



Social Change through legislations- An example of Namboodiri Regulation Bills

DR.GIRISH VISHNU NAMBOODIRI

ASSOCIATE PROFESSOR-HISTORY

GOVERNMENT BRENNEN COLLEGE,

DHARMADAM, THALASSERY

KANNUR UNIVERSITY

Abstract: This paper attempts to study how Government legislations and laws resulted in social changes during colonial Kerala. Some of the progressive laws passed by the British Government and rulers of Travancore and Cochi created a positive impact upon the society of modern Kerala. This paper makes a detailed discussion on Namboodiri Regulation Bills passed by the Madras legislature, rulers of Cochin and Travancore which resulted in changing Namboodiri family relations in Kerala. Here Government legislations worked as an instrument for bringing social change in Kerala

Key words: Regulation bills, *illam*, *thatavad*, *sambandham*, *Yogakshema Sabha*, *Unni Namboodiri*, *adhivedhanam*

Background of Regulation Bills

Namboodiri reformers in the 1920's viewed Family regulations as one of the ways for the progressive reconstruction of their life. The movement and discussions for family regulations could be seen from both inside and outside Yogakshema Sabha. Reformers made massive campaigns for passing of the family regulations through pamphlets, articles and even by organizing direct struggles. The continuous demands from the Namboodiri reformers resulted in the passing of Namboodiri Family Regulation Bills in Travancore, Cochin and Malabar. The demand for Family Regulation Bill was a solid proof for their eagerness in changing their way of life. Yogakshema Sabha responded to the various legislative attempts of the Government from its inception itself.¹

Adequate representation in administration, restriction of the power of the *karanavers*, promotion of self-caste marriage, division of joint family property and regulation of succession rights were the changes visualized by the reformist leaders through Family Regulation Bills. The Regulations also proposed changes on dress, customs and ritual practices for modernizing family life. It also envisaged ending of differences within the different groups of Namboodiris and bringing all of these groups in to single folder.

Regulations demanded that without the permission of the family members no sale or mortgage of family property was possible. Regulations aimed for transferring the right of *karanavers* to the *ananthiravans* whenever it was necessary.ⁱⁱ The orthodox newspaper namely '*Sudarsanam*' stood against regulations and presented memorials and memorandums against it.ⁱⁱⁱ The regulations perceived that reform of the community was to begin with the family. A disciplined family life for every member, man or woman, of the community was an urgent requirement and also been included in Namboodiri Family Bills. The Bills suggested equal participation for all members in family matters, right of all members to marry within the community, equal share for all in family property and income, restrictions in the power of the head of the family and regulation of the law of inheritance to ensure it.^{iv}

All these were directly addressing the question of the continuity of the then existing family structure, ending joint-family structure and allowing individual property right will lead to the formation of new family. And in the new family, *karanavers* has no role, but father became the central figure, who earning the bread for the family, and control the whole affairs.

The demand for passing Namboodiri Bills was being emerged in Sabha from the 15th session at Kolakkada onwards. By the end of 1920's Yogakshema Sabha was successful in forcing the Governments of Travancore, Cochin and Madras to introduce

informal bills in the respective legislatures. Kaplingattu Sankaran Namboodiri, and CN Tuppan Namboodiri worked for the Bill in Cochin and Travancore legislatures respectively.

At the Edakkunni annual session in 1929 Sabha decided to conduct satyagraha for passing the Cochin Namboodiri Bill. Firstly, a memorandum was submitted to the King. When there was little progress youths decided to start a strike on the birth day of the king marking black “*pottu*” on their forehead. The King was infuriated with the response of the Namboodiri youths and later vetoed the Bill. Yogakshema Sabha’s movement for passing the Namboodiri Bills was headed by Chittur Kunjan Namboodiri, Kanippayyur Sankaran Namboodiri, CK Namboodiri, OMC Narayanan Namboodiri, Kurur Ashtamurthy Namboodiri, N Kesavan Namboodiri and Madambu Narayanan Namboodiri. Sabha launched a march from Cheruthuruthi to Tripunithara in 1930 and called on the King and requested for passing a comprehensive law for the Namboodiris. Though the Government passed the bill it was incomplete and of having many drawbacks. The partition of joint property was not included in the bill.

The Family Regulation Bills was presented separately in three principalities of Kerala- Travancore, Cochin and Malabar. The movement for Namboodiri Bill attained much momentum by the end of 1920’s in Malabar. *Unninamboodiri* magazine criticized the laziness on the part of O.M.Narayanan Namboodiri, the only Namboodiri member of Madras Legislature in the presentation of Malabar Namboodiri Bill. In spite of many legislative meetings, the movement for Bill remained in a stagnant state for long years. Sabha complained that Namboodiri members were not showing interest in it and they

were not aware of the fact that Bill was not for a person or his family but to the whole community of Malabar and neighbouring places.^{vi}

The Malabar Namboodiri Bill aimed four important changes- same caste marriage, controlling „*adhivedhanam*’ (Polygamy), division of dowry and banning of *sambandam*“ of Namboodiri youngsters. According to this bill *sambandam* would be ended by the popularization of self-caste marriage. The bill recommended for instituting a fine of rupees 100 to both the husband and wife who engaged in *sambandam*. In the case of partition of dowry, bill recommended for the partition of dowry by giving half to husband and wife and half to family property.^{vii}

Travancore Namboodiri Bill

At Travancore, the bill presented by Tuppan Namboodiri.^{viii} It was also viewed as a measure to save Namboodiri families of Travancore from their decadent state of affairs.⁶⁷⁹ There was opposition to the Bill from some members of Srimulam assembly, like Kerala Varma Koyi Thampuran, who maintained that there was no need for regulating Namboodiri family life. The traditionalists under the auspices of ‘*Sudarsanam*’ daily demanded withdrawal of Namboodiri Bills and convened a meeting namely ‘*Real Malayala Brahmin Meeting*’ and demanded the withdrawal of Namboodiri bills and special schools.^{ix}

There were different perceptions on Namboodiri Family Regulations. Family Regulation was observed for the protection of the community from degeneration. It was also intended to check the decline of their family property, regulate family

administration, popularize self-caste marriage, and demand a portion of family property for education and daily expenditure. All these were gradually leading to the formation of new family form for the Namboodiris.

Cochin Namboodiri Family Regulation Bill

Cochin Legislature of 1925 accepted Namboodiri Family Regulation Bill and left it to the subject committee. Namboodiri Family Regulation Bill was prepared by Kaplingottu Sankaran Namboodiri.^xIt was observed that the Bill was the result of the consciousness among the Namboodiris on their living conditions. It had taken in to account the census report which indicated the fall of population.^{xi}Like the reformist discourses the Regulation Bill also supported self-caste marriage as the single solution for marriage reforms. It viewed the then living condition of Namboodiris not suitable to the age.^{xii}Regulation expressed the awareness that without changing the Namboodiri family life they could not survive in the modern society. Though the Cochin Namboodiri bill was passed by the legislature when the bill reached in front of the Cochin raja, the raja was reluctant to pass the bill.

Madras Namboodiri Act

Namboodiri reformers and progressive members of the society in the 1920's and 1930's contented that the social and educational backwardness of the Namboodiris were due to their social customs. They understood that the abolition of these practice was the way to bring community into the public. Namboodiri youths also thought that legislation could remove the obstacles in the way to progress. Under these circumstances the

Madras Namboodiri Act was passed in 1932. Its primary objective, was to supported the marriage of junior members within the caste, restriction of the powers of the karanavers and facilities for the education of the junior members.

The Act envisaged that partition of family property would lead them to equip themselves in different enterprises and would result in the progress of education on modern lines. The Act also anticipated that legislation on these lines might help the community to tackle its rightful place in the socio-political scenario. The Act strictly enforced monogamy and same caste marriage. It envisaged that after the passing of this Act no Namboodiri shall, during the life time of his caste wife, marry another wife from his own caste, except in the case of the first wife being afflicted with an incurable disease, or failing to bear a male issue until she attain the age of 40.

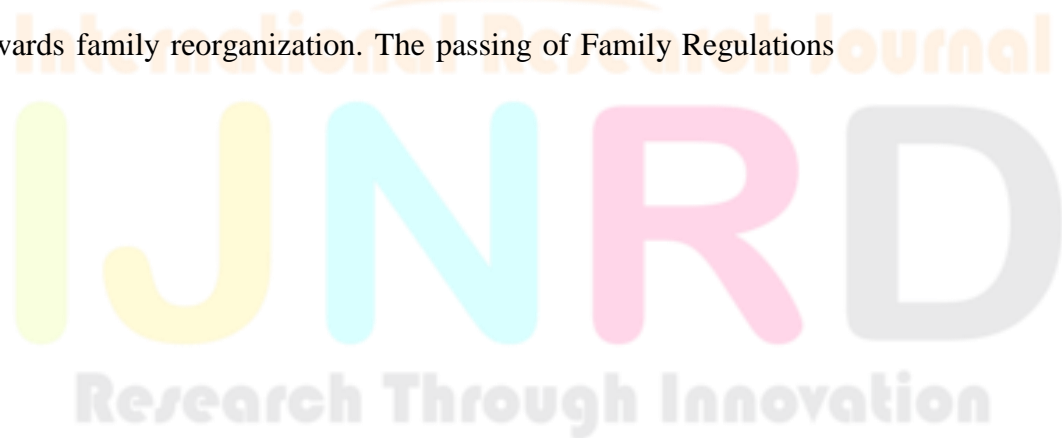
A Namboodiri youth who indulged in self-caste marriage could remarry a Namboodiri women only in the following cases; if the wife is affected with an incurable disease for more than five years, unless she gave birth to a baby within 10 years of their marriage, whether the wife has been outcaste.

In short, Namboodiri reform movement in the first half of the 20th century tried to redesign their family life to walk with the changes in the society. Beginning from the moderate demand of changes in the value system, they gradually argued for structural changes in the family set up through passing family Regulation Bills and later insisted on complete reorganization of their family life.

The consciousness for the „progressive“ reconstruction of the Namboodiri family life emanated the discursive realism created by the colonial modernity had its effect on every day life. The attempts for reorganizing their domestic space got momentum in the 1920“s and 1930“s and it acquired the character of visualizing a nuclear family set up in the 1940“s. During these periods efforts can be seen to restructure themselves in attune with the developments in larger society. Eventhough, there was a correspondent movement which stood for remaining traditionalism in Namboodiri family life, it did not got momentum in due course of time.

The community organization Yogakshema Sabha played the role of a initiator in this modernization process. The policies and programmes of Yogakshema Sabha had its repercussions in the Namboodiri family life. Sabha accepted different strategies like theatre activism, mobilization programmes like *Yachana Yatra* and aunching direct struggles to spread the new vision of family that had a crucial role in modernizing Namboodiri family life.

The reformist discourses which centred on the issues like economic reorganization, marriage reforms, and self-transformation were the clear mark of dialectics existed within the community on the question of family reorganization. Reformers became self-critique on the customs existed amongst them and they changed demands according to time. While in the 1920“s reforming of family property gained attention, by 1930“s it was focused on the problem of widows and co-wives. Argument to become a labour force and need of leading independent life got prominence by1940“s.By the 1920“s the community demanded Family Regulations which was viewed as a significant step towards family reorganization. The passing of Family Regulations



and Namboodiri Acts helped for the progressive reconstruction of Namboodiri family life.

In the movement for changes in the family set up, a gradual shift from narrow community interest to the interest of a larger public can be traced later on. The concept of a larger collectivity like united Kerala, Malayalee and nation received attention in the later reformist discourses.

Conclusion

British legislations became an instrument for social change in colonial Kerala. All most all classes of Kerala were influenced by these legislations. Legislations also inspired for strengthening of social movements that demanded social changes. Madras Namboodiri Act resulted in the reconstruction of family life of the Namboodiris of Malabar. At Travancore and Cochi, the two princely states of Kerala, Family Regulation Bills inspired for bringing changes in the family life.

References and End Notes

ⁱ For example when Cochin Jenmi-Kudiyam Regulation was introduced in the Cochin legislature in ME. 1090 Yogakshema Sabha declared its disappointment against the bill.

ⁱⁱ In the Namboodiri family (Illam) set up property was considered public property and all members had right over it. The Karanavar was being treated as the eldest male member of the family where the new female member was added by marriages. Seniority was fixed by the date of the marriage. All members of the family, after the Karanavar called as „*ananthiravan*“. Members below 18 were considered as minor. Daily expenditure of the tharavadu (joint family) included food, dress, education, treatment, rituals and the annual income of a tharavadu (family) was known as „*assal vavu*“, Editorial, „Cochin Namboodiri Regulation“, *Unninamboodiri*, 1927 (ME.1102 Meenam), Vol.8(7), p.403

ⁱⁱⁱ Editorial, „*Sudarsanakkar Tekkottu*“, (supporters of Sudarsanam to southwards), *Unninamboodiri*, 1927 (ME.1102 Meenam), Vol.8(7), p.492

^{iv} *Unni Namboodiri*, editorial, ME 1101, Edavam, No.9, Vol.7, pp.541-548

^v *Unninamboodiri*, ME.1101, Vol.5(3), p.123

^{vi} Slow development to Malabar Namboodiri Bill, *Unninamboodiri*, 1103 Meenam, p.412

^{vii} Editorial, „Malabar Namboodiri Bill“, *Unninamboodiri*, 1927 (ME.1102 Midhunam), Vol.(), pp.551-554

^{viii} Editorial, „Travancore Namboodiri Bill“, *Unninamboodiri*, 1927 (ME.1102 Medam), Vol.(), p.436

^{ix} Editorial, „Prathishedha Yogavum Mangala Pathravum“ (Protest meeting and awarding praise letter), *Unninamboodiri*, 1927 (ME.1102 Karkidakam), Vol.(), pp.603-606

^x Editorial, „Munnam Vayanakku vannu Chernna Kalavilambaram“ (Laxness in the third Reading), *Unninamboodiri*, 1927 (ME.1102 Medam), Vol.(), p.431, see Editorial, „Mr.Kaplingottu sankaran namboodiri yude Vibramam“ *Unninamboodiri*, 1927 (ME.1102 Karkidakam), Vol.(), pp.608-609

^{xi} According to the census report of 1911 300 illams disappeared. According to the census report the number of Namboodiris were 5520 and there was a steady decline by the last 10 years.

^{xii} Madras Namboodiri Act. Act No.XXI of 1933, p.7 The Namboodiri bill has been published in the Fort St. George Gazette, dated on 18-08-1931