
STATUTORY GENDER IDENTITY AND MATRIMONIAL ALLIANCES AMONG EZHAVA IN KERALA: A STRUCTURAL ANALYSIS

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Abstract

This study analyzes the Ezhava social reform movement in Kerala during the late 19th and early 20th centuries, with a focus on its legal and social transformations. Led by the SNDP Yogam and other organizations, the movement sought to replace the traditional matrilineal system (marumakkathayam) with a patrilineal framework, reflecting broader socio-economic shifts. While these legal reforms aimed to standardize inheritance and marriage laws, they also reinforced patriarchal authority, often restricting women's autonomy. However, women actively engaged with and contested these changes. By examining these legal discourses, the article situates Ezhava legal reforms within Kerala's broader social transformation, highlighting the intersections of gender, law, and community identity.

Key notes: Gender, Transformation, Inheritance, Autonomy, Legal

INTRODUCTION

The late 19th and early 20th centuries witnessed significant social reform movements in Kerala, which played a crucial role in redefining gender roles and societal structures. Among these, the Ezhava social reform movement was particularly influential in shaping debates around inheritance, marriage, and succession laws. The movement, spearheaded by organizations like the SNDP Yogam, sought to restructure traditional practices, particularly challenging matrilineal inheritance (marumakkathayam) in favor of a patrilineal system. These legal and social transformations had profound implications for the position of women within the community. This article examines the tensions within the Ezhava social reform movement, focusing on the competing traditions and ideological shifts that influenced legal discourses on gender and property rights. While the movement aimed to unify inheritance and marriage laws, it also reflected broader power dynamics within the community, particularly regarding women's autonomy. The campaign for legal reform, including the push for a common law of succession and marriage, was not only a response to economic and social changes but also a means of consolidating male authority within the family. By analyzing the intersection of legal reforms and gender identity, this study highlights how women navigated these transformations. It explores the ways in which women asserted agency within the reformist discourse, challenging or adapting to the emerging legal frameworks. Ultimately, this article situates the Ezhava legal reforms within the broader context of Kerala's social transformations, offering insights into the complexities of gender, law, and community identity during this period.

Social reform and legal discourse

The social reform movement among the Ezhavas in Travancore was the most extensive mass movement in the region's history. It emerged alongside the rise of new social classes among non-dominant communities. The Ezhavas, engaged in diverse occupations, capitalized on opportunities created by colonial influences, transformations in land relations, commercialization, and the expansion of education. Consequently, small-scale capitalists and traders emerged within the community, alongside a segment that gained superior tenancy rights and land ownership. Additionally, an English-educated middle class and a substantial working-class population developed, further shaping the socio-economic landscape.

The evolving socio-cultural landscape in Travancore was reflected in the discourse surrounding the Sree Narayana Paripalana Yogam's (SNDP Yogam) advocacy for a codified law of succession and marriage for the Ezhava community. Here examines the SNDP Yogam's campaign and the Report of the Ezhava Law Committee (1919), which was presented to the Sree Moolam Popular Assembly. The issue was repeatedly raised in the Assembly, prompting several memorials to the government. In response, the Travancore government established a committee in 1916,

including prominent Ezhava figures such as Kumaran Asan, M. Govindan, and N. Kumaran. The committee engaged representatives from Ezhava organizations, religious leaders, the educated middle class, and government employees as key witnesses. Women, however, were largely excluded from meaningful participation, as they were perceived as incapable of informed opinion. The committee instructed tahsildars to include only a few female witnesses, provided they were deemed competent of the 863 witnesses only 10 were women. Notably, in Kayamkulam four women provided responses described as intelligent and well-prepared. The committee acknowledged their engagement noting their efforts to study the questions and provide thoughtful answers.

The social reform movement's campaign to reform Ezhava succession and marriage laws in Travancore had a distinct socio-economic dimension. Limited scholarship exists on the subject, but early studies indicate that the Ezhavas, ranked below the Nairs as a polluting caste, were traditionally sharecropping tenants on Nair and Nambudiri-owned gardens and rice fields. They followed localized matrilineal lineage with hereditary tenure rights linked to Nair landowning families. By the late 19th century Ezhava tarawads began losing these rights due to the expansion of cash-crop farming and integration into the market economy. Consequently many Ezhavas became short-term sharecroppers or wage laborers while others transitioned into trade, professions, or landownership.

In Travancore, the Ezhavas practiced diverse inheritance systems: marumakkathayam (matrilineal), makkathayam (patrilineal), and misradayam (a mixed system where a man's self-acquired property was divided between his children and tarawad). The High Court noted that in southern Travancore, Ezhavas lacked uniform practices, often adopting customs from dominant neighboring castes. Over time, some marumakkathayam followers transitioned to makkathayam, which, according to the Ezhava Law Committee, reduced family disputes, influenced by religious organizations and proximity to makkathayam areas. The Ezhava social reform movement aimed to unify the community through a common inheritance law. In 1909, Sree Narayana Guru advised the SNDP to ensure legal rights for wives and children in marumakkathayam households, arguing that marriage would otherwise be meaningless. However, due to opposition from makkathayam followers, the Ezhava Law Committee excluded them from its proposed legislation, deeming a uniform law too radical at the time.

Towards Monogamy: Reforming Ezhava Marriage Laws

The social reform movement among the Ezhavas sought not only to improve their educational and occupational status but also to liberate them from restrictive customs, many of which were adaptations of upper-caste practices. These reforms had significant implications for Ezhava women. From its inception, the SNDP Yogam advocated for the abolition of costly and elaborate rituals such as talikettu kalyanam (pre-puberty rite), irandukuli (ceremonial bath after first menstruation), and pulikudi (pregnancy ritual), promoting instead a new marriage code.

Talikettu kalyanam was particularly burdensome, often leading to disputes within tarawads, as its expenses justified the alienation of family property. By 1904, Kumaran Asan observed growing interest in reform, emphasizing two key objectives: eliminating financial and social barriers imposed by outdated customs and preserving the dignity of the community. He echoed Sree Narayana Guru's stance that kettukalyanam was unnecessary, lacking scriptural or religious justification. Asan argued that marriage, a crucial social institution, had been reduced to a superficial spectacle, undermining the self-respect and pride of the Ezhava community.

In Travancore, the Ezhavas practiced two forms of marriage the traditional mundukoda/pudavakoda and vivaham, a reformed system introduced by Sree Narayana Guru. The Ezhava Law Committee noted that customary sambandham was not rooted in Hindu Smriti laws, to which the Ezhavas had no allegiance. It rejected the notion that a unilateral declaration or action by one party, without mutual communication or consent, was sufficient for dissolution. Moreover, paternal recognition in sambandham was as strong as in makkathayam (patrilineal) communities. Advocating for patriarchal and monogamous marriage, the committee emphasized the Ezhavas strong commitment to conjugal fidelity and the sanctity of marriage. The community's overwhelming support for a law enforcing monogamy and the rarity of divorce cases reflected these values. Typically, Ezhava wives resided with and remained under the protection of their husbands.

Sree Narayana Guru, through the SNDP Yogam's reform committees, introduced vivaham, a simplified marriage ceremony held in a temple or open courtyard in the presence of priests and elders. The ritual involved the father or guardian handing over the bride, the groom tying the mangalyasoothram (bridal string), and the chanting of mantras. Although this new form was increasingly replacing traditional practices, the Ezhava Law Committee warned that disregarding the old system could delegitimize a significant portion of the Ezhava population. While opposing mandatory marriage registration, citing community sentiment, the committee advocated for the legal recognition of inter-subdivision marriages within and beyond Travancore. Among propertied Ezhavas, interregional marriages became more common, facilitated by economic mobility. For instance, an Ezhava from Shoranur in South Malabar could manage a cash-crop trading company in Alleppey and marry a woman from Quilon, whose family thrived in the coir trade. As Ezhavas expanded into commercial and industrial sectors, intra-community interactions increased.

The committee strongly endorsed the patriarchal family model, describing it as "natural" and aligned with "civilization's progress," drawing on both Brahmanical precepts (including Manu) and liberal thinkers like Bentham and Mill. It condemned polygamy and polyandry as detrimental to moral development and domestic stability,

advocating monogamy as essential for self-restraint and family harmony. Citing the Malayalam poet Kunjan Nambiar, the committee reinforced its stance: "The wretch who takes two wives never tastes the blessings of comfort".

Reforming Ezhava Family and Property Laws

It Faced with growing internal tensions and litigation over divorce within matrilineal property groups, the Ezhava Law Committee examined prevailing customs. Divorce practices varied, and judicial rulings were often inconsistent. Traditionally, if either spouse sought divorce, relatives and village elders mediated. If reconciliation failed, the husband was required to provide *azhivu* (compensation for the wife's lost youth and health), *chelavu* (marriage expenses), and *ozhivu pudava* (a symbolic separation cloth). Divorce could also occur by mutual consent, with the wife receiving either a share of the husband's property, 101 panams, or a deed for that amount. To standardize divorce procedures, the committee recommended replacing caste assemblies with district munsiff courts, similar to the Travancore Nair Regulation. However, unlike the Nair system—where only the husband paid compensation—the committee proposed that the spouse initiating divorce, whether husband or wife, should bear the cost. The maximum liability for women was set at Rs 500. Notably, over 94% of divorce petitions were filed by women.

The Ezhava Law Committee primarily focused on self-acquired property while maintaining the existing matrilineal succession of tarawad property. However, it had to account for diverse customs among the Ezhavas in Travancore, some of which had judicial recognition. One such custom, *valsaravakasam*, allowed a deceased person's wife and children to enjoy their self-acquired property for a year before division. Another, *cherunettam/cheruthettum*, granted an additional share for minor children's marriage and ceremonies.

Judicial interpretations of these customs varied, particularly regarding women's entitlement to self-acquired property. The Saddar Court ruled that a wife's right to half her husband's self-acquisition stemmed from her labor contribution. It noted that Ezhava wives often assisted in their husbands' trade or industry, justifying their claim. In a key ruling, the court held that children inherited the father's self-acquisition not as his heirs but as their mother's, who, as a co-owner due to her labor, was entitled to a share.

The High Court challenged the Saddar Court's interpretation of inheritance based on joint labor, questioning whether the custom was rooted in labor contribution or natural affection. Ultimately, it rejected the joint labor theory and ruled that children were entitled to half of the father's self-acquired property, regardless of whether it was acquired before or after the mother's marriage. The Ezhava Law Committee viewed this decision as a significant setback to the *misradaya* (mixed inheritance) system, prompting demands for legal recognition of paternal inheritance rights. While the court upheld children's claims through their paternal relationship, the committee noted a growing trend among *marumakkathayam* followers to grant self-acquired property to wives and children, despite traditional restrictions.

The SNDP Yogam and 60 out of 70 Ezhava organizations supported the wife and children's right to self-acquired property, with key figures like Sree Narayana Guru, Dr. Palpu, and Madhavan Vaidyan endorsing this stance. However, opposition came from leaders like C.O. Madhavan, C.V. Kunjuraman, and B. Parameshwaran, who argued that granting such rights, alongside individual property partition, would undermine the *marumakkathayam* system and disadvantage minors and women.

The committee asserted that conjugal union among the Ezhavas was regarded as sacred and inviolable, with a strong sense of paternity. Typically, the wife resided with her husband and children, while the father acted as their guardian, ensuring their education and well-being. Regardless of their contribution, children generally inherited the father's self-acquired wealth, reinforcing their expectations of succession. Upon his death, they observed mourning rituals and performed funeral rites. This practice created a distinct category of property derived from the father, beyond the control of the tarawad, which in turn encouraged the community's entrepreneurial spirit.

Advocating a transition towards *makkathayam* (patrilineal inheritance), the committee highlighted the Ezhavas' deep sense of duty and familial responsibility. However the proposed legislation was limited to the self-acquired and separate property of an Ezhava male, applying only to assets accumulated after the law's enactment.

The Ezhava Law Committee estimated that only about 5,000 tarawads owned more than one acre of land, as most Ezhavas were laborers. However, self-acquisitions were widespread. Expanding employment opportunities influenced *marumakkathayam* joint families, with many earning members reluctant to share their income. The need for separate residence and financial autonomy further contributed to this shift. While the committee supported individual partition, arguing that private ownership would encourage investment in land, enhance cultivation methods, and boost productivity, it urged caution. Legalizing partition could expose agricultural land to the risk of outright alienation, posing a threat to the community's economic stability.

CONCLUSION

This paper explores the debates surrounding the Ezhava Law Committee's attempts to codify uniform laws on inheritance, succession, and marriage. These legal reforms aimed to enhance the community's status while also reinforcing male authority by regulating gender relations within the family. The study highlights the emergence of new social roles for Ezhava women, acknowledging that while gender identity was shaped by multiple factors, legal reforms played a significant role in structuring these debates within the Ezhava social reform movement. The

reformers' engagement with the state was complex, as judicial rulings on Ezhava customs were often inconsistent. In aligning with decisions favoring patrilineal inheritance, reformers facilitated a shift away from matrilineal practices. When legal standardization became contentious such as in divorce proceedings the state's intervention, replacing caste assemblies with munsiff courts, altered power dynamics within property-holding groups. The SNDP Yogam led social reform movement actively sought to dismantle matrilineal traditions, as reflected in contemporary writings and public discussions. Economic changes further strained the traditional tarawad system. The Ezhava Law Committee's push for standardized succession laws reinforced patrilineal structures both legally and ideologically. This transition marginalized women, portraying them as dependents while legitimizing male authority as a natural and civilizational necessity.

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