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Legacies of Matriliney: The Place of Women and the “Kerala Model”

Robin Jeffrey

A map showing average life expectancy in India’s states usually awakens even the most lecture-weary audiences. A sea of similar colour indicating average life expectancies of 55 to 65 years fills the bulk of the screen, but an unmistakable chord of brightly coloured difference flashes in the lower left-hand corner. “What is that bit and why is it different?” someone will say. If you follow the first map with maps showing literacy, female literacy, birth rates and access to health care, the question is repeated: “Why is that place—Kerala—different?”¹

This question, which has been asked for at least 30 years, usually provokes a multi-pronged response that includes

- politicization,
- maritime and commercial connections,
- a plural society,
- social reform groups and their leaders,
- Christianity and Christian missionaries,
- communism and communist activists,
- reform-minded Indian princes and
- the position of women.

A cocktail of these ingredients is usually credited with producing the conditions for the so-called “Kerala model”—a place exhibiting favourable social statistics, yet a place that has not undergone a red, green or industrial revolution.²

The place of women is, I believe, the key to the puzzle of the “Kerala model.” But it is a finely cut key, its uniqueness lying in the matrilineal system

¹ Polly Hill captured the fascination in “Kerala Is Different,” *Modern Asian Studies*, vol. 20, no. 4 (1986), pp. 779-92.

² For a survey of the “Kerala model” debate, see *Bulletin of Concerned Asian Scholars*, vol. 30, nos. 1 and 4 (1998), pp. 23-34 and 35-52. For the origins of the “model” concept and quality-of-life indicators, see Robin Jeffrey, *Politics, Women and Well-Being: How Kerala Became “a Model”* [hereafter *PWWB*], 2nd edition (New Delhi: Oxford University Press, 2001), pp. 7-9. For the argument about “public action” being a crucial ingredient, see Amartya Sen and Jean Dreze, *India: Economic Development and Social Opportunity* (New Delhi: Oxford University Press, 1995), pp. 89-139. Defects of the “model” are widely discussed. For example, see Soma Wadhwa, “The Hoax of God’s Own Country,” *Outlook*, 12 July 2004, pp. 52-60.

that prevailed among some groups in Kerala until well into the last century. Matriliney and its legacies made much else possible, yet it is supposed to have been on the wane throughout the twentieth century, and legally dead and buried since 1976. What role may matriliney have played, and what are its legacies, if any at all, today? Let me sketch the way in which matrilineal society in Kerala operated in the first generations of British imperial domination, and how it collapsed in the twentieth century. Then let me explore the legal, structural and sentimental legacies of matriliney and the part they play in answering the question, “Why is Kerala different?”

Matriliney in Kerala

Two points need to be emphasized about matriliney in Kerala: it was not practised by all groups, and it was not *matriarchy*. Though families were based on mothers’ homes and organized through the female line, the controllers and decision makers were men.

Nor did matriliney in Kerala date from prehistoric time. It appears to have developed around the eleventh century of the Common Era (CE), possibly as a result of prolonged war between the Chera and Chola dynasties and their subordinates. Whatever the origins, matrilineal practices were firmly established, particularly among a caste category dubbed Nairs (also spelled Nayars), by the time Europeans began arriving regularly on the Kerala coast in the 1500s.³ Ever since, Europeans have been fascinated and sometimes appalled by aspects of Kerala’s matrilineal system—from Duarte Barbosa in the 1500s, to English missionaries in the 1800s, to anthropologists like Kathleen Gough in the 1900s.

When the British established their control of the Kerala coast around the year 1800, the evolving colonial state began to freeze—to record and create legislation about—social and political relations that had previously been flexible and fluid. In politics, this resulted in the recognition of three units: in the north, Malabar District, a unit of the British-ruled Madras Presidency; and in the south, two states left under Indian princes—Cochin, a small unit in the middle of Kerala, and, in the south, the much larger Travancore.

The rulers of Cochin and Travancore, considered to be Kshatriyas, were matrilineal, a ruler’s heir being the eldest son of any of his sisters. If the heir were a boy, his aunt, a sister of the deceased ruler, could act as regent, as happened in Travancore from 1809-29 and 1924-31, until the child was old enough to rule. In 1818, the English missionary Joseph Fenn attended a ceremony in Trivandrum to celebrate the East India Company’s victory over the Marathas. The Mahrani-regent, Parvathi Bai, spoke to him—I assume in Malayalam—“with great ease and fluency,” and at a second interview, greeted

³ Jeffrey, *PWWB*, pp. 24-5.

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Fenn's wife "at the door of the Presence Chamber, ... conducting her to a seat near the throne."⁴ Two points need emphasis: 1) the social leaders of old Kerala—the rulers themselves—were matrilineal; and 2) matriliney meant that women could appear in public, speak to men and show initiative.

The population of the three units at the beginning of the nineteenth century was perhaps two million people, of whom 15 to 20 percent were Nairs.⁵ Above them in the finely etched hierarchy of caste were a few thousand families of Nambudiri Brahmins, patrilineal Malayalam-speaking Brahmins whose younger sons were welcome as sexual partners in Kshatriya and Nair households. Low-status groups, largely composed of people known as Tiyyas in northern Kerala and Ezhavas in the south, comprised 30 to 40 percent of the population. Aspiring low-status groups practised matriliney—"not the genuine one of the Nayars, but an imitation of the latter," wrote a Tiyya anthropologist⁶—but the less well off were patrilineal or followed mixed customs. Indeed, if people were poor and relatively powerless, they had less to inherit and even more incentive to organize their families in a way that best served daily life. At the bottom of the caste hierarchy were various slave castes, likely to be patrilineal. Freed in Travancore and Cochin only in the 1850s, they made up less than 10 percent of the population. Parallel with these Hindu groups were Muslims (Mappilas) and Christians, each comprising about 20 percent of the total population, and occupying various levels of status, the most prestigious on a par with Nairs. Among Muslims, some groups were matrilineal; among Christians, patriliney—indeed, an aggressive patriarchy—prevailed.

Perhaps half the population of old Kerala followed matrilineal practices. The census of Travancore in 1891 counted 530,000 families, of which 56 percent were classed matrilineal and 44 percent patrilineal.⁷ This pattern would have been similar in Cochin and Malabar District. In Nair households, management of the family lay with the eldest male member, the *karanavan*. In the "ideal type," women of the house were visited by males from other Nair families or by Brahmins or Kshatriyas. Although these relationships could be for life, there was no stigma about changing partners. In an example much relished by audiences today, a man who was no longer wanted would find his sleeping mat and personal effects left outside the door of the house where he was accustomed to visiting; this signalled the relationship was over.

⁴ Joseph Fenn in the *Church Missionary Society Annual Report*, vol. 7 (1818-19), p. 323. The Church Missionary Society will be referred to hereafter as CMS.

⁵ Robin Jeffrey, *The Decline of Nair Dominance*, 2nd edition (New Delhi: Manohar, 1994), p. 326, for early census details on Travancore. Kerala's population in 2004 is close to 31 million.

⁶ A. Aiyappan, "Fraternal Polyandry in Malabar," *Man in India*, vol. 15 (1935), pp. 111-12. See also Filippo and Caroline Osella, *Social Mobility in Kerala* (London: Pluto, 2000), p. 85.

⁷ *Census of India, 1891. Travancore*, vol. 1 (London: Her Majesty's Stationery Office, 1893), p. 252.

Such decisions no doubt would have required the approval of the woman's *karanavan*, but would also probably have involved senior women of the household. Children of these liaisons were Nairs, raised in their mother's house.⁸ Daughters grew up in turn to receive their men in their own (the daughters') family house, while their brothers visited women in other houses of appropriate status in their neighbourhood. Most Nair families controlled land and often worked in government. The system linked Nairs to Brahmin religious authorities, who were sometimes great landlords, and to Kshatriya princes; men of either group might visit women of a Nair house.

"Matriliny had a fascinating flexibility,"⁹ Saradmoni reminds us, and flexibility or adaptability best describe matriliney at the start of British rule. Ceremonies and practices varied from Malabar in the north to Travancore in the south. In some areas, "husbands" might be more prominent and influential than in others; lower castes (even Muslims) might follow matriliney; Brahmin men might be welcome or unwelcome as partners in particular Nair households. What proved most important for the long-term future of matriliney was the way in which, in pre-British times, families were able to divide and separate if they became embroiled in dissension or grew too large for comfort. The evidence suggests that such divisions were carried out, as necessary, through negotiation and pressure within households.

From the 1830s onward, however, a British-inspired legal system spread in Kerala; it changed the rules, making them more rigid. Newly established courts viewed matrilineal arrangements as "impartible joint families," capable of being divided only with the unanimous, legally recorded consent of all adult members. "The immovable property of such a family is absolutely inalienable," wrote one of the European judges who helped to shape the legal system. "No member can claim any specific part or share of it as his own."¹⁰ Sections of families could legally separate only with the consent of all members of the entire family.

From the middle of the nineteenth century, matrilineal joint families or *taravads* found themselves in a pressure cooker. They grew larger as the population increased. Governments increasingly demanded payments in cash, not kind, and required that aspirants for government employment, which many Nairs were, have credentials from the new fee-paying school system. European missionaries, caste-Hindu visitors and government servants from elsewhere in India derided the quaint and immoral practices of

⁸ In the twentieth century, leading Nair politicians and social activists like Pattom A. Thanu Pillai (1885-1970), twice chief minister of Kerala, and Mannath Padmanabhan (1878-1970), founder of the Nair Service Society, had Brahmin fathers.

⁹ K. Saradmoni, *Matriliny Transformed. Family, Law and Ideology in Twentieth Century Travancore* (New Delhi: Sage, 1999), p. 68.

¹⁰ W.E. Ormsby, *Outline of Marumakatayam Law* (Kottayam: CMS Press, 1884), pp. ii-iii.

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matriliney.¹¹ "Our critics," an anguished Nair said in 1896 in the course of attempts to modify the law of matriliney, "... have no qualms of conscience in levelling against us the reproach: 'Your wives are concubines and your sons are bastards.'"¹² The pressures to divide *taravads* were stronger than they had ever been, but the law was more and more stringent in preventing such divisions, unless a family achieved the nearly impossible feat of unanimous agreement to divide.

Nairs themselves began to organize to change matrilineal law to allow patrilineal-style marriage and division of a family's collective wealth into individual shares. Between 1896 and 1976, at least 20 pieces of legislation were passed to modify and ultimately abolish matrilineal practices relating to ownership and inheritance of property and legal guardianship of children.¹³

Legal legacies

In theory, matriliney ended completely on 1 December 1976, when the Kerala government promulgated the Kerala Joint Hindu Family System (Abolition) Act, passed in the previous year. The act abolished 12 other pieces of legislation going back to 1925, passed in different units of what became the state of Kerala in 1956. Although matriliney was being dismantled piecemeal from the beginning of the twentieth century, as late as 1976, families that had not explicitly divided themselves were still regarded as joint-families and deemed to hold joint-family property. The 1976 act divided them and made every member simply a co-tenant in a common tenancy.

This essay does not trace the legislative dismantling of matriliney in Kerala. What it does explore is the extent to which law in Kerala still has a whiff of matrilineal custom hanging about it and whether this affects the practices of people today.

Matriliney received a remarkable concession—one little-known outside Kerala—in the Hindu Succession Act of 1956. Under section 15 of the act, the heirs of the property of a Hindu woman who dies without a will are to be sons, daughters and *husband*. But the act contains an exception in section 17, which says that for *women who would have been governed by matrilineal law* if the act had not been passed, the heirs will be sons, daughters and *mother*.

¹¹ T.K. Gopal Panikkar, *Malabar and Its Folk* (Madras: Natesan, 1900), p. 15; T. Madhava Rao, Dewan, Memo, 1 November 1862, Section Books, Letters to the Resident, vol. 65, p. 228 (Kerala Secretariat in 1971; Augusta M. Blandford, *The Land of the Conch Shell* (London: CEZMS, n.d. [c. 1901]), p. 39: "The customs ... with regard to marriage are very revolting."

¹² P. Thanu Pillai, Travancore Legislative Council, 20 June 1896, in *Travancore Government Gazette* vol. 34, no. 25 (23 June 1896).

¹³ Jeffrey, *PWWB*, pp. 43-4, table 2.2.

Comparison of sections 15 and 17 is revealing:

Hindu Succession Act, 1956

Legal heirs of the property of a Hindu woman who dies without a will.

<i>Section 15—the rule</i>	<i>Section 17—exception for ex-matrilineal people</i>
a) sons, daughters and <i>husband</i>	a) sons, daughters and <i>mother</i>
b) heirs of husband	b) father and husband
c) mother and father	c) heirs of the mother
d) heirs of the father	d) heirs of the father
e) heirs of the mother	e) heirs of the husband

The mother supplants the husband, and the woman's father and her husband are given equal claim. "Heirs of the husband" fall from second position on the list of beneficiaries in section 15 to fifth and last in section 17.

The circumstances in which section 17 was included in the 1956 act are not clear, but there were many senior Nairs near the heart of government in New Delhi at that time—K.P.S. Menon, V.P. Menon, V.K. Krishna Menon, to name three of the best-known. Nehru, indeed, was said to joke about the bureaucratic illness of "Menon-gitis."

As late as 2002, a number of cases reaching the Kerala High Court required judges to analyze and discuss matrilineal practices. More important, the cases illustrate the degree to which matrilineal practice and sentiment still prevailed among significant sections of Kerala society, including Hindus and Muslims. Let me examine a few such cases and consider how their significance may affect the daily expectations of Kerala people about the place of women.

Perhaps the most important case laying down the law on this question was decided in 1992. It upheld the matrilineal provisions of section 17 of the Hindu Succession Act. Instead of the husband, sons and daughters being first in the line of inheritance of a woman dying intestate, section 17 substitutes the *mother* for the husband. The case in 1992 challenged this provision, claiming the Kerala legislation of 1976 overrode it: that is, that once all matrilineal claims on property were removed, as the 1976 act had done, the provisions for matrilineal people in the Hindu Succession Act no longer applied. The Kerala High Court held otherwise: the matrilineal recognition of section 17 of the Hindu Succession Act prevailed for as long as there were people alive who would have been governed by aspects of matrilineal law.¹⁴ This means anyone born before the notification of the Kerala act in 1976. Thus matrilineal ideas—the need to be conscious of one's female relatives and their legal rights and usefulness—have a legal life of at least another sixty years.

¹⁴ C. Kamalamma v. Narayana Pillai, Appeal Suit No. 149 of 1987, decided on 17 December 1992. *Kerala Law Times*, 1993 (1), report no. 174, pp. 174-211.

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Other cases, argued on matrilineal precedent, arose during the 1990s. In July 2002, the Kerala High Court decided in favour of a matrilineal claimant in a complicated land dispute. Begun in 1959, it involved control of nine-tenths of an acre of land in three different parcels in Ulloor village on the outskirts of Thiruvananthapuram, close to the celebrated Centre for Development Studies (CDS). Right of possession came in exchange for performing services for the great Padmanabhaswami Temple in Thiruvananthapuram.¹⁵ On 22 July 2002, the Kerala High Court ruled that matrilineal precedent still applied, because the land in question was not part of any individual's personal property. The law of 1976 abolished matrilineal practice governing the property of individuals and joint-families but not, the court ruled, for property held under old tenurial forms (in this case, *vruthi*). Having been created in a time when matrilineal practice prevailed, these tenures were still governed by it, even though the rule of the maharajas of Travancore had been replaced by the Kerala state government of the Indian Union. Justice M. Ramachandran ruled:

At the most, it could be held that ... "the system" was abolished [by the 1976 act], but that did not thereby meant [sic] that the joint family as well stood abolished. ... The family and relationship could not have been considered, as disturbed by the Abolition Act, and the Act had authority to deal with properties of the joint family alone.

Therefore, in the case before the court, the senior male, entitled to inherit rights to the land held under this tenure, was not a son or grandson but a sister's son (i.e., a maternal nephew) of a deceased female.¹⁶

At least four others cases involving matrilineal argument and precedent ran through the Kerala courts in the 1990s (see the appendix). Though such cases are not daily occurrences, the loose ends of matriliney still crop up regularly in civil litigation.¹⁷ Matrilineal precedent is invoked often enough for it to have been worthwhile to publish in 1999 1,000 copies of a compendium of matrilineal legislation of the twentieth century for Kerala's various jurisdictions. The publisher had only a few dozen copies left in February 2003.¹⁸

¹⁵ This was known as *vruthi* tenure, a form of land as reward for service, bestowed by the maharaja in the old Travancore state.

¹⁶ N. Sreedharan vs. State of Kerala and Others, KLC-585, O. P. No. 18798 of 1995, before M. Ramachandran J., 22 July 2002, available online at the Web site <www.keralalawyer.com/docs/01%20KLC-585.doc>, last accessed 1 November 2004.

¹⁷ In-person interview, M. Ramachandran, Judge of the Kerala High Court, Kochi, 7 February 2003.

¹⁸ In-person interview, Swamy Law House Publishers, Ernakulam, 6 February 2003; P. Parameswaran Moothath (ed.), *Commentaries on Joint Hindu Family System (Abolition) Act, 1975 along with Allied Marumakkathayam Laws* (Ernakulam: Swamy Law House, 1999). Under the British, Travancore and Cochin were princely states and Malabar and Kanara were districts of the Madras Presidency.

Matrilineal practices are still followed in some social organizations, such as temple and family trusts. The trust that administers the Varanappalli Temple near Kayamkulam, for example, determines membership through the female line. The children of the *women* among the current members become members; children of the *men* do *not*. Thus in a family of, say, two sisters and three brothers, only the children (boys and girls) of the two sisters acquire membership of the trust; the children of the three brothers do not.¹⁹

The fact that matrilineal precedent is sometimes invoked successfully in civil litigation, and still used as the basis for social organizations, indicates that ideas about women's entitlements and rights are lodged in the minds of formerly matrilineal groups. To be sure, such consciousness by itself is unlikely to send small girls to school, women to maternal and child health clinics, or men into the kitchen to prepare dinner. But such consciousness reinforces the position of women who wish to assert themselves in domestic affairs, and it can sometimes lead to land and property passing into their control, not that of male relatives. Such consciousness and the discussion that surrounds it—imagine the discussions that swirl round a family that is litigating on the basis of a matrilineal claim—reinforces sentimental attachments and survivals of matrilineality, of the kind discussed later in this essay. It is difficult today in Kerala for a man from a formerly matrilineal group to say that the idea of rights of some kinds for women “never entered my head.”

Structural legacies: education and employment

Matrilineality allowed physical mobility for girls and women. “I never find any difficulty in speaking with Nair women,” wrote Henry Baker, Jr., one of the more appealing of the English missionaries, in 1875.²⁰ Even one of the haughty Syrian Christian clerics, affiliated with the English missionaries, conceded that though “the high caste females are grossly [sic] immoral as they don't know the sanctity of marriage ... they are not ignorant ..., but learned in their own literature, music [sic], etc. and are ladylike and refined in their manners.”²¹

Before the establishment of a widespread government-financed school system in Travancore in the 1860s, Nair girls went to the local schools that were common throughout Kerala, and, indeed, were often held on the land of Nair families. By the beginning of the twentieth century, Travancore, Cochin and even “backward” Malabar District led India in female literacy.²²

¹⁹ In-person interview, Sheela Rahulan, Thiruvananthapuram, 5 February 2003.

²⁰ Notes by H. Baker, Jr., n. d. [c. 1875], Church Missionary Society Archives, I 2/01 30 (archives are housed at the University of Birmingham).

²¹ Letter from Oomen Mamen to the Secretary, CMS, 21 September 1867, CMS Archives, uncatalogued.

²² See Robin Jeffrey, “Culture and Governments: How Women Made Kerala Literate,” *Pacific Affairs*, vol. 60, no. 4 (Fall 1987), pp. 447-72. In 1891, “backward” Malabar had a female literacy rate

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This ability to attend school and move about opened the possibility for women to get salaried jobs in the institutions of the colonial and, later, the developmental state.

The question of salaried women introduces a slightly complex argument. Because matriliney meant that high-status girls—Nair girls—often went to local schools and no stigma was attached to such attendance, girls attended the government-supported school system that grew up from the 1860s in Travancore. That system also hired women as teachers. In the 1930s, 30 percent of Cochin's teachers and 15 percent of Travancore's were women.²³ By the mid-1980s, 58 percent of Kerala's teachers were women, and 94 percent of primary-age girls were estimated to attend school.²⁴ Matriliney eased girls into the qualifications-granting education system of the colonial state. Practical, monetary value attached to the education of girls: a girl could become a salary-earner. Since there were girls to be taught, there was every reason for women to be employed as teachers.

Women worked in other salaried jobs. As early as 1868, Nair women were recruited for training as obstetric nurses by the Travancore Medical Department. They began service in 1871, four "obstetric nurses of the Nair caste," paid 10 rupees a month. The European who headed the medical service pronounced them "fit and competent to attend women in child-birth and sick females."²⁵ In 1896, when Travancore opened a Women's and Children's Hospital in Trivandrum, the state already employed 21 trained midwives,²⁶ and service in the Medical Department was sufficiently respectable that six teenaged Nair girls asked to become smallpox vaccinators, an offer that was quickly accepted.²⁷ By the 1930s, Travancore employed more than 90 midwives and 14 women doctors, many of them, to be sure, Christians, but a proportion from matrilineal Hindu families.²⁸

Indeed, the argument about the contribution of matriliney to the position of women in Kerala needs to take note of the competition for prestige among groups in a plural society coping with a "modernizing" colonial state. By the beginning of the twentieth century, there was genteel competition in Travancore to show off the virtues of educated young women, some of whom

(3.9 percent) eight times higher than the all-India rate of female literacy (0.5 percent). It was more than twice as great as that for Tinnevely District (1.5 percent), which had the next highest rate of female literacy. "Culture and Governments," table 5, p. 463. Matriliney therefore appears to have provided rich cultural soil for the educational policies of progressive maharajas in Travancore and Cochin.

²³ Jeffrey, *PWWB*, p. 69.

²⁴ Jeffrey, *PWWB*, pp. 69, 157.

²⁵ *Travancore Government Gazette*, New Series, vol. 9, no. 9 (14 March 1871). See also Narayani Harigovindan, "Employment of Women in the Medical Department of the Government of Travancore," *Proceedings Volume. XIX Annual Session, South India History Congress* (1999), pp. 205-10.

²⁶ Harigovindan, "Employment," pp. 206-07.

²⁷ Durbar Physician to the Dewan, 6 November 1894, Travancore Government English Records, Cover No. 2698 (Kerala Secretariat in 1971).

²⁸ Harigovindan, "Employment," pp. 206, 208.

were bound for paid work. Caste and religious groups held public meetings to congratulate the first girl to achieve a particular educational milestone.²⁹ Syrian Christian women were often at the forefront (though patriarchy swaggers bold and unashamed among Syrian Christians), but Nair women were well represented. Matriliney helped to create conditions in which salaried work for women became a desirable and respectable goal for all classes by the 1920s—which is when a woman first headed the Travancore Medical Department, the first woman to head a department in India.³⁰

By the 1930s significant numbers of women from most religions and castes in Kerala were employed in salaried work, mostly by the government and mostly as teachers. Once begun, the process continued so that by the 1970s, as we have seen, the teaching service was dominated by women, and impressionistic evidence suggests that at one stage in the 1960s and early 1970s the *majority* of India's nurses may have been Malayalis.³¹

We need to stress that this process was immensely varied. In some localities, among some families, Nair girls were encouraged to move out into the world; elsewhere, they were not. A character in Madhavan Kutty's *Village Before Time* captures the importance of regional variation: "What do you expect from southerners?" he asks after a schoolmaster from southern Kerala loses his nerve and flees during the nationalist movement.³² Renjini D., in her pioneering book *Nayar Women Today*, reports that none of the elderly matrilineal women whom she interviewed in south Malabar, apparently in the 1990s, had been in salaried work. She further suggests that matriliney offered these women no advantages and left them subject to the dictatorship of the *taravad* manager or *karanavan*.³³ Another scholar writes from personal experience of the possible variations:

My mother's family lives near Trichur. My grandfather was a landowner and a member of one of the leading families in the area. My mother and her three sisters attended high school in Trichur, three miles away [in the 1930s it appears]. They walked to school and back, as did the other girls in the village. Their formal schooling stopped once they had completed high school. My grandfather stated that he did not intend his daughters to work for a living, so a high school education was enough for them.

²⁹ Jeffrey, *PWWB*, pp. 93-4.

³⁰ This was Mary Poonen Lukose, a Syrian Christian.

³¹ *India Today*, 16-31 July 1980, p. 47, and conversations with WHO nurses in India in the 1960s. The language of Kerala is Malayalam, and Kerala's people are sometimes referred to as Malayalis.

³² V. K. Madhavan Kutty, *The Village Before Times*, trans. Gita Krishnankutty (New Delhi: IndiaInk, 2000), p. 51.

³³ Renjini D., *Nayar Women Today: Disintegration of Matrilineal System and the Status of Nayar Women in Kerala* (New Delhi: Classical Publishing Company, 2000), pp. 46-7, 54. Renjini is a little unclear. She writes that "educating the girl children has never been a common practice in the matrilineal system," but on the same page continues that "the majority of the respondents had said that girls were allowed to attend school till their first menstruation." I think by "education" she means "higher education."

On the other hand,

My father's family is located at the opposite end of the spectrum. My paternal grandfather was a Principal at Zamorin's College in Calicut and was a well-known social reformer during his time. His oldest daughter (my father's half sister) was the first Nair woman to get an M.A. and studied in England, which was pretty rare and unusual. All my father's sisters have been to college. They were actively involved in the village Mahila Samajam [women's organization] (I think one of my aunts was responsible for founding it). The Samajam was led by upper middle-class Nayar women. There are women in the family who are teachers, engineers, lawyers, Ph.D.s—spread across three generations. It is pretty unusual for the women in this family not to work for wages.³⁴

This process had various consequences. First, once high-status women—Nairs—sent their girls to school and took salaried work, lower-status people came to view girls' school attendance as something to aspire to. Second, once women were getting salaries as teachers, it became increasingly plausible for them to seek work in other areas of "respectable" salaried life. Finally, in more recent times, the fact that women in Kerala sought salaried work helped to raise the age of marriage and contributed to a lower birth rate.

The "value of the female child" was already relatively high in matrilineal families. When the Nair protagonist in *The Village Before Time* leaves Malabar to go to Delhi in the early 1950s, his father—yes, his *father*, but a father who knew his minor role—tells him: "Never forget that you belong to Kachi Amma's line [the young man's maternal forebear]. She was a great woman."³⁵ That value increased or, at least, was not diminished when such children showed the capacity to add to a family's income. And because high-status people showed such capacity, lower-status people saw this as a desirable model to follow. The position of women, founded on their importance for inheritance of family land in matrilineal society, was partially secured in the newly emerging social structure by the benefits of salaried work. A certain standing in old Kerala thus facilitated a certain, albeit different, standing in a new Kerala.

The presence of Kerala women in salaried, "white-collar" work is today unique in India. In 2000, 68 percent of Kerala's 185,000 teachers were women.³⁶ In 1991, the census calculated that 24 percent of working women in Kerala were employed in "other services," a category including most

³⁴ E-mail correspondence between the author and Shanti Menon, 5 March 2003. See also Shanti Menon, "Male Authority and Female Autonomy: a Study of the Matrilineal Nayars of Kerala, South India," in Caroline B. Brettell and Carolyn F. Sargent, eds., *Gender In Cross-Cultural Perspective* (Upper Saddle River: Prentice Hall, 2001), pp. 352-61.

³⁵ Madhavan Kutty, *Village*, pp. 163-4.

³⁶ *Women in Kerala, 2001* (Thiruvananthapuram: Director of Economics and Statistics, Government of Kerala, 2001), p. 87.

salaried occupations. In India as a whole, only 8 percent of working women were so employed: the Kerala rate was three times greater.³⁷

It was not a simple, direct equation: matrilineal women did not automatically become salaried workers. Nor were matrilineal women the only women to take salaried jobs. Rather, matrilineal conditions in which some high-status girls, in some parts of Kerala, learned to read and write, had more freedom of movement than most high-status women of their time elsewhere in India, and some of these women went to work in salaried jobs. Women from other castes and religions similarly did so, because if it were acceptable for Nairs, social leaders of old Kerala, then it was desirable for most others. Matrilineal eased women into salaried work. The consequences lie in the fact that in Kerala today families expect that a girl should be educated and may often seek a job. Such girls are assets to their families, and their possible achievements are something in which families are prepared to invest. The idea is embedded in ways that would seem remarkable elsewhere. Aspects of the so-called “Kerala model” result from such aspirations.

It is not an unmitigated boon to be a woman in the salaried workforce of Kerala today. All the burdens of domestic arrangements remain on such women, along with the need to keep banker’s or teacher’s hours, satisfy bosses and seek convenient postings. On the other hand, many such women are also able to exercise some influence over the money they earn and the domestic conditions in which they live. To be a married Nair primary teacher in central Kerala in 2004 offers more room for manoeuvre than to be a peasant wife in Bihar.

Sentimental legacies

Vijay Mishra, author of *Bollywood Cinema: Temples of Desire*, points out the importance of “the mother” to the cultural production of modern India.³⁸ “Mothers” are not a monopoly of Malayalis or matrilineal. But is there something special about matrilineal and motherhood in Kerala? I suspect the answer is “maybe.” No doubt, everywhere in India “the mother” is immensely important symbolically and emotionally, and books like N. Sreekantan Nair’s *Amma*, which are hymns to one’s mother, are not unique to Kerala.

In Kerala, however, the sentimental and the material are entwined in the ancestral maternal home. Leela Gulati suggests, as a partial explanation for the readiness of large numbers of Malayalis to work overseas, that

³⁷ *Women in Kerala*, p. 128. See F. and C. Osella, *Social Mobility in Kerala*, p. 45, for the question of balancing social prestige against economic advantage.

³⁸ Vijay Mishra, “Sunday Morning,” ABC Radio National, 19 January 2003; Vijay Mishra, *Bollywood Cinema: Temples of Desire* (London: Routledge, 2001).

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a society does not change easily its entrenched patterns of social behaviour no matter what the formal laws and regulations governing inheritance may be ... Kerala society was willing to let the men leave for years on end, and have the women control the land.³⁹

Prema Kurien sees similar tendencies among formerly matrilineal Ezhavas who were working in the Gulf: "The matrilineal and matrilocal tradition, which was a distinguishing feature of this community, reemerged as a consequence of migration."⁴⁰

The fact that land, attached to women and women's names, is still part of Kerala memory appears to have made it easier for tens of thousands of men to go away to work for long periods.

To be sure, a large proportion of men migrating to the Gulf are Muslims, but in former times, some Muslim groups in Kerala were matrilineal, and the matrilineal tradition is still alive among a few Muslim groups in 2003.⁴¹ Non-resident husbands are part of Kerala's long-standing experience. "The long tradition of male absence from the village," Kurien writes, "could explain the financial independence and freedom of movement of women in this area."⁴²

Perhaps the most eloquent description of the "sentimental" importance of the vestiges of matrilineality comes from K. Saradamoni, a Nair scholar, born in 1928. "I have always felt something 'matrilineal' in me," she writes. This stems, she believes, from something material, not sentimental at all: the fact that she always took for granted that there was a home that was hers, that she had an entitlement based on a house and a piece of ground. "An identity with one's natal home which lasted throughout life was," she writes, "the main feature of matrilineity."⁴³

This understanding still prevails. A Nair elder in Trivandrum, who in 2002 published a genealogy of his matrilineal family running to 150 pages and including more than 700 people, pointed out that the original *taravad* house "is owned by my sister."⁴⁴ In north India, the idea of a man announcing proudly and matter-of-factly that the *family house* was owned by his *sister* would cause consternation and comment and require investigation. Similarly, the father of the protagonist in *The Village Before Time* draws up a family tree for three generations:

³⁹ Leela Gulati, *In the Absence of their Men: the Impact of Male Migration on Women* (New Delhi: Sage, 1993), p. 11.

⁴⁰ Prema A. Kurien, *Kaleidoscopic Ethnicity: International Migration and the Reconstruction of Community Identities in India* (New Brunswick, NJ: Rutgers University Press, 2002), p. 131.

⁴¹ Filippo Osella, describing his and his wife's current study of Muslim families in south Malabar, speaking at a meeting on "Legacies of Matrilineity," Town Hall, Kochi, 7 February 2003, organized by Kerala Council for Historical Research and Kochi Municipal Committee.

⁴² Kurien, *Kaleidoscopic*, p. 127.

⁴³ Saradamoni, *Matrilineity Transformed*, pp. 15, 23.

⁴⁴ In-person interview, Col. R. G. Nair (ret.), Trivandrum, 5 February 2003. *tekkkepevarattala kutumbayogam dayarkitari 2003*, ed. S. P. Harikumar (Trivandrum: TPK Yogam, 2002).

Under the names of the women in each branch were the names of their sons and daughters, and under each daughter's name were the names of her children. There were no entries under the sons' names since sons did not contribute to the enlargement of the family. ...⁴⁵

This recalls the arrangements for the Varanappalli Temple, referred to above.

Among formerly matrilineal groups in Kerala, a sense prevails that it is proper for a woman to have a home of her own originating from her birth-family. Saradamoni contends that if a woman's husband moves into such a home and takes on management of its affairs, there are no snide remarks as there would be elsewhere in India about a son-in-law living with the wife's family.⁴⁶ "Wherever they lived after marriage, [women] did not lose their identity with the *taravad* and the right of maintenance they and their children had in the *taravad* property."⁴⁷ Whether this was a legally enforceable right, or indeed, whether it was an option that a woman was likely to exercise, it was nevertheless a possibility not available to women in other parts of India. For them, such actions were unthinkable; in Kerala, they were—and continue to be—part of the thinking of many women and men.

Legacies of Matriliney and the Place of Women

The position of women under matriliney, and the legacies of that experience, were the yeast in the recipe that produced Kerala's unusual politics and development. Other parts of India had maharajas who built schools (e.g., Baroda) and people who became communists (Mumbai, Calcutta). Other parts of India had Christian missionaries (e.g., the northeast and central India) and large Christian populations (e.g., Goa). Other parts of India elected communist-led governments (e.g., West Bengal in 1967). Kerala had all these elements—yet it was different. What Kerala had, in addition, was a unique matrilineal system. The collapse of that system contributed to the social ferment and search for new certainties out of which Kerala's communist movement grew.⁴⁸ In turn, the competition between communists and non-communists provoked social policies—for land reform, health care and education—that created the "development" outcomes which today are often summed up as "the Kerala model." Women were central to these development results, as teachers in schools, as literate household managers and carers and as voices articulating domestic needs in a

⁴⁵ Madhavan Kutty, *Village*, p. 65.

⁴⁶ But see Madhavan Kutty's village on this matter: *Village*, p. 70.

⁴⁷ Saradamoni, *Matriliney*, pp. 66, 148.

⁴⁸ Robin Jeffrey, "Matriliney, Marxism and the Birth of the Communist Party in Kerala, 1930-40," *Journal of Asian Studies*, XXXVII, 1 (November 1978), pp. 77-98. The social ferment had two prime causes: the collapse both of matriliney and of the most rigid and defined system of caste discrimination in India.

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competitive political environment. Matriliney alone did not create all of these conditions or produce the Kerala model; but without matriliney, it is hard to imagine "the model" taking shape.

What, then, was special about Kerala and differentiated it from other parts of India? Why wouldn't a north Indian family invest in the education of a daughter-in-law once she came to live in the family? Because her first task was to have sons, not go to school. Because illiterate mothers-in-law were loath to create uppity subordinates. Because women were not known to be employed in salaried work and therefore female education had no material value. In Kerala, such conditions did not apply. A woman often stayed in her natal home. It was important for her to have *children*, both boys and girls. Senior women with whom she associated may themselves have been literate. And some women from the 1870s were known to engage in salaried employment.

Matriliney did not make women rulers of their families, but it did allow some of them a remarkable latitude unknown elsewhere in India. An English advocate of women's rights in the late eighteenth century found descriptions of matriliney so appealing that he wrote a pamphlet about it: *An Essay on the Nayar System of Gallantry and Inheritance, shewing its superiority over marriage, as insuring an indubitable genuineness of birth and being more favourable to population, the rights of women, and the active disposition of men* [sic].⁴⁹ This was a misguided and idealized interpretation, but it nevertheless underlined the impression that matrilineal women's roles made on visitors to Kerala.

Today, matrilineal law and practice have been dismantled less comprehensively than we may think. Puthenkalam in 1961 was able to find more than 400 Nair families to fill out his questionnaires about matriliney.⁵⁰ Renjeni found a few elderly women, even in the 1990s, who could talk about matrilineal practices as they existed prior to much of the legal change of the twentieth century. "Matrilineal practices continued in the social, symbolic and religious realms," Prema Kurien wrote of Ezhavas in a village near Thiruvananthapuram in the 1990s.⁵¹ Sentiments and practices survive, and these are sometimes called forth in courts of law. Sometimes matrilineal precedent wins the case, and matriliney is thereby kept green in people's (and lawyers') minds. And though their enthusiasm has little to do with matrilineal practice, families today are often eager to have female members who go out to work and earn salaries. Matriliney helped to create the conditions for such widely held expectations.

⁴⁹ James Henry Lawrence, *An Essay on the Nayar System...* (London: J. Ridgeway, 1793). A copy is held in the British Library.

⁵⁰ J. Puthenkalam, *Marriage and the Family in Kerala with Special Reference to Matrilineal Castes* (Calgary: Journal of Comparative and Family Studies, University of Calgary, 1977), p. xi.

⁵¹ Kurien, *Kaleidoscopic Ethnicity*, p. 107.

None of this answers three related questions. How can the elbow room, the manoeuvrability, that women have in Kerala be replicated elsewhere? Why are there so few women among legislative politicians in Kerala? And why, in the twenty-first century, are husbands in formerly matrilineal groups as patriarchal, and women as domestically subordinated, as among other groups in Kerala and India? Those questions await further discussion.

Sentiment and law will no doubt be eroded under the impact of all-India models, particularly those coming through television. And though the large numbers of women in salaried employment in Kerala today owe much to the flexibility that matriliney offered to their forebears, matriliney's legacies now play little part in determining whether a woman works or not. Nevertheless, legacies of matriliney still run widely through Kerala society and are an essential, but clearly not the sole, condition in explaining the circumstances that have made the "Kerala model."

La Trobe University, Melbourne, Australia, July 2004

**APPENDIX
RECENT CASES INVOLVING MATRILINEAL ARGUMENT**

CASE: *Chellamma Kamalamma vs. Narayana Pillai (1993)*

Issue: Lakshmikutty Amma, a Nair, died intestate on 18 February 1982, leaving a husband and a mother (Chellamma). Under Travancore Nayar Act, the self-acquired property of an intestate woman went to her mother's tavazhi; under the 1956 act, only to her mother. Husband claims as legal heir under section 15 of 1956 act, which he says prevails because 1976 Kerala act makes section 17 inoperative; mother's heirs claim under section 17. Does section 17 of 1956 act still prevail after Kerala act of 1976? Lower court held that it did. The decision was appealed. There was disagreement over whether the 1976 Kerala act overrides section 17 of 1956—i.e., once 1976 act was passed, there is no more marumakkathayam law and therefore section 17 can't apply to something that doesn't exist. Looks as if High Court will decide that people born after 1976 act are not governed by section 17 of 1956 act. Court holds 1976 act does not override section 17 of 1956 act. Section 17 prevails for matrilineal people until 1976 act; anyone born after 1976 is not subject to section 17. Majority decision gives ruling to the mother and mother's heirs.

Source: *Kerala Law Times*, part 1 (1993) pp. 174-211; Appeal Suit No. 148 of 1987, decided 17 December 1992 (Full Bench).

CASE: *Supreme Court of India, Civil Appeals No. 5473-5475 of 1996, decided on 26 April 1996. Smt Parayankandiyal, Eravath Kanapuvan, Kalliani Amma and Others vs. K. Devi and Others (J Kuldip Singh, S. Saghir Ahmad) (1996)*

Issue: A man had two wives by marriages in 1938 and 1948. Was the second marriage legal, since Madras Act XXII of 1933 made a second marriage illegal for matrilineal people? The children from the 1948 marriage were ruled to be legal heirs along with those of the 1938 marriage, because the Hindu Succession Act of 1956 removed some of the stigma of bastardry that the 1933 act had imposed for the first time on marumakkathayis.

Source: Notes from cases found through Manupatra, a Delhi-based information "virtual library" specializing in Indian law, available at the Web site <www.manupatra.com> (with thanks to Satish Murti, Kochi, for help and guidance).

CASE: *SA No. 23 of 2000. OS No. 203/91 of the Subdivision Court, Chertala, Appeal Suit No. 177/96 of the District Court, Alappuzha. C. V. Vijayan, Appellant, vs. C. T. Rajeshwari, Respondent (2000)*

Issue: Was the property an Ezhava woman received at an earlier time received in her own right or on behalf of her taravad? After the Kerala Joint Family (Abolition) Act of 1975, what are the proper shares in such property? The judge could not decide on the basis of the evidence and called for more documents.

Source: Cases found through Manupatra, a Delhi-based information “virtual library” specializing in Indian law, available at the Web site <www.manupatra.com> (with thanks to Satish Murti, Kochi, for help and guidance).

CASE: *Kumari Justice A. Lekshmihttu, 14 February 2002. Kakkethy Mohammed and Others Petrs vs. Kakkethi Arif and others Rspndts [RESPONDENTS] (Judgement 02 KLC-271) (2002)*

Issue: Marumakkathayam law still applies on Kavarathi Island, Lakshadweep, and therefore family property cannot be alienated without consent of all family members. Court ruled that a man could not alienate his share.

Source: Cases found through Manupatra, a Delhi-based information “virtual library” specializing in Indian law, available at the Web site <www.manupatra.com> (with thanks to Satish Murti, Kochi, for help and guidance).

CASE: *M. Ramachandran, J., Kerala High Court, 22 July 2002. OP No. 18798 of 1995. (Judgement 01 KLC-585) (2002)*

Issue: The inheritance of a *vruthi* tenure, conferred by the former maharaja of Travancore, passed down the matrilineal line, not the patrilineal, because it was not an individual’s property, thus the Kerala Joint Family (Abolition) Act of 1975 does not prevail; matrilineal law still does.

CASE: *JJ S. Sankarasubban, K. Padmanabhan Nair, Kerala High Court, 26 November 2002. AS No. 13 of 1989 (D), OS No. 643 of 1983, Additional Sub Court, Ernakulam (2002)*

Issue: The court ruled that a second marriage of an Ezhava woman, living in the territory of the old Cochin princely state, was invalid since she had not obtained a divorce, as required under the Cochin legislation passed in the 1930s to govern marumakkathayis. Children of the invalid second “marriage” did not inherit.