage. There were at least two grounds for this. 1. It was pointed out in the civil courts that *sambandham* failed to constitute the necessary ‘marital’ property relation i.e., “it founds upon it no rights of property or inheritance” (Koraga v the Queen, Indian Law Reports, (Madras Series) Vol 4, 1882: 374). 2. The ease with which *sambandham* could be dissolved was seen as flouting the ‘restraint’ that was necessary to constitute marriage. *sambandham* failed to create a binding relationship between men and women as it “appears to do no more than create a casual relation which the woman may terminate at her pleasure” (Moore, 1905: 82) and when women lived with their husbands, “there is no doubt that they do so of their free will, and they may at any time rejoin

their own families" (Subba Hegadi v Tongu, Madras High Court Reports, Vol 4, 1868: 196). It is not difficult to see that these readings grew out of the failure of husbands to acquire property in women as wives and to access women through such material ties. Notably, unlike in patrilineal societies, where, upon marriage, women were transferred to the property/kin group of their husbands, involving a change in residence and identity, in the case of the matrilineal groups in Kerala, spouses retained their affiliation to their natal property/kin groups. Children of such unions 'belonged' to their mother's *taravad*.⁴ The notion of marriage deployed by the colonial administration was premised on the exchange of protection and dependence between men and women as husbands and wives.⁵ In the legal discourse, however, the *karanavan* was vested with guardianship of all members of the *taravad*, which included 'married' women and their children (as well as *taravad* property) (Kodoth, 2002: 37-39). Taken together, the grounds for refusal of legal sanction for *sambandham* gesture towards the failure to accord primacy to husbands and fathers, where the legal was defined entirely in material terms. The

4 While the judgements that I have cited are from Malabar, much the same legal impression prevailed about *sambandham* in Travancore and Cochin as well. Though in Travancore a judgment in 1904 held that *sambandham* between a Nair woman and Nambudiri was a valid union according to custom, evidently this was not established beyond doubt (Saradamoni, 1999, 85-91. See also Padmanabha Menon, 1984: 282, 1908: ix, Government of Cochin, 1915). The Travancore Nayar Regulation, 1912 gave formal recognition to *sambandham* as marriage. In Cochin legal sanction was provided to *sambandham* under the Cochin Nayar Regulation, 1920.

5 This understanding of marriage as a contractual relation was written into the European social contract theories of the seventeenth and eighteenth centuries. According to these theories women not only could but should enter into the marriage contract i.e., despite their lack of individual status in civil society. However they entered into it on different terms from men. Political theorists even in the nineteenth century, notably William Thompson and John Stuart Mill, had pointed out that this notion of marriage conformed more to a 'status' than to a free contract (For a discussion see Pateman, 1989: 155-57).

interpretation also implied that affective ties of/as husbands and fathers had to be grounded in ties of material exchange in order to have a legal dimension and a formal existence.

It is instructive that anthropologists in the mid twentieth century struggled with similar difficulties regarding 'Nair marriage' and Kathleen Gough's work, particularly, is shaped in and through this struggle (1952, 1955, 1959, 1965). Gough's (1959: 23) description of Nair marriage is from the central Kerala experience and the failure to underscore this factor adequately gave rise to misconceptions of a singular Nair experience.⁶ Marriage among the Nairs has been discussed extensively in terms of two customs, the *tali kettu kalyanam* and *sambandham*. These marriage-related institutions and procedures documented by Gough are borne out, subject to differences in detail, by other accounts of the nineteenth and twentieth century.⁷ Hence, it is possible to infer that the colonial administration, a section of Nair social reformers of the

6 Gough's own earlier work (1952, 1955) though it referred to the central Kerala context a) did not underscore differences in caste and matriliney according to region and b) lent itself rather easily to the inference that a generalized form of Nair *sambandham* did not correspond to marriage. Her paper on marriage is a clarification of Leach's impression that she wrote of the Nairs in general that they had no form of marriage (1959: 23). Gough emphasizes the significance of regional differences in marriage with detail from each region, when Prince Peter too represents her discussion of central Kerala as of the Nairs generally (1965: 8).

7 For a detailed description and analysis of the most important of these rites the *tali kettu kalyanam*, see Gough, (1955). Fuller (1976: 101-115) provides an analysis of existing accounts of the rite. There are several accounts of this rite recorded in turn of the century compilations and later writing (Thurston and Rangachari, 1984: 315-26, Government of Madras, Vol II, Appendix III & IV, Fawcett, 1991, Aiya, 1989: 352-56, Padmanabha Menon, 1984). My own recent field work in a village in Kannur district and information about the rite in Kasargod points to differences in terminology and detail. The term used to denote this rite varied across the region. *Tali kettu kalyanam* was generally used in south Malabar. In parts of north Malabar it was referred to as *kalyana mangalam* and in Kasargod taluk as *pandal mangalam*.

late nineteenth and early twentieth century as well as mid twentieth century anthropologists were addressing a range of institutions extant or remembered in the nineteenth century.

Revising substantially her own earlier position that among the Nairs in central Kerala marriage was the slenderest of ties and a social concept of fatherhood scarcely existed, Gough argues that *sambandham* was marriage for two sets of reasons. *sambandham* was regulated by the rules of caste and kinship and the concept of legally established paternity was of fundamental significance in establishing a child as a member of its mother's *taravad*. "[A]lthough the elementary family of one father, one mother and their children was not institutionalized as a legal, residential, or economic unit and although individual men had no significant rights in their particular wives or children, the Nayars did institutionalize the concepts of marriage and of paternity, and gave ritual and legal recognition to both" (Gough 1959: 30). She makes this assertion on the basis of interpretation of the *tali kettu kalyanam* and *sambandham*. The *tali kettu kalyanam* was a pre pubertal rite that ordained girls ritually with the social-markers of maturity.⁸ As Gough points out the significance of the rite is apparent in a number of factors. If a girl attained puberty before the rite she and her *taravad* could be excommunicated. The rite was very elaborate and hugely expensive, involving three days of ritual and feasting for a large gathering of people. Besides, the *tali* could be tied only by appropriate men i.e., from families customarily authorized to do so, representatives of linked lineages, or higher caste men such as Nambudiris and the norm differed according to region (Ibid, Aiya II, 1989: 353). The point of significance for Gough is

8 "Tali ketti amma ayi" or invested with a tali, a woman attained maturity, went a popular saying (Gough, 1955: 50). The rite initiated formality between girls close to puberty and the older male members of the *taravad* (Ibid: 55).

that the act of tying a *tali* invested the man with a position as the ritual husband of the girl. Yet, while it entailed at least in some instances that a woman had to observe pollution on the death of her ritual husband, he did not gain sexual or other material claims over her. On the other hand, sexual relations were established through *sambandham*, which could be entered into only after the *tali* rite. And while women were entitled to have *sambandham* with men of appropriate caste and rank, the *tali* tier was merely one among their the possible suitors. It is significant that the framework of *sambandham* sanctioned plural unions and Gough accords legal validity to *sambandham* on account of a feature that accommodated polyandry. When a woman was pregnant a man of appropriate caste had to claim paternity by paying the expenses of delivery. Failure to do so was taken to imply that the woman had breached the rules of caste by arousing suspicion of sexual relations with a lower caste man. Hence the legitimacy of a child, i.e., her status as a member of her lineage and caste hinged on the claim of paternity by a *sambandham* partner, which however did not necessarily imply biological paternity (Gough, 1959: 30).

Gough seeks to isolate marriage wherein the rules of a relationship between a woman and one or more persons accord legitimacy to children born within its framework (Ibid: 32).⁹ A definition of marriage in terms of the legitimacy of children obscures the confinement of claims of legitimacy to marriage i.e., that only marriage could confer legitimacy. And in so far as legitimacy is constituted as in the legal discourse, it

9 Gough (1959: 23) takes issue with E. R. Leach for attempting to work with an open definition of marriage. Leach was critical of efforts to define marriage in terms of potential legal paternity (legitimate offspring) as a universal criterion of marriage, which he noted would go to exclude the Nair case. Agreeing with Leach, Fuller (1976: 104) points out that "what is embodied in the institution called by us 'marriage' or by others by a term translated as 'marriage' is not identical in all cultures."

merely endorses the marriage of the two concepts to stake universal claims. Gough's definition here produces women as the ground of marriage, upon which the procedures of legitimation were traced, whether through control over sexuality, validation of paternity or ritual connections. In contrast men, as potential partners, are mobilized on very different terms. Notably, paternity so clearly linked with legitimacy, is associated with the regulation of material claims. In contrast, affective claims are seen at best as bounded by and necessarily deriving from material claims, which constitutes the legal and the very notion of 'rights'. In distinct likeness then to the colonial legal discourse, Gough too constitutes legal claims or 'rights' entirely in material or property terms. Taking this forward, it is possible to see that motherhood was understood quite differently, as primordial and/or prior to the legal, with the affective taking precedence over material/legal rights. By extension material ties, of authority and property, emerging from motherhood are allowed 'informal' rather than legal existence.¹⁰

The legal and anthropological discourses on matriliney curtailed, excluded and/or erased conjugality and fathering by defining these institutions in entirely material-legal terms. Precisely this discursive obliteration of fathers and husbands provided the terms for their reconstitution — the contours of normative masculinity — in legal and social reform in the late nineteenth and early twentieth century.

10 Under matriliney as interpreted by colonial jurists and judges, though lineage and inheritance were traced through women/mothers, authority over property and people descended through matrilineally related men. For a discussion of the colonial discourse on matrilineal property relations see Kodoth (2002)

Legitimacy and Difference: Land, Caste and Region in Shaping Male Identities

Most of the seeming contradictions in the literary accounts arise, I think, because the Nair had different forms of marriage in different regions and periods. (Gough: 1965:8-11)

The 'ideal type' of matriliney, so ubiquitous in the literature, was distinct to the Nairs of central Kerala (south Malabar, Cochin and north Travancore). Notably, it was characterized by non fraternal polyandry, i.e., plural sexual unions between men and women regulated by caste rules and *taravad* interests, the 'visiting husband' phenomenon and women's virtually uninterrupted residence in their natal *taravad*. However, 'Nair matriliney' and the position of the Nairs in the land hierarchy were regionally distinct and historically contingent. Caste and territory intersected to define distinctions among north Malabar, central Kerala and southern Travancore. The regional character of Nairs was evident in the fine distinctions that they maintained, particularly in marriage restrictions (Padmanabha Menon, 1984: 13, Gopinath, 1994: 367, Kodoth, 2002: 16). Attentive to their regional character, Padmanabha Menon (1984: 13) writes, "[c]lass for class, Nayars of different localities will not associate together. Thus Nayars of Travancore or Cochin or South Malabar will not be permitted to mess or intermarry with the corresponding class of Nayars of North Malabar who always pretend to be of higher caste than the others. Their brethren in the south never fail to return the compliment." Within this framework, well into the nineteenth century, norms identifying women closely with caste and territory were rigidly observed. "There are certain conventional limits beyond which Nayar women are not allowed to go. Those of north Malabar are prohibited from crossing the Perumpula river towards the north and the Korappula river towards the south. Those of South Malabar and Cochin cannot go beyond Quilon in Travancore on pain of

losing caste" (Padmanabha Menon, 1984: 13, See also Mateer, 1991: 29).

Notably, *sambandham* sanctioned hypergamy with Nambudiris (Malayala Brahmins) as well as reciprocal marriage among Nairs.¹¹ Among the Nambudiris, who were mostly patrilineal, only the eldest son was permitted to marry within the caste. Younger sons in Nambudiri families were expected to establish *sambandham* with Nair and other women of acceptable caste.¹² It may be argued that matriliney and land relations in central Kerala were shaped historically in association with the concentration of the Nambudiris there. MGS Narayanan and Kesavan Veluthat (1984: 412) point out that only two major Nambudiri settlements were in north Malabar – Perincellur (modern Taliparamba) and Payyanur. There were no Nambudiri settlements in southern Travancore.¹³ More importantly, Nambudiri influence did not permeate social relations in southern Travancore (Velu Pillai, 1940: 31, Ward and

11 As a term to describe legitimate cohabitation, it was understood across Kerala, though there existed several forms of *sambandham* with specific terms to denote them (Government of Madras I, 1891: 98). The different forms of marriage, particularly the *podamuri* are laid out in Ibid: 98-100.

12 The Nairs, unlike other social groups, were matrilineal throughout Kerala. As a caste, they were between the Nambudiris at the upper end and Tiyas/Ezhavas at the lower.

13 The 'original' settlements were all north of Tiruvalla in central Travancore. However the settlement in Tiruvalla is noted to have developed upagramams (subsidiary settlements) by the ninth century suggesting that it was already in a process of expansion (Narayanan and Veluthat, 1983: 415). Velupillai (1940: 30) cites Kunhiraman Nayar, a legal authority on Malabar law, that "The Kerala Brahmins" had not in ancient days penetrated south of Kanneti in Karunagapally, and that none of the 'original' settlements could be traced to south Travancore. He also notes that the bulk of Nambudiri *janmis* have their families and estates in south Malabar, Cochin and north Travancore (See also Mateer, 1991: 29, Raman Unni, 1987: 288, Padmanabha Menon, 1984: 32).

Connor, 1994: 125, Aiya II, 1989: 286-88).¹⁴ Here the intermediary non brahmin castes exercised considerable power in the polity right up to the eighteenth century (Ganesh, 1990: 23, 27).¹⁵

The Nambudiris as *janmis* and/or trustees of temple lands controlled the greater part of land in central Kerala. The Nairs in the region were mostly intermediary tenants, though they counted among them a number of influential *janmis* as well. At the top of a system of mutually non-exclusive hierarchical interests in land were the *janmis*, who were interpreted by the colonial civil courts as absolute proprietors of land. Holding land from the *janmis* were intermediate (rent receiving, rent paying) and /or cultivating tenants (*kanakkar/verumpattamkar*) with distinctions according to the terms and conditions of tenancy (*kanam*). Colonial land policy in Malabar enabled *janmis* to evict tenants freely until well into the twentieth century (Panikkar, 1989, Varghese, 1970). Bolstered by this the Nambudiris as *janmis* were able to demand sexual alliances with women of Nair tenant *taravads*, using threats of foreclosure of tenancy in the event of denial.¹⁶ It also facilitated easy

14 The Potti Brahmins did own land in this region, but their ownership is noted to be of more recent origin. Velupillai (1940: 31) writes that their lands were either gifts from rulers or owed to a process of commendation by which non brahmin landowners accepted *kanapattam* deeds from brahmins and devaswams in order to escape payment of a variety of taxes imposed on private lands.

15 The landed classes in south Travancore between the 15th and 17th century were mostly non brahmins, royal houses as well as madampis, described as lords attached to different principalities that had grown out of lineages of the royal house, pillamar as well as brahmins. But importantly, these brahmins like the pillamar worked as accountants. The madampis and pillamar occupied important positions of traditional authority (Ganesh, 1990: 27).

16 Panikkar (1989: 36-42) shows that the nineteenth and early twentieth century expression of dominance of the *janmi*/Nambudiri in Malabar was shaped distinctly by colonial land policy. However the effects of colonial land policy were evident only by the 1850s, with the steady rise in prices of agricultural products since the 1830s. These conditions made it possible for the *janmis* to demand higher rents or evict tenants and seek more profitable tenancies.

denial of conjugal and paternal responsibility (Kodoth, 2001: 351). Nair reformers with roots in the intermediary tenant class in south Malabar underscored precisely these concerns in pressing for reform of land and marriage customs through legislative intervention in the late nineteenth century (Kodoth, 1998: 146-47, 2001). This group of Nairs were also the first to avail of the processes of English education and modern employment, important channels of a new moral framework (see Panikkar, 1998).

In the eighteenth century, *sambandham* was articulated under considerably different conditions.¹⁷ K.N. Ganesh (1991) has argued that by the eighteenth century the intermediary tenants had garnered greater bargaining power on account of having made large advances of money to the *janmis*. By this time the indigenous tenures underlined the autonomy of the intermediary tenants, growing out of the long duration (sense of permanence) of leases and their mediation of the customary rights of the *janmis* (Ganesh, 1991: 316). However 'Nambudiri privilege' as *sambandham* partners rested in a combination of symbolic status as the highest caste and wealth.¹⁸ Panikkar (1989:

17 Narayanan and Veluthat (1983: 262-63) allude to the prevalence of alliances between Nambudiri *janmis* and tenant women in the ninth, tenth and eleventh centuries. Members of the Sabhas (assemblies that administered temples) of two Nambudiri settlements, Sukapuram and Avittattur were prohibited from contracting alliances with women of *taravads* that held land on tenancy from them. They also suggest that tenancies were regulated strictly using punitive measures but were favourable to the tenants and that alliances with tenant women were used to their advantage by Brahmins and non-Brahmin groups alike.

18 Significantly then the practice of accepting Nambudiri *sambandham* partners seems to have received added importance in the eighteenth century, when *kanam* tenants came to exercise greater control over land, pointing to the symbolic value of such alliances. Gough (1955: 47) points out that it was at some time in the eighteenth century that the Samudiri's lineage (the ruling family of Kozhikode) began to marry its women only to Nambudiris. Previously they accepted Nambudiris as well as men from more higher status royal lineages. In the nineteenth century most of the royal lineages insisted on Nambudiri partners for their women, the Travancore lineage, with roots in far-south Travancore, being a telling exception to this.

29, 1998: 186-88) indicates that tenancies from Nambudiri *janmis* and *sambandham* with them mediated the emergence of a Nair middle class in the nineteenth century from among the intermediate tenants.¹⁹ It was this group that was to champion reform of land relations and marriage in the late nineteenth century.

There is considerable evidence to show that non fraternal polyandry or plural sexual unions continued in central Kerala well into the twentieth century.²⁰ In the first decade of 1800 this was viewed without the shame and moral repugnance that grew to be associated with it half a century later.²¹ In the context of polyandry, Gough emphasises the distinctness of central from north Kerala and Travancore. It is not clear whether her reference to Travancore rather than its southern part was influenced by the administrative boundaries during the British period, but she fails to note the relationship between Nambudiri influence and the nature of polyandry. On the contrary she goes on to speculate

19 Panikkar (1998: 187) notes that a new group of Nairs and not the old Nair aristocracy, benefited from this as they had also been able to take advantage of other opportunities opened up by the East India Company administration. Notably then the battle for land in the late nineteenth and early twentieth century was between two affluent sections with interests in land, the *janmis*, mostly Nambudiris and the intermediary tenants, visibly Nair (Panikkar, 1989: 43, 1977: 880).

20 Based on field work in village near Trichur in central Kerala in the 1990s, Shanti Menon (1996) writes of more recent memories of plural sexual unions that continued well into the twentieth century. She also notes the ease with which women were able to divorce and remarry drawing on the more liberal attitudes that prevailed towards women's sexuality (see also Gough, 1965: 9, Raman Unni, 1987: 290-91).

21 Buchanan (1988: 411) writing in the first decade of 1800 communicates the sense of privilege associated by Nair women in south Malabar with plural husbands. In contrast, late nineteenth and early twentieth century narratives exude repugnance at the practice, an attitude shared by colonial officials and the Nair elite alike (see Government of Madras, 1891: 11, Government of Travancore, 1908: 21).

that the practices of north Kerala and Travancore were developments from the central Kerala pattern, harking back to a common origin. "My guess is that the Central Kerala Nayars never made the latter change" (Gough, 1965: 11). Significantly, Raman Unni (1987: 287-88) does suggest the influence of the Nambudiris on both land relations and hypergamous non fraternal polyandry in south Malabar in the late eighteenth and nineteenth centuries. However he does not explore the resonance on *sambandham* of historical changes in land and power relations between the Nairs and Nambudiris..

A critical reading of anthropological accounts of central Kerala Nairs suggests that it was unlikely that there were specific legal or moral sanctions against expression of conjugal and paternal ties in affective terms. Gough, prominently, notes that men did sometimes form strong emotional attachments to particular wives and their children (Gough, 1959: 27).²² This could lead the wife's matrilineal kin to fear that the husband's matrilineal kin would hire sorcerers against them, fearing that the husband would secretly transfer wealth to his wife (Ibid).²³ Clearly however the reference to sorcery itself is indication that 'legal' modes of preventing such transfers were inadequate or simply did not exist; perhaps they were not against the 'law', elsewhere Gough indicates that there was no legal remedy (Gough, 1961: 361). However material ties could depend as much on the material circumstances of the *taravads*

22 She notes that "a man is said to have been especially fond of a child whom he knew with reasonable certainty to be his own. He would make small gifts to him, play with him on visits and offer him friendly counsel as he grew older." (Gough, 1961: 364).

23 This account exemplifies how, to use Bourdieu's terms, a 'framework of rules' binding both the legal and the anthropological readings obscures a 'practical' understanding of rights, which at once sustained a variety of practices encompassing a multiplicity of needs (see Bourdieu 1990: 166 - 79).

concerned and a man's influence in his *taravad* (Raman Unni, 1987: 285, 294, Gough, 1961: 361, 1959: 27).²⁴ Nor was secrecy necessarily observed. Gough (1961: 391-93) documents several kinds of residential arrangements on marriage that served to channel a man's labour and/or wealth to benefit his wife and children. In the nineteenth and early twentieth centuries it was not uncommon for Nambudiri men, particularly those who managed family property, to maintain their Nair wives and children in separate residences close to the *illam* and to endow them with wealth.²⁵ These practices were seen as legitimate particularly when the man in question was known for his competence (see also Government of Madras, Vol II, 1891: Appendix III and IV).

But more importantly, material ties between husbands and wives or fathers and children were affirmed through customary practices. For instance, on important occasions such as the *tali kettu kalyanam* the father of a girl was expected to contribute substantially to the material requirements for the occasion, so also on smaller occasions such as marriages and birthdays of daughters (Raman Unni, 1987: 297).²⁶

24 Raman Unni provides instances where husbands who were from lower status groups of Nairs were not allowed to carry out customary obligations due of the father.

25 See for instance the portrayal of *sambandham* between a competent junior Nambudiri and a Nair woman in Lalithambika Antaranam's (1980) novel, *Agnisakhi*. The royal families, chieftains and more affluent Nair families emphasized *sambandham* with Brahmins but also maintained these Brahmins on their estate. Thakashi Sivasankaran Pillai depicts some these practices in central Travancore during the decline of matriliney in the colonial period in his mid twentieth century novel *Kayar*. See also Chandu Menon's (1965) late nineteenth century novel, *Indulekha*.

26 He notes that this was so even in the case of polyandrous unions. Raman Unni (295-96) for instance points out that the participation of children in funeral rites and the observation of pollution was emphasised in monogamous unions but in the case of non fraternal polyandry there were no binding commitments.

Where fathers failed to comply, the girls *taravad* or related property groups took up the obligation. Anthropologists have tended to understand such 'non compliance' as emerging from the absence of a rule. While these may well have been within the limits of practice, the refusal by Nambudiri husbands to be bound by requirements of Nair *taravads* and its consequence in the angst of Nair social reform in the late nineteenth and early twentieth century seem specific to the British period.

The tendency to generalize the central Kerala pattern of Nair matriliney, which took root in the colonial interpretation of matriliney, has been strengthened by an almost excessive anthropological interest in the region (for a selection see Raman Unni, 1987, Gough, 1952, 1955, 1959, Mencher, 1962, 1965, Moore, 1983, Fuller, 1976). The most important is the work of Kathleen Gough, which with the exception of one full-length paper on the north Kerala Nairs (1961), builds on the central Kerala experience of the Nairs. In 1965 however Gough underlined the distinctness of matriliney in three regions, north Kerala, central Kerala and Travancore. Fuller has gone further in recognising the distinction between the central Kerala 'ideal type' matriliney and the difference in marriage system that north Malabar and southern Travancore represented. "In southern Travancore, the residence pattern resembled that in north Malabar, for there too women lived with their *sambandham* partners. But data on this region are so scanty that I do not know whether other features of the north Malabar system are also found in southern Travancore". Nevertheless, central Kerala remained central and scholars, including Gough and Fuller, have tended to understand the transformation of matriliney during the British period in terms of its characteristics (Kodoth, 2001). Besides, most of the well know European travel reports on 'Nair polyandry' refer to central Kerala.

In the nineteenth century, most of the major *janmis* in north Malabar were either Nair or Mappilla, limiting the material basis for the use of coercion by Nambudiris to impose *sambandham* on unwilling Nair *taravads* (Kodoth, 2001).²⁷ This had a strong resonance on power relations between Nairs and Nambudiris during the British period as evidenced for instance in the Nambudiris respecting the marriage customs of the Nairs. Besides, the ritual requirements of *sambandham* were observed by the Nambudiris as well, unlike in the central Kerala where Nambudiris "being big *janmis*" did not observe them (K.R. Krishna Menon, in Government of Madras II, 1891: 214, Chandu Menon in Ibid I, Appendix A). But also children were among the chief mourners at the death of their father in north Malabar and women observed ritual pollution for their husbands, unless they were divorced (Gough, 1955: 55). As against this, it was observed that no tenant in Walluvanad taluk (south Malabar), unless he be a government official or an educated man would dare perform the funeral rites for their father for fear of his Nambudiri *janmis* (B.Kammaran Nair, District Munsif, Chowghat in Government of Madras II, 1891: 220).²⁸

A woman in north Malabar resided in her husband's *taravad* during the tenure of a marriage, even while visiting periodically and

27 Notably unlike central Kerala, north Malabar supported a large body of small *janmi*-tenant cultivators (Ibid, Gough, 1961).

28 Regional differences were also reflected in the *tali kettu kalyanam*. Nambudiris were not privileged as tali tiers in north Malabar or south Travancore (Gough, 1955: 56, Aiya II, 1989: 353). Analysing accounts of the rite, Fuller (1976: 112) notes the similarity of the rite in the northern half of Travancore and in central Kerala. In south Travancore the tali was tied by boys called *machampikkar*, who were from specific families appointed for the purpose by royal writ in each locality or by *enangar* males from linked lineages. The *machampi* institution did not exist in north Travancore (Aiya II, 1989: 353).

maintaining other kinds of material relations with her natal *taravad* (Buchanan, 1988, Gough, 1961, Gopinath, 1993).²⁹ Kinship ties on the paternal side were more elaborate in north Malabar and male and female responsibility and privilege were of a different order. Plural sexual unions do not seem to have been permitted even at the turn of the nineteenth century and there seem to have been greater restraint on women in a *sambandham* (Gough, 1965: 9, Joint Commission from Bengal and Bombay, 1862: 234, Buchanan, 1988: 513).³⁰ Precisely on account of the correspondence of these customs to more 'familiar' patrilineal practices whether in India or in the west, 'fathers' and 'husbands' were more 'visible' to the colonial administration and western anthropologists. Underlined in this visibility is the articulation of conjugal and paternal responsibility in material-legal terms, associated with women's residence in the husband's *taravad* and control over their sexuality.³¹

29 Eric Miller (cited in Menon, 1994: 11) has noted that Nair *taravads* in north Malabar were matrilineal with virilocal post marital residence for at least 300 years preceding British rule. For material ties with the natal *taravad* see, Gough, 1961: 398.

30 Observers in the late eighteenth and early nineteenth century note the relative 'strictness' of rules regarding women's sexuality in north Malabar. Women "in the northern districts are said to be attached or even limited to only one male connection at a time; which difference and greater strictness in his country, may perhaps serve to account for the report furnished by the Chericul Rajah comprehending a clause that "if a man detect another in the night time in an apartment with his wife or mistress, he is permitted to kill him and cut off her hair and repudiate her" (Joint Commission from Bengal and Bombay, 1862: 234).

31 For references to material obligations of *taravads* towards women and children of deceased male members see Kodoth, (2001: 368). 'Evidence' being particularly strong, women's rights to maintenance in their husbands' *taravad* was established, although as an exception to the rule of matriliney, in *Varikara Vadake Vittel Valiya Parvati v Varikara Vadake Vittel Kamaran Nayar*. (Indian Law Reports 6, 1883: 341).

The case of southern Travancore was perhaps still more distinct. While this region has been the focus of little anthropological attention in the post colonial period, there are scattered references to polyandry of the fraternal type (but which did not involve the Nambudiris) that was prevalent in the nineteenth century (Samuel Mateer cited in Gough, 1965: 10).³² Importantly, like in north Malabar, residence was in the husband's *taravad* (Government of Travancore, 1908: 5, Ibid, Enclosure B: x, Aiya II, 1989: 358, Gough, 1965: 10, Fuller, 1970: 100). Gough suggests that fraternal polyandry in Travancore was of more recent origin (mid to late nineteenth century) and was preceded by non fraternal polyandry of the central Kerala kind (Ibid). There are several problems with her inference that fraternal polyandry in Travancore grew out of the Nairs taking to cultivation in the early nineteenth century, from their earlier occupation as soldiers, changing residence and taking pride in maintaining their wives and children. First, all Gough's instances are drawn from central Travancore, which was the southern extent of central Kerala, but she generalizes this for Travancore. Gough suggests that the Nair women shifted to fraternal from non fraternal polyandry when they took to living with their husbands. However there is no suggestion of prior non fraternal polyandry in south Travancore, where conditions of caste, land relations and polity were considerably different.³³ Second,

32 There are also more recent records of the vestiges of polyandry from central Travancore (K.E. Varghese, 1982: 34, 39). Gough (1965: 10) provides several other instances of fraternal polyandry in central Travancore in the twentieth century.

33 If non fraternal polyandry has been associated with, if not restricted to, areas of Nambudiri influence, unlike elsewhere in Kerala, in southern Travancore even women of the ruling families and chieftains did not consort with Nambudiris. Besides Velupillai suggests that the British Indian legal interpretation of land relations if misplaced for central Kerala was entirely irrelevant to south Travancore (Velu Pillai, 1940: 30).

the Nairs gave up arms in central Kerala too but non fraternal polyandry continued in parts of the region well into the twentieth century (Menon, 1996, Raman Unni, 1987: 290-91). Besides as Gough herself notes fraternal polyandry was prohibited in central Kerala (Gough, 1965: 11). My own information of contemporary south Travancore, broadly south of Kollam, is that fraternal polyandry continues among the older generation of Nairs. I know of several instances of two or more brothers sharing or having shared a wife. Significantly there is also a very early reference to fraternal polyandry in south-central Travancore by Roz, a missionary who was published in 1586. He points to an instance of two Syrian Christian brothers in Kozhencheri sharing a wife in an attempt to show that the Syrian Christians shared virtually all social practices of the Nairs (Brown, n.d. 173). It may be inferred that central Travancore being the frontier region between central Kerala and south Travancore shared aspects of both; and the prohibition of fraternal polyandry eased. This possibility is reinforced by early twentieth century references to clear distinctions in Nair customs between south and north Travancore.

In a separate memorandum to the Travancore Marumakkatayam committee, K. P. Padmanabha Menon, one of its members notes that the evidence before it, "shows that custom permits a brahmin and a kshatriya to have *sambandham* with a Nair woman, though in the south such unions are rare, even unheard of. People there view such unions as degrading" (Government of Travancore, 1908: Enclosure B: xxi).³⁴ The

34 Padmanabha Menon is trenchant about the association of the Nambudiris with the Parasuram legend. "[I]t is fortunate for the Nayars living south of Trichur [in Cochin] that the Kerala Mahatnyam does not touch them or has anything to do with their marriage customs! For according to it, Parasurama in settling his houries [for the amusement of the Nambudiris] stopped at Trichur and proceeded northwards...". (Ibid, p xxv).

Committee too notes the similarity in the customs relating to *sambandham*, particularly the post marital residence of women, in north Malabar and in middle and south Travancore on the one hand and between north Travancore and south Malabar on the other (Government of Travancore, 1908: 5). It may be inferred that in southern Travancore like in north Malabar male responsibility on the paternal side was 'visible' even while women and children retained claims to their natal *taravad*. "The father is de facto the guardian of this wife and children... [and] makes ample provision during his life time by what is known in this country as *Ishtadanam*, gifts inter vivos, and where he has failed to do so his *taravad* makes provision for the 'widow and orphans'. A species of property known as *putravakasam* or son's rights has sprung into existence" (Government of Travancore, 1908: ix). He points out, children observed death pollution for the father, performed his funeral obsequies, observe diksha and continue to perform annual *sraddha*. Speaking of the British period he notes that fathers in most cases also educate their children and that these practices were growing to be general also in the northern parts (Ibid).

Distinctions were also visible in kinship terms usual in these regions. In north Malabar and southern Travancore, there were specific terms for relations on the paternal side. Notably the term *appachi* was used to refer to the father's sister in central Travancore though there was no specific term in central Kerala (Government of Travancore, 1908). This included grandparents and cross cousins on the father's side (Gough, 1961: 402). Unlike in central Kerala, where there were distinctions in terms used to denote your mother's *sambandham* partner/s (*achan*) and her ritual husband (*aphan*), there seems to have been only one term (*achan*) in north Malabar denoting the father (Ibid, 381-2, 402).

Shaping 'Normal' Man-Woman Relations: Reform of Land Relations and Family

The consensus in favour of reform of land relations and abolition of matriliney in south Malabar owed much to the 'land for sexual relations' network that Nambudiri hypergamy had spawned on the one hand and the strength of the intermediary tenant class of Nairs on the other. Nair reformers, from this class, raised the demand for 'fatherhood', in its specifically modern idiom, in the late nineteenth century itself.³⁵ They focused on legislative intervention and were able to have enacted a permissive form of marriage that could confer legitimacy by registration. Largely on account of resentment to the implication in the Malabar Marriage Act, 1896 that *sambandham* was not legal, it met with more resistance than use and was soon declared a dead letter (Kodoth, 2001: 382). This experience made it both necessary and possible to pose the question of marriage differently – by not questioning the legitimacy of *sambandham*, yet seeking to reconstitute it as the principal site of property relations between men and women. This trajectory of reform however was specific to Malabar.

When the Nair Service Society was founded in 1914 in Travancore by the pre-eminent Nair social reformer Mannath Padmanabha Pillai, there was already a local Nair association in Perunna, his village and several others founded by the reforming elites. Reform of the "talikettukalyanam and other wasteful and embarrassing ceremonies" was high on the roster of virtually all Nair and Ezhava reform organisations founded in Travancore from the latter half of the nineteenth

35 For instance C. Sankaran Nair, who was also an ardent advocate of reform of land laws in favour of intermediate tenants, envisages his Malabar Marriage Bill as a clear shift from the 'maternal' to the 'paternal' family form (Home Judicial Proceedings, Nos 162-182, April 1895, National Archives of India).

century onwards (Jeffrey, 1994: 232). By around 1900 in Travancore and slightly later in Cochin and south Malabar the marriage system associated with central Kerala matriliney had almost disappeared (Fuller, 1976: 100). Also Travancore legalised all existing *sambandhams* in 1912 and passed legislation permitting partition of *taravads* on individual lines in 1925.

There were significant differences in colonial land policy between Travancore and Malabar. In Malabar since the establishment of colonial rule in 1792 virtually all land was privately owned. In contrast, 80 % of cultivated and all uncultivated land in Travancore was owned by the state. (Varghese, 1970: 35-50). Besides, tenants over state-owned land were conferred ownership rights by a royal proclamation issued in 1865. This gave rise two points of significance for us. One, the conditions so favourable to the exploitative 'land for sexual relations' in *sambandham* were absent. Hence reform of land relations and matriliney were less urgently intertwined than in Malabar. Two, nevertheless, *sambandham* raised anxiety and a sense of shame on account of perceptions of women's sexuality that it sustained and this was a key factor in propelling reform.³⁶

In Malabar quite distinctly twentieth century attempts by Nair reformers to legislate change in the matrilineal family avoided reference to marriage, addressing property concerns directly, in inheritance and partition. For instance, on the eve of the enactment of the Act of 1933, K.T. Chandu Nambiar, a key voice in favour of abolition of matriliney in north Malabar, touches but lightly on the question of marriage, "though

36 In his speech introducing a bill to legalise and regulate marriage in the Travancore Legislative Council in 1896, Thanu Pillai noted the greater conformity of *sambandham* to notions of marriage elsewhere. However he cited legal expert Kunhiraman Nair on the need for such a measure "against the present state of things which allows anyone to commit adultery with another's wife with impunity..." (Jeffery, 1994: 171).

we are proud that our marriages are no less enduring and endowed with the possibility of happiness than marriages among other communities, it remains for us to remedy the shortcoming in the eyes of the law” (Chandu Nambiar, 1932: 25). Besides, efforts at legislative intervention had been the preoccupation of reformers from south Malabar.³⁷ In the area of local level mobilisation and campaign these reformers accorded priority to tenancy reform, which they saw as intertwined with reform of matriliney. Interestingly then it was only in the 1920s that there was a rash of Nair associations constituted in south Malabar. In composition and agenda, they brought to the fore the cohesion of interests between the intermediary tenants and matrilineal reform. At the inception of the Malabar Nair Samajam at Pattambi in January 1930, close associates of the tenancy struggle were hard pressed to distinguish it from the Kudiyan Sangham. Endorsing the resolution to form the Samajam, M.M. Kunhiraman Menon notes tongue in cheek that there was no need to fear that the Kudiyan Sangham had turned into the Nair Samajam! (*Mathrubhumi*, Jan 16, 1930). He notes instructively enough that the programme of the Nair samajam would be to combat untouchability and other anacharams (irregular customs).

However in north Malabar the Uttara Kerala Nair Samajam (UKNS, founded as the Randuthara Nair Samajam) was shaped in 1909 self consciously by the older generation of Nair reformers to resist abolition of matriliney (see Chandu Nambiar, 1932: 3). Formed under the initiative of K. Rairu Nambiar, the organization included the well known writer

37 An early attempt at comprehensive legislation, the Malabar Partition and Succession Bill, 1913, came in the wake of separate bills that attempted by-laws on inheritance and partition. The inheritance bill was less controversial than the partition bill, but like the Tarawad Management bill, 1924, were not prosecuted (Law General Department, G.O., 363 (Miscellaneous) January 30, 1930, Kerala State Archives, henceforth KSA).

Vengayil Kunhiraman Nayanar and representatives from several influential *taravads* such as Kalliat, Chandroth, Moyarath and Koodali (Chandu Nambiar, 1932: 3).³⁸ In the context of the Malabar Partition Bill, 1909 the younger and second generation of educated members of Nair *taravads*, including Chandu Nambiar himself then a student, made a determined bid to mobilize and promote opinion, equally among Nair and Tiya youth in favour of partition of the *taravad*. The older generation however did not share these views on partition or on caste inclusive practices (Ibid). In this context they were virtually forced to think of ways of salvaging the matrilineal *taravad*, linked to preserving their feudal interests as *jammis*. This made it necessary to structure the agenda of the UKNS so as to preserve the *taravad* as a property space. Chandu Nambiar recalls how he was kept out of the organisation by their exclusion of students from membership (Ibid).

At a meeting the Randathera Nair Samajam on August 5, 1910 decided unanimously to resist the Malabar Inheritance Bill, 1909 as it would destroy the marumakkatayam system. Notably, it was seen as an attack on the religious beliefs of the Nairs and charged with seeking “the abolition of several charitable institutions,... a blow to ancestral worship and the worship of family deities”, a conception of the *taravad* that raised little anxiety in the reform discourse in south Malabar (G.O. no. 108, Legislative Department, 1911, Tamil Nadu Archives, henceforth TNA). However in the face of mounting pressure to sanction the inheritance rights of wife and children to a man’s self acquired property, in 1912 there was reluctant endorsement of the Bill. “Though not in strict accordance with the main principles of the marumakkatayam system yet, as there is a widespread feeling that such a measure is necessary

38 Rairu Nambiar was the father of the Communist leader A.K. Gopalan. Gopalan grew up immersed in the social reform initiatives of his father but soon fell out with the latter over issues of caste and politics (Gopalan, 1995).

under the altered state of things and as it does not affect the marumakkatayam system in the main the samajam beg to support it" (Home Judicial Department, G.O. no. 60-62, 1912, NAI).

The regional context in north Malabar requires some elucidation here. If the major *janmis* of north Malabar were mostly Nair, they were also few in number. The bulk of the Nairs were small peasant proprietors, sometimes combining tenancy with direct cultivation of small holdings (T. V. Anantan Nair in Appendix F, Government of Madras, 1887, Gough, 1961: 387, 390, Government of Madras, 1891, Shea, 1959: 89). The Tiyas in this region were mostly small tenants and agricultural labourers with a few dominant *janmis* in certain parts of Kottayam taluk (Census of India, Report, Madras Part I, 1921: 245, see also Gough, 1961, 405, Government of Madras, 1882: 57). Besides in the towns of Kannur, Tellicherry and Calicut they had as a group come into contact very early on with the British and other colonial powers, a process through which they had registered considerable economic mobility (Kunhappa, M. 1985). During British colonial rule a Tiya elite was highly visible in the legal and judicial professions and in the lower rungs of the bureaucracy, where they jostled with the Nair professional elite. Unlike the Nairs however the Tiyas also had a firm foothold in trade (Ibid, Kunhappa C. H., 1981). Given this economic profile, their low caste status lent itself to rivalry and distrust of the upper castes, particularly the Nairs and the nationalists, who they suspected of harbouring *janmi* interests (Sankaran, 1965: 118-19, 203). The land struggle hence took on a caste and communal representation.³⁹

³⁹ In the countryside, the Tiyas were tenants of Nair and Mappilla *janmis*, who shared a resentment of Tiya mobility and assertion. Mappilla and Nair *janmis* from Puthur and Kalavathur collectively assaulted a Tiya tenant apparently for presuming to wear a turban, coat and shoes. A similar incident was reported from Panniyanoor amsam in Kottayam taluk as well. More frontally *janmis* also tried and succeeded in breaking up efforts to organise Tiya tenants (Government of Madras, Vol II, 1928: 373).

Hence, in the first three decades of the twentieth century regional difference on reform of matriliney turned on two kinds of associations. One, there was the larger identification of the Nairs in north Malabar as *janmis* and in the south as (intermediary) tenants. Two, in north Malabar itself, there was an elision very generally of Nair with *janmi* interests and Tiya with tenant interests (Sankaran, 1965: 118-19, 203, Kunhappa, C. H., 1981: 47). For the UKNS, the sharpening of the tenancy struggle in the early 1920s added an important dimension to the contest over the resources of the *taravad* – this time from the outside, from tenants. Here the interests of the second generation of reformers were similar to their predecessors. Instructively enough, Chandu Nambiar withdrew from the Congress when after the failure of the non cooperation movement it turned forcefully to support the tenancy issue in Malabar (Gopindranath, 1996). Taken together these moves brought home the greater difficulty of recovering a *taravad* as a viable site of property relations. However, even in 1928 there was no clear endorsement of the demands of the tenant association in the UKNS. A resolution condemning the Malabar Tenancy Bill at the 1924 annual session of the UKNS was passed with only one dissenting vote (Sankaran, 1965: 203). In May 1928 at the annual session of the UKNS in Payyanur, a resolution in favour of protecting rights of tenants was passed but it cautioned against providing 'permanence of tenure' (*Mathrubhumi*, June 2, 1928).

Since its inception the reform campaign at the local level in north Malabar addressed concerns that were for most part outside the legal framework of the state. The major tasks that the reformers set for themselves were to a) promote modern education in order to build a sense of 'enterprise' and b) unify the numerous sub castes and modernise customs (Gopalan, 1995: 5-10, Chandu Nambiar, 1932: 8). In his address to the Janmi Sabha in 1911, V. Kunhیرaman Nayanar appealed to *karanavar* to build trust among younger members by involving them in

taravad management (Nayanar, 1987: 113). Reform of customary practices gained emphasis in the context of an early set back in efforts to intervene in trade and commerce.⁴⁰

Reading the Symbolic Structures of Matriliney: Marriage, Masculinity and Female Sexuality

The efforts initially were to streamline the resources of the *taravad* in order to retrieve it. Certain customary practices, particularly the *tali* rite, incurred huge expenditures and were seen as eroding the material base of the *taravad*. With the younger group of Nair men gaining ground in the organization the rhetoric of reform betrayed still other concerns. By the 1920s, younger male reformers pushed for comprehensive change, seeking to create the conditions that would support the patrilineally inclined nuclear family. They campaigned to reconstitute marriage in a sanitized and conformative mode, editing out precisely those customs and rituals that had fostered the reading that matriliney sanctioned sexually 'permissive' behaviour among women. Readings of permissive sexuality of women were restrictive to Nair male reformers in their quest to affirm that 'normal' husband-wife relations (normative masculinity) existed among the Nairs. Reformers also moved to shape new rites/practices, coded as 'progressive' — as imbued with the markers of 'respectability'. The *tali-kettu kalyanam*, *sambandham* and the *Korapuzha* (Kora river roughly nine miles north of Calicut) rule, which were either erased or thoroughly reconstituted in the early twentieth

40 At a meeting of the Nairs in Tiruvangad, Moyarath Anantan Nambiar, a lawyer pushed the view that the preoccupation of the caste elite with landed interests was limiting and out of touch with the times. He suggested that they reach out to trade in Tellicherry, Badagara, Kannur and other towns now monopolised by traders from "Gujarat and Karachi". Following this Vengayil Kunhiraman Nayanar, Kalliat Chathukutti Nambiar and Chandroth Valiya Nambiar made an unsuccessful attempt by setting up the Koodali Bank and a trading company in Tellicherry (Sankaran, 1965: 23-4, Nayanar, 1987: 110).

century, illustrate reform anxieties about permissive female sexuality on the one hand and the coding of normative marriage on the other.

Tali-kettu kalyanam

As already mentioned the *tali* rite was of exceeding importance to young girls and their *taravads* and provided an occasion on which *taravads* affirmed their symbolic capital.⁴¹ The rite attracted attention of social reform precisely for its marriage likeness accompanied by the fact that it did not constitute conjugal relations. Several factors accounted for the marriage likeness of the rite. a) A *tali* was tied on a pre-pubertal girl by a male member of a linked lineage or by a Nambudiri, who seemed to be in the role of a ritual husband. b) In north Kerala, it was tied to the rendering of *Brahmini pattu*, songs replete with the theme of cohabitation and fertility, by a woman of the Nambisan caste (a lower sub caste of the Nambudiris) (C. Karunakara Menon, in Government of Madras II, 1891: 289, Sankaran, 1965: 16, Fawcett, 1991).⁴² c) It was followed by the seclusion of the girl for three days, which witnessed feasting and music for the assembled people. After a ceremonial bath on the fourth day the couple parted ways. d) In parts of central Kerala the ritual bridegroom was required to tear his loin cloth into two, retaining one piece and handing the other to his ritual bride (Gough, 1955: 50). Not surprisingly then the *tali kettu kalyanam* has been regarded in the

41 As noted earlier I have relied on the several existing accounts of the rite particularly Gough (1955) and Government of Madras (1891) and Government of Travancore (1908) in drawing up this short picture.

42 Travancore a song known as *Ammachchan pattu* (song by the maternal uncle) is sung presumably invoking prosperity for the married couple (Aiya II, 1989: 355).

light of ritual marriage, ritual cohabitation, ritual deflowering and ritual divorce.⁴³

It has been fairly well documented that Nair reform organisations were instrumental in the elimination of this custom (See Sankaran, 1965: 15-17, Gopalan, 1989: 9, Kunhappa, 1981: 44, Puthenkalam, 1977: 55). In Travancore, Robin Jeffrey (1994: 143, 221, 232) notes that the Nair or Nair-identified organisations right from their inception in the late nineteenth century had the rite prominently on their chopping blocks. They highlighted the sense of shame associated with it (Ibid). In this context it is particularly significant that there is at least one depiction of the *tali kettu kalyanam* as an occasion that brought women together, established and renewed relationships, and one on which men were on the periphery (Sankaran, 1965: 16). The interpretation that even the role of the priest was played by a woman, the Brahmini, strengthens the possibility that it held together through periodic renewal a community of women. The decision of "male reformers in sabhas" to put an end to the custom was deeply resented by women (Ibid: 17). However in the absence of documentation of women's responses and possibly their role in the campaign, it would be more useful to turn to what may have been the significance of the *tali* rite in the social reform discourse.

The report of the Malabar Marriage Commission stated that while a small minority contended that the *tali* rite constituted real marriage, a majority of the informants describe it as a fictitious marriage and a large

43 The marriage likeness also underlined the difficulties of translation. A prominent Nair reformer wrote that Nair officers in Government employ who wanted to take leave to attend the *kettu kalyanam* of their daughters or nieces stated that they had to attend the marriage of the girl. "The ceremony was generally mentioned as marriage even in letters of invitation sent by Nayar gentlemen these days" (Kannan Nair cited in Thurston and Rangachari, 1984: 327).

section described it as an initiation rite preliminary to "the formation of sexual relation" (Government of Madras I, 1891: 18).⁴⁴ Defence of the *tali* rite as constituting betrothal, a sacrament and one of two elements of marriage, the other being cohabitation, was dismissed by the commission as not widely different from the views of:

European writers who have supposed that Marumakkatayam usage intends the *tali kettu* to be the only ceremony which a girl approaching womanhood needs to fit her for cohabitation with one or more men of her own or higher caste (Ibid: 18).⁴⁵

The significance of the campaign against the *tali* rite in the reform discourse is underscored in the references to it as 'meaningless' and 'shameful' (see Chandu Nambiar 1932: 10, Kunhappa, 1981: 44, Jeffrey, 1994). The call to eliminate it in the process of streamlining the marriage rite betrayed the need to establish the completeness of *sambandham* by closing the gap between the *tali* rite and *sambandham*. The readings of sexual permissiveness of women were located importantly in this gap. An emerging norm of sexuality, characterized by male protection and female dependence coded 'normal' husband-wife relations. The elimination of the *tali* rite was a pre requisite to the 'normalization' of *sambandham* as marriage, and the production of a sexually disciplined woman wife. However, in asserting that *sambandham* conformed to the

44 The reference point of matrilineal practice was 'Hindu' custom. Muthuswami Aiyar, a judge of the Madras High Court, refers explicitly to Hindu rites while assessing the 'claims' of *sambandham*. "[I]t must be remembered that the essential elements of a brahminical marriage *viz.*, taking the bride by the hand or panigrahanam and saptapadi and the homam are not to be found among its details (Ibid: 29).

45 For compilation of interpretations that emphasize the links between the *tali kettu kalyanam* and sexual permissiveness see Thurston and Rangachari, (1984: 315-26), Padmanabha Menon, (1984: 253-68). Fawcett (1991: 231) compares the *tali* rite to initiation rite in the Basivi tradition, where girls were dedicated to temples and took up temple dancing.

requirements of marriage (contractual and/or sacramental), it was necessary to shape a rite that would speak the language of sexual discipline of women and conjugal and paternal responsibility of men.

Sambandham: *Sambandham* established cohabitation and it was conducted after a girl reached puberty. In north Kerala, *sambandham*, better known as *podamuri*, was established by the ritual presentation of new clothes to the bride by the bridegroom at a ceremony in the central room of the bride's residence. The ceremony was at night and was fairly elaborate in the north, where it was also accompanied by ritual and feasting. The bride was escorted to the bridegroom's *taravad*, where she received a formal reception. Money or simply betel leaves and nuts substituted for clothes in south Malabar, where the function was marked by the absence of ritual, and women did not change residence.⁴⁶

Reformers sought to negate the hegemonic aspect of Nambudiri hypergamy, specially the privilege granted to it by the royal families and wealthy Nair *taravads*. Fuller (1976: 75) notes from his central Travancore village, where until the early twentieth century Nair women sometimes married Nambudiri men, that by about 1925 such marriages had ceased. Nair reformers and the Nair Service Society had started urging people to regain their 'self respect' by stopping the degrading practice of concubinage to Nambudiri men (Ibid). He quotes an informant that "*sambandham* (to a Nambudiri) was really *asambandham* (a mockery)" (Ibid). For Chandu Nambiar (1932: 13) its prevalence in north Malabar well into the 1930s was a powerful reminder that the project of reform was far from complete. Interestingly, however, he argues not for the elimination of hypergamy but for reworking its etiquette. He takes up the language of deference employed to address

46 For an early twentieth century account of a central Kerala *sambandham* see Bhattatiripad, (1988: 232).

and refer to the Nambudiri husband of a Nair woman. Pointing out that it perpetuated a sense of inferiority among the Nairs, he asked how appropriate was the term *sambandham* to describe an unequal relationship? (Ibid). This ascribes respectability to *sambandham* as an ideal and embeds it in a modern frame, that of equality and self respect.

The alertness of Nair reformers to the importance of detail is evident in the effort to reshape *sambandham* in a modern and progressive form. In this quest they reached out to an altered version of the *podamuri* form, with a ceremony by day including the giving of clothes and feasting as central aspects. Their strategy recalls that of O. Chandu Menon during the marriage debate in the late nineteenth century to recover a respectable form of *sambandham*. In his dissenting note to the Malabar Marriage Commission in 1891, Chandu Menon privileged the *podamuri* form. He wrote of it that "the principal features of *sambandham*" were the same throughout the territory and "ought to be gone through at every *sambandham* if the parties wish to marry according to the customs of the country" (Government of Madras I, 1891: 99). Chandu Nambiar (1932: 12) is aligned to this position of the inherent respectability and legitimacy of customary practice. Yet he is vehement that the practice of formalizing *sambandham* at night is shameful, i.e., tailored to the needs of the Nambudiris who wished to visit Nair women under the cover of darkness. He underscores the importance of a ceremony by daylight by refusing to attend *sambandham* conducted at night (Gopindranath, 1996: 38). Such a move anticipates a more 'public' ceremonial that would through its visibility wipe out the shame of the modern Nair. The tension here is as much of sexual indiscipline of Nair women as of the refusal of Nambudiri men to take responsibility as husbands and fathers for their Nair wives and children. Legitimacy is seen as flowing from public endorsement of the marriage.

Beyond the Korapuzha Rule: Reformist Regulation of Women's Mobility

Even at the turn of the twentieth century, Nair women of north Malabar could cross the *Kora* river to the south only at risk of losing caste. It has been suggested that the *nadu* division were units of kinship relations as well as administration and crossing the boundaries of one's *nadu* was at least in principle taken to be a reason for pollution (Variar, 1994: 23). The prevalence of such an idea implied a strongly imagined territory (Ibid). The prohibition against women had by the turn of the twentieth century turned into a source of inconvenience for the increasing number of Nair men employed outside north Malabar. Men employed outside north Malabar or in Madras resorted to *sambandham* with women in south Malabar owing to the inconvenience of the rule (V. K. Kelappa Kurup in Government of Madras, Vol. II, 1891: 230). The first instances of women defying the rule were in order to join their husbands and these women had to bear the pain of ostracism. In the late nineteenth century a sub judge of south Malabar, Kuvukal Kelu Nair made an unsuccessful attempt to have the taboo broken and a few women did cross to join their husbands in Calicut (A.C. Kannan Nambiar, Government of Madras, 1891: 199).⁴⁷ Chandu Nambiar (1932: 25) recalls that it was possible to break the taboo only because women of the older generation took it upon themselves to violate the norm. They were also willing to brave the censure involved. By the 1920s, women were crossing the river without major social repercussions (Puthenkalam, 1977: 55).

In exhorting women to break this rule reformers underscored the inconvenience caused to men. In the reform discourse, the rule was

47 According to more recent memory when Kalliat Lakshmi Amma who went to live with her husband the lawyer V. Rairu Nambiar in Madras in the early twentieth century she faced intense social disapproval (Gopindranath, 1996: 95. Sankaran, 1965: 23).

framed as backward and anachronistic. However the notion of progress, attached to breaking this rule was underpinned by a new modes of regulating women's mobility. Mobility under certain conditions was indeed normed precisely because it was necessary to enable women to properly be wives, accompanying their husbands to distant lands and being indispensable to the claims and needs. Significantly enough the early decades of the twentieth century which was also the period of intense organised social reform coincided with new restrictions being placed on women against participating in manual work outside the home (Aiyappan, 1945: 122, Mencher, 1989). At the turn of the century, it seems to have been routine for women in north Malabar even from affluent *taravads* to work on fields owned by the *taravad* (K.R. Krishna Menon in Government of Madras, 1891: 214). In Chirakkal and Kottayam taluks of north Malabar, Nairs and Tiya, both men and women worked on the fields though women from affluent *taravads* confined themselves to working on land owned by their *taravad* (Kunhappa, 1981: 4). However in the early twentieth century Moyarath Sankaran (1965: 203), an early nationalist leader from north Malabar recalls his *karanavan* stopping his mother from working in the fields. This has been captured more generally in a decline in women's enumerated participation in agricultural labour between 1911 and 1931 (see Raj and Tharakan, 1983: 73).⁴⁸ Instructively enough, Joan Mencher collected numerous descriptions of how as far back as the late 19th century, women had managed their family estates which according to her stood in contrast to women in the second half of the twentieth century. "Many

48 In 1921 women recorded as agricultural labour in Malabar district exceeded men among the Cherumas (traditional agricultural labour caste), Tiya/Izhavas as well as among the Nairs. For every 1000 male agricultural labourers who were Nair there were 1575 females of the same caste (Census of India, 1921). Among the Mapillas the other numerically large social group there were 838 women for every 1000 men in agricultural labour

of these women were exceptionally resourceful in making decisions about agriculture, while their husbands pursued other interests – ranging from scholarly or religious activities or professional careers in the law or medicine to carousing and sexual orgies” (Mencher, 1989: 125). Not surprisingly, unrestrained mobility is probably the most important attribute of masculinity in contemporary Kerala and when attributed to younger women it carries with it the suspicion of sexual indiscipline (see Osella and Osella, 2001).

Making Men out of Matrilineal Wastrels: Natural Inclination, the Conjugal Family, and Enterprise

By the 1920s, reform opinion underlines a sense of masculine self respect, premised on a spirit of enterprise (Chandu Nambiar, 1932: 10).⁴⁹ Notably, Chandu Nambiar targets the boredom, ineptitude and subservience among Nair men with particular anxiety (Chandu Nambiar, 1932: 11). Large land owning *taravads* were seen as cess pools, where young men wasted their youth and resources in attending long drawn procedures of the civil courts, hoping to obtain decrees against the karanavan or in favour of maintenance (Mathrubhumi, June 5, 1928). Matriliney is seen as directly responsible for this. “There has been no abatement in the number of Nair youth who do nothing useful. It is not difficult to see that the Malayalee’s lack of success in the economic sphere is the inevitable result of the marumakkatayam system” (Mathrubhumi, editorial, April 19, 1923). If marumakkatayam was targeted with particular anxiety, discontent with joint families was more

49 In this there is a correspondence to Nair reformers in Travancore linking the relative prosperity of the Syrian Christians to their patrilineal form of family (Jeffrey, 1994). Fuller (1976: 146) points out that ideology was a principal factor in the transformation of matriliney but suggests that ideology, derived from a theory that matriliney and joint families were barriers to economic advancement, which though invalid served as self fulfilling prophecies.

widespread.⁵⁰ Change that was desirable, that would usher in a viable as well as a ‘natural’ form of family came together in the projected move towards the conjugal nuclear family. It is here that the husband and father would be able to shoulder the familial responsibility that they were so ‘naturally’ inclined towards. “The marumakkatayam sampradayam places men in a position of acute conflict with natural inclination pointing in one direction and the dictates of the law in the other” (Chandu Nambiar, 1932: 25). It is interesting that the false position argument is still part of the rhetoric of reform in north Malabar, for it was common place in south Malabar and Travancore. William Logan probably provided the earliest direct articulation of this argument associating patrilineage with human enterprise in his tenancy report in 1881 (Government of Madras, 1882: 108).

On the eve of the enactment of the Act of 1933 the Samudiri’s (former ruler of Calicut) had appealed in a local newspaper that partition would render impossible man-woman relations as prevailed under the matrilineal system (Mathrubhumi, October 9, 1932). Taking up this “last resort argument” in favour of matriliney, a woman from the royal family asks, “Is it the desire of the karanavans to retain forever the relations that prevail today?” (Ibid, November 10, 1932). She claimed that families desired to adopt “normal husband-wife and father-son relations and lead ordinary lives, which marumakkatayam had been unable to furnish for them so far” (Ibid).⁵¹ A complete move to the conjugal unit as family however required that men and women be ‘freed’

50 “Joint families in Kerala are particularly lacking in any favourable aspects and when it happens to be a marumakkatayam family there is no end to its inconvenient and disastrous possibilities” (Muthiringot Bhavathratan Nambutiripad, *Unni Nambudiri*, May-June, 1936).

51 The discussion continued over several issues of *Mathrubhumi* (October 29, November 5, 10, 1932).

from a 'relation of property' outside it, that they be recognised fully as 'husbands' and 'wives' or 'fathers' and 'sons'. This transition to an 'ethic of conjugality' could be achieved only through thorough-going change – by way of permitting individual partition (*Mathrubhumi*, Editorial, April 19, 1923). By 1930 there is recognition even in south Malabar of the need to work through the resentment to radical change emanating from the north, for this could hold up legislation which had already languished for three decades. At the meeting in Pattambi, where the Malabar Nair Samajam was announced, K. Madhavan Nair, prominent nationalist and advocate of tenancy reform, voices the need for a "Nair samajam for all Malabar". He takes note of the "strong differences of opinion on abandoning the marumakkatayam system altogether" adding however that there could be no dispute on the need for "some vital changes" (*Mathrubhumi*, January 16, 1930). The Madras Marumakkatayam Bill, 1930 (and the Act of 1933), in so far as it restricted the right of partition to *tavazhis* (branches) was clearly dissatisfactory. There is no ambiguity in Chandu Nambiar's appeal in 1932 to overcome this as a step in support of the conjugal nuclear family. "You must demand that the husband and wife be given the right to inherit each other's property."⁵² Legal-material rights within the conjugal unit however were seen as woven into the need to harmonise household responsibilities and power. Not surprisingly then Chandu Nambiar (1932: 19) puts forward such an ideal in thinking about the 'very important supportive role' that wives would have to assume in relation to men, aiding them in carrying out responsibilities.

⁵² At the sixteenth annual session of the UKNS, a resolution in favour of individual partition had to be set apart and the session concluded that, "marumakkatayam practice was harmful to social progress and it was imperative to mobilise opinion in favour of the demand by the anandiravans for individual partition" (*Mathrubhumi*, May 28, 1928).

Masculinity here came to be associated with an overarching sense of male conjugal responsibility, so much so that 'natural' affection was no substitute for legal guarantees. Addressing an audience of the UKNS in 1928 Parameshwaran Pillai, a prominent Nair social reformer from Travancore, stressed the urgency for comprehensive legal intervention on precisely these grounds. "It is the husband's responsibility to protect the property of his wife... So long as our marriages want for legal sanction husbands of Nair women will resort to irresponsible ways. Hence it is not advisable to partition taravad property before enacting a marriage law" (*Mathrubhumi*, June 5, 1928). However in the anxiety to bind the conjugal unit effectively the provision of free divorce became suspect, seen as having "the tendency to breed a sense of irresponsibility" (Law General department (miscellaneous), G.O. no. 363, dated January 30, 1930, KSA).

Legislative Intervention

Important among the provisions of the Madras Marumakkatayam Act, 1933 were a) legal sanction of *sambandham*, b) guardianship and maintenance provisions for women as wives and for children from their father, c) right of wife and children to inherit the intestate self acquired property of the husband or father d) divorce by mutual consent and e) right to demand partition of *taravads* on the basis of branches. The provision on partition was the most controversial. Two clauses sought to appease opposition against. One, individuals could not aspire to seek partition only branches could. Two, *taravads* could register themselves as impartible within a given time frame. It was also hoped that partition along *tavazhis* would work as the thin edge of the wedge.

The legislation granted legal recognition to *sambandham*, converting, overnight, 'lovers' and 'concubines' into legally wedded couples. If Nair reformers had been emphatic that *sambandham* should

be recognized as legal, there was dispute over its legal form and the legislation embodied a considerably different form from that which was customary. The legislation incorporated compulsory monogamy but the discussion on the provision is suggestive of the asymmetrical norms of sexuality for men and women. It was argued in support of an amendment to introduce restricted polygamy that monogamy and the condition unrestricted divorce made it impossible for a man to marry a second time without divorcing his wife, which would amount to throwing her on the street (Proceedings of the Madras Legislative Council, Vol. I xiii, Oct-Nov 1932: 349).⁵³ The Nambudiri bill initially made void any *sambandham* contracted after the commencement of the Act but the select committee brought it in conformity with the Marumakkatayam Act that recognised *sambandham* with Nambudiris (Report of the Select Committee, Madras Marumakkatayam Bill, Fort St. George Gazette, 30 August 1932). Compulsory monogamy was also seen as move against the royal and other special status (*stani*) families. It was argued that Nambudiris may refuse to contract *sambandham* with women of royal families, as was the practice, on account of the legal responsibility sought to be introduced in the bill (Law General Department, G.O. no. 363 (miscellaneous) dated January 30, 1930). R.M. Palat, a *janmi* member of the house, argued that, "while polygamy is prevalent in every part of India including Malabar; the anxiety to enforce monogamy seems more a veiled attack on the stanis than anything else" (Report of the Select Committee, Madras Marumakkatayam Bill, Fort St George Gazette, August 30, 1932: 172). For a society that was plagued by readings of

53 When put to vote the amendment was defeated by 6 votes to 59 (Ibid: 357). Velu Pillai, author of the Travancore state manual, argued in favour of polygamy in the Travancore house on the grounds that it was in the interests of women and rejected as unrealistic the plea by women for monogamy (Saradmoni, 1999: 101).

sexual permissiveness among women, drawing on the prevalence of polyandry, this discussion is some indication that marriage had indeed been 'normalized'. Notably, polygamy is discussed with explicit reference to a pan Indian conception of Hindu law into which matriliney is ready to be incorporated.

Wife and minor children were placed under the guardianship of the husband/father and were to be entitled to maintenance from him subject to the wife not refusing to live with him without just cause. This was with the exceptions of married minor girls who were to be under the guardianship of their husbands (Law General Department, G.O. no. 555, dated Feb 16, 1933, TNA). This provision centered the conjugal nuclear family as the primary site of material transactions between men and women.⁵⁴ Linked to this women and children were made the primary heirs to the self-acquired property of the husband/father dying intestate. However, the self acquired property of women dying intestate was to devolve upon their children and the lineal descendants of daughters and in their absence was to go to their *tavazhi*. Only when she left behind no *tavazhi* could her husband claim a share along with the *tavazhi* of her maternal grandmother.

Conclusion

Nair male reformers, in the early twentieth century, campaigned to shape a new idiom of marriage that would establish and center onto itself ties of property between men and women. The reconstitution of husbands and fathers in a normative masculine mode was premised upon restraining women's sexuality and mobility within marriage along with the principal material/property ties. These were precisely the terms

54 However, guardianship of husband/father was not to extend to the right and interest of the wife and children in respect of their *taravad* properties (Ibid).

of their absence in the colonial interpretation of matriliney. I would like to conclude this paper with a folk song suggesting a matrilineal sensibility regarding power relations, signaling dispersal of affection and authority.

Little crab, of the Mundakam field. Tell me, where will you go, when the paddy is reaped?

I will sit all a smile, on my mother's lap.

If your mother goes afar, then where will you go; where will you do, O where will you go?

I will sit crying, on my father's lap.

If your father goes afar, then where will you go; where will you go, O where will you go?

I will stand before my brother, head bowed, I will stand.

If your brother goes afar, then where will you go; where will you go, O where will you go?

I will stand before my uncle⁵⁵, shivering, I will stand.

If your uncle goes afar, then where will you go; where will you go, O where will you go?

If uncle goes afar, I will seek my own way, seeking my path, I will walk away?⁵⁶

It is significant that fatherhood, in the song, is foremost an affective tie with a sense of indulgence not available either to the brother or the *karanavan*, both figures of authority and property and also distant figures. There is also a mediation and sheltering of the child's relation with

55 The term used is *aminaman* or maternal uncle

56 There are several variations of this song which was popular among women working on the paddy fields.

authority/property by affection, even if one that also underlines her vulnerability. However this is not to suggest that a relationship honed preeminently on authority and property was devoid necessarily of affection. The possibility of dispersal of authority, property and affection however is quite distinct from the construction of masculinity in a singular vision such that affective ties are merged with and premised on material ones. In such a scheme authority and affection combine to constitute 'right' – whether of husbands or fathers. In contrast, the song suggests strongly a retrieval of masculinity from an oppressive singularity that came to be associated with it in the urgency to bind affective and material ties within the 'natural' – ironically enough the institution of marriage.

Praveena Kodoth is Research Associate at the Centre for Development Studies, Trivandrum. Her research interests include Gender Studies and History of Institutions.

E-mail contact: praveena@cds.ac.in

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