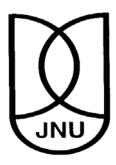# DISCOURSE OF RIGHTS AND POWER: FORMATION OF PUBLIC DOMAIN AND COMMUNITIES IN COLONIAL KERALA

*Thesis submitted to Jawaharlal Nehru University in fulfillment
of the requirements for the award of the degree of*

## DOCTOR OF PHILOSOPHY

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## CERTIFICATE

This is to certify that the dissertation titled **"Discourse of Rights and Power: Formation of Public Domain and Communities in Colonial Kerala"**, submitted by Satheese Chandra Bose K. P, of the Centre for Political Studies, School of Social Sciences, Jawaharlal Nehru University, New Delhi, for the award of Doctor of Philosophy, is an original work and carried out by the candidate under my supervision. It has not been submitted so far in part or in full for any other degree or diploma to this or any other University. It is hereby recommended that the thesis may be placed before the examiners for evaluation.

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**Prof. Asha Sarangi**

## DECLARATION

I, Satheese Chandra Bose K. P, hereby declare that the thesis titled, **"Discourse of Rights and Power: Formation of Public Domain and Communities in Colonial Kerala"** submitted in fulfilment for the degree of Doctor of Philosophy in the Centre for Political Studies, School of Social Sciences, Jawaharlal Nehru University, New Delhi is a bona fide work. This work has not been submitted in part or in full for any degree or diploma to this or any other university.

**Satheese Chandra Bose K. P**

**Date: 22. 11. 2017**

# CONTENTS

# ACKNOWLEDGEMENTS

# ABBREVIATIONS

| | |
|---|---|
| C.R.L | Civic Rights League |
| N.S.S | Nair Service Society |
| S.N.D.P. Yogam | Sree Narayana Dharma Paripalana Yogam |

# GLOSSARY

| | |
|---|---|
| *Abhiprayam* | opinion |
| *Acharam* | tradition of rite |
| *Acharamgal* | social customs |
| *Acharya* | philosopher; guru |
| *Adi-Dravidas / Adiyar* | original inhabitants |
| *Adima avakasam* | servile rights |
| *Adima bhavanam* | slave family |
| *Adimakal* | predial slaves |
| *Adimachangala* | chains of slaves |
| *Adimakkachavadam* | slave trade |
| *Adimakkanneer* | slave tear |
| *Adimamakkal* | children of slaves |
| *Adima nukam* | yoke of slaves |
| *Adima rakshakan* | emancipator of slaves |
| *Adima shariram* | the slave body |
| *Adimatham* | servitude |
| *Adima vargam* | slave caste |
| *Adima vimochanam* | emancipation of slaves |
| *Adimavela* | slave labour |
| *Adimayola* | palm leaf document on slave trade |
| *Adima yugam* | age of slavery |
| *Adiyangal* | we/your servants |
| *Agathikal* | helpless subjects; orphans |
| *Anyonya avakasamgal* | joint-rights |
| *Aparan* | non-other |

| | |
|---|---|
| *Arivu* | knowledge |
| *Asamathwa samudayamgal* | unequal communities |
| *Atma sukham* | one's own happiness |
| *Avakasa samaramgal* | struggles for right |
| *Avakasam* | rights |
| *Avakasi* | owner; claimant; heir |
| *Avasa samudayamgal* | deprived communities |
| *Avakasabodham* | awareness of one's rights |
| *Bharata maha samudayam* | the great Indian community |
| *Brahmanjanam* | knowledge about the ultimate truth; supreme consciousness |
| *Canum* (*Kanam*) | mortgage |
| *Darmasastras* | the sacred texts followed by the Brahmins |
| *Devaswom* | administrative body managing the temple properties |
| *Dharma* | moral code of conduct |
| *Inam* | specific kind |
| *Jana-samudayam* | common populace |
| *Jati* | caste |
| *Jayate asmin iti* | that which one is born in |
| *Jenma avakasam* | birthright |
| *Jenmom* | birth |
| *Jenmom* land | land traditionally owned by the Brahmins |
| *Kanappattam* | rent paid on mortgaged land |
| *Karayogam* | local units |
| *Kudiyan* | tenant |
| *kulam* | descent group |
| *Kulattolil* | occupation based on *kulam* |

| | |
|---|---|
| *Manushyan* | human being |
| *Manushya samudayam* | human community |
| *Manushyatvam* | humanity |
| *Marumakkathayam* | matrilineal system |
| *Matham* | religion; opinion |
| *Melkoima avakasam* | an exceptional right of the Travancore King |
| *Mlechadesamgal* | lands of inferior race |
| *Mlechanmar* | inferior race |
| *Naduvazhi/desavazhi* | native rulers |
| *Nattavakasamgal* | locally maintained customary rights |
| *Nattunadappu* | locally followed customs |
| *Njanam* | wisdom |
| *Pandaravaka* land | land owned by the government |
| *Parishkaram* | reform |
| *Pathi* | a place of worship established by Muthukutti Swamikal in the nineteenth century south Travancore |
| *Pattam* | lease |
| *Pidakaikkar*s | village leaders |
| *Ponnuthamburan* | precious lord/king |
| *Pothu* | public |
| *Pothujanam* | common public |
| *Pothu samudayam* | society |
| *Purogathi* | progress |
| *Samathwam* | equality |
| *Samathwa samajam* | association of the equals |
| *Samudaya bodham* | sense of community |
| *Samudayam* | community |

| | |
|---|---|
| *Samudaya jeevitham* | social life |
| *Samudaya parishkaram* | community reforms |
| *Samudaya parivarthanam* | social transformation |
| *Samudaya swabhavam* | social character |
| *Samyuktha samudayamgal* | joined communities |
| *Sanyasam* | ascetic life |
| *Swadharma* | particular code of conduct |
| *Swa-samudayam* | one's own community |
| *Thalappavakasam* | fetter right (*thalapp* refers to the foot rope used for mounting coconut trees) |
| *Thripadidanam* | a ritual through which the state of Travancore was surrendered to the Lord Sri Padmanabha |
| *Uttupura*s | free feeding house for Brahmins |
| *Uzhiyam* | a mode of forced manual labour which also demands supply of vegetables and provisions to the palace |
| *Viruthy* | a mode of feudal service which demands manual service and supply of provisions to the government, temples and the *uttupuras* in lieu of land |

**Chapter One**

**Introduction**

**Mapping Political Change and Conceptual Shifts: A Methodological Inquiry**

Concepts are not inert entities. They are amenable to change. To explore the history of political concepts, it is important to map out the different modes of articulation and shifts and continuity of meaning of those concepts. As Farr puts it "[t]he meaning of political concepts is to be understood in terms of the contexts within which actors put them to use; and tracing conceptual change over time will require studying changes of contexts and use. Relevant contexts are always both linguistic and political at the same time".[1] As this explanation suggests, there is a close interplay between context and concepts. And, for that reason, one could assume that there would be a corresponding relationship between contextual change and conceptual change. Therefore, to understand a particular concept and its functions within the space-time matrix, we need to be acquainted with the nuances of the socio-linguistic and political settings which actively take part in the constitution of a concept.

Social and political change is often perceived in relation to the decline and emergence of legal, political, cultural and social institutions, and practices. Being political subjects, we make sense of those changes as agents associating either directly or indirectly with the movements and emergent practices which refashion the state of our socio-political existence as a member of the society or a citizen of a legal-political community. However, serious questions arise when we undertake a study of history of concepts as a means to examine social and political change. As Lovejoy explains, while exploring the history of ideas, it is important "[t]o understand how *new* beliefs and intellectual fashions are introduced and diffused, to help to elucidate the psychological character of the process by which changes in the vogue and influence

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[1] James Farr. 1989. "Understanding Conceptual Change Politically" in Terence Ball, James Farr and Russel L Hanson (eds.). 1989. *Political Innovations and Conceptual Change*, Cambridge University Press. Cambridge, p. 41.

of ideas have come about; to make clear, if possible, how conceptions dominant, or extensively prevalent, in one generation lose their hold upon human being's mind and give place to another".[2] Conceptual change refers to a shift from continuity and also an advent of a new possibility of enunciation. And it becomes perceptible only if we analyse the prior conditions from which the concept has been shifted away. While exploring the history of a concept it becomes important to trace out those preceding conditions and moments of departure.

This work, *Discourse of Rights and Power: Formation of Public Domain and Communities in Colonial Kerala*, is primarily an attempt to map out the journey of a concept; *avakāsam* (which corresponds to the word 'rights' in English). To examine this conceptual journey, the study follows a period of time stretching from middle of the first decade of the nineteenth century — or from the beginning of the Resident rule in Travancore — to the middle of the fourth decade of the twentieth century (i.e., 1805 - 1937) in the princely state of Travancore. As a prelude, a clarification is required regarding the usage of the expression 'colonial Kerala' which appears in the title of this study. Firstly, during 'the colonial period', it is to be noted that today's Kerala was divided into three different administrative units; the British administered Malabar and the princely states of Cochin and Travancore. Or in other words, as a political and geographical unit the region called Kerala did not exist at that point of time. Secondly, the term colonial is also a problematic category as the major chunk of territory of the present state of Kerala was not under the direct control of Her Majesty's government in Britain. The colonial experience of Malabar, Cochin and Travancore regions was varied according to the nature of their variegated affiliation with the British. Except the Malabar region which was a part of the Madras presidency, Cochin and Travancore was ruled by native monarchs, under indirect control of the British. Hence, the term 'colonial Kerala' which appears in the title of this study needs to be understood in consideration of these specific nuances.

The present study is concentrating mainly on certain pertinent changes that appeared in the articulation of the concept *avakāsam*. Here, mainly I will give attention to some of the major events, discussions and debates that took place in the Travancore region alone. And, the focus is given to three major phases and shifts in the articulation of

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[2] Arthur O Lovejoy. 2001 [1933]. *The Great Chain of Being: A Study of the History of Ideas*. Harvard University Press. Cambridge, p. 20. (Emphasis as in the original).

*avakāsam*: a shift from customary rights to colonial legal rights; a shift towards demand for right to recognition; and a shift toward representational rights. This study also examines three different conduits of power; customary, colonial and the princely forms within which these different conceptions of rights were articulated distinctively. To explore the mutual relationship between rights and power is one of the central concerns of this study. To put it more precisely, on the one hand it tries to examine how and why certain conceptions of rights were being articulated legitimately under peculiar conditions of power and on the other hand it seeks to know how changes in the usage of the concept of *avakāsam* could be an index for analysing the changing relations of power.

**Understanding Contexts and Concepts**

While examining the history of concepts, we may possibly proceed with prior convictions and prejudices. Hence, the 'implied intentions' of the scholar may possibly hinder unprejudiced explorations. Unless we dispose of such preconceptions, the meaning and functions of a concept in the past cannot be understood properly. As far as explorations into the history of concepts are concerned, an effort to overthrow such predilections is a basic methodological requirement. Having taken this critical point into consideration, this chapter tries to set out a methodological framework to study past politics and political change. At the outset of the study, two major hypothetical questions are to be placed: one, can concepts and conceptual changes be a key to understand the context of political change? Another query it endeavours to make is as to how concepts are embedded in social and political relations and depict the dominant traits of that order? Here I would elaborate on two major academic fields, i.e. intellectual history and conceptual history, which are highly important in understanding the relationship between language and concepts.

Language is considered to be one of the potential means to understand past politics as it elicits actions and expressions produced by political actors in definite historical contexts. The linkage between the actors and their context is so intricate and interlinked. Such relationships are expressed mainly through the medium of language. It has been pointed out that "[a] moral and political language is a medium of shared understanding and an arena of action because the concepts embedded in it inform the beliefs and practices of political agents. The social and political world is conceptually

and communicatively constituted, or, more precisely, preconstituted".[3] Since language being one of the most authentic forms of human expressions, it could well be a reliable means to analyse how events and politics are expressed through a language (or languages). As Pocock says: "[w]e can identify and demarcate numerous languages in terms of which the political is articulated and discussed within the traditions of a civilization. These language comprises a number of concepts or vocabularies which can be appropriated from specialised fields, such as law, and which cohere to form a structure which acts as a conceptual lens through which the world and its problems are perceived and explained".[4] As it indicates, in a society, so many languages coexist at a time and in each context concepts operate in various forms.

Language attains a key position in Pocock's works. He elaborates the notion of 'paradigm' proposed by Thomas Kuhn[5] in linguistic terms and maintains that "[t]he linguistic paradigms severely constrain the political speech of a community or nation because they prescribe what a person is able to say and the way in which he is able to say it".[6] Thought, therefore, needs to be interpreted by placing it in the tradition of discourse to which it rightfully belongs.[7] Pocock here considers thought as social behaviour or in other words thought represents how a mind acts in relation to the society's traditions.[8] Thought which has its origin from a social tradition is therefore a reflection of the general perception of that time. The tradition thus becomes the basic faculty which enables to interpret one's thought and the concepts as well as the language of communication; what she/he was talking about and what she/he was taken to mean.[9] In Pocock, tradition turns out to be the ultimate setting producing thought and action. According to him, "[H]ow a man [*sic*] justifies his action is

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[3] Terence Ball, Farr & Hanson (eds.). 1989. p. 1.

[4] Pocock quoted in David Boucher. 1985. *Texts in Context: Revisionist Methods for Studying the History of Ideas*. Martinus Nijhoff Publishers. Dorderecht, p. 162.

[5] See Thomas Kuhn. 1996 [1962]. *The Structure of Scientific Revolutions*. University of Chicago Press, Chicago.

[6] Pocock maintains that "conceptual revolutions occur only when languages other than those of the dominant paradigm are available to order experience in different ways". J.G.A Pocock. 1972. *Politics, Language and Time: Essays on Political Thought and History*. The University of Chicago Press. Chicago, p. 18.

[7] J.G.A Pocock. 2009. *Political Thought and History: Essays on Theory and Method*. Cambridge University Press. Cambridge. p. 18.

[8] Ibid.

[9] Ibid.

determined by factors not at his command, and what they are must be ascertained by studying both the situation in which he is placed and the tradition within which he acts".[10] Or in other words, as Pocock affirms, "the paradigm that order "reality" are part of the reality that order".[11]

In an attempt to explain the relationship between concepts and tradition, Pocock points out two significant questions, firstly; "[w]hat takes place when concepts are abstracted from a tradition and secondly; what takes place when they are employed in action within that tradition".[12] Pocock however does not recognise the existence of concepts outside the parlance of language. Pocock categorically explains that "I am not saying that concepts are epiphenomenal or unreal; and it is not my business to say that language is the only ultimate reality. But I am inclined to say that the concept is the effect or message of the language, and that what has been preserved in the accumulation of documents is a history of the changing content and uses of language, from which histories of conceptualization have to be inferred and from which they cannot be separated".[13] Since concepts are located only within language, he declines the possibility of writing a separate history of concepts as well.[14] Though Skinner also held the opinion that a 'history of concepts cannot be written', instead of borrowing the idea of linguistic paradigm, he offers a new method for understanding the meaning of ideas.

Responding to Pocock, Skinner reproves that "[t]he concentration upon language too easily allows a historian to assimilate writers to tradition which are completely alien to them".[15] Instead of tradition, Skinner prefers to concentrate on the notion of context. However, he does not consider context as an ultimate frame within which meaning is produced. He maintains that, since context itself may be ambiguous, to grasp the meaning of an idea, one has to explore "all the various situations, which may change in complex ways, in which the given form of a word can logically be

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[10] Ibid, 13.

[11] David Boucher. 1985. p. 163

[12] J.G.A Pocock. 2009. p. 12.

[13] J. G. A Pocock. 1996. "Concepts and Discourses: A Difference in Culture? Comment on a Paper by Melvin Richter". in *The Meaning of Historical Terms and Concepts: New Studies on Begriffsgeschichte*. Hartmut Lehmann and Melvin Richter (Eds.). German Historical Institute. Washington D.C. Occasional Paper No. 15. p. 53.

[14] Ibid. pp. 47, 53.

[15] Ibid. p. 194.

used — all the functions the words can serve, all the various things that can be done with them".[16] Taking cue from Wittgenstien[17], Skinner argues that "the meaning of the idea must *be* its uses to refer in various ways".[18] He places "[t]he context' 'not as a determinant of all the given utterances but as an ultimate framework for helping to decide what conventionally recognizable meanings, in a particular society, it might in principle have been possible for someone to have intended to communicate. Boucher summarises that, by subscribing Austin's theory of language, in essence what Skinner is saying, is that "[t]he words a person writes or speaks are outside of a linguistic event. The inside of the event is the illocutionary force or intention the person had *in* saying what he said. The outside, that is, the words, and the inside, namely the intention, taken together constitute a social action which it is the duty of the historian to discover and understand".[19]

Pocock's *tradition* and Skinner's *context* are not one and the same. They differ in terms of their perceptions on the basic conditions of production of meaning of concepts. Pocock conceives of tradition as a linguistic order imposing constrains on the way the subject thinks and acts. For Skinner, context is not a determinant but only a prerequisite helping to locate the conventional use of a word and its possible meaning(s). To understand the transition of a historical epoch or an established order, it is important or inevitable to regard tradition, but only as a socio-linguistic setting which is vulnerable to modifications. Tradition cannot be conceived as a receptacle of unmoved customs and usages. There are so many linguistic events or contexts within a tradition. The multiple linguistic contexts would make a tradition highly complex. They indicate various internal movements capable of bringing about changes that can affect the paradigmatic nature of that very tradition itself. Therefore, it could be argued that the notion of tradition becomes significant only when we look at it in terms of multiple forms of relations and possibilities of change prevalent therein. It is important to analyse the role of concepts in paradigm shifts. And it is equally important to analyse conceptual change when new order emerges. This moment of transition is very crucial in understanding the nature of re-ordering of the traditional

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[16] Quentin Skinner. 1969. "Meaning and Understanding in the History of Ideas". *History and Theory* Vol. 8, No. 1. Blackwell Publishing for Wesleyan University. pp. 3-53, here p. 37. Accessed on 19. 10.2011.

[17] Ludwig Wittgenstein. 1953. *Philosophical Investigations*. Basil Blackwell. Oxford.

[18] Quentin Skinner. 1969. p. 37. ((Emphasis as in the original))

[19] David Boucher. 1985. p. 200.

social relations of power. The changes appearing in the mode of articulation of political concepts (such as rights, sovereignty, liberty etc.) could be a key to understanding the nature of such a vicissitude. For instance, the advent of colonialism and the imposition of a new set of rules and power is one of such events that help to remould the tradition(s) of colonised societies.

In the context of Travancore, the term tradition is used mostly to indicate the customs and usages of the land. The authority of existing institutions and practices are derived from their continuity in time. Caste, for example, was such an institution and the practices associated with the same are also legitimised on the basis of the long duration of their existence. However, those practices and usages do have regional and contextual variations. In this work, I will try to explain Travancore more as a region carrying certain specific features. Here, I consider Travancore as: a region ruled by a native monarch whose sovereign acts were constantly monitored by a paramount power, the British; a region which was socially and linguistically linked to adjacent regions (Cochin and Malabar) but politically separated from them; a region which shared the space-times of both the native and the colonial institutions and systems. To be specific, my attempt is to look at these specificities of Travancore from the vantage point of language and concepts. And the aim of the study is not to elaborate how tradition and language operate as paradigmatic entities but on the contrary, it tries to locate the moments of conceptual and social change which constantly unsettle the paradigm.

Koselleck, in favour of writing a history of concepts, declines the assumptions of both Pocock and Skinner and argues that their thesis of the impossibility of writing a history of concepts stem from a 'rigorous historicism'.[20] He introduces the idea of 'basic concepts' and argues that "concepts are not just *indicators* — they are also *factors* in history".[21] The 'basic concepts', Koselleck argues, "become indispensable to any formulation of the most urgent issues of a given time".[22] They are "highly

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[20] Reinhart Koselleck. 1996. "A Response to Comments on the *Geschichtliche Grundbergriffe*". Melvin Richter and Sally E. Robertson (Trs.). in *The Meaning of Historical Terms and Concepts: New Studies on Begriffsgeschichte*. Hartmut Lehmann and Melvin Richter (Eds.). German Historical Institute. Washington D.C. Occasional Paper No. 15. p. 62.

[21] Jan-Werner Muller. 2014. "On Conceptual History". in *Rethinking Modern European History*. Darrin M. MacMahon and Samuel Moyn (Eds.). Oxford University Press. London. p. 84. (Emphasis as in the original).

[22] Reinhart Koselleck. 1996. pp. 64–65.

complex" and therefore always "controversial and contested". Without some minimum stock of basic concepts, he asserts, political actions cannot occur. Hence, "such concepts must be interpreted in order to sort out their multiple meanings, internal contradictions, and varying applications in different social strata".[23] Instead of accepting the predominance of language, he states "the history of concepts deals with the use of specific language in specific situations, within which concepts are developed and used by specific speakers".[24] Besides, conceptual history should take into account both the reception of a concept in the past and its use by latter generations.[25] The present study focuses on the different modes of articulation of, what Koselleck calls, the "basic concepts" (such as *avakāsam*, *samatwam* and *samudāyam*) and the changes through which those concepts travelled at different periods. Rather than focusing heavily on the methods of intellectual history, propounded by Pocock and Skinner, the present study follows a conceptual history framework expounded by Koselleck.

One prominent way of exploring the history of a concept is to trace out its etymological roots. It would help to explore the journey of a concept; the different traditions the concept travelled and traversed. However, as James Farr points out, "[a]ttempting to understand past episodes of conceptual change requires much more than merely recording etymological shifts. Rather, it requires rediscovering and rethinking problems; tracing out lines of inquiry not recorded; grappling with ideas that seem irrelevant when judged by contemporary standards; even criticizing contradictions or posing counterfactuals which originally went unnoticed".[26] As it sounds, concepts can become indices of *the social* as it may invoke the terms of social relations and problems pertinent to it. Skinner explores how to make sense of the social world through studying the vocabulary we use in order to describe and appraise it. He argues that "[t]here are three main types of insight we can hope to gain: insights into changing social beliefs and theories; into changing social perceptions and awareness; and into changing values and attitudes".[27] To analyse the sphere of the

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[23] Ibid.
[24] Ibid. p. 62.
[25] Ibid.
[26] James Farr. 1989. p. 40.
[27] Quentin Skinner. 1969. p. 20.

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social, rather than looking into the etymology of terms this work concentrates on their multiple meanings and the different possible ways of their uses.

Drawing out the intellectual cartography of a region is also one of the prominent methods of understanding concepts and conceptual change. Boucher proposes a heuristic exercise to locate a thinker in relation with others and also to place oneself within an intellectual terrain. He employs a method of 'intellectual cartography'[28] and concentrates on the "[a]ctivity of circumscribing the boundaries of a concept and differentiating the problems related to it from those associated with other similar, yet distinct, concepts. Further, it is the activity of plotting the apparent links between connected sets of ideas".[29] Boucher proposes a method for drawing out the intellectual cartography of a region and he suggests that this attempt would facilitate to identify conceptual changes. While using this method, it is to be kept in mind that the political landscape is always subjected to transformation and therefore, in its course, "the map and terrain vary together".[30] The mapping of political landscape, in this work, demands focus on changes in customs, practices and relation of power as well as its effects on the social and political arena. It also includes the mapping of varying use of concepts, the changing modes of their articulation and the new relations and actions they purports. Concepts are relational and they espouse one another in specific social or textual contexts to convey particular meaning and effects. Therefore, grasping the relationality of certain vital concepts is a major concern of this study. Apart from analysing the different modes of expression of the concept *avakāsam* it also engages with concepts like *samatwam* (equality) and *samudāyam* (community) which make certain kinds of articulation of rights possible. In addition, the method of illustrating intellectual cartography becomes highly useful in explaining the different ways of using of concepts in various streams of thought. Moreover, it helps to discern the critical points of departure latent in different streams of thought.

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[28] "Intellectual cartography is the selection and representation of landmarks and points of interest which in some way project themselves as more significant or important than the landscape which surrounds them". See David Boucher. 1985. p. 6.

[29] Ibid.

[30] "Although our language maps moral and political possibilities, it is not a map depicting an independently existing topography. On the contrary, the political landscape is partially constituted by that which locates and marks its main features. Far from being fixed or stable, these features change over time". Ball, Farr & Hanson (eds.). 1989. p. 2.

Scholars argue that while exploring conceptual change one has to look seriously into the relationship between words and concepts; what word one uses and what concept it carries.[31] For, a word may carry different concepts. And the concept of a word may change according to the nature of contexts too. Kuukkanen identifies this difference quite clearly and he firmly argues that the linguistic entity, term or word, is clearly different from the non-linguistic entity like ideas or concepts.[32] He insists that the explorations into linguistic (words, terms, sentences, texts) and non-linguistic entities would produce different kinds of intellectual history.[33] However, it is also important to note that words always possess one or more concepts/meanings sharable among a group or a community. Although they maintain the linguistic/non-linguistic difference, as Kuukkanen underlines, they never remain separated. The relationship between a word and concept can be deciphered coherently only when they are explored against the background of the given context where it is used. For, they together constitute meaning within specific socio-linguistic contexts. As Boucher also points out, "[w]ords and concepts have meaning in relation to the entire vocabulary of which they are part".[34] If we concentrate heavily on the difference between words and concepts, then one has to admit that in various situations, concepts are often expressed with varied dimensions as well. For instance, the present study does not treat the concept of *avakāsam* as a fixed entity because in different historical settings it gains new dimensions such as customary rights, civil rights, representational rights and so on. The point I wish to emphasis is that to understand these different dimensions, the distinct features of the prevailing social relations of power need to be explored. For, concepts, especially political concepts, invariably refer to the specific nature of power embedded in social relations.

Like Boucher, Skinner also maintains the idea that when a word changes its meaning, it also changes its relationship to an entire vocabulary.[35] Conceptual change can be

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[31] In his critique of Williams, Skinner argues that what we need to know is not what words he uses but rather what concepts he possesses. Quentin Skinner. 1989. "Language and Political Change" in Trence Ball, James Farr and Russel L. Hanson (eds.). 1989. *Ideas in Context: Political Innovation and Conceptual Change*, Cambridge University Press. Cambridge. p. 7.

[32] Jouni-Matti Kuukkanen. 2008. "Making Sense of Conceptual Change". *History and Theory*. Wesleyan University. Vol. 47, No. 3, October. pp. 351–372, here p. 361.

[33] Ibid. p. 370.

[34] David Boucher. 1985. p. 207

[35] The surest sign that a group or society has entered into the self conscious possession of a new concept is that a corresponding vocabulary will be developed, a vocabulary which can then be used to

located, as Farr argues, "[w]henever we find changes in any of the interrelated features of a concept, in its criteria of application, its range of reference, or its attitudinal expressiveness".[36] Here concept is situated within an assemblage of linguistic and social relationships. Concepts as well as associations between concepts are susceptible to be changed in tandem with social and political changes. As he also informs; "[p]olitical change cannot be isolated in a conceptually uncontaminated way so that conceptual change could then be said to be its reflection. To understand conceptual change is in large part to understand political change, and vice versa".[37] He views political change and conceptual change as one complex and interrelated process.[38] Accordingly, conceptual change would reflect in the mode of social relations and social interactions as well. This idea of relationality is very crucial in understanding the way concepts mirror the existing social relations. For instance the term *Jenmom*, used in the nineteenth century Malabar, Cochin and Travancore regions, refers to the birthright of the Brahmins to hold private land. The concept of *Jenmom* therefore becomes so central in understanding the social role, property rights and caste based relations of production prevailed in those regions.[39]

While examining the relationship between conceptual change and political change, it is unnecessary to ask which one of these determines the other. I would rather see this as a mutually dependent process. When the existing social conditions are getting changed, the rules governing the usage of the concepts also change in accordance with the newly emerging standards, norms and practices. The emergence of critical thinking turns out to be one of the important factors helping to understand various discourses that are emanating during the course of transition. One significant way of grasping the temperament of such a context is to explore the questions particularly

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pick out and discuss the concept with consistency. Quentin Skinner. 1989. p. 13. A change in the meaning of one concept has 'strongly holistic implications' because its relationship changes to the whole vocabulary in which it has a place. Therefore, it can never be a satisfactory procedure to focus upon the internal aspects of words or concepts; instead we must look at their 'role in upholding complete social philosophies'. David Boucher. 1985. p. 207. See also Reinhart Koselleck. 2002. *The Practive of Conceptual History: Timinig History, Spacing Concept*. Todd Samuel Presner and others (Trs.). Stanford University Press. Stanford. pp. 160–165.

[36] James Farr. 1989. p. 31.

[37] Ibid.

[38] As Farr points out, "concepts are ever held or used in isolation, but in constellations which make up entire scheme or belief systems". Reflecting on conceptual change, Skinner explains that "what is changing — at least initially — is nothing to do with sense; what is changing is simply a social or intellectual attitude on the part of those who use the language". Ibid. pp. 19, 32, 33.

[39] For a detailed discussion, see Chapter two.

attended by the philosophers and writers of that time. The imagination of time is a crucial aspect when thought becomes critical of the dominant beliefs of a tradition. An inquiry into different modes of operation of critique would assist to make out how and in what form new imaginations of time get articulated through invention or alteration concepts.

There is a need to bring attention to some serious questions concerning tradition and thought debated and discussed in the field of intellectual history. Emphasising tradition, Pocock argues that political thinking does not take place in an immediate context. On the contrary, thinking derives from a motive; the tradition of thought. He maintained: "[t]here is an evident difference between the intellectual content of a piece of thinking, and the role it was designed to play, or actually did play, in influencing political action".[40] Therefore, he suggests that a historian of political ideas should not consider the intention of the author as final account to understand thought. Pocock argues, as Boucher summarises: "thought and thinking are modes of social activity which must be presented as such if any description purports to be a history of what certain people did at particular time. The political thinker is a social being and his thoughts are social actions or events. The words and concepts he uses are part of a shared inheritance which severely constrains his liberty to conceptualize and theorize. It is the shared inheritance, variously named traditions, universe of discourse, language and legitimation, vocabularies, and paradigms, which must provide the context in which individual thinkers perform their social actions".[41] Tradition thus engrosses both thinker and thought. Concepts are also located therein.

Reflecting on the idea of the 'unconscious application of paradigms', Skinner states that the "[m]odels and preconceptions in terms of which we unavoidably organize and adjust our perceptions and thoughts will themselves tend to act as determinants of what we think or perceive".[42] He considers paradigm as a conundrum or a vicious circle from which a thinking subject cannot possibly be removed by way of thinking against the terms and rules which conditions thought as well as the act of thinking. Instead of tradition, which acts as a paradigmatic form in Pocock, Skinner emphasises on 'context'. Skinner argues that "[e]ven if the study of the social context of texts

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[40] J.G.A Pocock. 2009. p. 13.
[41] David Boucher. 1985. p. 155.
[42] Quentin Skinner. 1969. p. 6.

could serve to *explain* them, this would not amount to the same as providing the means to *understand* them".[43] Accordingly, the social context is sufficient to 'explain' a text or an event but does not provide the *sufficient condition* to 'understand' the same. For, the social context offers only a *necessary condition* to understand a text or an event. Skinner thus denounces the application of paradigm and prefers to take into account the social context as pivotal means to understand thought.

To elaborate the difference between explanation and understanding, Skinner brings in a critical distinction between "intention-to-do" and "intention-in-doing". He explains: "[e]very statement made or other actions performed must presuppose an intention to have done it — call it a cause if you like — but also an intention in doing it, which cannot be a cause, but which must be grasped if the action itself is to be correctly characterized and so understood".[44] He goes on to argue: "in order to be said to have *understood* any statement made in the past, it cannot be enough to grasp what was said, or even to grasp the meaning of what was said may have changed. It cannot in consequence be enough to study either what the statement meant, or even what its context may be alleged to show about what it must have meant. The further point which must still be grasped for any given statement is *how what was said was meant*, and thus *what relations there may have been between various different statements even within the same context*".[45] Skinner does not emphasis on the importance of concepts as a decisive factor helping to develop a history of concepts per se. He rather considers concepts as elements that would be expired once their formative context are ceased to exist.[46]

As indicated earlier, in this study, tradition is not treated as a paradigmatic structure which determines thought and actions. Instead, understanding 'change' gets greater priority in the present study. It considers context in terms of its complex and multilayered setting. Every given context, which I encounter in this work, gives sign of interlacing of different strands of tradition as well as its counter-currents which also contain several competing strategies and points of view. Every context, therefore, is a context of change. Although the focus of the present study is not limited to the

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[43] Ibid. p. 46.
[44] Ibid. p. 45.
[45] Ibid. p. 47. (Emphasis added).
[46] Reinhart Koselleck. 1996. p. 62, J. G. A Pocock. 1996. p. 47.

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examination of texts and the role of the author, to analyse 'critical and reconstructive thinking' developed in the early twentieth century Travancore, in chapter five, an attempt is offered to delineate how thinkers engaged with and deflected from the existing philosophical traditions and dominant beliefs.

Critical thinking not only includes philosophical engagements made by prominent thinkers of that time but it consists also of social and political critique offered by other intellectuals through articles in newspapers and magazines. To refer to this category, Lovejoy uses the term 'minor writers'. He warns against "any undue concern with major writers, where one seeks to elicit the actual thought of a period, since minor writers, as he wrote, may serve the purpose better, by revealing more that is characteristic of the time".[47] Following Lovejoy, Oakeshott and Greenfield also suggest that it is the lesser thinkers of an age who can be identified as being more representative of their time, and against whom the more prominent thinkers can be understood and assessed.[48] The scholars who represent their opinions and arguments regarding political events and social circumstances could be a key to understanding how ideas are circulated and communicated in the public domain and how they were employed and received. This work attempts to make due engagement with the public sphere deliberations that took place in the first four decades of the twentieth century Travancore.

In the present study I would be looking at contexts as a location where specific forms of social relations exist. And concepts, I would argue, could help to understand those specificities in detail. The concept of *avakāsam* which I examine in this study also refers to relations among different sections of people within a social milieu. Concepts used in texts are not only relevant to the inside of the grammatical and semantic terrain of the text but also indicate clearly to an outside i.e., the social context in which they find expression.[49] Here, discourse is conceived as a domain where these two sides relate to one another. As Koselleck points out,

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[47] Arthur O Lovejoy. 2001 [1933]. pp. 19-20.

[48] For Greenfield, since there is no independent or autonomous social setting, the historian has to come to know, not the 'truth', that is, 'The way they look at things, not the things themselves'. David Boucher. 1985. p. 104.

[49] See Chapter three for more discussions.

"[A]lthough basic concepts always function within a discourse, they are pivots around which all arguments turn. For this reason I do not believe that the history of concepts and the history of discourse can be viewed as incompatible and opposite. Each depends inescapably on the other. A discourse requires basic concepts in order to express what it is talking about. And analysis of concepts requires command of both linguistic and extra-linguistic contexts, including those provided by discourses".

This study focuses primarily on certain changing discourses of rights, power and thought. And it tries to explain the ways the linguistic and the non-linguistic contexts are shaped and reshaped through such discourses. In particular, this work explores why a particular statement(s) is made in a definite context , how that statement is made; using which words and concepts, how thought functions and how it effects, how power implicates and determines a context and how concepts are defined accordingly, how to understand a 'context of change' rather than taking into account context(s) as fixed and compartmentalised units of analysis and finally, under those conditions how new spaces and domains are being emerged or re-formed in place of what was existed earlier.

**Modes of Power**

How power and rights are related to each other? Indeed, there is no common answer to this question. The mutual relationship between these two will be deferred according to the specificity of various space-times. Therefore to understand the relationship between rights and power, first of all, those specificities need to be grasped. With that intention, in the following chapters, I will make attempts to answer the following questions. What were the prevailing modes of power in princely Travancore and within the ensemble of complex power relations, how new social and political alliances took shape? What sorts of rights discourses were possible within that specific form of relations of power?

In the academia, there are different arguments and positions concerning the real location of power in society. Hobbes locates power in the political body of the sovereign — the Leviathan. "[T]he image of the body is mapped onto political society, functioning as a way of organizing power relations around sovereign

institutions and law".[50] As the image of the mighty Leviathan shows, the political body of the sovereign is made up of the citizen subjects whom the sovereign gains power from. Thus, as MacKenzie points out, "Hobbes defines power as a capacity of individuals, in both its 'Natural' and 'Instrumental' forms".[51] This image of the sovereign is relevant to context where a war-like situation is prevailing or at a time when the pervading system is at the brink of collapse or passing through a 'state of exception', as Carl Schmitt suggests.[52] One of the major features of these explanations (individual as well as collective forms) of power is that they envisage the state (or the sovereign who represents the state) to be the epicentre of power.

Contrary to this individual-centred conception of power, Hannah Arendt proposes a definition of power "[t]hat is not at all a property of the individual" [but] "belongs to a group and remains in existence only so long as the group keeps together".[53] Instead of looking at power in terms of motives of domination and subjugation, Arendt proposes a 'political' conception of power which rests with the people and that fundamentally is empowering in nature. She explains power as potential which emanates when people come together and act in the public domain. She writes: "[P]ower is what keeps the public realm, the potential space of appearance between acting and speaking men, in existence... [P]ower is always, as we would say, a power potential...[P]ower springs up between men when they act together and vanishes the

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[50] Saul Newman. 2004. "The Place of Power in Political Discourse". *International Political Science Review/Revue internationale de science politique*. Vol.25. No. 2. pp. 139 -157, here pp. 139-140. Accessed: 16/05/2013 04:42.

[51] MacKenzie. 1999. p. 71. In his essay on Hobbes, John Rawls explains that Hobbes defines a person as the one "*whose words or actions are considered, either as his own, or as representing the words or actions of another man, or of any other things, to whom they are attributed, whether Truly or by Fiction. When they are considered his own, he is called a Natural Person: and when they are considered as representing the words and actions of another, then he is Feigned or Artificial Person*". John Rawls. 2007. *Lectures on the History of Political Philosophy*. Samuel Richard Freeman (Ed.). Harvard University Press. Harvard. p. 79. ((Emphasis as in the original)).

[52] Carl Schmitt employs the concept of 'state of exception' to express his conviction that "democracy loses its foundation when different factions pursue their divergent interests to the point where a splintered political system is no longer able to guarantee the security of law. Under these circumstances, an extrasocietal force, the sovereign, must suspend the laws in order to save them". Horst Bredekamp, Melissa Thorson Hause, Jackson Bond. 1999. "From Walter Benjamin to Carl Schmitt, via Thomas Hobbes". *Critical Inquiry*. Vol. 25, No. 2. "Angelus Novus": Perspectives on Walter Benjamin. pp. 247-266, here p. 252.

[53] Hannah Arendt. 1970. *On Violence*. Houghton Mifflin Harcourt. p. 44. Arendt elaborates, "Power needs no justification, being inherent in the very existence of political communities; what it does need is legitimacy"…"it derives legitimacy from the initial getting together rather than from any action that then may follow". Ibid. 52.

moment they disperse".[54] Arendt defines the political and the public domain in relation to the notion of power which according to her is empowering. Similarly, in Habermas also, power is defined in terms of its emancipatory potential emerging from public sphere discourses. He in this regard shares thoughts with Arendt and constructs a notion of communicative power which acts as a counterforce to suppressive power.[55]

Foucault declines the model of Leviathan as well as the institutional, group, class logic of power and in contrast to these two explanations, focused specifically on the techniques and tactics of domination.[56] He delineates a form of power that "[a]pplies itself to the immediate everyday life which categorizes the individual, marks him by his own individuality, attaches him to his identity, imposes a law of truth on him which he must recognize and which others have to recognize in him".[57] The subject is made and disciplined within a field of discourse. As he formulates; "[t]he discourse of discipline is about a rule: not a juridical rule derived from sovereignty, or in other words a norm. Discipline will define not a code of law, but a code of normalization".[58] As Scott explains, "[i]n its most general meaning, discipline is the control that is exercised over people through systems of rules that are not simply imposed on them but are installed in them".[59] Accordingly, the subject is both "subject to someone else by control and dependence and tied to his own identity by a conscience or self-knowledge; a form of power which subjugates and makes subject to".[60]

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[54] Arendt explains: "The word itself, its Greek equivalent *dynamis*, like the Latin *potential* with its various modern derivatives or the German *Macht* (which derives from *mogen* and *moglich*, not from *machen*), indicates its "potential" character". Hannah Arendt. 1998 [1958]. *The Human Condition*. The University of Chicago Press. Chicago. p. 200.

[55] Jurgen Habermas. 1998. *Between Facts and Norms: A Contribution to Discourse Theory of Law and Democracy*. MIT Press. Cambridge. See also Jeffrey Flynn, 'Communicative Power in Habermas's Theory of Democracy. *European Journal of Political Theory*. Sage Publications. London. p.433-454.

[56] Michel Foucault. 1982. "The Subject and Power". *Critical Inquiry*, Vol. 8, No. 4. pp. 777–795, here p. 781. Foucault argues: "we have to abandon the model of Leviathan, that model of an artificial man who is at once an automaton, a fabricated man, but also a unitary man who contains all real individuals, whose body is made up of citizens but whose soul is sovereignty". Michel Foucault. 1997. *Society Must be Defended: Lectures at the College de France 1975-1976*. Picador. New York. p. 34.

[57] Michel Foucault. 1982. p. 781.

[58] Michel Foucault. 1997. p. 38.

[59] John Scott. 2001. *Power*. Polity. Cambridge. pp. 94-95.

[60] Michel Foucault. 1982. p. 781.

Concerning power and discipline, Foucault further expounds categories such as "government" and "governmentality" to expose particularly the rationality of government through which new disciplinary practices came into being. He noticed that "[t]he modern period as marked by the establishment of a particular form of domination that he called *government*".[61] He reconsiders the notion of government (detaching from the state centric theories) and elaborates it as "the conduct of conduct"; "an activity aiming to shape, guide and affect the conduct of people".[62] He initiated a research on governance "[f]rom the angle of the practices, techniques, and rationalities that are employed to shape conduct in... definite contexts".[63] The term governmentality refers to "a whole complete set of processes through which human behaviour is systematically controlled in ever wider areas of social life".[64] In detail, "a rationality of government will thus mean a way or system of thinking about the nature of the practice of government (who can govern; what governing is; what or who is governed) capable of making some form of that activity thinkable and practicable, both to its practitioners and to those upon whom it was practiced".[65] These two aspects; the shaping of the conduct of the people and the way or system of thinking contributing to that practice, give definition to what Foucault calls governmentality. He proposes a conceptual triangle; "sovereignty-discipline-government", to see the practices through which population is targeted and tamed.[66]

The governmentality thesis has been used by many in the academia who endeavour to understand the operation of governmental power and the production of the colonial subjects. Of such attempts, here, particular attention is given to those endeavours which focus on the constitution and practice of colonial power in India. Partha Chatterjee employs the notion of governmentality to explicate how the colonial governmental practices produced the colonised, the racial "other" as "inferior and

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[61] John Scott. 2001. p. 93.

[62] Colin Gordon. 1991".Governmental Rationality: An Introduction". in *The Foucault Effect: Studies on Governmentality*. Graham Burchell et.al. (eds.) University of Chicago Press. 1991. pp. 2-3. "Government as an activity could concern the relations between self and self, private impersonal relations involving some form of control or guidance, relations within social institutions and communities and, finally, relations concerned with the exercise of political sovereignty". Ibid. p. 2-3.

[63] William Walters. 1012. *Governmentality: Critical Encounters*. Routledge. London & New York. p. 11.

[64] John Scott. 2001. p. 93.

[65] Ibid. p. 3.

[66] See Foucault's lectures on Governmentality. Michel Foucault. 1991. "Governmentality". in *The Foucault Effect: Studies on Governmentality*. Graham Burchell et.al (eds.). University of Chicago Press. Chicago. p. 102.

radically different" who have become the prime objects of colonial rule and domination.[67] He introduces the concept of the "rule of colonial difference" to explicate how the colonized are made inferior racial subjects in the field of colonial discourse. He uses the category 'race' to indicate the rationality of operation of colonial power.[68] In this endeavour he critically engages with the revisionist historians' — the new Cambridge School — positions concerning the periodization of the early and later colonial rule as well as the agential position of the colonial subjects in the discursive field of colonialism. The revisionist historians identify the period of transition of colonial rule in India between 1750 and 1850 and states that the earlier colonial regimes were not a break from the past or imposition from the outside but an organic continuance of the indigenous regimes.[69] Regarding the agential status of the colonized, they maintain the position that Indians were not merely a subjugated race but they have always been active subjects capable of making their own history.[70] Chatterjee poses a question: "What, then, of colonialism?" and argues that these revisionist views contain contradictory effects as they conceal the real colonial power and the violent imposition of colonial rule which results in helping only to devalue the force of anti-colonial resistances.[71]

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[67] Partha Chatterjee. 1999. *The Nation and its Fragments: Colonial and Postcolonial Histories* in *The Partha Chatterjee Omnibus*. Oxford University Press. New Delhi. p. 33

[68] He maintains: "The logic of modern regime of power pushed the process of government in the direction of a rationalization of administration and the normalization of the objects of its rule, the more insistently did the issue of race come up to emphasize the specifically colonial character of British dominance in India". Ibid. p. 19.

[69] Chatterjee engages in a debate with the revisionist historians including Burton Stein, Christopher Bayly, David Washbrook and Frank Perlin who reject the assumption proposed by both colonialist and nationalist historiographies that 'the colonial rule represented a fundamental break in Indian history'. Conversely the revisionist historians argue that "early colonial regimes were continuations of prior indigenous regimes". Bayly also suggest that this new perspective on indigenous history restores agential status to the natives and make then the subject of their own history. See Partha Chatterjee 1999. pp. 27–29. Sudipta Kaviraj also explains the differences in understanding the role of colonial power in India. Focusing on this debate he elaborates that, the "Nationalist historiography tended to see colonial power as a process which invaded very little atom of the traditional structure of society, and forced them to change in the direction of a forcible, distorted modernity. Those critical of this standard nationalist argument have often tended to minimize the significance of colonialism by suggesting that the *long duree* rhythms of Indian society were too deeply entrenched to be entirely transformed by a relatively thin colonial control which lasted at most two centuries, in fact, in most parts of India, for a much shorter period. To claim that it altered the structure of the whole society is to attribute mystical power to the colonial mechanism". Sudipta Kaviraj. 1997. "On the Construction of Colonial Power" in *Politics in India*. 1997. Sudipta Kaviraj (ed.) Oxford University Press. New Delhi. p. 12.

[70] See C. A Bayly. 1985. The Pre-History of 'Communalism'? Religious Conflicts in India, 1700–1860. *Modern Aian Studies* Vol. 19, No. 2. pp. 177–203.

[71] Partha Chattergee. 1999. pp. 29, 32-34.

The term colonialism renders a picture of an overarching regime of power spreading all over the 'colonised' territories. Ann Laura Stoler calls critical attention to the term "regime" (elucidated by Foucault in his lectures at the Collége de France on the "[b]irth of biopolitics, a regime of truth marked by an ensemble of practices") and argues that it "conveys a galvanizing force of truth production far more than the indecisive and muddled process that often made it up".[72] With Cooper, she elaborates that "colonial regimes were neither monolithic nor omnipotent" as it was comprised actually of "competing agendas for using power, competing strategies for maintaining control, and doubts about the legitimacy of the venture".[73] They concentrate also on the differences within colonial regimes imbibing divergent and competing interests that are often concealed under the broad term colonialism. They write: "[t]he weighty "ism" so often attached to "colonial" risks concealing the fact that the apparatuses by which conquering states ruled by which they tried impose their systems of order and knowledge were built by people who came from different classes, had conflicting interests, and as women and men conceptualized their own roles and goals in distinct ways".[74] This line of argument makes the unconditional use of the term colonialism highly problematic especially when we endeavour to analyse how the colonial power operated in different regions of India; the British and the princely territories in particular.

From a different angle Kaviraj points out another form of contradiction entrenched within the 'colonial regime' in India. He argues that the colonial regime "conceive of a paradox of having two different, contradictory publics within; the pressures and social logic of the colony and of the imperial majesty".[75] The post-enlightenment world view of the European elites was fundamentally different and antithetical to the

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[72] Ann Laura Stoler. 2008. "Epistemic Politics: Ontologies of Colonial Common Sense". *The Philosophical Forum*. Vol. 39, Issue. 3. Blackwell Publishing Inc. pp. 349–361, here pp. 350-351.

[73] Frederick Cooper, Ann L. Stoler. 1989. "Introduction Tensions of Empire: Colonial Control and Visions of Rule". *American Ethnologist*, Vol. 16, No. 4. (Nov., 1989). pp. 609–621, here p. 609. Cooper and Stoler through lights on the diversity of colonial discourses at various regions as they depend on "different discourses on colonial society, among different sorts of colonial "experts", among missionaries, settlers, and bureaucrats, and in relation to varying forms colonial penetration and differing dynamics of indigenous societies". Ibid. p. 610.

[74] Ibid. pp. 612–613. Etymological entries for colon (cultivator, pioneer, colonist, settler, boarder and camper) convey a truncated genealogy of the social forms represented by the term. For a detailed description of the use of the term 'colon', see Ann Laura Stoler and Carole McGranahan, www.sarpress.sarweb.org. Accessed on 09. 05. 2016.

[75] Sudipta Kaviraj. 1997. "On the Construction of Colonial Power" in *Politics in India*. 1997. Sudipta Kaviraj (ed.) Oxford University Press. New Delhi. p. 150.

logic of traditional Hindu social ordering which they had to control and govern.[76] As Kaviraj elaborates, the British introduced "social techniques of organization associated with European rationalist reconstruction of society" along with "modern forms of political rule" which were alien to the country.[77] Nonetheless, it has to be noticed that, as Dirks indicates; "[c]olonialism purposefully preserved many of the forms of the old regime, nowhere more conspicuously than in the indirectly ruled Princely state".[78] The British strategy of administration was not akin to both the directly and indirectly ruled regions. This difference not only highlights the differences in colonial interests and rationality of governance but also of different modes of application of colonial power and its subsequent effects in both the regions. This aspect indeed makes the unconditional use of the term "colonialism" — as a ubiquitous system of power producing the colonised subjects who have been politically reorganised through anti-colonial resistances — really problematic. For, in Princely States like Travancore, colonialism turned out to be a new condition (not always a vicious mechanism of power) fostering reforms and new possibilities for reordering the established social power. Taking into account of this historical experience, one could read Kaviraj's argument much more logically and convincingly that colonialism changed "the *imaginaire*, the way Indians conceived of the social world and its possibilities of organization".[79] What is desired to propose, against the background of this discussion, is that the 'colonial experience' of the princely states would surely open up a relatively unexplored arena of power and resistance under the British rule in India. However, here I do not wish to suggest a form of princely state

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[76] Kaviraj points out that the British officials who were assigned to rule the colonial territories in India had realized "the sharp difference between the dominant discourse they brought with them and that of the society they were to entre and hoped to hold in permanent, and preferably peaceable, control. And their ideas of the nature and limits of cognition, of social knowledge, its arguments of justification of political authority, its picture of society and the moral consequences of the division of social functions, even the levels of the social totality, were entirely different". Sudipta Kaviraj. 1997. p. 150.

[77] Sudipta Kaviraj. 1997. "Historical Refigurations of Power" in *Politics in India*. 1997. Sudipta Kaviraj (ed.) Oxford University Press. New Delhi. p. 122. Kaviraj explains: "Firstly, as practical students of the enlightenment theory of knowledge the British imperial elite began its massive and unprecedented project of enumeration and classification — a procedure enjoined by the rationalist connection between precise knowledge and effective control"... "The British administration accordingly inaugurated the great process of counting — through census, maps, and statistics, familiarizing the inhabitants of their empire with their great numbers, and offering them clearer pictures of their own land and people. Secondly, another element of rationalist thought gradually removed the basis of the impossibility of collective action". Ibid. p. 157.

[78] Nicholas Dirks. 1997. "The study of State and Society in India" in *Politics in India*. 1997. Kaviraj, Sudipta (ed.) Oxford University Press. New Delhi. p. 162.

[79] Sudipta Kaviraj. 1997. p. 12. ((Emphasis as in the original)).

exceptionalism as opposed to the anti-colonial or nationalistic framework. For, the princely states were not homogenous units. They were differed in terms of size, nature of administration, relationship with the paramount power, nature of popular agitations and so on. And within princely states, regional and caste differences were widespread and they seem to have made significant impact on the popular movements as well.

It will be interesting to look at how the colonial administration in India dealt with what is called the *native*. There were different forms of native rulers, administration, laws and customs having long durée existence in different regions within the large edifice of the colony. The British treated them with different strategies and interests and therefore the colonial administration did not function in an umbrella form across these regions. David Scott, in an attempt to elucidate the *political rationalities* and *targets* of colonial power, interrogates Chatterjee, asking; "did the rule of difference operate *in the same way* across the entire length of colonial dominance?[80] Scott adds; "the colonial state" cannot offer itself up as the iteration and reiteration of a single political rationality".[81] Therefore, he argues, there were different modes of organizing colonial power with different modes of political rationalities.[82] Having been affected by these different modes, *the terrain of the political struggle itself* — including the relation of forces between coloniser and the colonised and the conditions for articulation of resistances — underwent change. Scott elaborates:

> "[i]n order to create these new conditions — what amounted in fact to new social and legal conditions of property and labour, the new social and legal space of the desiring subject — colonial power had to direct itself both at breaking down those ancient usages that irrationally connected people to obligation to service (those in fact that it had itself formerly used); and, through the construction of a notion of rights, to shift the site of agency such that it came to be assigned to the private sphere of an individually regulated not by personal discretionary demands of a sovereign extracting tribute but by the internal volitional agency of free will".[83]

Scott also envisages the creation of a new form of social power governed by the desires of the market. Focusing on the rationality of the colonial project, Scott

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[80]  David Scott, 1995. Colonial Governmentality. *Social Text*, No. 43. (Autom), 191-220, here p. 196. ((Emphasis as in the original)).
[81] Ibid. p. 197.
[82] Ibid. pp. 197-198.
[83] Ibid. p. 211.

concludes that colonialism as a form of modern power turned out to be "a politico-ethical project altering the political and social worlds of the colonized, attempting to transform and redefine the very conditions of the desiring subject".[84] This argument also contains problematic elements as the term colonised, comprising of the colonial subject in common, was not free from native and regional differences. One could hardly find the possession of common desire as the way they are related to the colonial regime or the 'Raj'. The question is that, was it the desire of the subject that underwent alterations or was it the creation of a new desiring subject that actually happened? If we give weight to the former aspect, one has to admit that there was already a subject capable of altering his/her desire according to the favourable conditions taking form. If it is on the contrary, one has to explain the modes of creation of the subject(s) who emerged under the new circumstances. Thus, one has to explore, as Scott also mentions, how the subject(s) was (re)constituted when the new system of rights became prevalent.

Under the 'modern form of political rule' implemented by the British through colonial law and rational bureaucratic order, power began to operate in a new manner. Accordingly, a new field of discourse of rights began to emerge. One could rightly observe the beginning of a new order after the abolition of slavery in Malabar and later in the princely states of Travancore and Cochin. Unlike the earlier form of customary rights, the emergent discourse of civil rights, under the colonial legal setting, addressed a populace including those who occupied the social margin. Breaking the customary prohibition imposed by caste protocols, from the lower social echelons, new rights bearing subjects began to appear in the form of a new category of 'general public' who has a legal claim to access the social arena.[85] To elucidate this point of argument, we need to explain the notion of the subject of rights. It is important to note that the concept of rights and the rights bearing subject was not absent in the pre-colonial condition, albeit the customary usage as well as the scheme of operation of rights may have had different effects on the subjects altogether. To understand this nodal aspect, as maintained earlier, one has to unravel the language of rights to examine how the subjects were reconstituted along with the change in the concept of rights.

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[84] Ibid. p. 214.
[85] See Chapter three for a detailed discussion of this aspect.

**The Vocabulary of Rights**

The term right has different roots in different languages and it is used in a number of ways to produce different expressions and meanings.[86] In different societies, as Gewirth argues; "[t]he word rights may not be present, however the concept may certainly have present there".[87] On the other hand, the word right often carries various concepts and even the same word seems to have been used in contradictory terms. For instance "[w]e occasionally find that what someone is doing is not *right*, morally speaking, even though she *has the right* to do it".[88] Instead of looking at from the angle of right and wrong, in this study, the idea of rights is analysed in terms of its legal, political and social characteristics. For, as Ivision argues, "[r]ights are fundamentally *social* in character; they presuppose various kinds of interactions among people, and thus various arrangements, including norms and institutions...[i]t is between different kinds of social relations in which rights will play some part".[89] Rights thus invariably play a decisive role in determining the nature of *relations* according to which different subjects are related to each other in a social space. The change in the language of rights would certainly reflect the corresponding changes happening in social relations. Along these lines, Ivision conceives of the emergence of rights and argues that; "[t]he language and practice of rights also introduced new ways of relating to others — new modes of sociability, in other words — as much as they make the emergence of the moral importance of the separateness of persons. And so rights are also fundamentally *relational* in character".[90] To consider rights in terms

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[86] "Like its cognates in German (*recht*) and the other Teutonic languages, 'right' evolved from the Latin word *rectus* (straight). In much the same way, its counterparts in French (*droit*), Italian *directum*. *Rectus* in turn, has has been traced through the Greek *orektos* (stretched out, upright) to the Sanskrit *rju* or *riju* (straight or upright), which has been connected to *raja* (shining, radiant, a king) and the Latin *rex*". William Galbraith Miller. 1980 [1903]. *The Data of Jurisprudence*. Fred B. Rothman and Co. Littleon. p . 40. For detailed discussion, see Richard Dagger. 1989. "Rights" in *Ideas in Context: Political Innovation and Conceptual Change*. Terence Ball, James Farr and Russell L. Hanson. 1989. Cambridge University Press. Cambridge. p. 293.

[87] Alan Gewirth. 1978. *Reason and Morality*. University of Chicago Press. Chicago. p. 99. For detailed discussion, see Richard Dagger. 1989. p. 296.

[88] Richard Dagger. 1989. p. 296. (Emphasis as in the original).

[89] Duncan Ivison. 2008. *Rights*. Acumen, Stocksfield. pp. 20, 22. As a social practice, "first of all, rights are the kinds of things that are dependent on a social language of some kind, as opposed to standing independent of it, like atoms or molecules". Ibid. p. 18.

[90] Ibid. p. 21.

of its relationality is very crucial in analysing the prevalence of specific forms of social relations and its changes.[91]

In modern discourses, rights are often used as a property we can hold.[92] As Dagger maintains, "[r]ight is something that we can exercise if we choose, perhaps by asserting it against others".[93] In the history of evolution of modern rights one also finds that the idea of rights as providing a "boundary around the individual, or at least around certain aspects of her freedom, has been an influential image".[94] In political terms, the assertion of rights also implies the assertion of a political subjectivity. In other words, "[t]o demand a right means that I do not receive anything that others may give out of benevolence or charity, but that I am entitled to respect and regard because I possess properties which are peculiarly human".[95]

The notion of rights often stands in relation to concepts like liberty and equality. This relation is particularly relevant when we try to understand rights in consideration of individuals as citizen having membership in society and state. When rights were considered in terms of status of individuals, it was the social role or position that determined the rights and duties of man. As Dagger rightly explains, the status concept of rights became obsolete when the idea of human equality gained grip. And, he observes, it was the theory of natural rights which upheld the idea that men are by nature free and equal.[96] Locke addresses men as "creatures of the same species" and goes on to argue that they are "born to all the same advantages of Nature, and the use

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[91] As Ivision also mentions, "rights will only make sense given a particular social context, one in which making a rights claim, for example, is recognised as a legitimate move in a game, so to speak, that others can understand and recognize". Ibid. p. 19.

[92] Richard Dagger. 1989. p. 293. Ivision also explains, "the right is subjective in the sense that a particular person is seen as possessing or claiming a right...[i]t is this subjective sense of rights, arguably, that is so distinctive about the modern discourse of rights". Duncan Ivison. 2008. p. 8. According to this modern, individualist terms, "talk of rights is linked with demands, or claims, or complaints, that can validly be made by the person who has the right". Vinit Haskar. 2001. *Rights, Communities and Disobedience: Liberalism and Gandhi*. Oxford University Press. New Delhi. p. 11.

[93] Richard Dagger. 1989. p. 294. Rights in this sense can mean not only a (moral) standard, but also a justifiable claim to act- a claim that becomes a standard itself. Thus the concept of *rights* joins the concept of *the right*. Ibid.

[94] Duncan Ivison. 2008. p. 1.

[95] Neera Chandhoke. 1998. "Thinking through Rights-Exploring Gray Areas in the Theory". *Economic and Political Weekly*. Vol. 33, No. 5,31. pp. 37–51, here p. 37.

[96] Richard Dagger. 1989. p. 299. "Once all supposedly superficial differences were stripped away, as they were in Leviathan, it was easy — natural as it were — to move from the notion that all men are naturally equal to the notion that all men have natural rights…It then seems more straightforward to say "I have a right to this" than "it is right that I have this. This is how Lock can draw natural rights out of natural law. For we are by nature free and equal". Ibid. p. 300.

of the same faculties, should also be equal one amongst another without Subordination or Subjection".[97] In the later period the universality of rights upheld by The French declaration of Rights has been challenged by Bentham and Burk. The former found rights insignificant if it is not sanctioned by law whereas the latter found it abstract and nonsensical as they are blind to context and tradition.[98] Marx was also critical of the abstractness of rights promulgated by the bourgeois as it addresses only the needs of egoistic man, instead of treating him/her as a member of civil society.[99]

By tracing the transfiguration of the notion of rights Hannah Arendt maintains that ever since the proclamation of the Rights of Man, natural rights supplanted historical rights (and privileges enjoyed by some classes) and in the same way the notion of *history* was replaced by *nature*.[100] However, Arendt explicates, in the twentieth century men emancipated from nature to *humanity* similarly as men released themselves from history in the eighteenth century. Accordingly, the rights annihilated by humans shall be reinstalled on the very basis of humanity itself. Humanity thus becomes the condition of possibility to claim human rights. It refers to certain prerequisites for rights to gain meaningful expressions.[101] These two strands; the one which calls upon the species character of men and another one which hinges on the notion of humanity are highly significant in this study.[102] For, in the context of Kerala, these two aspects play a vital role in redefining the notion of rights based on essential equality of humans irrespective of the social standards of discrimination sanctioned by customary rules. The species character of men turns out to be the natural precondition for human equality whereas humanity becomes the essential

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[97] John Locke. 1965. *Two Treatises of Government*. New York and Toronto. The New American Library. p. 309.

[98] Jeremy Bentham. 1970. *Anarchical Fallacies*. in Melden (ed): 28-39. Burke, Edmund. 1979. *Reflections on the Revolution in France*. Harmondsworth. Penguin. p. 150. For a detailed discussion, see Richard Dagger. 1989. p. 302.

[99] Karl Marx. 1989. "On the Jewish Question" in *Early Writings*. Rodney Livingstone and Gregor Benton (Tr.)
Penguin Books. London. p. 230.

[100] Hannah Arendt. 1962. *The Origin of Totalitarianism*. The World Publishing Company. Cleveland. p. 298. Agamben clarifies that the "declarations of rights represent the originary figure of the inscription of natural life in the juridico-political order of the nation state. The same bare life that in the ancient regime was politically neutral and belonged to God as creaturely life and in the classical world was (at least apparently) clearly distinguished as *zoē* from political life (*bios*) now fully enters into the structure of the state and even becomes the earthly foundation of the state's legitimacy and sovereignty". Giorgio Agamben. 1998. *Homo Sacer: Sovereign Power and BareLife*. Stanford University Press. Stanford. p. 75.

[101] Hannah Arendt. 1962. p. 298.

[102] For details, see chapter Five.

nature or the unitive ideal of mankind. In social conditions where the notion of essential inequality of humans — for instance, the Aristotelian conception of equality as well as the social ordering of caste backed by Hindu *Sāsthras* — gain currency, these two aspects help to reconsider the very concept of human being and one's relationship with the fellow human beings.

Arendt invokes the aspect of membership to explain this emergent condition. She asserts that one's membership in the human community is the primary condition making someone capable of claiming basic (political) rights. It refers to a social order where some are entitled to be part of the community and some are not — such as slaves in the Aristotelian system. In colonised territories, this disparity surfaced when the new system of universal rights came into effect through colonial legal mechanisms. The question is how to gain access to those rights which ensure liberty to all in a situation where some are not treated as humans or equally humans. To explain this complex condition, Arendt introduces the notion of "right to have rights". Accordingly, it is necessary that one has to hold a "right to belong to some kind of organised community".[103] It implies that "the right of humanity entitles us to become a member of civil society and such that we can then be entitled to juridico-civil rights".[104] It could be argued that in colonial India this particular stage of transformation from *barely human* to *equally human* marks moments of resistance and reforms (emphasis mine). In the concept 'right to have rights', "the first use of the term "right", Benhabib elaborates, is addressed to humanity as such and enjoins us to recognize membership in some human group. In this sense this use of the term "right" evokes a *moral imperative*".[105] The mere existence of being human, such as slaves and untouchables, needs to be transgressed so as to become equally humans. By invoking the idea of membership, Arendt declares; "we are not born equal; we become equal as members of a group on the strength of our decision to guarantee ourselves mutually equal rights".[106] Mutual recognition therefore becomes the very basis of being part of human community. The moral responsibility to recognise the rights and dignity of the other prefigures the context of humans having equal rights.

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[103] Hannah Arendt. 1962. p. 297.

[104] Seyla Benhabib. 2004. *The Rights of Others: Aliens, Residents, and Citizens*. Cambridge University Press. Cambridge. p. 59.

[105] Seyla Benhabib. 2004. p. 56.

[106] Hannah Arendt . 1962. p. 301.

The second use of the term "right", according to Benhabib; "has a *juridico-civil* usage in which "right" suggest a triangular relationship between the person who is entitled to rights, others upon whom this creates a duty, and the protection of this rights claim and its enforcement through some establishment through some established legal organ, most commonly the state and its apparatus".[107] This second usage of "right" thus foregrounds the preconditions of citizenship rights.

Another explanation of the notion of 'right to have rights' is that it means also "to live in a framework where one is judged by one's action and opinion".[108] There are situations, Arendt maintains, where people are divested of something much more fundamental than freedom and justice or there are situations where people are deprived not of the right to freedom, but of the right to action; not of the right to think, but of the right to opinion.[109] Benhabib points out that, right to have rights "transcends the contingencies of birth which differentiate and divide us from one another".[110] Therefore "[t]he right to have rights can be realized only in a political community in which we are judged not through the characteristics which define us at birth, but through our actions and opinions, by what we do and say and think...[A]nd our political life rests on the assumption that we can produce equality through organisation".[111] It suggests that the term right to have rights would enable us to make an inquiry into a critical phase of social transition; from a state in which rights are determined by birth status of a person to a modern condition in which rights are determined primarily by the membership of a person in a common political community.[112] In the context of Travancore, to better understand this process of change one has to engage not only with the mode(s) of operation of colonial power

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[107] Seyla Benhabib. 2004. p. 57.

[108] Hannah Arendt. 1962. pp. 296-297.

[109] Ibid. Ranciere explains that Arendt here draws on the distinction between *zoe* (the bare physiological life) and *bios* (the form of life or the *bios politikos*: the life of great actions and noble words). Jacques Rancière. 2004. Who Is the Subject of the Rights of Man?. *The South Atlantic Quarterly 103:2/3*, Spring/Summer. Duke University Press. pp. 297-310, here 299.

[110] Seyla Benhabib. 2004. p. 59.

[111] Ibid.

[112] Agamben offers a critical understanding of the modern form of biopolitical mechanism by exposing the "national" and biopolitical development and vocation of the modern state in the nineteenth and twentieth centuries if one forgets that what lies at its basis is not man as a free and conscious political subject, but above all, man's bare life, the simple birth that as such is, in the passage from subject to citizen, invested with the principle of sovereignty. The function implicit here is that *birth* immediately becomes *nation* such that there can be no interval of separation (*scarto*) between the two terms. Rights are attributed to man (or originate in him) solely to the extent that man is the immediately vanishing ground (who must never come to light as such) of the citizen. See Giorgio Agamben. 1998. p. 76.

but also with the social power produced, circulated and maintained by the system of caste.

The word *Jāti* (commonly translated as caste) has its origin from Sanskrit, gives the meaning 'that which one is born in' (*jāyatē asmin iti*).[113] Birth is the fundamental criterion on the basis of which caste operates. However, though caste exists as a dominant system of social order prevalent in India, it is not free from regional variances.[114] Some scholars perceive caste in terms of its symbolic mode of operation based on the binary of pure/impure (referring to the practice of purity-pollution) and, on the material side, find caste system as a mode of division of labour in the society.[115] As Gurukkal maintains, "*Jāti* is rooted in the institution of *kulattolil* or the system of *kulam* (descent group) based division of specialized occupation (*tolil*), which give rise to descent groups of occupational identity. The most crucial factor about *jati* was the institution of labour realization and the entailing form of servitude that it embodied".[116] Caste prohibits natural rights and instead, as Weber indicates, "it gives and imposes the ritual rights and duties".[117] Guha elaborates the way such rights operated in the regional context of Indian society where "[m]en and women, chiefs and servants, peasants and clerks, buffoons and prostitutes — members of these and various other social categories had various rights, but not as partakers of a universal right of man, citizen or anything else. If their rights had a source it was the dead past resurrected in the present as custom; and custom...was largely an epitome of past

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[113] Rajan Gurukkal. 2015. "The Making and Proliferation of Jāti: A Historical Inquiry". *Studies in History*. 31(1). Sage Publications. pp. 30–50, here p. 31. He elaborates; "It denotes a trans-faminilal identity of relative status commonly shared by many families. Extensive use of the English word caste adapted from Portuguese '*casta*', meaning of *jāti* simple and its historical process overlooked, but also institutionalized the misconception that the institution is best exemplified in India even to the extent of its being unique there". Gurukkal. 2015. p. 31. Deashpande argues that it carries the basic characteristics of the *varnas* (the four fold classification of the social order with Brahmins at the top of the order and Kshathriyas, Vaishyas and Sudras line below). *Jāti* is often made complex as they are not exact subsets of *varnas*. However, *jātis* commonly claim certain *varna* status. Ashwini Deshpande. 2000. "Does Caste Still Define Disparity? A Look at Inequality in Kerala, India". *The American Economic Review*. Vol. 90, No. 2. Papers and Proceedings of the One Hundred Twelfth Annual Meeting of the American Economic Association. pp. 322–325, here p. 322.

[114] Ashwini Deshpande. 2000. p. 322.

[115] Francois Houtart and Genevieve Lemercinier. 1978. "Socio-Religious Movements in Kerala: A Reaction to the Capitalist Mode of Production" (Part One). *Social Scientist*. Vol. 6, No. 11. pp. 3–4. As an institution of labour, Gurukkal mentions that that it "[e]nsures permanence of labour to contemporary productive relations by fettering the descent group in specific crafts, which although provided occupational stability to them, denied the natural right to adopt livelihood of their choice". Rajan Gurukkal. 2015. p. 32.

[116] Ibid.

[117] Nicholas Dirks. 1997. p. 160.

balance of social power".[118] In order to explain the intricate relation between rights and power, it is important to analyse the language of rights and the specific context in which caste operated in the nineteenth century Travancore. Though my primary focus is on Travancore, I would also give cross references from Malabar and Cochin regions where the concept of *avakāsam* was in common use.

The Malayalam word *avakāsam* indicates specifically 'that which is rightfully owing to' someone. The rightfulness or the legitimacy of this claim is determined by the social position or status (derive mainly from the caste-birth) of a person. As K.N. Ganesh rightly points out, the rights and privileges are closely linked to the question of power.[119] By exploring the local history of a village in Kerala, he elaborates; "[p]ower is built into the social relations that form the core of production and distribution, cultural milieu and the system of rights and privileges".[120] In other words, the rights and privileges are reflections of the established social power maintained by the system of caste. This condition wide opens the possibility that the concept of rights, if its different possible usages and meanings are traced and ferreted out, may help to map out the entrenched power relations organised within a socio-political milieu. This would explicate the complex and contradictory modes through which lives were structured and articulated in such milieus. Hence, this work will make an attempt to understand the social relations of power according to which the customary and the political relations among castes operated in Travancore.

As scholars have pointed out before, unlike the British-Indian provinces, the anti-British agitations were not very strong in most of the princely states. On the contrary, those regions were marked by various popular movements demanding for civil rights and responsible government. The princely state of Travancore was also not an exception. From almost the beginning of the nineteenth century itself, such popular

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[118] Sumit Guha. 2000. "Wrongs and Rights in the Maratha Country: Antiquity, Custom and Power in Eighteenth-century India" in Anderson, Michael R, Sumit Guha. 2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press. New Delhi. pp. 25-26.

[119] Ganesh elucidates the nature of privileges arranged on the basis of relations of production. He affirms, "the producer, the most privileged in terms of his or her position in the production process becomes the least privileged in terms of social relations. The form of privileging on the basis of the form of labour, control of labour and the position in social relations may be mediated by moral codes, legal systems, and reproduced forms of purity and pollution as in the case of caste or women's chastity". K.N Ganesh. 2007. "The Lived Experience of Tirurangadi: An Exercise in Local History" in *Social Change in Kerala: Insights from Micro Level Studies*. K.N Nair and Vineetha Menon (Eds.). 2007. Centre for Development Studies. Thiruvananthapuram. p. 74.

[120] Ibid. pp. 74–75.

agitations were alive in Travancore. Scholars working on Kerala history and politics often label those movements with a generic term *avakāsa samaramgal* (struggles for rights). The present study detaches itself from this dominant view, as it begins by asking these fundamental questions: What was the nature of those rights which were articulated in those struggles called *avakāsa samaramgal*? How did those rights differ and in that way defined those movements? In order to answer these questions, I will provide an introductory account of those movements in the following chapters. At this point, I need to clarify the method which I have used to revisit those events in the present study. Rather than focusing on the history of early social reform movements in Travancore, this work concentrates mainly on the language of rights articulated in the movements. Since a particular movement may carry different conceptions of rights, I endeavour to delineate the trajectory of the rights by considering those movements as the fields which provide the context of this inquiry.

The studies on the history of concepts in India's colonial context deal largely with the questions of nation and nationalism. Mohinder Singh explores the use of vernacular Hindi idioms denoting the 'present time' found in the works of the major nationalist intellectuals of the North-Western provinces in the late nineteenth century.[121] Gurpreet Mahajan has made an attempt to elaborate how political ideas influenced thinking and thereby shaped the discourse on democracy in India.[122] Swarupa Gupta offered an attempt to explore three major conceptual sites (*samaj*, *jati* and *desh*) and their interfaces to trace out the historical continuity of the idea of nationhood in the context of Bengal.[123] Nation, nationalism and nationhood are the major points of reference around which concepts are analysed in these studies. Similarly, while

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[121] Mohinder Singh. 2014. "Crisis and Critique: Diagnosis of the Present in the Nationalist Discourse in Hindi (1870–1908)" in Nivedita Menon, Aditya Nigam and Sanjay Palshikar (Eds.). 2014. *Critical Studies in Politics: Exploring Sites, Selves, Power*. Orient Blackswan. Hyderabad.

[122] She explains that the Indian leadership during the independence struggle as well as in the Constituent Assembly "used concepts that expressed the modern sensibility, they did not simply mirror the western Liberal imagination…The specificity of the Indian has therefore to be understood in terms of this difference: that is, through the distinct meanings that are associated here with concepts that mark our historical time". Gurpreet Mahajan. 2013. *India: Political Ideas and the Making of a Democratic Discourse*. Zed Books. London & New York. pp. 7, 8.

[123] She elucidates "how the conceptual category of *samaj* was deployed to negotiate the fragmentations of *jati* (in its multifaceted sense) and of *desh* (territorial divisions and lack of political unity of the different sub-regions). The ways in which these categories interlocked illuminate the reorientation of pre-modern antecedents of *samajik* unity in the late colonial period. As this article has demonstrated, the notion of *samajik* unity was not a sudden or emergent phenomenon in late colonial Bengal". Swarupa Gupta. 2007. "*Samaj*, *Jati* and *Desh*: Reflections on Nationhood in Late Colonial Bengal". *Studies in History* 23, 2, n.s. Sage Publications. New Delhi. pp. 177–203. here p. 199.

exploring the roots of civil rights in colonial India, Nilanjana Dutta observes that "[t]he champions of civil rights in the colonial days were themselves the intellectual products of nationalist ideas and had the privilege of having nationalism as a strong supportive force".[124] In contrast to these studies, the present work explores the socio-political context of a princely state where people did not actually hold the 'privilege' of deriving the intellectual content of their political ventures from the nationalist discourse which, in the British Indian states, was anti-British in its essence.[125]

The social reform movements, which were active in Travancore, certainly had parallels in other parts of the British and the Princely Indian territories. From the first half of the nineteenth century onwards, Travancore witnessed the emergence of popular demands for social reform. Those efforts were perceived as *parishkāram* and *purōgathi* (reform and progress). The social movements of that period seem to have articulated in a similar language in different parts of India. In one of his essays exploring the regional idioms of modernity, Partha Chattergee informs that "[t]he word *adhunik* in the sense in which we now use it in Bengali to mean 'modern' was not in use in the nineteenth century. The word then used was *nabya* (new): the 'new' was that which was inextricably linked to Western education and thought. The other word that was much in use was *unnati,* an equivalent of the nineteenth-century European concept of 'improvement' or 'progress', an idea today we will designate by the word *pragati*".[126] Though the concepts *parishkāram* and *purōgathi* were present in the nineteenth century Travancore, since the basic conditions within which those concepts operated were different, they would certainly have functioned differently. A study which focuses on conceptual history cannot take into account these two distinct linguistic events equally and analogously. This makes any understanding of the history of concepts as referring to the universal 'Indian (national) context' is difficult

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[124] Nilanjana Dutta. 2000. "From Subject to Citizen: Towards a history of the Indian Civil Rights Movement" in Anderson, Michael R, Sumit Guha. 2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press. New Delhi. p. 276.

[125125] It is to be taken into account that the present state of Kerala had gone through different interface with various colonial powers colonial rules and practices (of the Portuguese, the Dutch, the British and the French powers) had shaped the region differently in different locales. Such variegated experience of colonialism had produced varied forms of relations and specific socio-cultural and communal bondages within different regions in Kerala. Filippo Osella and Caroline Osella. 2008. '"I am Gulf": The Production of Cosmopolitanism among the Koyas of Kozhikode, Kerala'. In Edward Simson and Kai Kresse (eds.). *Struggling with History: Islam and Cosmopolitanism in the Western Indian Ocean*. Columbia University Press. New York. pp. 323–356.

[126] Partha Chatterjee (Ed). 2002. *Introduction to History and the Present*. Permanent Black. Delhi. p. 4.

and misleading, for the articulation of concepts is specific to the nuances of the regionalities they are embedded in.

The major challenge in writing the history of a vernacular concept is that in such an endeavour, one has to notice all the possible meanings and usages of the concept in the past. Mostly, concepts attain exact meaning only within a specific (textual or social) context. In that sense, context is highly important in comprehending the relationship between a word and the concept attached to it. However, words do possess substantive meanings which are commonly accepted and shared among the community of users. According to the English and Malayalam Dictionary of Rev. Benjamin Bailey of Church Missionary Society (published in 1849 and dedicated to the raja of Travancore), one of the substantive meanings of the word 'right' was *avakāsam*.[127] The Malayalam and English Dictionary of Herman Gundert (published in 1871) attests that the word *avakāsam* meant 'right' and it defines *avakāsi* as the owner, claimant and heir.[128] As it indicates, in the nineteenth century also, the word *avakāsam* meant rights in the Malayalam speaking regions of Travancore, Cochin and Malabar. In other words, the Malayalam word *avakāsam* corresponded to the English word 'right' and they both shared a substantive concept in common. Hence, more often than not, I use these concepts interchangeably, except when I discuss the specific usages of *avakāsam* in customary or ritualistic contexts. And, in order to avoid confusion, throughout this work, instead of using the word 'right', I prefer to use the word 'rights' as an equivalent of *avakāsam*. Nonetheless, though the concept of *avakāsam* was also used in the Malayalam speaking regions other than Travancore, this study looks particularly at the distinct variations happening in the articulation of rights against the background of the specific (social, political and economic) conditions, events and various customary, social and political practices that existed in the Travancore region.

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[127] The other meanings (under category substantive) of rights were *nere* (be straight or right), *nyayam* (justice), *vyavaharam* (discourse), *mura* (sucession), *adhikaram* (power), *sthanamanam* (positions) and *valathubhagam* (right side). B. Bailey. 1849. *Dictionary: English and Malayalam*. Church Mission Press. Cottayam. p. 388.

[128] The other substantive meanings were space, opportunity, leisure, title and claim. H. Gundert. 1871. *A Malayalam and English Dictionary*. Basel Mission Books & Tract Depository. Mangalore. p. 59.

In sum, these attempts are made to address the following research questions. What were the various conceptions of *avakāsam*/rights and how differently they were articulated under different social, political and legal conditions existed from the beginning of the nineteenth century to the mid-twentieth century Travancore? Why concepts are important in understanding social reality and how does conceptual analysis inform social and political change? In what manner were the relations of rights interlinked with the relations of power and how that relationship changed in different contexts of discourse in Travancore? Under what discourses of rights were the public domain and communities emerged in Travancore and how caste was operated in and transformed through those discourses? How thought becomes an important factor in the constitution of a discourse, and how critical thinking and reconstructive philosophy contributed in re-formulating the already existing conceptual terrain in the first four decades of the twentieth century Travancore?

In this work, apart from the present chapter, there are four major chapters of which, a brief summary is given below. The second chapter *On Modes and Relations of Power: State and Society in Nineteenth Century Travancore, Kerala* explains how relations of power and relations of rights prevailed interconnected in the nineteenth century Travancore. Focusing on that period, the chapter offers a descriptive account of the nature of political system, law and governance, the structure of social order and modes of labour and land relations. With the intention to examine different forms of power and power relations that existed in Travancore, this chapter explains how the material and symbolic order of caste system and the structure of social power remained almost unaffected and the law of the land supreme under the paramount and the sovereign apparatuses of power. To examine the nature of transformation of political power as well as the emergence of a new discourse of rights outside the parlance of tradition and local customs, this chapter also describes process of administrative modernisation and trade liberalization initiated by the government of Travancore during the reign of dewan Madhava Rao (1857 – 1872).

Chapter three titled *Interrogating the Social: Articulation of Rights and the Formation of Public Domain* discusses the various modes of enunciation of *avakāsam/*rights. In the first section, it delineates the different forms of customary rights and gives examples (from different points in time in the nineteenth century) indicating the

changing understanding of rights from the customary mode to civil/legal terms. The chapter elucidates some serious debates concerning the definition of the 'public' that happened between the dewan of Travancore and the British resident. It explicates how the idea as well as the domain of the public underwent re-formation when the 'lower' castes of Travancore, through various struggles initiated during 1885 – 1893, claimed their 'right to have rights'. Another section of this chapter discusses the emergence of representational rights in the last decade of the nineteenth century Travancore. This section examines the three major petitions namely Malayali Memorial, Counter memorial and Ezhava Memorial and explains how social power operated in the newly evolving conditions by means of caste. The last section offers a conceptual analysis of the two texts of the Ezhava Memorial (which was written both in English and in Malayalam) and elucidates how the language of the Malayalam text carries the logic of customary rights. It thus examines the formations of public domain and various subjectivities within the conditions provided by the discourses of rights for recognition and representation.

The fourth chapter titled *Towards the Political: The Formation of Communities and Articulation of Citizenship Rights* illustrates the emergence of a new discourse of representational rights centred on the questions of equality and citizenship. This chapter also discusses the emergence of a nascent civil society in the early twentieth century Travancore with *samudayam*/community as its base. It will also explain different phases in the articulation of 'equal citizenship rights' and the central attention is given to the Civic Rights League; the coalition of Muslim, Christian and Ezhava communities, identified themselves as '*avasa samudāyamgal*' or aggrieved communities, based on their marginal position in the society. By examining the context of the Temple Entry Satyagraha at Vaikom, the final section of this chapter explains the ways in which the question of untouchability and reform was discussed and debated in the second, third and the fourth decades of the twentieth century Travancore. In addition, an attempt has also been made to explain the prevalence of customary rights which were often employed as a means to avert the direction of struggles for recognition.

The fifth and final chapter titled *Reconstructive Philosophy and Critical Thinking: Mapping the Intellectual Cartography of the Region* explores the intellectual arena of the twentieth century Travancore and argues that it represents a moment of contemporaneity, consisting of different thoughts and concepts acting unconventionally and creates contexts for a critique of tradition. The chapter explores the new conceptual terrain, developed through debates and discussions around social and philosophical issues during the first four decades of the twentieth century. It engages with the *dharmasasthras* such as *Sānkarasmriti* and *Vyavahāramāla*, which were instrumental in authenticating *varnashrama dharma* and caste practices in Kerala. To explore the basic dispositions of critical thinking and reconstructive philosophy, the study focuses on the works of Narayana Guru, Poykayil Appachan, Chattampi Swamikal, Pandit Karuppan and Sahodaran Ayyappan. Through the intellectual endeavours, the chapter examines how the notion of history appears as a decisive category in many of these thinkers and how caste turned out to be an object of critique. The chapter gives particular attention to the works of Narayana Guru with a view to trace out his method of conceptual reconstruction. Through conceptual analysis I will explain the way he reformulated the concepts such as *arivu*, *samudayam*, *samatwam* and *manushyan*. The final section of the chapter elucidates how the term samudāyam or community was used in public debates during the first four decades of the twentieth century Travancore and how those usages envisaged new relations of power.

The methodology of the present study is derived largely from theoretical discussions and debates on intellectual history and history of concepts. However, this work does not borrow any particular theory or a system of thought to testify the research questions examined in it. Here, attempts will be made to examine the hypothesis that explorations into the history of political concepts and conceptual change could be used as a vital index to understand social and political change. This work offers an attempt to trace out the trajectories of change in the articulation of the concept *avakāsam* of which, three major phases are analysed here. The study also puts forward the conjecture that the existing mechanisms of power play a decisive role in orchestrating the concept of rights and their modes of articulation. Therefore, to examine how rights function, I will make attempts to explore the existing forms of power and multiple power relations prevailed in the nineteenth and the early twentieth

century Travancore. I focus mainly on the colonial, princely and the caste-customary modes of power. These are institutionalised forms and, in Travancore, they were operated by means of law, tradition and customs. And the study concentrates on a period roughly from 1805 to 1937.

Since the study focuses specifically on the history of concepts and conceptual analysis (except in chapter two where I illustrate the historical setting of the nineteenth century Travancore), it does not intend to narrate a social history of Travancore with a year-based description of events based on a strict chronology. For, my attempt primarily is not to follow historical events through its chronology. On the contrary, the study follows various instances of articulation of 'particular modes' of rights (for instance the demands for right for recognition or right for representation) and this is done by examining various reformative struggles led by particular castes or coalition of communities at different points within a span of time from 1805 to 1937. The present study therefore traces the history of specific enunciations of rights through which different castes expressed their demands for recognition and representation differently and almost concurrently. To trace out that difference with its specificity, an enquiry is required to examine those two different strands separately. Hence, in the present study, the history of rights for recognition is traced out as a separate unit of analysis distinct from the history of rights for representation.

The present study put forwards the major hypothesis that the articulation of rights within the context of operation of power — or relations of power — produces a discursive arena. Or, to put it differently, the discourse of rights and power also produce a context of thought and action; often critical of the established conceptions of power. This milieu (of discourse of rights and power and also of critical thinking), I would argue, has the potential to produce domains, subjects and communities which happen to be the prime locus of action and change. In order to substantiate this conceptual premise, the present work examines various source materials including unpublished archival documents, vernacular and English newspapers, Malayalam magazines, legislative records, various reports and proceedings, (pre-modern) *dharmic* and legal texts and philosophical and political writings In sum, from the vantage point of conceptual history, this work attempts to revisit the historical contexts of social reforms and colonial modernity in Travancore. This endeavour thus

attempts to open up a new mode of inquiry into the political and social transformation of modern Kerala.

## Chapter Two

## On Modes and Relations of Power:
## State and Society in the Nineteenth Century Travancore

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This chapter offers an inquiry into the political, social and economic conditions prevalent in the princely state of Travancore in the nineteenth century. The primary concern of this chapter is to explore out the different forms of power and power relations existing under Travancore's specific environment. On the one hand, it tries to explicate the nature of the princely sovereign power and its relationship with the paramount power of the British, and on the other hand, it attempts to elaborate the disposition of the social power and caste relations prevalent in the region. In so doing, this chapter will elaborate the major features of state and society in Travancore. Here, an attempt has been made to explain the following questions in the main: How did power — the paramount, sovereign and the social power — operate in the nineteenth century Travancore and how it determined the nature of relationship between state and society? What was the criterion according to which the distribution of power and resources were made among the subjects? What were the material and normative conditions within which social relations were maintained in Travancore society? How and under what circumstances changes began to appear in the social and administrative arenas of Travancore?

To examine the major traits of the political order, in the first section, this chapter offers a detailed exposition of the de–facto sovereignty of the state, the nature and impact of colonial power and the system of law and the nature of administration of justice. It looks also into the caste structure and customary rules that existed in Travancore and will describe how these mechanisms regulated the very conditions of social interactions and one's relation to the established structures of power. By giving attention to the major undercurrents of the prevailing land relations and disposition of labour, here, an inquiry is made to explicate how social power is reflected in economic relations. Finally, this chapter discusses how the process of modernization

and structural reforms initiated by the government of Travancore helped in transforming the political system and traditional social relations of power.

**The Political System, Law and Governance in nineteenth century Travancore**

Travancore came under the control of a single sovereign power during the reign of the King Mārthanda Varma (1729–1758). Quite ironically, during his reign itself, the state was transformed into a 'Hindu state' under Brahminic supremacy.[1] Through a ritual called *thripadidānam*, the state of Travancore was officially surrendered to the Lord Sri Padmanabha and the ruling Kings henceforward were considered as his trusted and infallible deputies.[2] In addition to that, by the end of the eighteenth century, the state fell under the control of the British Empire. The sovereignty of the King thus turned out to be a matter of dispute. To put it precisely, on many occasions, the nineteenth century Travancore witnessed conflict of interests and of power between the native sovereign and the British colonial government.

Compared to British Malabar, the relation between the British and the state of Travancore was politically and strategically different in many respects. "In view of the ever threatening invasion of Tipu Sultan, the state had entered into an agreement with the East India Company in 1788. The agreement reached was formally confirmed in a treaty signed in 1795, by which the company agreed to protect Travancore from all enemies. Later, based on another treaty concluded in 1805, Travancore made an annual payment of Rs. 8 lakhs for a British subsidiary force with a Resident".[3] With the treaty of 1795, the British established a 'friendly alliance' with the state of Travancore.[4] Even if they speak of 'alliance', the treaties of 1795 and

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[1] Suresh Kumar. 1994. *Political Evolution in Kerala: Travancore 1859-1938*. Phoenix Publishing House. New Delhi. p. xv. By enlarging the kingdom of Venad, Marthanda Varma consolidated the royal authority and reorganised administration and thusfounded the modern Travancore. But, he surrendered his kingdom and state to the Lord Sree Padmanabha and proclaimed that the King of Travancore will always be the servant of the deity.

[2] P. Sangoonny Menon. 1984 [1878]. *A History of Travancore: From the Earliest Times*. Cosmo Publications. New Delhi. p. 169.

[3] K. A Mani Kumar. 2004. "Peasant Resistance in the Princely State of Travancore, 1850–1939", in *People's Movements in the Princely States*. Y. Vaikuntham (ed.) Manohar Publishers. New Delhi. p. 147.

[4] The treaty of 1795 between the British East India Company and the Raja of Travancore was intended to defend and protect Travancore state against foreign enemies, and to strengthen and fix the terms of

1805 between the English East India Company and the Raja of Travancore turned out to be an event sanctioning active colonial intervention in the affairs of state administration.[5] There were incidences of dispute between the native King and the British Resident, especially when General Cullen held the office of the Resident in 1840. The Travancore State Manual explains: "he [the Resident] made repeated attempts to interfere in the internal affairs of the state and the King resisted those attempts with equal determination".[6] To put it precisely, as Samuel Mateer explains, "the system of Government in Travancore practically consists of two benevolent despotisms, the Native and the British, the one acting as a counteraction to the other".[7]

According to the British, "[A] native state was a political community that occupied defined boundaries within India, subject to a common and responsible ruler who was actually enjoyed and exercised, as belonging to him in his right duly recognised by the supreme authority of the British Government, any of the function and attributes of sovereignty".[8] The British exerted its paramountcy over the native kingdom each time

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friendship and alliance between the company and Travancore. By this treaty, the company undertook to protect Travancore against all unprovoked aggressions. Accordingly, the Raja allowed the Company to establish a permanent infantry and artillery of the Company in Travancore and agreed to pay annually a sum, not specified, to meet the expenses of the troop. R. N Yesudas. 1977a. *British Policy in Travancore 1805-1859*. Kerala Historical Society. Trivandrum. pp. 12, 17, 57. The treaty also underlined the following regulations: "[t]o hold no communication with any foreign state ; and to admit no European foreigners into his service or to allow him to remain in his territory without the sanction of the British Government". S. Ramanath Aiyer. 1903. *A Brief Sketch of Travancore: The Model State of India; The Country, its People and its Progress*. Western Star Press. Trivandrum. p. 149.

[5] The 9th article of the treaty of 1805 renders right to the British to intervene even in the administrative affairs of the state. The treaty of 1805 says that, "His Highness hereby promises to pay at all times the utmost attention to such advise as the English Government shall occasionally judge it necessary to offer to him, with a view to economy of his finance, the better collection of his revenues, the administration of justice, the extension of commerce, the encouragement of trade agriculture and industry, or any other objects connected with the advancement of His Highness's interest, the happiness of the people, and the mutual welfare of both states". T. K Velupillai. 1996 [1940]. *The Travancore State Manual Vol. II, ( History)*. Government of Kerala. Kerala Gazetteers Department. Thiruvananthapuram. p. 467.

[6] One of the major issues that created the tension between the King and the Resident was that General Cullen introduced a policy of importing their friends and dependents to fill the important posts in the service of the government. Tension occurred mainly regarding the appointment of the Dewan. T.K Velupillai. 1996 [1940a], *The Travancore State Manual Vol. IV, ( Administration)*, Government of Kerala. Kerala Gazetteers Department. Thiruvananthapuram. pp.10-11.

[7] Samuel Mateer. 1991 [1883], *Native Life in Travancore*. Asian Educational Services. New Delhi & Madras. p. 353.

[8] Quoting Sir William Lee Warner in Mayank Kumar. 2004. "People's Movement in the Princely State of Gwalior" in *People's Movements in the Princely States*. Y. Vaikuntham (ed.) Manohar Publishers. New Delhi. p. 189.

they wanted to satisfy their economic interests. For instance, even after the implementation of the Act of 1848 by which the British Indian Legislature freed the coast trade of British India form the payment of duty, Travancore had to pay export and import duties at the British ports as it was considered to be a foreign territory.[9] For the British, trade affairs were their major concern. After 1860s, when trade turned out to be one of the central concerns of the financially troubled Travancore state, the British government started exerting its paramountcy over the state. Although the British had to face strong resistance form Travancore government, by 1883, through an agreement of 'Interportal Convention' the British government effectively regulated the trade affairs of Travancore and successfully asserted its interest and paramountcy.[10]

In legal-juridical matters also, there were instances of confrontation between the state of Travancore and the British. On the basis of the proclamation of Government of India dated 10th January 1867, the British government invalidated the provision that the European British subjects are above the power of jurisdiction of the native states.[11] As opposed to this, Travancore government argued that;

> "1) The jurisdiction in question is an inherent right of sovereignty; 2) The Travancore state being one ruled by its own Ruler possesses that right; 3) It has not been shown on behalf of the British Government that the Travancore State ever ceded this right because it was never ceded, and 4) The Governor General's

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[9] T.K Velupillai. 1996 [1940]. p. 595.

[10] The principle of Interportal Convention insists on free import of goods which paid duty in a British Indian port. Accordingly Travancore was obliged to withdraw its resistance. Though the "Travancore government vehemently opposed the insistence of the British government to abolish the export duties levied by the Travancore government. Finally the state had to surrender its interests on the agreement that 'the British government would compensate Travancore for the loss of its import duties' by paying Rs. 40, 000 only if the Travancore sea customs yield an almost less than Rs. 13, 218". Ibid. p. 598.

[11] "An incident took place in 1866, between the Travancore Government and the British in connection with the trial of a British citizen named John Liddel. He was a commercial agent and a born European-British subject who was charged with embezzlement of a large sum of government money. A special commission recruited by the Travancore Government held the trial of the case but later the Madras government declared the trial illegal. The state then vehemently argued for the 'inherent right of the sovereign' to freely exercise its judicial power within the state. Travancore asserted that the smaller countries (by equating Travancore with small European countries like Denmark, Portugal and Switzerland) also possess equal rights in making judicial decisions on internal matters as possessed by the strong powerful states like Britain". Ibid. pp.619-624.

notification did not deprive Travancore of this right, but only distributed what right the British Government had already possessed".[12]

It was believed that, "the king was the head of the state whose main duty was to protect the kingdom from external enemies and also to maintain law and order".[13] As elucidated before, the paramount power of the British had properly officiated through the office of the British Resident who held 'power' to advice and influence the Raja in the administrative affairs of the state. As a form of power, paramountcy is defined not "as a static entity defining mutually agreed rights and obligations but as an organic concept that developed according to the changing needs and circumstances of the time...[p]aramountcy, then, was an assemblage of powers that derived partly from the treaties but mostly from *force majeure*...Paramountcy not only encompassed the whole field of a State's external sovereignty but it also took on the character of a superior-sovereign in its internal affairs".[14]

In 1909, even when a policy of 'non-interference' was approved by the Government of India, as an indication of British paramountcy, a clause was specially added that "in future, there should be no interference in internal affairs of the states except in the event of misrule 'which violates the elementary laws of civilization'".[15] The British paramountcy turned out to be a threat to the rights of the native king to administrate

[12] Ibid. pp. 620-621. At last, in 1874, the Maharaja submitted his powers and appointed special Magistrates to deal with the trial of British subjects in Travancore as demanded by the British. S. Raimon (ed). 2005. *Thiranjedutha Sarkar Theetturangal (Selected Notifications of by the Government)*. Kerala State Archives Department. Government of Kerala. Thiruvananthapuram. pp. 337-338.

[13] These administrative structure of the country were such that; "*Thara* was the smallest organization and, a number of *Thara* grouping themselves into *Nāds*, in each of which had a *Nāduvāzhi* or chief.' The civil governments of particular localities were controlled by offices called *Desavāzhis*.' 'Their autonomy in exercising duties was hardly obstructed by any authority including the King". The King seldom interfered in their affairs of the *devaswom* offices [administration of temple properties] as well. T.K Velupillai. 1996 [1940a]. *The Travancore State Manual Vol. IV ( Administration)*. pp. 1-2.

[14] Adrian Sever (Ed.). 1985. *Documents and Speeches of the Indian Princely States Vol.* I. B. R Publishing Corporation. Delhi. p. 46. Sever explains: "In the case of British India, the Crown was fully sovereign and paramount. Full sovereignty and paramountcy over British India was inherent in the Crown by virtue of the fact that it was the sole and unchallenged legislative and executive power in British India. In the case of the [princely] States, the Crown was paramount but only partially sovereign". Ibid. p. 28. R. L Handa also shares the same notion that the "[p]aramountcy was a concept which grew with the times". He argues that "[i]ts connotation was largely governed by the conditions obtaining in the country and the changing policies and requirements of British imperialism". R. L. Handa. 1968. *History of Freedom Struggle in Princely States*. Central News Agency. New Delhi. p. 31.

[15] Robin Jeffrey. 1978. "Introduction" in Robin Jeffrey (Ed.). 1978. *People, Princes and Paramount Power: Society and Politics in the Indian Princely States*. Oxford University Press. New Delhi. p. 2.

over the resources, population and territory of the country. The exertion of power as a means of domination and control seems to have produced disputes and resistances. Apart from these two centers of power, caste also operated as a major source of power in Travancore. However, the dynamic of power relation between castes were highly distinct. The present study looks at the modes of interaction and relations among castes, especially among the 'lower' and 'higher' castes, mainly as expressions of unequally distributed social power. To put it differently, in Travancore, there were more than one source of power and each of them claimed legitimacy on different grounds of authority.

The application of law and administration of justice were in no way equal and judicious in Travancore state. As Yesudas elucidates, "the public administration was maintained by the revenue, magisterial and judicial officers of the state. The 'upper' castes and the Brahmins were privileged enough to be exempted from punishments, no matter what crime they committed. On the contrary, the 'lower' castes were not even allowed to enter the courts and seek justice and in case complaints were admitted, they were not heard properly and redressed".[16] The administrative system was under the sway of traditionalism and was hopelessly corrupt too. The letter sent by Rani Parvati Bai of Travancore addressing Colonel Munro, the Resident–Dewan of Travancore, exposes the attitude of the officials and judicial courts in Travancore. She explained:

> "[t]he complaints, grievances and disputes of the people being heard and settled by the revenue officers never decided upon justice, but afforded additional means of corruption, bribery and oppression, and as the revenue servants had neither leisure nor integrity to perform the duties of judges, the complaints of people increased every day and there was in fact no administration of justice in the country".[17]

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[16] R.N Yesudas. 1977. pp. 26-27. "There were no regularly constituted courts in Travancore. All civil matters were heard and decided by the *sarvadhikaryakkars* or by the Raja or his minister. Their decisions were reported to the Dewan on whose sanction alone the decrees could be executed. In criminal and police matters local officers made investigations and reported the result to the Dewan who alone had the authority to pass sentence. The punishments were according to the caste and social position of the offender". Ibid.

[17] R.N Yesudas. 1975. *A People's Revolt in Travancore: A Backward Class Movement for Social Freedom*. Kerala Historical Society. Trivandrum. p. 16. Accordingly, Dewan Munro sent his report to

In due consideration of Rani's letter, Munro took significant measures to reform the administrative structure of Travancore. He reorganized the existing administrative structures. With a view to centralise the system, Munro introduced a secretariat system of administration with Dewan as its head. The rule of *nāduvāzhis* and *desavāzhis* was replaced by the rule of a bureaucracy.[18] He centralized all authorities in his hands and encouraged people to file petitions in his office for final redress of grievances.[19] As far as the 'lower' castes were concerned, it offered a new possibility to get their petitions heard. Munro disarmed Travancore and Cochin so as to prevent possible threats from the native army. Accordingly the Nairs, who constituted the army, were disempowered and converted into mere "bodyguards and escorts".[20] Munro also abolished village assemblies and caste assemblies such as the Council of the *Pidakaikkars* or village leaders, normally met annually to deliberate on matters regarding caste and religion.[21]

It was during the period of the Dewan–Resident Munro that the process of modernization of administration started in Travancore. The establishment of an organized bureaucratic structure was a major development of that kind. However, the reforms did not advance beyond a certain point, though the situation was ideal and favorable for the colonial rulers to change traditional customs and usages observed in Travancore. The British kept themselves aloof from all those matters that are considered sacred and customary. Similarly, the Rāni's intention was precisely to stop corruption and bribery rampant in the administrative system. No matter what the

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the Madras government, saying; "[O]n the part of the people, complaint was useless, redress useless; they had only one remedy that was bribery…innocence was protected, and justice obtained, and right secured by bribes". Quoting from the *Minutes of Evidence Taken before the Select Committee on the Affairs of the East India Company- VI Political*, 16th August 1832, Appendix No. 20. Ibid. p. 276.

[18] Suresh Kumar. 1994. p. 23, R.N Yesudas. 1977. p. 22. Munro abolished the offices of *valiya sarvadhikaryakkar* and *sarvadhikaryakkar*. The *karyakkars* were deprived of all civil and criminal authority over the people and reduced them to the position of mere revenue collectors. The designation of *karyakkar* was changed into Tasildar. See R.N Yesudas. 1977. p. 22.

[19] *The History of Freedom Movement in Kerala Vol.I (1600-1885)*. 2000. Compiled by The Regional Records Survey Committee. Kerala State Department of Cultural Publication. Government of Kerala. p. 55.

[20] Ibid. pp. 57, 60-61.

[21] They held the power to make decisions and punish those who violated native customs and manners. "There were instances that capital punishment was inflicted by the council". *Appointment of Pidakaikkar, Nittu, Vol. 34, No. 359, F.311*. R.N Yesudas. 1977. p. 25, R.N Yesudas. 1975. pp. 16–17.

nature of practices, she never wanted to change the laws of the land or native customs which secured the interests of the 'higher' castes.[22] Both the Native and the British rulers, as it shows, refrained from implementing radical measures to change the established rules and practices of tradition. On the contrary, the British rulers showed sympathy towards traditional authorities when 'modernizing' the administration. The nature of colonial modernization in the princely state of Travancore was in fact a restoration of tradition under new administrative structures.

In one of his letters to the Rāni, Munro suggested the establishment of "a separate provision for the administration of justice…an arrangement which is sanctioned by the *Shastters* and Hindoo institutions".[23] Munro consulted the Pundits to frame the system and he gained their approval before the pronouncement of reform measures which were not intended to contradict with the scheme and principles of the law of the land. It is reported that "the pundits expressed unanimous opinion that the Rāni possesses full authority to frame and enforce law *provided* they were not *radically* hostile to the laws of the land".[24] Scholars argue that the British administration also failed to put an end to the rule of tradition and customary laws that denied justice to a vast majority of people of Travancore.[25] As E.M.S Namboodiripad argues; "instead of obliterating the dominance of the *savarnas* in social life, *Jenmies* [landlords] in economic life and chieftains and the *Nairs* in administration, the British merely established their political supremacy and dominance over the existing one. And without intending to wipe out the evils of discrimination and inequality, the British

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[22] For instance, the Rāni wanted to preserve the *Suchindram Kaimukku*, a customary ritual performed in order to prove crimes. It was practiced when a crime was committed and the suspect is unwilling to accept his participation in that crime. So, in case of doubts, the fact was ascertained by letting the party to take his oath by dipping hand in the melted butter at a holly place called Suchindram. The hand of the accused will immediately be covered by a white cloth and afterwards he will be moved to a special room located in the temple premises. In the next morning, when the authorities inspect, if that person's hand is found burnt, he is liable to be punished. See P. Bhaskaranunni. 1988. *Pathonpatām Noottāndile Keralam* (Nineteenth Century Kerala). Kerala Sahithya Academy. Thrissur. pp. 747–749.

[23] R.N Yesudas. 1977. pp. 28-29.

[24] T. K Velupillai. 1996 [1940]. p. 517. (First emphasis added)

[25] P Bhaskaranunni. 1988. p. 730, Somarajan, C.N. and Sivadasan, S. 1995. *Civic Rights Movement in Travancore.* S.N. Publishing House. Kollam. p. 21.

enhanced the freedom of the dominant class".[26] As Dirks also observes, "the Brahmins reached a new high under British colonialism both in their participation in the development of Hindu law and in their preponderance in colonial administration".[27] In the context of British Malabar, Arunima maintains that the British in actual fact helped to protect the ancient customs and practices rather than altering it into an entirely new legal mode.[28]

The judicial system was one of Munro's major targets of reform. Though there were sizeable Christian and Muslim population in Travancore, the administration of justice was maintained according to the precepts of Hindu scriptures. The Hindu laws of punishment were an integral part of the Hindu religious practices and were unacceptable to those who followed other religious faith.[29] As explicated in the Travancore State Manuel, "the courts shall at their discretion commute the punishment prescribed in the *sastras*. And, the Hindu law in criminal cases, as modified, shall apply to all classes of subjects in Travancore, whether Christian, Muslim etc".[30] With the inauguration of one principal and five subordinate courts, Munro introduced a new judicial establishment in the country. The previous structure was consisted of the Dewan and three judges including two Brahmins and a Nair. In order to maintain impartiality and also to protect the interest of the Christians and the 'lower' castes, Munro made special provision for the appointment of one Christian judge in the existing panel.[31] Though it was an important intervention in the arena of administration, it did not alter the source and content of the law. The reforms to a

[26] E.M.S Namboodiripad. 1948. *Keralam Malayalikalude Mathrubhoomi* (Kerala, the Homeland of the Malayalees). *The Collected Works of E.M.S.* P. Govinda Pillai, (Ed.). Vol. 9. Chintha Publishers for A.K.G. Centre for Research and Studies. Thiruvananthapuram. pp. 173-174.

[27] Nicholas Dirks. 1997. "The study of State and Society in India" in *Politics in India*. 1997. Kaviraj, Sudipta (ed.) Oxford University Press. New Delhi. p. 166.

[28] "John Mayne was one of the judges of the Madras High Court who influenced legal opinion on the Nayars considerably. He argued that the British helped to protect and maintain 'ancient' customary practices and usages of Malabar. Along with such notables of the High Court as T.L Strange and William Holloway, he was energetically involved in the idea of 'protecting' customary institutions and usages". Arunima, G. (2000). "A vindication of the rights of Women: families and Legal Change in Nineteenth-Century Malabar" in Michael R Anderson, Sumit Guha. 2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press. New Delhi. p. 121.

[29] T. K Velupillai. 1996 [1940]. pp. 516-517.

[30] T. K Velupillai. 1996 [1940a]. pp. 76-78, R.N Yesudas. 1977. pp. 29-30.

[31] R.N Yesudas. 1977. p. 35.

large extent were limited to the structure only. One remarkable change the reforms brought about was this; unlike old practices, the 'lower' castes were granted permission to submit petitions directly to the Dewan, pleading for the dispensation of justice.

The reforms remained ineffective as the entire governmental bureaucracy was still under the control of the 'higher' castes. And they were occupying the offices which were responsible for discharging the decisions made by the government. Since they were reluctant to implement the policies which were likely to hamper their interests, the reforms implemented at the institutional level did not produce intended effects. In most of the occasions, when decisions were made in favor of the 'lower' castes to reform their customary symbols and practices, the 'higher' castes protested against such acts which would have dismissed the status quo. For instance, the royal proclamations intending to abolish the system of slavery remained ineffective since the decision was opposed by the 'high' caste Hindus.[32] Similar incident occurred when Dewan Munro granted permission to the converted Christians to wear jackets when wearing upper clothes was prohibited to 'lower' caste women in Travancore.[33]

Both the Hindu religion and caste structure provided the basic components binding the relationship between state and society in Travancore. These two institutions – religion and caste – were the major factors determining social power as well. In an official communication addressing the Resident, with reference to the petition of the C.M.S missionaries on the matters regarding atrocities, injustice and unequal treatment done to the newly converted Christians, the Dewan stated: "[t]he low caste man by embracing Christianity merely changed his creed and not his birth status in the estimation of the Hindus. Therefore, he was required to conform to the custom and usage observable by persons of the caste in which he was born in his relation with the

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[32] Suresh Kumar. 1994. p. 44.

[33] As a result of the agitation of the *Channars* and the efforts of Missionaries, in M.E 988 (1814), the Dewan of Travancore issued an order granting permission to the *Channar* Christians to wear upper clothes. *Order from Col. Munro to the Sarvadhikariakars of the Trivandrum and Neyyanttinkara, 19th Dhanoo 988., Political Consultations, Sl. No. 128*. See Joy Balan Vlathankara. 2009. *Vaikundaswamiyum Samoohika Navodhanavum* (Vaikundaswami and Social Renaissance). Chinta Publishers. Thiruvananthapuram. pp. 43–44, 52–53.

Hindus".[34] The expression *born in relation with the Hindus* refers to a norm designating one's established status in the social order. In other words, even if one changes religion so as to get out of the caste structure, his/her previous caste based social status would remain unaltered. In addition, the Dewan stated; "[t]he government only directed the enforcement of the long established custom and usage in cases where these were found infringed or deviated from".[35] The administrative power, as this statement indicates, was subservient to the social power deriving from the sources of Hindu religion and order of caste and it was according to the established social power that the nature of law and order and administration of justice were prevailing in the nineteenth century Travancore.

**The Structure and Rules of Social Order in Travancore**

As regards the traditional Travancore society, caste was the principal element constituting the political division of labour. The division of labour was fundamentally political because it was on the basis of that the social relations as well as use of and access to power were determined. One's caste–birth not only decided his/her position in the order of social hierarchy, but also determined one's relation to resources, occupations as well as access to social and administrative power. There was a sharp distinction between the 'higher' and the 'lower' castes.[36] Each individual caste maintained distance – socially and ritually –from one another. In addition, each caste contained sub–castes (or, castes within caste) within particular caste folds. The sub–castes, by nature and outlook, maintained status differentials and distinctive identities through labour and rituals.[37] Those who had lower status in the order of caste

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[34] R. N Yesudas. 1977a. p. 29.

[35] Ibid.

[36] In the prevailed social hierarchy, the Namboodiri or the Malayali Brahmin was at the top. Just below the hierarchy were the Tamil Barahmins, the Kshatriyas, the Nairs and a few others. These castes constituted what is generally referred to as the *savarnas* or the high castes. At the bottom of the social order were the so called low castes like the Tiyas and the Ezhavas, the Channars, the Pulayas, the Parayas (also *pariahs*) and a few others. Among the low castes, the latter two castes were 'hereditary slaves'. *The History of Freedom Movement in Kerala Vol.I.* 2000. p. 75.

[37] Ibid. p. 75.The society was stringently organized by the rules interpreted by Namboodiris based on the *Smriti*. A village can at best be called as self-sufficient political units and in each village, occupations were distributed on the basis of caste lines. Each caste is further divided into various sub-castes and they all strictly observed the rules of caste such as untouchability and unapproachability each other. In this country, consisting of these village units, the sustainability of resources was solely

hierarchy maintained obligatory dependence to those who were placed in the higher echelon. And to avoid pollution, members of the 'lower' castes had to keep 'reasonable' distance from the 'higher' caste people. The domains occupied by the 'higher' castes remained unapproachable to the 'lower' ones and this condition imposed limitation on social interaction among people from different castes.

An intriguing aspect regarding the caste system was that even the most vulnerable 'lower' castes were keen to observe the rules of distance–pollution among themselves "as a normal and necessary social rule in the strict sense as it was observed by the higher castes".[38] The inner-structure of a caste — consisting of sub-castes — replicated the hierarchical order of the caste system existed at the macro social level. Some families, generally the well off ones, among the 'lower' castes held certain privileges offered by the king in return of financial aids.[39]They maintained superior status in the form of customary leadership and were capable of exerting their power and influence over the members of the same caste. As Saradamony explains:

> "[t]he lower castes were subjected to oppression by the aristocracy as well as leaders of their own caste. In exceptional cases, the better off in certain lower castes had some chance to alter their status. The kings who were always in need of money gave concessions to members of the lower castes in return of some special payments known as atiyara. This enabled them to get out of the restrictions to which their caste was subjected to. As a result *privileged* families came to be formed in some of the lower castes, especially the izhavas…but this kind of status-raising was beyond the ability of castes like the pulayas".[40]

Whatever sin committed in the previous lives was deemed to be the major reason for one's birth in a particular caste. The caste–birth was considered as a matter of fate and therefore intransitive and unchangeable. No matter how difficult and demeaning it is,

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depended upon the labour of the slaves like Pulayas and others alone. See P.K Balakrishnan. 1977. "Keralathinte Navodhanathinu Charithraparamaya Oru Aamukham (A Historical Introduction to the Renaissance of Kerala)". *Yoganādam*. 1977. October, Issue 7, p. 2.

[38] K. K Kusuman. 1973. *Slavery in Travancore*. Kerala Historical Society. Trivandrum. p. 37.

[39] It is to be noted that, there were few wealthy families among the Ezhavas and some of them received the title of *channan* from the Maharaja of Travancore. In addition, strong regulative mechanisms were to be found within castes. Among the *Ezhavas*, for instance, there were local caste councils having been supervised by four major ancestral families of each locality (*thara*). See P. Bhaskaranunni 1988. p. 363.

[40] K. Saradamoni. 1980. *Emergence of a Slave Caste: Pulayas of Kerala*. People's Publishing House. New Delhi. pp. 34-35.

obeying the rules of this world is believed to be the only means to wipe out the shades of those sins. The proper observation of the caste rules was considered as the only possible means available for attaining salvation of the soul while reincarnated to a new body in the next life. Moreover, the caste system in Travancore was a well regulated mechanism in which everyone was preoccupied with the destiny of his/her life as per the established laws of the land. The method of punishment prescribed for those who violate the rules of caste were literally diabolic.[41] Those who fail to observe the rules of caste or the laws of the land would never be exonerated from punishment. To avoid severe punishment, both the 'higher' and the 'lower' castes observed those rules and regulations stringently and without much resistance.[42] Another interesting aspect regarding the operation of caste was that it was treated as a matter of one's pride and dignity. Mateer gives an example of one of the 'lower' castes; the Pulayas, that, "they are very proud of their origin, which they consider as perfectly unique among the Hindus, regard themselves as far superior to all others who bear the designation of pulayars; and practice ablutions when they come in contact with whom they consider lower than themselves".[43] Kusuman explains this trait as a corollary of 'a psychological impact' because, "the slaves [the Pulayas and the Parayas] would have thought of imitating the rules and rituals of the high castes and thereby claiming superiority of one kind or another which eventually make bodily or mental subjugation possible".[44]

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[41] According to the native custom, if the offender is a Namboodiri or a Brahmin the maximum punishment prescribed was ostracism and for minor infringements, penalties were imposed. Conversely, the low castes were normally killed if they cross the prescribed boundary of distance-pollution and were mutilated if the crime committed was seemed negligible. Bhaskaranunni. 1988. pp. 725-802. "There were no written code, but the punishments assigned by custom fitted the crimes, and they varied with the status of caste and of the person. The nobles enjoyed the privilege of freedom from confinement. The punishment of death was received for sacrilege, the murder of the Brahmin, and a cow". R. N Yesudas. 1975. p. 15. "The nobles enjoyed the privilege of freedom from confinement. The Brahmins and women were never put to death; the former were punished for grave offences by loss of caste and banishment, and the latter by being sold as slaves". Anantakrishna Iyer, L.K. 1912. *The Cochin Tribes and Castes Vol. II,* Higginbotham & Co Mount Road. Madras. p.55.
[42] "If a *Nair* thinks that he was polluted by a *Pulaya* or he thinks himself polluted approaching a *Pulaya*, he is obliged to kill him. For, a *Nair* was not permitted, by custom, to absolve or pardon such a slave, either by sympathy or by rationality. And if it came to the knowledge of the King, the *Nair* was put to death". Thevenot and Careri. 1949. *Voyages*, Vol.I, translated by Albert Gray, Hakluyt Society, London, p. 384, quoted in K. K Kusuman. 1973. p. 38,
[43] Samuel Mateer. 1991. p. 38.
[44] K. K Kusuman. 1973. p. 37-38.

The scholars who conceive of caste in terms of its material undertones give primary importance to the strict division of labour that existed in Travancore. Balakrishnan argues that this labour division makes caste system highly rigid and immovable. According to him, social hierarchy and discrimination was well evident in the system of caste based labour. Hence, there were *savarna* landlords and *avarna* labourers, slaves and bonded labourers.[45] The slaves were not allowed to possess land and also proscribed to change their occupation. Houtart and Lemercinier find caste system as another form of 'relations of production' which controls "the ownership of the means of production and their use" and "the main line of the division of labour".[46] In his anthropological notes on the people of Kerala, L. A. Krishna Iyer draws a correlation between caste and the arrangement of labour in Kerala. He emphasized that "the division of labour and formation of an orderly society was the object of its originators…[A] man's purity of mind and body should be judged by the nature of occupation which his forefathers had followed".[47] He underlines the idea that the hereditary nature of labour and occupation was a rational means of social organization and a logical explanation to dignity and social status of different sections of people.

 Caste operated within a symbolic order where people govern themselves according to the rules of distance-pollution. Kooiman argues that, "Hinduism is obsessed with a fundamental problem; the question "how the pure, i.e. that what represents life, can be guaranteed against the impure, i.e. that what relates to death and decay".[48] The justification of the mandatory social distance between castes derived from the prime concern that 'the pure' should be protected from threat of pollution. Houtart and Lemercinier explain that 'the binary of pure/impure ultimately resulted in the creation of a pollution code that serves to regulate social relationships between castes".[49] They

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[45] P. K Balakrishnan. 2003. *Jathivyavasthithiyum Keralacharithravum* (Caste System and Kerala History). Current Books. Thrissur. pp. 339-356.

[46] Francois Houtart and Genevieve Lemercinier. 1978. "Socio-Religious Movements in Kerala: A Reaction to the Capitalist Mode of Production" (Part One). *Social Scientist.* Vol. 6, No. 11. p. 3.

[47] L.A. Krishna Iyer. 1961. *Kerala and Her People*. The Educational Supplies Depot. Palghat. p. 38.

[48] He goes on to argue that 'the very basic purpose of the rules of caste system, which dictates aspects like food, marriage and occupation etc., was to avoid or at least to regulate contact with the impure'. Dick Kooiman. 1991. "Conversion from Slavery to Plantation Labour: Christian Mission in South India (19th Century)". *Social Scientist.* Vol. 19, No. 8/9 August-September. pp. 57–71, here p. 58.

[49] Francois Houtart and Genevieve Lemercinier. 1978. p. 4.

eventually trace the origin of this code in Brahminic doctrines.[50] The norms and rules of pollution, as a shared knowledge or belief, seem to have governed the social behavior of individuals. K. N Ganesh describes this phenomenon as an ideological effect and, in the social sphere, he argues; "caste functions as a materialized form of ideology which governs the professional and social outlook of an individual".[51] Hence, from the Namboodiris to the wretched slaves, people largely submitted themselves to the dictates of caste and customs.

Like the Hindus, the Christians and the Muslims also occupied a definite place within the caste structure in Travancore.[52]  Mateer had discussed the observance of caste practices among the Syrian Christians especially when they made contact with people of inferiors castes, the same way as it applied to them by Sudras and Brahmins.[53] Brown puts it much more clearly that the Syrian Christians were accepted as a caste and given status in the social hierarchy as equal as of the Nairs.[54] Forrester also makes a significant remark on caste in Christianity, elaborating that "the caste system seems to have made it possible for Christianity to survive in Kerala, but on condition that it observed the norms of the system, in particular the prohibition on recruitment from other castes and the acceptance of the rules of a radically hierarchical society".[55] What

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[50] They also pointed out the influence of religious doctrines like *karma* in protecting the social order.

[51] K.N Ganesh. 1997. *Keralathinte Innalekal* (Yesterdays of Kerala). Department of Cultural Publication. Government of Kerala. p. 196.

[52] Prema Kurien. 1994. "Colonialism and Ethnographies: A Study of Kerala, India". *Theory and Society.* Vol. 23, No. 3 January. p. 396.  Dick Kooiman states that there is enough chance to believe that "Christianity had a firm footing in Travancore right from the beginning of our era and long before the Christianization of Europe had started". Dick Kooiman. 1991. p. 58. The Syrian Christians in Kerala share the belief that their ancestors, those who embraced Christianity mainly from high caste Hindu families in the beginning were converted by apostle St. Thomas himself who said to had visited Kerala in 52 A.D. Prema Kurien. 1994. p. 395.

[53] Samuel Mateer. 1991. p. 166.

[54] "In contrast to the Christian converts elsewhere in India who reckoned, whatever their caste origin, to have slipped out of the caste system, the Syrians were accorded a high status within the system. In most part of Kerala they ranked after the Brahmins, roughly equal to the Nairs, although some Syrians claimed that Brahmin blood in their ancestry made them indubitably superior to the Nairs". Duncan B Forrester. 1980. *Caste and Christianity: Attitudes and Politics on Caste of Anglo-Saxon Protestant Missions in India*. Curzon Press. Humanities Press. London & USA. p. 99. See also Leslie Brown. 1982. *The Indian Christians of St Thomas: An Account of the Ancient Syrian Church of Malabar*. Cambridge University Press. Cambridge. p. 173. "In 19th century, the Christians in Kerala, to preserve their nobility, never touched a person of inferior caste, not even a Nair". Letter of Col. Munro to the Chief Secretary to Government, dated Quilon, 30 March 1818, Quoted in Yesudas. 1977. p. 49. See also P. K Balakrishnan. 2003. p. 369.

[55] Duncan B Forrester. 1980. pp. 99-100.

Dumont argued was right to a great extent that 'a sect hardly survived on Indian soil if it denies caste'.[56] Following Dumont, Forrester delineates that Christianity survived in Kerala largely because "it neither threatened nor undermined the caste system, but rather working within it and accommodated western social standards to the norms of caste".[57] Brown tries to uncover the reasons why the Christians of Kerala observed caste rules which in principle had no relevance in their scriptures. He has the opinion that "the Christians had to observe the pollution rules precisely because otherwise the high caste people would not trade with and give or rent land to them".[58] As these accounts suggest, caste provided a normative and material context regulating social relations, labour, and language of interactions.[59] Now the question to be asked is that: was the caste system that existed in the early nineteenth century Travancore capable of getting reformed internally by its own capacity?[60] Or was it 'the external forces' such as the activities of missionaries and of colonial administrative interventions that brought about change in the social structure? Prior to engage with these questions, the basic feature of the economic structure and nature of land relations existed in the nineteenth century Travancore needs to be discussed.

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[56] Louis Dumont. 1970. *Religion, Politics and History in India: Collected Papers in India Sociology*. Mouton de Gruyter. Paris. p. 36. 'Louis Dumont defines caste as something totally *sui generis*, internally connected with Hinduism, and quite inconceivable apart from the Hindu context which provides the ideology without a grasp of which no adequate understanding of caste is possible'. See Duncan B Forrester. 1980. p. 3.

[57] Duncan B Forrester. 1980. p. 14.

[58] Leslie Brown. 1982. p. 174.

[59] "The low castes were forced to use special language when referring to themselves or their professions. To speak to the superior about their body organs such as eye or ear, they had to prefix it by the epithet 'old'. They were obliged to call their children 'calves' (*kidāngal*), their silver, 'copper' and their paddy 'chaff' (*umi*). They were to commence speaking by saying 'your slave has received permission to observe.' The *Pulaya* must not say 'I' but '*adiyan'*. 'your slave'; he is not allowed to call his rice '*choru'*, but *karikkadi* or 'dirty gruel. When speaking, he must place hand over mouth, lest the breath should go forth and pollute the person he is addressing". Somarajan and Sivadasan. 1995. p. 8, also R.N Yesudas. 1975. p. 39.

[60] In contrast to Dumont, Forrester defined caste as "[a] social form with a history of its own, which has changed, and is changing, and has certainly diverged substantially from its misty and obscure origins". Duncan B Forrester. 1980. p. 1.

**Modes of Labour and Land Relations in Travancore**

Malabar, Cochin and Travancore regions had shown certain similarities regarding the possession of the *jenmom land*.[61] The *jenmom*[62] (birth) was the precondition for such land ownership. There were certain inviolable rights that one inherits when one takes birth in a particular caste.[63] Such rights, including right to property and right to occupations, are acquired 'normally' by paternal or maternal means of descend. In those regions, the rightful ownership of the *jenmom* land was enjoyed by the Namboodiris alone.[64] However as they were prevented by their *āchāram* (tradition of rite) they refrained from having any kind of productive relationship with the *jenmom* land. Therefore the custodianship of the land was given to the Nairs, who in that capacity became *Jenmies* or feudal lords.[65] In the nineteenth century Travancore, it is evident that the Nairs owned a sizable portion of the *jenmom* land. Ganesh explicates the emergence of two classes of landholders in Travancore by the end of the seventeenth century itself, they were: "(1) the customary landlords who received their share of rent besides various other obligations, (2) the landholders who held lands belonging to the customary landholders but had become powerful enough to control the lands themselves".[66] By the nineteenth century, in Travancore state, the ownership

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[61] "Jenmom land" means land (other than Pandaravaka, Sripandaravaka, Kandukrishi or Sirkar Dewaswom land) recognized as such in the Sirkar account, which is either entirely exempt from Government tax, or, if assessed to public revenue, is subjected to *rajabhogam* only, and the occupancy right in which is created for a money consideration (Kanam) and is also subject to the payment of *michavaram* or customary dues and the periodical renewal of the right on payment of renewal fees". K. S Pandali. 1912. *The Jenmi and Kudiyan Regulation V of 1071 of Travancore* (with an Introduction and Commentaries). Law Printing House. Madras. p. 4.

[62] "The word *jenmom* seems to have never used except for denoting 'birth' (for example *janma bhoomi* for place of birth, *janma nakshathram* for birth star etc.). And this usage is quite modern as well (arguably A.D 15th or 16th century origin)". P. Bhaskaranunni. 1988. pp. 898-899.

[63] K.N Ganesh. 1997. p. 134. Balakrishnan has the opinion that the birthrights on land came into existence when the idea of 'territory' (a primitive conscience) got converted into property, as a result of the emergence of social life. He argues that the idea of birth right on land was a creation of the Namboodiris during that time. P. K Balakrishnan. 2003. p. 254.

[64] P. K Balakrishnan. 2003. pp. 249-255.

[65] *Jenmi* means a person in whom the proprietary rights over *Jenmom* lands is vested and includes, in the case of the Devaswoms owing Jenmom lands, the managing trustee or where there are several trustees, one of such trustees only, of the institution for the time being. K. S Pandali. 1912. p. 6.

[66] K.N Ganesh. 1987 (January). *Agrarian Relations and Political Authority Medieval Travancore (AD 1300-1750)* (Unpublished Ph.D Thesis submitted under the Supervision of Prof. R Champakalakshmi). Centre for Historical Studies. School of Social Sciences. Jawaharlal Nehru University. New Delhi. p. 268.

rights of the entire cultivated land were shared by three parties; the government, Brahmins and the Nair *jenmies*.

The colonial government extended the *ryotwari* settlement to British Malabar in the nineteenth century. The new system failed to bring about change in land relations in Malabar since it allowed continuing the presence of intermediary class between the government and the actual cultivator.[67] Besides, the British protected the *jenmi* system intact in Malabar. As Varghese describes it, "the intermediary was considered as the real *ryot*, with whom the government made the settlement and prescribed the share by leaving the actual *ryot* only a third of the net produce after deducting an insufficient amount as the expenditure on cultivation".[68] The land system in the princely state of Cochin shared the characteristics of both Malabar and Travancore.[69] Unlike the other two states, three major forms of land ownership existed in Travancore. They were; (1) *pandāravaka* land (owned by the government), (2) *non-pandāravaka* sirkar land (owned by temples and families connected with the royal palace or by the palace itself), (3) *jenmom* land (owned by Brahmins and the Nair *Jenmies*)'.[70] One of the striking features of land ownership in Travancore was that, compared to the other two states, the role of the state was much supreme there.

By an aggressive territorial expansion and through a radical reorganization of the administration, the reign of Marthanda Varma (1729–1758) witnessed a systematic consolidation of a modernistic royal authority in the erstwhile principality of Venad.[71] He conquered and annexed the territories hitherto controlled by the chieftains and

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[67] T. C Varghese. 1970. *Agrarian Change and Economic Consequences: Land Tenure in Kerala 1850-1960.* Allied Publishers. Bombay. p. 27.

[68] Ibid. pp. 27-28.

[69] About 60 per cent of the cultivated land was owned by the *Jenmies* (*puravaka* or *jenmom* land) and over 40 per cent of the cultivated land and the whole of the waste land was owned by the state (*pandaravaka*). Ibid. pp. 32–33, 48–50.

[70] Ibid. pp. 45–47, *Jenmom* tenure itself was of three kinds; free-hold *jenmom* (totally exempted from taxes of all kind), *devaswom* (under the supervision of a manager), and *brahmaswom* (under the successors of *Jenmi*). *The History of Freedom Movement in Kerala Vol.I.* 2000. p. 83. The bulk of the sircar lands, amounting roughly to 75 per cent of their area (or 60 per cent of the total cultivated land) was, however, known as *pandāravaka* lands, which in turn were divided into two main subdivisions, namely *pandāravaka pāttom* and *pandāravaka otti.* T. C Varghese. 1970. pp. 45-47.

[71] P. Sangoonny Menon. 1984 [1878]. *A History of Travancore, From the Earliest Times.* Cosmo Publications. New Delhi. pp. 114-185. See also T. K Velupillai. 1996 [1940a]. pp. 262-357.

*Jenmies* and converted those land into sirkar land. "When the annexation came to an end, out of 0.7 million acres of cultivated land, about one–half came under the ownership of the state".[72] Nonetheless, as Ganesh argues, "the traditional relations of production and the hierarchical land rights were not destroyed even after the establishment of a centralized political authority in Travancore".[73] Many scholars share the view that, with the transfer of ownership of large acres of cultivated land to the government the state itself acquired the rights of a *Jenmi*.[74] As a result, a new system of sirkar *paattam* (government lease) tenure came into existence. This system, as Varghese argues; "did not grant the real cultivators the ownership rights. On the contrary, the existing caste inequalities still played a major role in the distribution of the *jenmom* and the sirkar land. Excluding the sirkar land, the rest of the one–third of land was still under the custody of *Jenmies*".[75]

Several forms of tenurial schemes of land holdings prevailed in Travancore. Of them, the most important one was *kanappattam* (rent paid on mortgaged land) which gave right to the tenant either for cultivating the land or to hand over the property to others as sub–lease for cultivation. The lease holder, accordingly, had to pay annual rent to the landlord in the form of tax. Receiving such taxes from the lease holder was considered as an *avakāsam* of the landlord.[76] In addition to that, a number of subordinate tenures were also followed.[77] Nevertheless, the tenure system and land relations were maintained exactly in line with *naattunadappu* or local customs until

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[72] T. C Varghese. 1970. p. 30. Also see *The History of Freedom Movement in Kerala Vol.I*. 2000. pp. 56-57.

[73] K.N Ganesh. 1987 (January). pp. 583-585.

[74] Robin Jeffrey. 1976. *The Decline of Nayar Dominance: Society and Politics in Travancore, 1847-1908*. Vikas Publishing House. New Delhi. p. 88, T. C Varghese. 1970. p. 30, *The History of Freedom Movement in Kerala Vol.I*. 2000. p. 83. Prompted by financial consideration, the British Resident–cum–Dewan of Travancore Col. Munro, acquired the properties of 378 important and wealthy temples for the state in 1812 which amounted to 1,00,000 acres of private lands, a revenue of Rs. 4 lakhs, all of which became sirkar land. Thus by the middle of the nineteenth century, the Travancore state became the chief *jenmi* (landlord) and possessed nearly 80 per cent of the cultivated land, in addition to waste and forest lands. See K. A Mani Kumar. 2004. p. 147.

[75] T. C Varghese. 1970. pp. 30-31, 135-136.

[76] T. K Velupillai. 1996 [1940]. pp. 147-148. See also, K. S Pandali. 1912. p. 7.

[77] These subordinate tenure includes *verumpattom*, or lease under which a tenant was merely a cultivator by the will of the landlord and was liable to be evicted by the latter at any time. Suresh Kumar. 1994. p. 8f.

the colonial law came to interrupt it.[78] In opposition to the local customs, the British system enhanced the landlord with the power to evict the tenant from the land and lease whenever they wished.[79] Previously, the land relations and the system of rights prevailed in Travancore was of a unique kind. As Ganesh explains, the major trait of the land relations prevailed in Travancore was of 'a hierarchy of rights over land'.[80] Accordingly, "relations of production were based on a subject peasantry, who parted with their surplus product or surplus labour as rent or service to their overlord. The subjection of peasantry was made possible by means of extra–economic coercion or in other words, through the customary obligation to their overlords".[81] The extra–economic coercion had its roots in the caste based relations of production which was accompanied with rituals and rights as prescribed by the longstanding customs of the land.

The colonial land reforms had made serious impact in British Malabar. As Namboodiripad observed; "colonial interventions ultimately resulted in the destruction of the strict division of labour that existed during the pre–colonial era. In place of native customs, they introduced new legal regulations".[82] He goes on to argue that, "intending to redefine the *jenmi–kudiyān* (landlord–tenant) relationship they established judicial courts and replaced the presence of the middlemen. Subsequently, the customary rules and restrictions that governed the landlord–tenant relationship gradually met its end. Making use of this situation, the *Jenmies* began to exercise their new privileges. Either by eviction or by exertion of higher amount of rent, they denied the rights of tenants and the lease holders. What the British eventually did was that they reconstructed land relations by making money as its basis".[83] However, these changes did not replicate when the same law was extended to Travancore. When the

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[78] M. A Oommen. 1972. *Bhuparishkaranangalum Samuhya Sāmpattika Parivartanavum Keralathil* (Land Reforms and Socio-economic Changes in Kerala). State Institute of Languages. Trivandrum. p. 17.

[79] Ibid.

[80] K.N Ganesh. 1987 (January). p. 275.

[81] K. N Ganesh explicates that "a hierarchy of rights over the land produce was established during 16th and 17th centuries...the rights over lands that were developing during 16th-18th centuries show a hierarchy of landholders…The hierarchy of rights exercised over the lands were shared among the customary landlords and intermediaries at various levels". Ibid. pp. 246, 271.

[82] E.M.S Namboodiripad. 1948. pp. 190-191.

[83] Ibid.

landlords began to make use of their unrestricted rights over the land with the help of the colonial law, the tenants commenced protest against the new system.[84] By demanding immediate extraction of the same, they submitted petitions before the king. Since the pressure was so high, the government of Travancore finally took a decision to reconsider the newly implemented policy and duly issued a proclamation in 1830. The royal edict announced the removal of colonial land policy and the restoration of customary land relations that existed prior to the implementation of the British law in Travancore. It empowered the tenants to keep the land in custody in so far as they pay taxes according to the local custom.

Apart from these two classes – the landlords and the tenants – who own land either by means of *jenmom* or lease, there were slaves who possessed practically no rights over the land they cultivate. The slaves were also denied to own landed property in Travancore.[85] The institution of slavery (*adimavela*) and slave trade (*adimakkachavadam*) was an important feature of the economic edifice in Malabar, Cochin and Travancore.[86] In Malabar, as Buchanan speaks of, "three modes of transferring the usufruct of slaves existed, such as *Jenmom* or sale, *Cānum* [kanam] or mortgage and *Pāttam* or rent".[87] In Travancore, the system of slavery survived till the

[84] M. A Oommen. 1972. p. 17.

[85] K. K Kusuman. 1973. pp. 7, 24, N. K Jose. 1989. *Ayyankali Oru Padanam- Samagrapadanam* (A study on Ayyankali). Hobby Publications. Vaikom. p. 87.

[86] As Saradamoni elucidates, "[T]he agrestic slaves belonged to the lowest of castes in the Hindu hierarchy. They were not only untouchables, but were unapproachables too. Their very sight and presence were polluting". In the beginning of nineteenth century, in Travancore, out of the total population of 9,065,87, the number of agricultural slaves were 98,974. In Malabar, the number of slaves increased from 1,44,000 to 1,59,000 between 1835 and 1842. And in Cochin 32,368 out of the total population of 2,23,033 were agricultural slaves. K Saradamoni. 1980. p. 61. See also P.K Gopalakrishnan. 2000. *Keralathinte Samskarika Charithram* (The Cultural History of Kerala). State Institute of Languages. Thiruvananthapuram. pp. 422-423.

[87]"In the *Jenmom* mode, the full value of the slave is given and the property is entirely transferred to a new master who is in some measure bound by his interest to attend to the welfare of his slave. By *Cānum,* the proprietor receives a loan of money, generally two-thirds of the value of the slaves; he also receives annually a small quantity of rice, to show that his property in the slaves still exists; and he may reassume this property whenever he pleases to repay the money borrowed, for which in the mean while he pays no interest. In *Pāttam* mode, for a certain annual sum, the master gives them to another man; and the borrower commands their labour, and provides them with their maintenance". Francis Buchanan. 1807. *A Journey from Madras through the Countries of Mysore, Canara and Malabar Vol.II*, London. pp.370-371.

mid nineteenth century with ample legal support.[88] There were hereditary and non–hereditary slaves; the former consists of the born–slaves like the Pulayas and the Parayas and the latter consists of people who were ostracized from their respective castes for committing serious offense.[89] Lieutenants Ward and Conner observe; "several thousands of slaves were sold annually and sent out of the country. The masters were free to buy them. They could own no property themselves and could obtain no redress in a court of law".[90] As regards the state of life of the Pulayas, Mateer quotes from the Church Mission Record of 1850:

> "The condition of these unhappy beings is, I think, without a parallel in the whole range of history….They were bought and sold like cattle, and are often worse treated. The owners had formerly power to flog them and enchain them, and in some cases to maim them, and even deprive them of their lives. They are everywhere paid for labour at the lowest possible rate consistent with keeping life…the children of slaves do not belong to the father's master, but are the property of the mother's owner".[91]

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[88] It is recorded that, in the earlier period, the killing of slaves was not considered as a punishable offence.

[89] The custom was that, 'the raja had the power to declare a person of non-hereditary slave caste as slave if he/she had committed any crime which made them liable to lose their social status. If the high castes, excluding Brahmins, were found guilty of caste offences of a serious nature were ostracized and condemned as slaves'. Lawrence Lopez. 1988. *A Social History of Modern Kerala*. Trivandrum. p. 34. Also see, R.N Yesudas. 1975. p. 43.

[90] R.N Yesudas. 1975. p. 35. The slave population, including the sirkar slaves, according to the census of 1836 was 1,64,864 in Travancore. *The Petition of the British Missionaries in Travancore to H.H the Raja, dated 19-03-1847* speaks of: "these people, employed in the most laborious and unhealthy services, that even when hardest wrought, their food is barely adequate to their sustenance- their clothing miserly scanty, their dwellings affording but little shelter from the moisture and cold surrounding them; and that generally no provision is made for their support when their labour is not required or disease or age render them unable to labour-that no medical aid is provided for them when ill- that they can be and are bought and sold as cattle and that in the heartless traffic the husband and wife, the parent and child can be rudely separated and sold in different directions:- that they are often subjected to very cruel treatment from their master, and that owing to their degradation, they are in a great measure deprived of the benefit of the law courts and entirely out off from all access to their prince". K. K Kusuman. 1973. pp. 45,78-80.

[91] Samuel Mateer. 1991. p. 302. In the context of African slavery, Lovejoy elaborates almost similar condition that; "Slavery was one form of exploitation. Its special characteristics included the idea that slaves were property; that they were outsiders who were alien by origin or who had been denied their heritage through judicial or other sanctions; that coercion could be used at will; that their labour power was at the complete disposal of a master; that they did not have the right to their own sexuality and, by extension, to their own reproductive capacities; and that the slave status was inherited unless provision was made to ameliorate that status". Paul E Lovejoy. 1983. *Transformations in Slavery: A History of Slavery in Africa*. Cambridge University Press, Cambridge. p. 1.

The British East India Company prohibited slave trade in Malabar in 1792 and declared it as a punishable offence. The State of Cochin has a much longer history of slave trade compared to the rest of the two states and it took time until 1854 to prevent it legally. In Travancore, the first step was taken only in 1812. Following the suggestion of Dewan Munro, a royal proclamation was issued to prohibit the purchase and sale of non–agrestic slaves.[92] The LMS Missionaries of Travancore submitted a memorandum to King Utram Tirunāl Mārthānda Varma in 1847 demanding urgent measures to prevent slavery. In Travancore, this was the first committed effort taken with the intention to abolish the institution of slavery.[93] The memorandum carried a detailed account of the wretched condition of the slaves in Travancore and it strongly recommended a policy level intervention of the state to abolish slavery.

Despite the fact that the Raja was sympathetic to the cause, he was stopped from taking immediate steps because on the one hand, the income generated from poll tax levied on the slaves was valuable for the Royal administration and on the other hand it was not easy for him to discard the interests of the slave owners.[94] At this juncture, as a result of the efforts taken by the missionaries, the British Resident and the Court of Directors made recurrent interventions to induce the Raja to take necessary measures to abolish the system of slavery.[95] Amidst growing pressures, the government of Travancore finally issued a proclamation in 1853 to liberate the children of the sirkar slaves from the responsibility of servile labour as of the date of its announcement.[96] The proclamation was pretty clear on the point that 'even though the servile right is being removed herewith, the hitherto pursued customs and purity–pollution rules must

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[92] *The History of Freedom Movement in Kerala Vol.I.* 2000. p. 77.

[93] K. K Kusuman. 1973. p. 44.

[94] Ibid. pp. 48, 55. Saradamoni also subscribes the view that "[t]here was an economic reason behind social oppression of the low castes. For, as there was no organized system to raise state revenue, levying poll tax on the poor people was an easy way to raise funds". See K Saradamoni. 1980. p. 34.

[95] To avoid delay, the Resident General Cullen submitted a memorandum to the Dewan Krishna Rao on 12 March 1849, by giving reference to the Act passed by the Government of India in 1843 which legally abolishes slavery and insisted the government to take urgent steps to liberate the slaves owned by the government as an immediate step. However, no reply was followed and no action was taken on this regards. Subsequently, on 22 May 1850, the Court of Directors via Resident informed the King of Travancore that the British government in Madras was deeply interested in the issue and demanded action. See K. K Kusuman. 1973. pp. 48-50.

[96] *Letter from the Dewan of Travancore to the Resident, dated 17-08-1854, The Proclamation of 1853, (Appendix VI), (Malayalam).* Ibid. p. 164.

be observed in accordance with the rules of caste'.[97] Taking into account of this particular clause, Jeffry argues that the measure was hardly radical since "the liberty conferred is inadequate to authorize the infringement of the standing religious usages and customs of different classes of Maharaja's subjects".[98] Kusuman also firmly states that, the condition of the slaves remained unaltered in the absence of needful economic supports from the government to provide them with necessary financial security.[99]

The proclamation of 1853 primarily aimed at liberating the children of the government slaves when number of non–government slave population was much larger than the sircar slaves.[100] The fact was that, though slavery was formally abolished by law, the relieved were asked to observe the customary duties as they were doing before. In addition, over the years it is reasonable to believe that they certainly have habituated the norms of servitude. As Kusuman argues; "it was practically difficult for them to embrace sudden changes in life since they were accustomed only to servitude and submission for centuries".[101] Above all, the slaves, mostly illiterate, remained ignorant of the law which exempted them from being slaves.[102] Taking notice of it, the British Resident pressurized the King of Travancore to reissue the proclamation.[103] As a result, on 24 June 1855 a new proclamation was announced, but this time with special instructions for giving publicity to it. However, though slavery as an institution was legally abolished, since the slave population was still prevented from gaining land and education, in actual practice, slave remained as the labour force as they were before.

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[97] *The Proclamation of 1853*, *(Appendix VI), (Malayalam)*. Ibid. p. 164.
[98] Robin Jeffrey. 1976. p. 48.
[99] K. K Kusuman. 1973. p. 56. *The Proclamation of 1853*, *(Appendix VI), (Malayalam)* Ibid. pp. 164-166. As Robin Jeffrey explains; "[S]ince sirkar slaves were thought to number only 6,000 (in fact…there were 15,000) of the 130,000 slaves in the state the measure was hardly radical". Robin Jeffrey. 1976. p. 48.

[101] K. K Kusuman. 1973. p. 56.
[102] Ibid. 57, Samuel Mateer. 1991. p. 309.
[103] *Letter from the Resident to the Dewan of Travancore: 13. 3. 1855, (Appendix XXVI)*, K. K Kusuman. 1973. pp. 109-110.

Apart from slavery, a system of forced and unpaid labour namely *Uzhiyam* and *Viruthy* services were also existed in Travancore. The Ezhavas and Nadars were obliged to render those services. *Uzhiyam* labour refers to 'forced manual labour and supply of vegetables and provisions to the palace and to the *uttupuras*' (free feeding houses for Brahmins).[104] Similarly, *Viruthy* or feudal service demands manual service and supply of provisions to the government, temples and the *uttupuras* in lieu of lands.[105] As elucidated earlier, quite ironically, it was people from the same caste (who occupy the status label like *thandāns*, *nādars* (among Ezhavas)) who carried out the duty to recruit and to supervise the labourers who were forced to render the *Uzhiyam* service.[106] Before 1815, the Christians were also obliged to offer these obligations. In 1815, as instructed by Dewan Munro, Travancore government legally exempted the Christians from all duties connected with Hindu temples, *uttupuras* and the government.[107] The Ezhavas and the Nadars had to bestow their unpaid service until 1865 to get exempted from such duties.[108] Until the year 1894, the *viruthy* holders continued to render their duty such as supply of provisions to temples and *uttupuras*.

**Modernization of the State: Travancore after 1860**

Thanks to state interventions, in the second half of the nineteenth century, certain areas that had hitherto been monopolized by the privileged class became liberated and freed from those clutches. From the second half of the nineteenth century onwards, the status–quo began to change as the government of Travancore began to initiate modernization and liberalization processes. During the reign of Dewan Madhava Rao(1857 – 1872), remarkable measures were implemented with the intention to reform the fields of education, land relations, trade and commerce, public administration, external affairs etc. The impacts of those developments seem to have

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[104] Suresh Kumar. 1994. p. 14, R.N Yesudas. 1977. p. 42.
[105] *The History of Freedom Movement in Kerala Vol.I.* 2000. pp. 80-81.
[106] The *Pulayas* also were organized internally by similar fashion and accordingly, they had to obey the dictates of their caste chieftain called *vallon*. P. K Balakrishnan. 2003. pp. 369, 363, P. Bhaskaranunni. 1988. pp. 363-364.
[107] Suresh Kumar. 1994. p. 46, R.N Yesudas. 1977. p. 53.
[108] S. Raimon. (ed). 2005. p. 47, *The History of Freedom Movement in Kerala Vol.I.* 2000. p.81.

helped for the reorganization of the public and social spaces in Travancore later on. For, a new context amiable for the articulation of a new set of rights has gradually emerged thereafter.

To enhance the field of education, English and vernacular medium schools, offering free education, were established by the government.[109] Though the measures could not trickle down to the lowest level of the society at once, it resulted in the creation of a new domain in the public that in principle was open to all the subjects irrespective of their caste, gender, religion and the like. Subsequent to these measures, adequate educational qualification was made mandatory for applying and holding higher level administrative posts in Travancore government service. Madava Rao declared in a speech in 1866 that "so far as the sirkar is concerned, all important posts under it would be filled by educated men, and by educated men alone, as soon as they became available".[110] As a result, education turns out to be a motivational force as well as a potential means to uplift the social condition of the hitherto unprivileged. It was a decisive pronouncement because up to that time one's position in the order of caste hierarchy was the sole criterion determining the eligibility to hold public offices.

The government took another initiative to reform the existing mode of lands relations. In this regard, the government issued a 'pāttam proclamation' in 1865, "declaring all Sircar Pāttam lands to be private property, heritable and saleable".[111] The government thus relinquished the status of being a *jenmi* and "gave ownership rights to tenants on

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[109] By 1866 a new department of education under the supervision of a 'Director of Vernacular Education', with the assistance of two inspectors, was inaugurated. As part of state's extension of the administration of justice, the new system intended to promote female education and offered special provisions for other deprived sections of the society. A sum of Rs. 20,000 was sanctioned for that purpose as well. T. K Velupillai. 1996 [1940a]. pp. 605-606. The first government vernacular school under Madhava Rao's plan was opened in Trivandrum in August 1866. By the end of 1867, 13 were in operation, and the Normal School in Trivandrum had produced 36 masters. By 1869, there were 49 schools, all using the same books and teaching the same syllabus. Pupil numbered 3,500, about 48% Nairs and 25% non-Malayali Brahmins, with a sprinkling of Tamil Sudras, other Hindus and only a few Christians and Muslims. In summary, during the year 1865-66, the total number of the Sirkar aided vernacular schools was 12 and the students numbered 855 but in 1871-72, the number of schools raised to 216 and the students to 8, 452. By the year 1905 the number of schools increased up to 1, 483 with the strength of 99, 757 students. Robin Jeffrey. 1976. p. 80.
[110] Robin Jeffrey. 1976. p. 76.
[111] T. K Velupillai. 1996 [1940]. p. 602.

200,000 acres of sircar p̄ttam land".[112] After couple of years, the government issued the 'Jenmi Kudiyan Proclamation' to formalise the landlord– tenant relation.[113] The new policy affirmed the rights of the tenants and rescued them from the occupied land so long as they pay "the stipulated rents and other customary duties".[114] The new policy indisputably established the ownership right of the occupants of government land on the one hand and empowered the non–sircar tenants with perpetual rights against the threat of eviction by their Jenmies on the other.[115] The major result the proclamation produced was that it transformed the existing land–labour relation into a new form of productive relationship. The fixity of tenure provided the tenants with legal support and confidence. The remarkable outcome of this new condition was that it gradually gave rise to a new class of land owners in Travancore.[116]

The government also took measures to liberalise the arena of trade and commerce which were controlled by the government until 1860. With the abolition of the monopoly system, the state withdrew from claiming supreme rights over produces like pepper, tobacco and also other trades.[117] The market hitherto was not open to the cultivators. Pepper was collected only in government stores for a fixed price and the state directly controlled the business single handedly. After trade liberalization, the production of pepper increased considerably and unlike earlier the growers shared the fruits of profit with the state. Intending to make transportation of goods easier and commercial activities more efficient, a 'Public Work Department' was duly established.[118] Jeffrey explains: "by 1872, the PWD had changed the physical appearance of Travancore and some of its cultural and social characteristics".[119] To

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[112] Robin Jeffrey. 1976. p. 152.

[113] "Kudiyan means a person who holds lands on kanapattom tenure. Kanapattom means a demise of Jenmom land made or renewed buy the Jenmi by whatever name such demise is designated". K. S Pandali. 1912. p. 7.

[114] T. K Velupillai. 1996 [1940]. p. 603. Also see Raimon, S. (ed). 2005. pp. 327–329, M. A Oommen. 1972. p. 18.

[115] T. C Varghese. 1970. p. 219.

[116] *The History of Freedom Movement in Kerala Vol.I.* 2000. p. 84.

[117] Robin Jeffrey. 1976. pp. 81-82, T. K Velupillai. 1996 [1940]. p.593.

[118] T. K Velupillai. 1996 [1940]. p. 590. The absence of roads in Travancore was sorted out through the road-building programme of the Public Work Department. In 1866 the PWD had opened 195 miles of road. By 1869 the figure raised to 266 miles. Robin Jeffrey. 1976. pp. 93, 95.

[119] Robin Jeffrey. 1976. p. 101.

establish free trade, the government also entered into treaties with the Madras and Cochin Governments.[120] During the same period, on matters of trade, Travancore entered into dispute with the colonial government. As happened before, it eventually triggered a political battle between the paramount and the sovereign powers.[121] Travancore initiated systematic measures to territorialise the country through proper accounting of land holdings and with the proceduralization of revenue administration.[122] In 26th November 1874, by a proclamation, the raja of Travancore initiated to take census of his people with the help of 12,000 employs including enumerators and officers.[123] Immediately after the appointment of the new Dewan Nanoo Pillai[124] in 1877, a systematic survey of land and arrangement of records were initiated. To maintain undisputed territorial sovereignty, the state laid down its boundary with British Districts and the state of Cochin.[125] A system of *pattyam* was introduced subsequently to legalise land holdings in the name of the present owner of the land. In addition, transactions of landed property were brought under strict procedure of registration.[126] Through measures of systematization and proceduralization, Travancore evolved as a modern administrative state.

In accordance with the principle of separation of powers, the legislative and executive power of the government was bifurcated and a Legislative Council for the state was

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[120] T. K Velupillai. 1996 [1940]. pp. 595-598.

[121] It was evident that after 1860s the trade and related issues became one of the central concerns of financially troubled Travancore state. Simultaneously the British paramountcy became more insisting and authoritative, especially on matters of trade. For instance, even after the implementation of the Act of 1848 by the British Indian Legislature which freed the coast trade of British India form the payment of duty, Travancore had to pay export and import duties at the British ports since it was considered as a foreign territory. Since trade affairs became the centre of their interest, they began to interfere in the policy matters of Travancore. Although the British had to face strong resistance from Travancore government, by 1883, through an agreement of 'Interportal Convention' - insisting on free import of goods which paid duty in a British Indian port - the British government effectively regulated the trade affairs of the 'protected state' by asserting its supreme interest. Ibid. pp. 595-598.

[122] The revenue administration in Travancore was in trouble since a number of tenurial categories were in practice. Therefore, a proper survey and settlement of land and tenure-holdings was a critical measure to be taken. T. C Varghese. 1970. p. 38.

[123] S. Raimon (ed). 2005. pp. 334-335.

[124] The Travancore State Manuel says that "now for the first time after the British Residents began their programme of interference in the internal administration of Travancore, the Ruler prepared to make up his mind to appoint one of his own subjects as Dewan". T. K Velupillai. 1996 [1940]. p. 628.

[125] "The disputes at Kumili on the Madura frontier were settled in favour of Travancore. Attempts were made to arrange a basis of settlement of disputes between Travancore and Cochin". Ibid. p. 630.

[126] Ibid. p. 632.

thus established in 1888. The legislative body held power to legislate over those matters which were not in conflict with the interest of the British government. The Council had to be presided over by the Dewan, and to be composed of not less than 5 or not more than 8 members, from among two were to be non–officials, nominated by the Raja for a turn of three years.[127] Apart from the Council, in 1904, another representative institution named 'Sri Moolam Popular Assembly'; a deliberative body consisting of elected and nominated members from the society, was also established.[128] This new development resulted in an apparent bifurcation of administrative and political power, between the Dewan and the king respectively, within the state. Even though the power to take decisions on financial matters was still vested on the King, to a large extent, the procedure of law–making and policy setting became more deliberative and came under the authority of the Dewan.

The implications of the reform measures were well reflected in the socio–economic life of the native population. For instance, in between the years 1870–1890 the demand for coconut and its related products had increased in the international market and due to the trade liberalisation policy Travancore achieved considerable gain during this period. Since the state was much competent in the local production of coconut, taking advantage of the situation, it could largely export coconut and coir products to Europe and America.[129] At the same time, as the local production of rice proved insufficient to reach the consumption level of its people, the state had to

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[127] "No measures affecting the public revenue of the State was to be introduced without the previous sanction of the Dewan. Every Bill, after its passing by t he council, was to be submitted to His Highness for approval and become law when the Sign Manuel was affixed to the same. The power of the sovereign to withhold assent or to reserve the same for further consideration was specifically declared". Ulloor S. Parameswara Aiyer. 1998. *Progress of Travancore under H.H Sree Moolam Thirunal*. Department of Cultural Publications. Govternment. of Kerala. Thiruvananthapuram. p. 155. Also see N. Jose Chander. 1981. *The Legislative Process in Kerala*. The Kerala Academy of Political Science. Kariavattom. p. 1.

[128] Ulloor S. Parameswara Aiyer. 1998. pp. 172-174.

[129] "The cultivation of the coconut extends over the whole state…the annual value of the products of this palm exported- nuts, dried kernel or copra, oil, and fibre- amounts to 46 lacs of rupees, besides oil, nuts, timber and leaves for home use". Samuel Mateer. 1991. pp. 219-220. "Between 1870 and 1890, the value of export of coconut products from Travancore more than doubled". Robin Jeffrey. 1976. p. 139. As the Travancore administrative report indicates, this trade, by 1891, amounted to about 60 lakh of rupees. Ibid.

import rice in large amount from outside during the same period.[130] These above mentioned trends happened to be an index of increase in the material development of native subjects. As Mateer explains: "the produced rice was insufficient for home consumption not only because of diminished production but also was a result of general improvement of the circumstances of the lower castes, who can now afford to eat more rice in place of, or in addition to, fruits and vegetables, coarse roots and inferior grains".[131]

The Ezhavas, whose traditional occupation was related to coconut and palm trees, took more advantage of the situation. They succeeded in gaining more revenue from their traditional occupations when export of coconut and coir products signaled growth.[132] As Jeffry mentions, Ezhavas' traditional occupation fortuitously turned out to be a reason for economic asset.[133] Taking advantage of the government concession for acquisition of land, during 1870–1890, the Syrian Christians accumulated acres of private property through wasteland acquirement. With the help of this property, they entered into trade and plantation business.[134] In north Travancore, it is reported that the Syrian Christians were the dominant group controlling the commercial agriculture

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[130] "At the beginning of the century, Travancore exported large quantities of paddy and rice (in 1843 no less than 281.000 candies of 654 ibs. each) and imported but a small quantity, the case is now totally reversed-exports being only about Rs . 70,000 to 80,000 in value, and imports (duty free) having risen from 4.5 lacs of rupees seven years ago to 9.3/4 lacs in 1881". Samuel Mateer. 1991. p. 218.

[131] Ibid. p. 218.

[132] "Merchants from Europe, America and other parts of India, handled the exporting in Aleppey and Cochin, while Nair, Syrian or Namboodiri landholders generally owned the trees. Yet the trade could not be conducted without Iravas. Their expertise was essential; in caring for the coconut palm, they enjoyed what might be called a closed shop. The production of coir was an unpleasant, semi-skilled, labour-intensive task". Robin Jeffrey. 1976. p. 139. "This field was practically a monopoly of the Ezhavas. As Travancore Administrative Report 1870-71 to 1891-92 shows that in 1871 the export revenue from coir products was Rs. 9.27 lakhs. It went up to Rs. 26.22 lakhs during 1891. The revenue from copra also showed an increase from Rs. 21.06 lakhs during 1871 to Rs. 42.37 lakhs in 1891". P.S Velayudhan. 1978. *S.N.D.P Yoga Charithram* (History of the S.N.D.P Yogam). Genuine Printers & Publishers. Ernakulam. p. 16. (Independent Translation)

[133] Jeffry points out that by the turn of 19th century a few Ezhavas owned coir factories. Robin Jeffrey. 1976. p. 141.

[134] Ganesh suggests that the monopoly system of Travancore and the British domination in trade together decayed free commerce in Travancore. Those who were indulged in trade and commerce refrained from those avocations and shifted to agriculture. Thus, a new rich farming community emerged in Travancore. It was the Syrian Christians who constituted the majority among this class. They gained extended government support as well. In twentieth century, the Syrians also entered into the plantation sector. K.N Ganesh. 1997. p. 165.

in plantations that required high capital investment.[135] The growth of plantations during 1870s offered new avenues for jobs out of the traditional social structure. The concerted Christians (mainly the 'lower' caste converts) constituted the major labour force in the plantation sector. As an offshoot of these developments, a new class of wage labourers began to emerge in Travancore.[136] Nevertheless, the non–converted 'lower' castes (the erstwhile agrestic slave population) could not benefit from this change. Moreover, the plantation jobs were not so adequate to transform the 'lower' castes into the wage labour category. As Mohan argues; "even after the transformation of the agrarian sector into a new capitalist mode, concerning the relations of production, the traditional social relations remained unaltered".[137] Jeffry also indicates that it was true that the Ezhavas, Muslims and a few other 'lower' castes could achieve some benefits from the emergent opportunities, those achievements were not sufficient enough to offer them opulence and up–gradation in social status.[138]

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[135] T.M Thomas Isaac, P.K Michael Tharakan. 1995. *An Introduction in to the Historical Roots of Industrial Backwardness of Kerala- A Study of Travancore Region*. C.D.S Working Paper No. 215. p. 9.

[136] "In 1877 in southern Travancore there were 8 plantations owned by (ex-)missionaries, with an acreage of 863 covering 4.1 percent of total coffee area and an average acreage of 107 per holding". It was a fine occasion for the converted low castes to escape from the restrictions imposed upon them because of their backward or depressed caste origins. Such a status could be eliminated in the process of upward social mobility made possible by participation in coffee cultivation. This was similar to the experience of Basel Mission converts in the north of Kerala who were able to submerge their pre-Christian caste identifications by becoming part of a missionary-run industrial labour force. For people from the lower echelons of a rigid caste-system, religious conversion makes sense only if it is accompanied by access to independent living and employment. Michael Tharakan. 1998 (November). *Coffee, Tea or Pepper? Factors Affecting Choice of Crops by Agro-Entrepreneurs in Nineteenth Century South-West India*. Working Paper. Centre for Development Studies. Thiruvananthapuram. p. 12. See also Jaiprakash Raghaviah. 1990. *Basel Mission Industries in Malabar and South Canara: 1834-1914, A Study of its Social and Economic Impact*. Gian Pub.House. New Delhi.

[137] Sanal Mohan categorically declines certain assumptions pertaining to the conversion process of the slaves into capitalist work forces. According to him, there are not enough evidences to prove that it was the liberated slaves who constituted the labour force for plantations in the south. It is difficult to establish that the traditional slave castes had been converted into wage labourers in capitalist economy. The nature of social change does not attests this because even in the second half of the twentieth century instances of such a migration is not evident among the traditional slave communities. Sanal Mohan. 2002. "Jaatium Muladhanaroopeekaranavum" (Caste and Capital Formation) in Rev. Y.T Vinayaraj (Ed.). 2002. *Daivasasthra Grandhavali-106, Dalit Darsana: Charithram, Daivasasthram, Rashtreeyam* (Dalit Vision: History, Theology, Politics). Daivasasthra Sahithya Samiti. Thiruvalla. p. 161. (Independent translation)

[138] On the other hand, Jeffry explicates that, "Travancore even by 1981 was far from being a society in which money was the only resource worth having; it did not necessarily bring status and power". Robin Jeffrey. 1976. p. 103.

The reforms in fact made widespread impact in Travancore. However, the question is who benefited the most out of those affairs? When educational qualification was made mandatory for attaining jobs in the sirkar bureaucracy, in the initial years, its benefit went only to those who already had access to schools. According to official records, it was the Brahmins, Nairs and the Syrian Christians who obtained these advantages. And among them, all the best paid administrative posts were set aside for the Brahmins only.[139] According to Jeffry, "the government policies in education, employment and civil rights in effect primarily strengthened the high castes".[140] And he went on to argue that, "by such measures Travancore 'improved' without altering the basic relationships between various groups. Everyone would rise a little; but the people on the top would remain there".[141]

**Conclusion**

It is found to be true that the British had a strategically dominant position in Travancore though they had to deal with a recalcitrant sovereign state which was reluctant to receive rulings and directions from the above. More often than not, the political power in the nineteenth century Travancore became a matter of dispute as there were fights between the native sovereign and the office of the Resident; both claiming one's own superiority. The colonial interests prevailed over the whims of the native state in the affairs of trade and commerce whereas the state exercised autonomy in matters of internal administration, especially that which is affecting the customs of the land. On matters concerning the 'law of the land' both the colonial and the native authorities followed a policy of noninterference. Hence, the material and symbolic order of caste system and the structure of social power remained almost unaffected. The land relations and modes of labour rooted in the caste/feudal schemes

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[139] The Unemployment Enquiry Committee in 1928 observed that, "In view of their past traditions and recent history, it is not a matter of surprise that middle class families among Tamil Brahmins, Nairs and latterly among Syrian Christians almost automatically sent their children to school or college with a view to qualify them for government services even as a petty official". Suresh Kumar. 1994. p. 58. After the period of Colonel Munro, the native Syrian Christians were also excluded from the Revenue and Magisterial departments of public service, which are the best paid and most honorable. Samuel Mateer. 1991. p. 345.

[140] Robin Jeffrey. 1976. p. 102, 88.

[141] Ibid.

of rights and duties also remained same even after reforms guaranteeing rights of tenants over the cultivating land. The state initiated process of modernization and trade liberalisation helped to elevate the standard of life of native population as it could produce new jobs and avenues in trade and plantation industry. However the condition was such that the already privileged sections could capitalize the situation and gained more when the social margins get marginal benefits. The creation of legislative bodies and rationalization of administrative and legislative procedures opened up new conditions of possibilities favoring democratic legislation and responsible government. Moreover, the emergence of public domain under the rubric of the government facilitated new discourse of rights in Travancore in the second half of the nineteenth century.

**Chapter Three**

**Interrogating the Social: Articulation of Rights and the Formation of Public Domain in Travancore, circa 1805 - 1916**

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In Malayalam, the term *avakāsam* refers commonly to that which is rightfully owing to someone. In due course of time the concept *avakāsam* has undergone transformations. And the various instances of conceptual change would reflect the socio-political and cultural changes of that time. In the nineteenth century Travancore, the meaning attributed to the word *avakāsam* was determined by the social milieu which was governed predominantly by caste and local customs. This chapter attempts to discuss how different conceptions of *avakāsam* coexisted in contradictory terms on the one hand and how they were articulated in categorically different ways through languages of customs and law on the other. Such enquiries are offered with a very precise intention to elucidate the historical formation of the category of 'public' and 'public domain'. Furthermore, this chapter focuses on how all that was named after 'the public' turned into the subject matter of reformative endeavors in the nineteenth and early twentieth century Travancore. Having conceptualized the notion of public, the chapter tries to examine the emergent forms of public association as well as the new logic of exclusion/inclusion that comes into practice concurrently with the formation of the public domain. And, by reading the texts of the Ezhava Memorial, it explores the transformative phase of 'lower' caste subjectivity at the end of the nineteenth century.

**Customary Rights**

The idea of *avakāsam* as a common expression appears quite often in interactions among the Malayalees in their quotidian life. It is often pronounced as rightful claims over what one is entitled to attain or at liberty to do. The specific expressions of rights, analyzed in this chapter, were sanctioned either by local customs (the law of the land) or by the legal-juridical systems. The existing social relations of power seemed to have made considerable impact on subjects' expression of rights in

Travancore. Caste, birth and customs where the standards according to which the distribution of *avakāsam* was made among people in the society. It was a unique system in which the rights of a person and the occupation that she/he was destined to follow were tightly related to each other. Everyone possessed rights based on one's own caste status. Those rights were markers of duties and privileges one carries in the society. People of each caste were obliged to follow the occupations traditionally handed over to them via lineage. *Jenmom* (birth) was the major source of such occupational rights. For instance, as regards the Ezhavas, Menon explicates: "two of their specific privileges; the "fetter right" (*thalappavakāsam* i. e. the foot rope for mounting coconut trees) and the "ladder right" (for reaping pepper) indicate the occupation the Ezhavas pursued".[1] As Ganesh also explains, "*Jenmom* refers to those rights that are given by birth".[2] Accordingly, the Brahmins and the *jenmies* possessed birthrights over the landed property. The tenant who cultivate in the *Jenmom* land which were owned by the Brahmin or the Nair *jenmi* possessed only temporary rights over the land and the crops they produce. The share of the yields, that the tenants were supposed to submit to the landlord, was also considered as a form of customary right enjoyed by the *jenmies*. *Jenmom* rights, in that context, were in fact "rights fixed on a share of the crops produced from the land".[3]

The customary rights were known as *nāttavakāsamgal* (rights maintained in the local setting). And the customary rights were maintained in the form of *nāttunadappu* (locally followed conventions). For instance, during festivals and special occasions peasants habitually observed their obligation —as a form of *avakāsam* — by offering produces like fruits and vegetables to the landlord and in return, they received gifts according to *nāttunadappu*.[4] The established social relations of power are thus

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[1] K.P Padmanabha Menon. 1984. *History of Kerala: A History of Kerala Written in the Form of Notes on Visscher's Letters from Malabar, Volume 3*. T. K Krishna Memon (Ed.) Asian Educational Services. p. 428.

[2] K.N Ganesh. 1997. *Keralathinte Innalekal*, Department of Cultural Publication, Government of Kerala. pp. 134-135. See also C. Achyuta Menon. 1911. *The Cochin State Manuel*. The Cochin Government Press. Ernakulam. pp. 368-369.

[3] K. N Ganesh. 1997. p. 134.

[4] In the context of Maratha country, Guha explicates the details of similar practices. He explains: "*Watans* (the term was usually applied to an exclusive hereditary claim to render service and receive emoluments) could exist in highly incorporeal form: the hereditary astrologer-priest of a village had the right to inform its residents of the auspicious moment (*muhurta*) for weddings, and claim fees (*hak*, meaning right) for the service". Sumit Guha. 2000. "Wrongs and Rights in the Maratha Country: Antiquity, Custom and Power in Eighteenth-century India" in Anderson, Michael R, Sumit Guha.

reproduced through this process of exchange of customary *avakāsam* between the landlord and the peasant. As far as the 'lower' caste peasants were concerned, in practice, rights and duties were unfathomably linked together. Or to put it differently, in the name of local customs, obligations were deftly preserved in the form of privileges or rights. One has to offer the prescribed duties in accordance with the disposition of her/his caste and hereditary labour. The 'caste-labour-right-duty' relationship was a defining trait of customary social relation prevailed in the early nineteenth century Travancore.

The specific dispositions of customary rights are apparently manifested in the early nineteenth century discourse of rights concerning the buying and selling of slaves. Both the slaves and their owners possessed *avakāsam*. Unlike modern legal rights, the 'servile rights' (*adima avakāsam*) were liable to be exchanged or handed over. However, the slaves hardly possessed discretion over the rights they had. They enjoyed right to servile labour which, in practical terms, was nothing other than unquestionable submission to duty. As Menon notices, "of rights and privileges in their true sense, they had practically none. Indeed, they were not allowed to perish, i.e., to die of starvation — so long at least as they are able to work for their masters — and there their so-called rights and privileges ended".[5] When a slave being sold, her/his right to be a slave is being transferred to the owner who then onwards will be free to make use of the right (to servile labour) of the slave. As Jose rightly points out, "what is being sold here is nothing but the rights of the slave".[6] Under the customary law, the condition of the slaves was not different in Malabar region as well. In his account on East India Slavery, Saintsbury describes:

> "[B]y the Hindoo laws, Pooliars, Porrears, Parmues, and others, are born slaves, the property of a superior, who is authorised by the laws of Malabar to dispose of his right in favour of another person, so that the sale of them is as common as that of a bond: the Pooliar, born in a state of bondage, must remain so, as well as his property; for I never heard of any example of manumission: neither do I believe that, agreeable to the Hindu system, it is in the power of those to whom

2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press, New Delhi. pp. 18-19.

[5] K.P Padmanabha Menon. 1983. *History of Kerala: A History of Kerala Written in the Form of Notes on Visscher's Letters from Malabar, Volume 2*. T. K Krishna Memon (Ed.) Asian Educational Services. p. 275.

[6] N. K Jose. 1982. *Pulaya Lahala* (Pulaya Riot). Prakasam Publications. Kottayam. p. 28.

they belong in any way to alter their relative station in society"..."By the laws and custom of the country (Malabar, where the number of slaves is 100, 000), it is as impracticable to reduce a free-born subject to a state of bondage, as *it is contrary to them to emancipate a slave* ; and, '*once a slave, always a slave,*' may be considered a motto to be prefixed to the subject of Slavery in Malabar, according to the ideas of the natives".[7]

As historians have already pointed out, though they were different political units, in terms of customs and usages, the Travancore, Cochin and Malabar regions had shown remarkable similarities. In Travancore, with the announcement of the proclamation of 1853, in principle, the slaves were granted freedom to decide whether or not they should continue serving their landlords (or the former owners). With the abolition of slavery, the slaves were legally liberated from the system of bondage. In a letter addressing the British Resident Gen. Cullen, the Dewan of Travancore wrote: "[w]hen the possession of Sirkar Slaves are released from the obligation of paying the customary tax, they no longer have a right to servile labour and the slaves are virtually free".[8] C. Kesavan[9] offers an illuminating reference in his autobiography titled *Jeevithasamaram* regarding the prohibition of exercise of servile rights which also heralds the moment of commencement of modern civil rights. With reference to the Proclamation of 1853, he explains that, "[t]he slaves had to wait until the proclamations issued in [ME] 1029 and 1030 [1853 – 1854] to get their children exempted from exercising their *servile rights* and also to avail the *right* to acquire private property".[10] In this statement, Kesavan ingeniously speaks of *avakāsam*/right both in terms of its traditional and, so to speak, modern sense of the term. The first usage of right here speaks of the removal of the right to servile labour of the children of the sirkar slaves and the second expression refers to the commencement of a new era in which they are free to exercise legal rights granting freedom to possess private property same as others. For, until then the local customs prohibited the slaves from

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[7] George Saintsbury. 1972 [1829]. *East India Slavery*. Irish University Press. Shannon Ireland. pp. 10-11. (Emphasis as in the original).

[8] K. K Kusuman. 1973. *Slavery in Travancore*. Kerala Historical Society. Trivandrum. p. 105.

[9] C. Kesavan was social reformer and a political leader from the Ezhava community. He became the chief minister of the Thiru-Kochi state (combing the two princely states, Travancore and Cochin) which came into existence in 1949.

[10] C. Kesavan. 2007. *Jeevithasamaram* (Autobiography). D.C Books, Kottayam. p. 99. (Independent translation) (Emphasis added)

holding private property.[11] Kesavan's statement refers to an instance of change in the dominant discourse of rights. When discourse of rights shifts form customs to law, the concept of *avakāsam* also undergoes change. In this case, the paradox was such that with the abolition of servile rights, the existing social relations (between the slaves and their masters) did not change correspondingly. Nevertheless, the change happened in the dominant tradition of discourse brought about some serious crisis in the status quo.

The Proclamation of 1853 clearly speaks of the removal of servile rights of the *pandaravaka* slaves. However, it also stated very clearly that "[f]rom the very date of commencement of this proclamation, the servile right [*adima avakāsam*] of the children of the *pandaravaka* slaves will be removed… [T]hough their servile rights are taken out, they must be aware that they are still subjected to observe the customs and pollution rules as prescribed by the usages of caste".[12]  By the act of prohibition of the practice of slavery, the princely edict granted freedom to the slave population. What was so crucial in the act was that the slaves who were liberated from the traditional bondage were not given further opportunity to claim the legal rights. As the proclamation clearly mentions, they were still to be found under the rubric of customs which deprive them of certain basic rights such as right to education, private property etc. As evidences suggest, even after the abolition of slavery the system remained more or less the same as before. The following passage from the *Travancore Diocesan Gazette (Apl. 1882)*, cited in Mateer, may help to substantiate it.

> "[I]t is here that the practice of buying and selling the *right of the servitude* still prevails. But it is clandestinely carried on; and the buyer and seller are well aware that the right parted with, or acquired, cannot be enforced by law. Legally the transaction is quite invalid… [T]he fetters have been broken, but the

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[11] "It is hardly heard that any slave has been possessed of property, from which he could derive his means of subsistence; whatever little property they may be possessed of is the right of their master, for whom they must, under all circumstances, work". "I cannot discover, though I was very particular in many enquiries on the point, that they have any rights or privileges; and they are not possessed of any property, neither can they inherit any". "The right of sale was, and is still, the master's exclusive privilege, either with or without the land: the price varies, and is settled amongst the purchasers and sellers". George Saintsbury. 1972 [1829]. pp. 12-13.

[12] *The Royal Proclamation of 1853* (in Malayalam) in K. K Kusuman. 1973. p. 164. (Independent translation)

emancipated labourer, from attachment, habit, or helplessness, chooses to continue where he was".[13]

As Kusuman also emphasises, "the edict of 1853 was inadequate to change the established social relation of power and in contrast, it insisted on safeguarding the standing social customs and usages like the decree of purity-pollution intact".[14] The proclamation on the one hand removed the customary servile rights of the slaves and thus legally liberated them from doing servile labour, and on the other hand the edict kept them under the strict rules of customs and thus prevented them from getting advantage of the legal rights enjoyed habitually by the 'higher' castes.

The local customs in Travancore suffered from deficiency of a normative principle, i.e., equality. As Kant rightly pointed out, the 'sense of equality' and 'moral recognition' are to be considered as the very essence of 'humanity in one's person'.[15] It stands for the "right to be treated by others in accordance with certain standards of human dignity and worthiness".[16] And he emphasizes that this right imposes a reciprocal obligation on us when entering into the civil society.[17] This moral deficiency of the system had posed serious threats especially when the 'lower' castes began to claim their legal rights. To remove the social stigma of caste and also to get exempted from the customary rules of distance-pollution, slaves in large numbers converted into Christianity and Islam. Rev. Richard Collins gives us an account of an amusing conversation between two slave converts and a Brahmin.

> "[T]he slave converts were walking along the highway when the Brahmin meeting them, stopped at some distance and cried out in an authoritative manner the usual 'Po', 'Po', 'Po', "Go Away", "Go Away". But the men were not willing to go and marched onwards with a rather determined and careless air. The Brahmin raised his 'Po', 'Po' with a still higher and angry tone. 'But' said the slaves 'we are not going to go; we have as much right *now* to the road as you; we are Christians'. 'Ho, ho'! exclaimed the Brahmin, softening his voice a little, 'but it has not quite come to that yet, that I shall have to get out of the way

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[13] Samuel Mateer. 1991 [1883]. *Native Life in Travancore*. Asian Educational Services. New Delhi. Madras. p. 310. (Emphasis added)

[14] K. K Kusuman. 1973. p. 164.

[15] Oliver Sensen. 2011. *Kant on Human dignity*. Walter de Gruyter GmbH & Co. KG. Berlin/Boston. 129.

[16] Seyla Benhabib. 2004. *The Rights of Others: Aliens, Residents, and Citizens*. Cambridge University Press. Cambridge. p. 58.

[17] Ibid.

for you, times are changing it is true and perhaps before long we shall be obliged to yield to another state of things; but for the present while the custom lasts, you had better move out of the way'. The slaves laughed, but did not move out of the way, and the Brahmin was obliged to go into the hedge himself, while they passed, though quite respectfully by on the other side".[18]

Both the *now* of the slaves and the *present* of the Brahmin refer to a sense of historical time that departs from tradition. Nevertheless, quite interestingly, though the Brahmin and the slaves are located adjacent to each other, the Brahmin's sense of 'present time' radically differs from the 'now-time' of the slaves. This aspect is crucial because according to the *dharmasāstras* followed by the Brahmins; "pollution-distance is to be calculated by means of the *Yuga* measure. A *Yuga* is equal to six feet only until we reach the *Chandalas*".[19] Hence it is not the actual distance or the shared space between the Brahmin and the slaves that determines the degree of pollution but it is calculated in terms of a conception of time which superimposes another form of measure, nullifying the actual historical time. In other words, the slaves who were supposed to keep six feet distance is not actually six feet away from the Brahmin but they are six *yugas* afar from him. The incident quoted above would suggest that there was a palpable contradiction in between the civil rights of the slave castes and the customary rights of the 'higher' castes at a historical time when traditional scheme of relations began to change. It shows the lack of uniformity in the conception of time shared by people from different social echelons (in the phase of modernity) when epoch changes. The existing conceptions of rights also reflect the paradox apparent in the conception of time. It is found that two mutually exclusive *avakāsam* co-exist at a time. Hence, so as to claim their legal rights, firstly, the 'lower' castes had to fight for their 'rights to have rights.'

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[18] K.P Padmanabha Menon. 1984. *History of Kerala: A History of Kerala Written in the Form of Notes on Visscher's Letters from Malabar*, *Volume III*. Asian Educational Services. New Delhi. p. 448. (Emphasis added).

[19] This reference is made in the *Report of the Temple Entry Enquiry Committee*. 1932. (Publication details unknown). Travancore. pp. 24–25. The committee quotes from *Markandeyapuranam*, *Yogiārpārayaschitta* of Nilakanta Yogiyar and *Prāyaschitta vimarsini* of Mahishamangalam Namputiri. This reference is made by the 'higher' caste committee members to authenticate the practice of untouchability so that they could logically oppose the demand for temple entry made by the 'lower' castes.

**The Re-formation of 'the Public'**

The changing discourse of rights in Travancore needs to be understood in consideration of some important developments taken place during that time. With the abolition of slavery, the state of Travancore relinquished the custodianship of servile rights — a privilege held by the *jenmies*. In addition, the slaves who were legally liberated from customary bondages constituted a nascent public of common populace. Secondly, due to governmental interventions, in the latter half of the nineteenth century, Travancore witnessed the emergence of a new domain called the 'public'. And those domains, 'in principle', were equally open to the general public, without caste discriminations. This idea was antithetical to traditional customs and usages. The emergent categories of the public turned out eventually to be the prime locus of debates and agitations amplifying the rights of the 'subjects' in Travancore. The social reform movements initiated by the 'lower' castes demanding freedom and equal rights have originated from this historical context. Those endeavors carried two major intentions. Firstly, to reconstruct the domain of the public with a view to make it inclusive of the depressed castes and secondly, to forcefully demand their right to make use of the legal rights which bestows them equal treatment with others.

The term public has multiple meanings and the specific use of the term can be understood only in consideration of the context of its utterance.[20] At present, the notion of the public is conceived on the basis of its two major implications. The term public on the one hand refers to people or the 'general public' and on the other hand it denotes the social spaces such as public roads and market places, schools, hospitals etc., which are supposed to be equally accessible to all. Those domains were considered public mainly because they were under custody of the government. Besides, they were maintained by funds extracted from the common people through various taxes. The public domains which came into existence under the rubric of the

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[20] As Kumar points out, the word "Pothujanam, combining the prefix pothu-, which signifies 'general' or 'common' with 'janam', comes to have the sense of a 'general public'. It is possible that the entry of the word 'public' into Malayalam use took place in the context of modern governmental initiatives, like the creation of public roads and the institution of a Public Work Department. The word 'public' in both these instances is translated by the prefix pothu- in present-day Malayalam: pothunirathu for public road and pothumaramathuvakuppu for Public Work Department". Udaya Kumar. 2007. 'The Public, the State and New Domains of Writing: On Ramakrishna Pillai's Conception of Literary ad Political Expression'. *Tapasam*, January and April. pp. 413–441, here pp. 416–417.

state were meant to subject to the principle of equality and a sense of impartiality. However, the actual social condition was paradoxical in the sense that, customarily, access to these public domains was permitted to the 'non-polluting' subjects alone. To become part of the general public, first of all, the untouchable subjects had to assert their demand to get them treated as humans having equal worth and dignity same as the 'higher' ones. Hence, prior to make claims on equal rights, the polluting subjects who were treated as 'less-human' or even 'non-human' had to establish their status of being human first. In other words, what they necessarily required was a not just equal right that was denied to them but, as Arendt emphasises, their "right to have rights".[21]

Right to have rights implies two levels of articulation of rights: the first one intending to obtain membership in the society with other fellow human beings and the second, to become equal consociates of the law. The former refers to a claim to have social life which has hitherto been denied to slaves and untouchables. It implicates a transformation from the state of 'being human' or 'some specimen of an animal species, called man' to that of a 'qualified' human being having membership in the human community.[22] This, accordingly, is to be considered as a demand for recognition. The latter denotes right to equal representation in public places, institutions and offices that are occupied by the equals in the society. The issue of representation envisages reordering of the public domain based on legal equality guaranteed by the state. The right to have rights thus denotes a primary level articulation for recognition as well as a superior mode of expression of right aimed at equal representation.

To be considered as part of the common public means that one's presence, actions and opinions in the public, if not offensive, is to be cordially accepted and be exempted from discrimination and coercion in respect of his/her capacity as a human being having freedom and equal worth compared to other fellow individuals. The conception of public domain is closely associated with the idea of liberty and

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[21] Hannah Arendt . 1962. *The Origin of Totalitarianism*. The World Publishing Company. Cleveland. p. 297.

[22] Arendt maintains that "[i]f a Negro in a white community is considered a Negro and nothing else, he loses along with his right to equality that freedom of action which is specifically human; all his deeds are now explained as "necessary" consequences of some "Negro" qualities; he has become some specimen of an animal species, called man". Ibid. pp. 301–302.

visibility. As far as the untouchables of Travancore were concerned, first of all, a condition had to be evolved so that they could make themselves visible. For this to happen, they required governmental permission in the form of legal rights. The second aspect was more like a question of freedom to make use of the rights to decide how or in what manner they should appear in the public domain. This complexity is much evident in the revolts led by the Shanars of Travancore.[23]

In 1814 the Dewan Munro issued an order granting permission for the Christian converted Shanars of Travancore to cover their upper body.[24] Until then, as per customs of the land, wearing upper clothes was prohibited to the 'lower' castes including the Shanars. The order however prescribed some restrictions that while covering their upper body they were not permitted to wear clothes like the 'upper' caste Hindu women. Instead, they were allowed to follow the style of the Christian and Muslim women.[25] When the Shanar women of south Travancore began to make use of their freedom granted by the government, they were verbally and physically attacked by the 'upper' caste Hindus.[26] As Sheeju observes, "[W]hen the Shanar women began covering their breasts, the upper-caste men in Travancore saw it not only as breaching caste customs and conventions regarding the lower-caste body but also as breaching the limits imposed upon the self and mind of lower-caste women".[27] As a result of such resistances, the government in 1829 issued another order for restoring the customary restrictions and preventing the Shanar women from wearing upper clothes.

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[23] As Sheeju explains: "[T]he entire narrative structure of the Shanar rebellion could be encapsulated within a threefold temporal schema. In this time frame, the revolt can be divided into three different moments: 1822, 1828 and 1858. The first phase of the revolt in 1822 is characterised by the act of refusal by Shanar women to obey the permissible codes of dressing prevalent at that time. The second stage is striking for another denunciation, for this time, in 1828, Shanar men refused to perform *uliyam*. The final phase of 1858 is centred round the Proclamation of Queen Victoria and relates to legal consciousness of an almost modern type". N. V Sheeju. 2015. "The Shannar Revolts, 1822–99: Towards a Figural Cartography of the Pretender". *South Asia Research*. Sage Publication. Los Angeles. pp. 298–317, here p. 303.

[24] *Order from Col. Munro to the Sarvadhikariakars of the Trivandrum and Neyyanttinkara, 19th Dhanoo 988 [1914]*.

[25] N. V Sheeju. 2015. p. 308.

[26] Ibid. p. 304.

[27] Ibid. 308.

On several occasions, the government of Travancore had issued various proclamations granting the 'lower' castes their right to use the domains that are deemed to be public.[28] However, the actual situation was such that, as the British Resident once observed; the "roads are public to all good castemen alone".[29] The nascent public domain which happened to be the centre of social and economic interactions was the locus of the emergent legal discourse of right to freedom and equality. For the untouchables, the primary need was to make their entry into those domains — such as schools, markets, roads and hospitals — legitimate and possible. In 1869, the idea of public eventually turned out to be a subject matter of legal/political deliberation in Travancore. Regarding a controversy on the nature of the public roads in Travancore, through an official letter addressing the Dewan of Travancore, the British Resident informed that:

> "[T]he public high streets of all town are the property, not of any particular caste, but of the whole community and that every man, be his caste or religion what it may, has a right to the full use of them, provided that he does not obstruct or molest others in the use of them, and must be supported in the exercise of that right".[30]

The term public is conceived as a shared space, commonly accessible to all sections of people irrespective caste and religious differences. The British had already implemented their policy concerning the conditions using the public domain in Malabar. The Resident defines the public as a domain of the commons governed by the rights guaranteeing equal individual freedom, irrespective of caste, religion etc. Individual rights thus began to lay down the very condition of possibility of equal membership in public domains. The untouchables of Travancore found their situation much deprived compared to their counterparts in Malabar. Responding to Resident's letter, in his reply, Dewan Madhava Rao clarified the stand of Travancore government that in two points:

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[28] For instance, "[i]n 1817, the Dewan and the Rani of Travancore took initiatives to reform the field of education and in favour of that, a system of free and compulsory education under state control was introduced. The proclamation of 1818 permitted the low castes to wear gold and silver ornaments and by another proclamation, markets and bazaars were thrown open to all sections of people". Suresh Kumar. 1994. *Political Evolution in Kerala: Travancore 1859-1938*. Phoenix Publishing House. New Delhi. pp. 40, 44.

[29] Robin Jeffrey . 1976. *The Decline of Nayar Dominance: Society and Politics in Travancore, 1847-1908*, Vikas Publishing House. New Delhi. p. 84.

[30] *Letter from the Resident to the Dewan, dated: 05. 10. 1869*. See K. K Kusuman. 1973. p. 117.

"1) The term public road is, as I suppose, one which lead from one place to another and which can be made use of by all people in general whatever may their caste be.

2) Such roads generally pass through principal towns, village where high caste people such as Brahmins put up and pagodas. If the lower classes of people such as Pooliars, Parayers etc. be allowed to make use of these roads on the ground of the principle laid down in para Ist, I think it will not only be an objection, but will prove contrary to the rules and existing customs hitherto observed in the state".[31]

Dewan's statement explains clearly that the government found it difficult to act against the local customs and the interests of the 'high' castes. As far as people from the lower social order were concerned, to be considered as part of the 'general public' was an urgent need. Even after the announcement of a number of proclamations granting freedom for the 'lower' caste in many areas of social life, they were not allowed to make use of such opportunities. This situation seems to have continued till the end of the nineteenth century. In Travancore, it was not the absence of favorable laws, but the beneficiary class who were guarding the customs of the land was preventing them from taking advantage of the changing conditions. In 1883, Samuel Mateer wrote:

"[t]hey [the 'lower' castes] are still not allowed to enter public markets, and hence stand at great disadvantage in selling any little produce they may happen to possess ; and consequently are kept in a state of poverty. They are not permitted to build their houses near the public roads; nor are they, as a rule, allowed to avail themselves of the Sirkar ferry-boats to cross swollen rivers. They are not allowed to enter a shop, but should they wish to purchase articles, they must lay down their money at some distance from the shop, shout out their wants, and retire while the owner comes forth, takes up the money, and places instead the articles required. As a rule, though nominally allowed to possess property, they possess none".[32]

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[31] *Letter from the Dewan of Travancore to the Resident, dated: 12.10.1869.* Ibid. pp. 118– 119. See also N. K Jose. 1982. p. 141.

[32] Samuel Mateer. 1991 [1883]. p. 309. "The converted Christians from Ezhava community were not allowed to walk through the public road… [T]he Dewan of Travancore categorically said that …though an Illowan becomes a Christian, he still remained an Illowan and directing that converts to the Christian religion should not pass through the public highway, but must pass through the field road, that is the road the jackals go!" Ibid. p. 338.

In the beginning of the last decade of the nineteenth century, the Pulayas of south Travancore started protests against this unfavourable condition. The struggles organized by Ayyankali in south Travancore would explain how the Pulayas made their rightful claim over the public domain.[33] At the outset, he started agitation "for attaining the right to use public roads".[34] At a time when using of carts and entering public road were prohibited to the 'lower' castes, in 1893, he travelled in a bullock cart through public roads breaking the customary barriers.[35] He mobilised the unorganised people of his caste. Subsequently, in 1898 he conducted a march to enter into a public market located in Aralumud.[36] The same mode of agitation took place at several places in south Travancore and those agitations brought about several riots between the 'lower' and the 'higher' castes at different places in Travancore.[37]

The Travancore government's new policy of establishing large number of schools in the public sector turned out to be a critical moment which actually erupted hope for emancipation among the 'lower' caste people. Until that time it was the government aided schools run by the missionaries that were the major option available for them.[38] Between the years 1884–1913, the government of Travancore implemented some critical measures to reform the arena of education.[39] In 1887, special schemes were

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[33]Initially his attempts were concentrated in south Travancore alone and gradually the influence of his activities spread all over Travancore and by the early decades of the twentieth century, he emerged as a leader of the Pulayas of Travancore.

[34] Lawrence Lopez. 1988. *A Social History of Modern Kerala*. (Unknown Publisher). Trivandrum. p. 163.

[35] T. K Gangadharan. (n d). *Evolution of Kerala History & Culture* Calicut University. Calicut. p. 291.

[36] When the procession reached a place called *Chaliyatheruvu* they were attacked by a gang of 'high' caste people. This incident is popularly known as the *Chaliyatheruvu Lahala*. N. K Jose. (1989). *Ayyankali: Oru Padanam* (Ayyankali: A Study). Hobby Publishers. Vaikom. pp. 108–109, Rajagopal Vakathanam. 1994. *Ayyankaiute Charithra Prasakthi* (Historical Significance of Ayyankali). Sahodaran Prasidheekaranam. Kottayam. p. 23.

[37] C. Abhimanyu. 1990. *Ayyankali*, Department of Cultural Publications. Government of Kerala. Thiruvananthapuram. pp. 60–61.

[38] A large number of unaided vernacular schools run by the *āsāns* or private teachers or indigenous masters were also there. Some of these āsāns held their position by virtue of heredity— their ancestors having followed the profession for generations. Ulloor S. Parameswara Aiyer. 1998. *Progress of Travancore under H.H Sree Moolam Thirunal.* Department of Cultural Publications. Government of Kerala. Thiruvananthapuram. pp. 550, 554, 555.

[39] From 1884 to 1913, the educational system of the state has had undergone systematic reforms. During this period, firstly, private efforts in the field of education were duly encouraged and measures were taken to ensure the service of trained teaching and administrative staffs. Secondly, by amalgamating the departments of English and Vernacular education, a set of codified rules for regulating educational institutions and award of grants-in-aid to them were introduced. Thirdly, the courses of study in English and Vernacular schools were coordinated, and the principle of free education for the backward classes was accepted. Technical education was also given due

adopted to educate the depressed classes including the Pulayas, Parayas and the Muslims.[40] In 1892, the then king Sree Moolam Thirunal officially declared that "[t]he elementary school education of the masses is now recognized as a paramount duty of the State and an essential condition of good government. I would go even far to say that it is no less essential than the dispensation of public justice".[41] However, at the level of its implementation, the new scheme failed to achieve its desired end.

Subsequently, against the injustice done to them, the Pulayas of Travancore launched a struggle in in1906–07and demanded their right to have right. This time they explored a new strategy. The Pulaya paddy workers rallied behind Ayyankali and decided to refrain from the manual labour, which they were customarily doing in the paddy fields owned by the 'upper' castes, until their children get free admission in schools owned or aided by the government.[42] They also argued for non-discrimination and equal treatment of their students in the schools. In addition, they demanded their right to use public roads freely and without threat from the 'upper' castes. And finally, they asked for a tenable fixation of labour time and daily wages in contrast to customary modes.[43] This strike continued almost a year and the government finally appointed a judge to mediate and help to reach an agreement between the peasants and the landlords. Subsequently, the peasants gained assurance that their rights and freedom to make use of public roads and markets, entry into public schools and minimum daily wages will no longer be denied. However, on the matter of admission of untouchable children in public schools, the assurance remained in vain.[44]

Based on Ayyankali's submission, in 1914, the Dewan of Travancore granted permission for the Pulaya girls in a girl's school located at Ooruttambalam in south

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consideration. Fourthly, by introducing the education code, the education department was remodeled with the appointment of a supreme controlling head and finally, primary importance was given to the extension of elementary education. Ibid. pp. 561–635.

[40] Ibid. p. 565.

[41] Ibid. p. 560.

[42] It was considered as the first organized peasant struggle in the history of Kerala.

[43] T. K Gangadharan. (n d). pp. 292-293, C. Abhimanyu. 1990. pp. 86-93.

[44] The Thonnuramandu Lahala; riots between the upper castes and the Pulayas which took place in 1914-15 occurred when Ayyankali sought admission for a Pulaya Girl named Panchami in a Government school situated in Neyyattinkara Taluk. Rajagopal Vakathanam. 1994. p. 27. C. Abhimanyu. 1990. p. 125.

Travancore.[45] When the Pulayas actually went to the school with their daughters for admission, the 'upper' castes prevented them. This incident eventually ended up in a conflict between the Pulayas and the Nairs of that locality. Some newspapers, run by the 'upper' castes, reported this incident with demeaning titles such as 'Pulaya Lahala' (Pulaya Riot) or 'Pulaya Mahalahala' (the Great Pulaya Riot). In a newspaper article, Moorkoth Kumaran vehemently criticised those approaches and maintained that it was actually an act of violence held against the Pulayas.[46] He went on to argue that "the present riot should not be perceived simply as an attack on the Pulayas. If the government would not have decided so and permitted them to act accordingly, the Pulayas may not have attempted to seek admission for their children in the school…Once the laws are made, they need to be obeyed and the riots which happen against the authority of them [those laws] should be treated as anti-government as well".[47] In the context of denial of rights of the Pulaya children, Ayyankali gave a recommendation to the Dewan and requested to implement strict measures of punishment for those who violate the decree of the government.[48] By placing the issue as an instance of violation of law, they elevated the question of social recognition as a matter of basic civil rights. Therefore, the denial of the former would turn into an act of violation of the latter.

The question of recognition ingrained in the struggles of the Pulayas was deeply connected with the idea of the public which is non-discriminatory and inclusive. Concerning the education of the untouchables, one of the government proposals was to open separate schools for each castes so that the presence and proximity of the 'lower' caste children would not pollute the 'higher' ones. Ayyankali vehemently opposed this suggestion because he seems to have had the conviction that special schools would further institutionalise untouchability and seclusion. As a nominated member of the Sri Moolam Popular Assembly[49], in one of his speeches delivered in

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[45] *Malayala Manorama* (Malayalam Newspaper). 12 December 1914. p. 6, *Malayala Manorama* (Malayalam Newspaper). 19 December 1914. p. 3.

[46] Moorkoth Kumaran. 10 February 1915. "Thiruvithamkotte Thazhnna Jathikkar". *Malayala Manorama* (Malayalam Newspaper). pp. 2-3.

[47] Ibid. p. 2. (Independent Translation)

[48] *Malayala Manorama* (Malayalam Newspaper). 24 February 1915. p. 8.

[49] The criteria and number of membership to the Assembly changed time to time and in for many years. The Assembly could not satisfy representation of many categories, prominently the 'low' castes and women. However, from 1911 onwards few 'low' castes were also given membership in the Assembly

1916 he made it clear that "to establish special schools for the Pulayas all over the state does not seem practical and logical. Apart from that, in so doing, the Pulaya's entrance to public schools would be denied".[50] The two significant dimensions of the public — as equal subjects of the king as well as commonly accessible domains — which support the principles of equality and equal freedom are highly prevalent in Ayyankali. In the Legislative Assembly, he argued that "the Pulaya children do not pollute others whenever they are in the school. To deny them entrance on the ground that they are uncivilized will compel them to embrace other religions so that they will get admission in schools without much effort. It is baseless to think that the number of paddy workers will be decreased if the Pulayas get educated. For, after the abolition of slave trade, the industrial and agricultural sectors have shown prosperity".[51] Most importantly, in his words and deeds, we could find a new language of rights getting articulated. His ideas were oriented towards the construction of an egalitarian social space where the Pulayas could participate as 'equally humans'.[52]

Pulayas' struggles were mostly aimed at re-forming the public domain and they were primary level articulations for rights intending to enable them to become part of the shared social life so far enjoyed by the privileged sections alone. As mentioned earlier, when educational qualification became the criteria for getting jobs in the state bureaucracy new demands surfaced in the society. The educated sections from various castes started demanding due share of government jobs which until that point of time were restricted to a minority only. It marked the commencement of a new discourse of rights centred on the question of representation. And it was, for a number of reasons, differed from the discourse of rights for recognition. The higher–lower positions

by means of nomination. According to the rule prevailed in 1910, "[n]o person was eligible to vote for or to be elected or nominated as a member who was a servant of Government, a female, a person of unsound mind, a person under 25 years of age, a dismissed public servant, or one who had been convicted of a criminal offence involving moral turpitude or debarred from practicing as pleader by order of a competent authority". Ulloor S. Parameswara Aiyer. 1998. pp. 176–177. "The total number of members was raised to 100 in 1913 in which, 43 were elected by 33 taluks, 19 by 19 Town Improvement Committees, 4 by Planters' Associations, 7 by the mercantile and trading classes of the town, 4 by the jenmies and among the remaining 23, not less than 6 are Ezhavas, not more than 6 Christians, 4 Mohomedans and 7 from other communities which are otherwise unrepresented". Ibid. p. 180.

[50] Ayyankali's speech in Sree Moolam Prajasabha, dated February 28, 1916 in C. Abhimanyu. 1990. p. 147. Independent Translation.

[51] C. Abhimanyu. 1990. p. 147 (Independent translation).

[52] It is important to note that between the year 1913 and 1916, the number of students from the Pulaya caste increased from 2,017 to 10,913. Ibid. p. 145.

already established in the society according to the caste rank seem to have reflected in the nature of rights demanded by different sections. Besides, those discourses were also varied in terms of the mode of articulation, the language of utterance of rights and the conceptual terrain within which they operate.

**Articulation of Representational Rights**

Towards the end of the nineteenth century, it was the socially privileged class — the Nairs and the Syrian Christians in the main — who raised the question of representational rights in Travancore. The 'decline of Nair dominance' (as put it by Jeffery) during the reign of Colonel Munro and the expulsion of the Syrian Christians from the revenue and magisterial departments after Munro's tenure had produced serious unrest among these two dominant communities.[53] A few wealthy Ezhavas who gained English education also found the social and political condition in Travancore unfavourable. They were not able to convert their qualifications into administrative jobs in their native country. Their attempts were focused mainly on the distribution of administrative power. When the 'lower' castes were struggling to attain basic human rights to get the opportunity to enter into public schools, the representational rights claimed by the socially and educationally privileged sections were meant to reposition their social power within the emergent public domain. Since education was declared as the basic criterion for gaining jobs in the public sector, the newly English educated men of the privileged class began to oppose the existing criteria of appointment to the state bureaucracy, dominated by the Tamil, Telugu and Maratha Brahmins. The natives were entirely excluded from the highly paid official posts. For instance, during the so called 'Rao period' (1817–1872) in the administrative history of Travancore, not a single native occupied any of the top administrative posts in Travancore.[54]

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[53] Samuel Mateer. 1991 [1883]. *Native Life in Travancore*. Asian Educational Services. New Delhi & Madras. p. 345.

[54] "The Maratha Rao aristocracy dominated and controlled the government of Travancore from 1817 to 1872. They monopolized the highest posts in administration. And the Rao Dewans were also notorious for continual policy of nepotism at a time when the spread of English education began to influence on the attitudes and political views of the native subjects." P.K.K Menon. 2001. *The History of Freedom Movement in Kerala Vol. II (1885-1938)*. Department of Cultural Publications. Government of Kerala. Thiruvananthapuram. p. 4.

The 'Travancore Malayali Sabha', constituted by a group of English educated Nair youth, raised the question of adequate representation and started campaigning against the existing policy of exclusion. They propagated their ideas through various magazines and news papers.[55] [Barrister] G. P Pillai's pamphlet titled "Travancore for Travancoreans" succeeded in gaining widespread public attention and it gathered public opinion in favour of the unemployed natives.[56] He raised the question of responsible government "as an indisputable right of the natives" of Travancore.[57] So as to exert pressure on the native government, the Travancore Malayali Sabha also invited attention of the governor of Madras to their issue. As a culmination of those efforts, they decided to draft a mass petition with the king of Travancore as its addressee.

The Malayali Memorial was drafted in the form of a 'petition of rights', containing 10,038 signatures, and placed before the Maharaja on 11 January 1891.[58] The Memorial included a detailed presentation of the statistical record of the administrative posts held by the natives and the non-natives in Travancore state. The Memorial speaks of;

> "There is a total number of 16,167 appointments of all sorts in the State about 13,000 of which are petty appointments of Rs. 1, 2, 5 or less than 10 per mensem. Of this number, 11,668 are held by Malayali Hindus nearly 10,000 of whom are employed mostly in the lower ranks of the Police and the Nair Brigade and in the numerous *Devasom* institutions in the land; 3,185 are held by Foreign Hindus only about one-half of which are petty appointments carrying below Rs. 10 a month and 1,029 by Christians nearly three-fourths of which

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[55] The Malayali Sabha was a latter development of a student union, formed in Maharajas College Trivandrum, in the name of 'Malayali Social Union' (1877). In 1886, its name was changed into 'Malayali Sabha'. The interest of the Sabha soon turned into serious matters of reform. The members of the Sabha spread their ideas though a news paper called 'Malayali', C.V Raman Pillai as its editor. The members worked behind the Sabha were English educated Nair youth of Travancore. Initially their works were focused on reforms of family and social customs. Soon it turned into matters which were strictly political. See Suresh Kumar. 1994. pp. 60–61, K.T Kunhikkannan. 2008. *Keralam: Samoohavum Rashtreeyavum* (Keralam: Society and Politics). The State Institute of Languages. Thiruvananthapuram. p.75.

[56] P. K Parameswaran Nair. 1995. *N.S.S Charithram Vol. I* (N.S.S History Vol. I). Nair Service Society Publication. Changanassery. pp. 94-97.

[57] Ibid. p.97. G.P Pillai, who was studying in Madras after being expelled from 'Trivandrum College' for criticizing the Dewan, published a number of articles from Madras to expose the deprived state of the educated natives in Travancore.

[58] The Memorial was drafted by K.P Sankara Menon of the Madras Bar, who subsequently played an active role in the Indian National Congress, Dr. Palpu, the first one who became a medical doctor from among the Ezhavas, G. Parameswaran Pillai and others. The copies of the document were circulated in Travancore. See P.K.K Menon. 2001. p. 9.

come under the same category. In other words, while out of a total Malayali Hindu population of 1,461,835 only 111,668 or .79 per cent hold Government appointments and out of a total Christian population of 498,542 only 1029 or .26 per cent, out of Foreign Hindus, 3185 or .99 per cent employed in the State…worse than all, there is not a single representative of the Tiya community holding any Government appointment on Rs. 5 or upwards a month in the State, though intelligent and educated men are not wanting among them".[59]

The Malayali Memorial highlighted the monopoly system that existed in Travancore. Instead, it demanded "recognition of the rights of Travancoreans to hold public office in the state, the right being confined to the members of those families who were domiciled in Travancore for not less than three generations".[60] The logic of arguments and the language of enunciation of rights evident in the Malayali Memorial need to be analysed further. The Memorial endeavoured to redefine the rights of the 'natives' at par with the rights exercised by people in the British Indian territories. It defines the term 'Native of India' "as any person born and domiciled within the domain of Her Majesty in India and not established there for temporary purposes only".[61] It thus seems to have approved the ascendancy of the British in India and declared one's birth and hereditary relation to the territory as the rationale to make legitimate claims on one's rights. The Memorial elaborates:

> "[t]here is certainly some meaning in the attitude of Englishmen who are practically the conquerors of India… Travancore certainly cannot with amount of truth be said to have been conquered by the foreign Brahmins; and they are in no way entitled to play the Englishmen in the state. They live and thrive here comfortably owing to the numerous State patronage to which they have not a particle of right in preference to natives… your Highness' memorialists wish that in this instance…Your Highness' Government would adopt the policy and action of the Paramount Power".[62]

In the Malayali Memorial the British people were not regarded as an enemy and their power was deemed legitimate as they rightfully control the territory of India by an act

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[59] M. J Koshy. 1972. *Genesis of Political Consciousness in Kerala, Kerala*. Historical Society Series. Trivandrum. pp. 81,83.

[60] P.K.K Menon. 2001. p. 10.

[61] "The Travancore Memorial and Opinions of the Press" (English version) in M. J Koshy. 1972. p. 93.

[62] Ibid. Instead of attributing 'some meaning' to the act of Englishmen conquering India, the original Malayalam version of the Memorial says that the British has 'complete ownership rights over the land of India'. P. S Velayudhan. 1978. *S.N.D.P Yoga Charithram* (History of S.N.D.P Yogam). Genuine Printers & Publishers. Ernakulam. pp. xiii-xvi. Appendix 6, "The Document of Malayali Memorial" (Malayalam version) (Independent translation).

of conquest. The conceptions of power and rights employed in the petition were such that it ascertains the idea of power and conquest as a valid component authenticating rights. And the legitimacy of power, as explicated in the petition, is to be derived from factors such as conquest, legacy of power, knowledge and privilege, superiority of race and so on. Though the Memorial was meant to express the grievance of all the educated 'Malayalis' (the signatories of the petition include the Nambudiris, Nairs, Syrians, other Christians and the Ezhavas), virtually, than any other communities, it asserted the ascendancy of the Nairs on the basis of their intelligence, culture and loyalty to the authority of His Highness. The legacy of being the ruling race of Travancore and their contribution to the resources of the state in terms of land revenue were added supplements to their claim to rights.[63]

It is important to note that the demand for representational right was raised firstly in Travancore in the language of birthrights. In the Malayali Memorial, the regionality of Travancore emerged as new criterion authenticating the claim of rights. And the social gradation of caste turned out to be the basic structure qualifying the demand for representation of each caste segments. The Malayali Memorial thus introduced a new rationale of inclusion/exclusion. In addition, it also inaugurated a new mode of protest called 'constitutional agitation'. The Memorial upheld the birthrights of the natives (Travancore as land of the Travancoreans) irrespective of internal difference based on class, caste and ethnicity. In an attempt to reposition the existing social power and privileges, it thus proposed a new rationale of membership in the emergent public domain and effectively disguised the disparity among various castes in the scale of progress.

With a view to invalidate the grievances presented in the Malayali Memorial, a Counter Memorial was submitted by E. Rama Aiyer. The two central arguments made in the Counter Memorial were the following. Firstly, it alleged that the notions such as 'Native Travancoreans' and 'Native Hindus' as they were invoked in the Malayali

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[63] The Memorial speaks of: "As the Malayali Sudras are the most loyal portion of Your Highness's subjects, as they are in point of intelligence, general culture and attainments not behind any other class in the country, as they were from the earliest times till within the last few years the ruling race in the land, and as it is that they mainly contribute to the recourses of the State more than one-fourth of which is derived from land revenue, their claims on Your Highness's Government are far stronger than those of any other class in the country". "The Travancore Memorial" (English version) in M. J Koshy. 1972. p.93, See also Robin Jeffrey . 1976. pp. 168,170.

Memorial in reality exclude certain sections of the native population. It invoked a notion of 'Native Hindus' to designate the domesticity of the Hindus in Travancore while keeping the Pulayas and the Parayas out of its purview. Similarly, the Malayali Memorial did not focus adequately on the rights of the educated and eligible Ezhavas.[64] Besides, the criteria of admission applicable to the Nairs and highlighted in the petition were mostly irrelevant to the Ezhavas. Secondly, the Counter Memorial argued that the Malayali Memorial endorsed a wrong notion that all appointments in the government service should be distributed proportionately with regard to the population strength of native castes.[65]

While considering the Malayali Memorial, the government treated the plea of the educated Nairs with sympathy but did not take into account the appeal of the Ezhavas seriously. Finally, the Dewan took the position that "when the society [is] getting modernised, if the government endeavour[s] to make any move at present to take radical measures which may ignite popular unrest, it would help only to bring about unnecessary competition among castes, resisting the ongoing progress".[66] The attitude of the government to the grievances presented by the Ezhavas was hilarious if not embarrassing. The Dewan opined: "when we take into account of the present condition of the Ezhavas, in general they are illiterate, and instead of pursuing education which may enable them to attain government jobs, they still show interest

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[64] P. S Velayudhan. 1978. p. xxvi. Appendix 7. The document of Counter Memorial (Malayalam version). Despite the fact that they belonged to one of the untouchable low castes in Travancore unlike the Pulayas and the Parayas, a few among the Ezhavas were traditionally rich and were in a position to afford education. Hence, taking advantage of the inauguration of secular education in the state, some of them could send their children to public schools. For instance, Rev. Mateer launched a special school for *Ezhavas* located in Anchuthengu in 1872, from L.M.S Report, 1890 p.18.

[65] It argued that the memorial viewed native Brahmins, Vellalas, Sudras, Kammalas, Channnars etc. as foreigners and did not consider the demands of the Ezhavas well and concentrated on the grievances of the Nairs primarily. The document of Counter Memorial (Malayalam version) in P. S Velayudhan. 1978. p. xxvi. "The Counter Memorial claimed the support of Muslim Merchants, who had taken umbrage at their curt dismissal in the Memorial, and of the London Missionary Society's Tamil converts in South Travancore, who relied on cordial relations with government officers as a counterpoise to their dependence on *Nayars* and Nanjunad *Vellala* landlords". Robin Jeffrey. 1976. p. 171.The Malayalai Memorial categorized the people of Travancore under the title of Malayali Hindus, Foreign Hindus and Christians. Malayali Hindus refers to the Malayali Sudras (Nairs), the Sudras of Nanchinadu and the Thiyas (Ezhavas) while the non-Malayali Brahmins, Vellalas and the Pāndi Sudras or Sudras from Tamil Nadu were categorized as foreigners. Christians include the native Syrians, Eurasians, Eastindians. M. J Koshy. 1972. pp. 80–81.

[66] (Independent translation). Dr. Palpu in his letter to the Dewan dated 13 May 1895 alleged that "remaining illiterate is not an indication of lack of interest of the Ezhavas but on the contrary it shows the failure of the state government which is expected to facilitate the Ezhavas with ample encouragement and opportunities to pursue education". P. S Velayudhan. 1978. pp. 46–49.

in pursuing their traditional occupations such as coir-rope making and coconut climbing".[67]

The educated Ezhavas, though very few in numbers, found the attitude of the Travancore government highly discouraging and embarrassing. In an open letter, Dr. Palpu, the first medical doctor from the Ezhava community, criticised the attitude of the government. In his letter, he made a remarkable suggestion that the basic criteria required for a job in government service ought to be determined by 'merit' of the applicant, not by one's social status.[68] This was the first instance in which 'merit' appeared as a valid criterion in discourses concerning representational rights in Travancore. And it was the 'lower' castes who demanded merit in a context in which the administrative posts were unconditionally reserved for the 'high' castes alone. Palpu denounced the nature and accountability of 'public opinion', in the name of which the request of the Ezhavas was rejected by the Dewan. He argued that the government should prioritise the "public demand" of the Ezhavas over the "impervious public opinion" which otherwise reflects popular misconceptions and intolerance.[69]

Among the deprived and polluting sections of the Hindu social order, which were also regarded as untouchable castes, Ezhavas were the most populous and comparatively advanced in terms of access to education and wealth.[70] In Dr. Palpu's explanation, Ezhavas' occupational status by the end of the nineteenth century was such that 'the great many of them are land-owners, some are Viadyans, Astrologers, etc., while the majority live by agriculture, rope-making, toddy-drawing, weaving and other industries'.[71] However, since they were treated as a polluting caste, in practice, their entrance into public schools was denied categorically. And some of the wealthy Ezhavas who attained education from outside Travancore found no professional

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[67] Ibid. pp. 44-46.

[68] P. Palpu. 1988 [1896]. *Thiruvithamkotte Ezhavar.* (Compiled and edited by N. K. Damodaran). Published by R. Sankaran. Trivandrum. pp. 20–21.

[69] In a letter addressing the Dewan of Travancore, he maintained that the authority of public opinion is completely vested on the government's stand. In the past, he cited, whenever hard policies such as implementation of the stamp act had been introduced in Travancore, the government gave priority only to the betterment of the nation. Ibid. p. 28.

[70] P. Chandramohan. 2016. *Developmental Modernity in Kerala: Narayana Guru, SNDP Yogam and Social Reform.* Tulika Books. New Delhi. p. 40.

[71] P. Palpu. 1896. *Treatment of Tiyas in Travancore.* (Publication details unknown). p. 13.

opportunities in the state. Despite being the first medical doctor from the Ezhava community and a native of Travancore, Dr. Palpu had to find a medical career in the distant Mysore State. He was repeatedly denied a professional opportunity in his own native state and this was due to his inferior caste status. This policy of caste based exclusion pursued by the government of Travancore was the major factor triggering Dr. Palpu to commence his "activist career as a petitioner".[72] In 1896, he prepared and submitted a mass petition called the Ezhava Memorial undersigned by 13,176 adherents and it amounted to a response to those apathetic rejections and governmental exclusion.

The Ezhava Memorial reinforced the arguments with detailed statistical and sociological accounts depicting the present condition of the Ezhava community in Travancore. To sketch out the scale of exclusion experienced by the Ezhavas under the government of Travancore, Palpu offered factual accounts regarding the state of deprivation of the Ezhavas of Travancore in comparison with their Tiya counterparts who enjoyed relatively higher level of freedom under the colonial government in Malabar.[73] Moreover, referring to the idea of enlightenment and progress, which he considers to be the true value of a modern government, Palpu criticised the policy of exclusion maintained by the state on grounds of caste and tradition. In addition, on another level, he makes an analysis based on Ezhavas' caste status and present social condition compared to both 'higher' and 'lower' castes as well as 'lower' caste converts to Islam and Christianity. One of the major demands that he emphasised in the petition was that the rights enjoyed by the Christian and Muslim converts from the Ezhavas and other 'lower' castes ought to be made available to the Ezhavas as well.

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[72] Udaya Kumar. 2014. *Dr. Palpu's Petition Writing and Kerala's Past*. Nehru Memorial Museum Library. New Delhi. p. 2.

[73] Though the Ezhavas of Travancore and the Tiyas of Malabar are considered as brethrens of similar caste, they were differed on a number of aspects. Awaya elucidates three major differences maintained by the Tiyas of Malabar, compared to the Ezhavas of Travancore. "First, in Malabar the Tiyyas did not suffer from caste discrimination so far as the fields of government service and education were concerned, which was a glaring issue in the Native States. Second, unlike the limited area of the Native States, there was no scope for forcing the Madras government to admit communal representation for each caste such as Tiyyas. Finally, in Malabar the Tiyyas' movement was challenged by the nationalist movement which was weak and late-coming in the Native States". Toshie Awaya. 1997. "Some Aspects of the Tiyyas' 'Caste' Movement with Special Reference to British Malabar" in Kotani H (ed.). 1997. *Caste System, Untouchability and the Depressed*. Manohar. New Delhi. p. 161.

The Travancore government did not show much sympathy towards the grievances of the Ezhavas. In response to the Ezhava Memorial, the Dewan said it clearly that the government cannot implement radical measures to alter the existing relations among castes 'in an ancient Hindu state like Travancore'.[74] Instead of granting entrance in 'common schools', the government offered 'special class schools' for the Ezhavas students.[75] As regards employment, the government acknowledged the present difficulties and agreed to make provisions for the Ezhavas to get appointments in Public Work and Forest departments.[76] Since the Ezhavas considered that those suggestions were highly deficient to resolve their affliction, Palpu sought other means, especially the print media, to make the issue a matter of public concern.

By disguising under the name 'A Travancorean', he published an article in the Madras Mail newspaper and vehemently criticised the Dewan's opinion.[77] In 1986 itself, a printed book in English titled *Treatment of Tiyas in Travancore* came out under the authorship of Dr. Palpu.[78] Soon after that, a Malayalam translation of the same with a title *Thiruvithamkotte Ezhavar* was also published from Travancore.[79] And to make sure that it reaches the common public, the Malayalam print was distributed free of cost.[80] These books carried the original version of the Ezhava Memorial in respective languages. Besides, they were compiled with a number of other petitions sent by Dr. Palpu to the Dewan of Travancore prior to the submission of the Ezhava Memorial. One of the major intentions of those books was to expose the negligence shown by the government of Travancore towards the question of Ezhavas' education and employment over a long span of time. These books therefore included details of governmental verdicts showing neglect to Palpu's demands. The Government of

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[74] P. Palpu. 1896. p. 32.

[75] Ibid, p. 33.

[76] Ibid.

[77] N. K. Damodaran. 1988. "Preface" to P. Palpu, *Thiruvithamkotte Ezhavar*. Compiled and edited by N. K. Damodaran. Published by R. Sankaran. Trivandrum. p. ix.

[78] Ibid.

[79] The translation of *Treatment of Tiyas in Travancore* was done by C.V. Kunjiraman, P.M. Raman and C.T Raman. Ibid, p. xii. It seems quite intriguing that instead of using the caste name Ezhavas (the most common usage in Travancore region), the English monograph has been given the title *The Treatment of Tiyas in Travancore*; inviting reference to the Tiya population located in Malabar region. The Ezhava Memorial considers the Tiyas of Malabar (as a category identical to the Ezhavas of Travancore), as brothers or kinsmen, with a view to offer a comparative analysis of the present condition of the Ezhavas in Travancore.

[80] P. S Velayudhan. 1978. p. 81.

Madras also declined the Ezhavas' plea for the reason that the questions raised by Dr. Palpu were matters concerning the internal affair of the princely state. He afterwards succeeded in raising the question of caste exclusion of the Ezhavas in the British parliament, and gained an assurance that Her Majesty's Government would direct the Madras Government to contact the concerned authorities in Travancore.

**The 'Texts' of the Ezhava Memorial**

As the administrative matters of the princely state were carried out in correspondence with the colonial government in Madras, official documents were produced both in vernacular Malayalam and in English. Therefore, for administrative purpose, the Memorials submitted to the Raja of Travancore were produced in two languages. The point to be elaborated is that unlike the English and Malayalam versions of the Malayali Memorial, the texts of the Ezhava Memorial carry palpable differences in the mode of petitioning. In his paper titled *Dr. Palpu's Petition Writing and Kerala's Past*, Udaya Kumar has made the observation that the petition in Malayalam was submitted only to the Raja of Travancore and it 'adopted a formulaic ceremonial supplication in deference to the sovereign'. However, the English version was submitted to the Dewan of Travancore and to the Governor of Madras and it 'adopted a distinctively modern idiom of citizens claiming rightful treatment from their government'.[81] He observes these contrasting tones in the petitions as 'idioms of sovereign and governmental power' signifying the 'co-existence of rituals of royal sovereignty with an administrative apparatus which worked under close colonial supervision'.[82] However, Kumar perceives the demeaning language used in the Malayalam text as an indication of Dr. Palpu's 'sly-civility'.[83]

While examining the Malayalam text, Geetha Suraj had already pointed out its ingrained supplication aspect.[84] For her, the Ezhava Memorial submitted to the King appears to have carried an attitude of meekness and excess devotion which is absent

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[81] Udaya Kumar. 2014. p. 6.

[82] Ibid.

[83] Ibid.

[84] Geetha Suraj. 1997. "Ezhava Memorialum Ottayaalpattaalathinte Poraattavum" in *Awarnapaksha Rachanakal*. Cherayi Ramadas (Ed.). Dooth Books. Etawanakkaat. p. 118.

in the petitions sent to Shungara Subbier (the then Dewan of Travancore).[85] However, she argues that Dr. Palpu had used such idioms not because he was a sycophant of the king but he too was in fact following the formal style, subscribing to the long established custom in which the king was the visible, the ultimate god ('*rajā-prathyaksha-daivatham*').[86] She also highlights the aspect that the expressions like *ponnuthamburan* (precious king) and *adiyangal* appears several times in the Ezhava Memorial.[87] Deviating from these approaches, the present study proposes a conceptual analysis of the Malayalam text of the Ezhava Memorial. The text will be analysed from its inside by concentrating on the use of concepts and the way they define the attitude of the text. An attempt will also be made to examine what social realities and power relations the deployed concepts actually referred to. The range of references that concepts supposedly make is not only relevant to the inside of the text but it also refers to the outside of the text; that is to say, the social context in which concepts finds their expression.

While addressing their King, everywhere in the text, the memorialists identify themselves as *adiyangal*, *agathikal* and *adimakal*. The near translation of these terms informs us the demeaning connotations such as [We; your] servants,[88] '[your] helpless subjects' and '[your] predial slaves' respectively.[89] The word *adiyangal* refers primarily to a condition of loyalty and subjugation. In Travancore's social setting, this phrase was customarily used by the 'lower' castes to designate themselves when they speak to their 'higher' caste overlords. The term *adiyangal* firmly indicates caste-based social inferiority and servitude and also invokes a definite subject position, often lacking an independent agency and will. The use of *adiyangal* in the petition therefore reinforces the social position and the order of caste hierarchy at each moment of its utterance.

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[85] Ibid.

[86] Ibid, pp. 118-119.

[87] Ibid, p. 118.

[88] H. Gundert D. Ph. 1871. *A Malayalam–English Dictionary, Part I: Vowels.* Basel Mission Book & Tract Depository. Mangalore. p. 16.

[89] P. Palpu.1988 [1896]. pp. 47-50.

The English version of the Ezhava Memorial does not carry any of these self-debasing idioms anywhere in the text. For instance, while introducing the demographic strength of the Ezhavas, the Malayalam text describes; "We, Your humble servants (*adiyangal*) comprise a fifth of the total population in Travancore".[90] The English version, however, does not carry any equivalent lexical expressions conveying either the humbleness or the servantile status of the petitioner. Instead, it says that "[O]ur community [i.e. Ezhava] forms a fifth of the population of Travancore".[91] Since the concept 'community' does not carry the mark of servitude, the level of expression of subjectivity changes once the expression 'our community' replaces *adiyangal*. Similarly, at another place in the Malayalam document the memorialists present themselves as 'defenceless and naive *adimakal*'.

> [W]ithout dissociating these defenceless and naive slaves (*adimakal*), who find no shelter but the mercy of the precious King, [who is] an embodiment of high virtue and affection, from native land and equality, [.] with utmost deference and humility we (*adiyangal*) crouch down at your most sacred feet and pray, in the future at least, to grant entrance to study in all the government schools and to grant us (*adiyangalkkum*) permission in getting government jobs as per [our] eligibility and thus resuscitate us by ending our (*adiyangalute*) miseries.[92]

The expression *adimakal* symbolises Ezhavas' 'lower' caste identity and their relation to the native Hindu monarch. Until 1894, the Ezhavas were employed in the *viruthy* establishment of unpaid manual labour. They were obliged to supply everyday provisions (in kind) to the princely government, the temples and the Brahmin feeding-houses (*uttupura*).[93] Calling themselves *adiyangal* and *adimakal* therefore demonstrates a ritualistic expression of their dependency towards an overlord but within an extended Hindu political order of which the Travancore Raja was the key figure.[94] The remarkable aspect nonetheless is that, when we look at the English version of the Ezhava Memorial, the sheer absence of corresponding expressions to those abnegating terms that the Malayalam version of the text carries in plenty could be located. In place of the paragraph quoted above from the Malayalam text, its English version elaborates:

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[90] Ibid. (Independent translation)
[91] P. Palpu. 1896. p. 30.
[92] P. Palpu.1988 [1896]. p. 50. (Independent translation)
[93] *The History of Freedom Movement in Kerala Vol.I (1600-1885).* pp. 80-81.
[94] Though they were one of the untouchable castes in Travancore, the Ezhavas were not considered as hereditary slaves like the Pulayas, Parayas and the Kuravas.

> "[Y]our Highness's love of charity and solicitude for the well-being of Your Highness's subjects is our only hope. With feelings of profound respect and submission we pray that Your Highness be pleased to take the foregoing into Your Highness's benign consideration and grant to *our community* free access to all Public Schools and a fair share in the service of the state so far as they may be qualified therefore".[95]

In the English version of the petition, in places where the noun Ezhava(s) is referred to, certain formal idioms are being used. The language does not carry the burden of a felt inferiority of caste. Instead, other than the parochial slave-master bond, the English version evokes a King-subject (Raja–praja) relationship. This shift, I would argue, cannot be seen as a mere difference that occurs when a subject matter is expressed in two distinct languages. For, it is not only the vocabulary of the text that is changing but perhaps more importantly the very attitude of the petition is also getting seriously affected by the use of these self-humiliating idioms. The abundance of such idioms referring to one's own person is in fact a schematic exercise of asserting the submissiveness of the subject. This exercise is a condition made possible within the tradition of a language and particular scheme of its operations. The concepts such as *adiyangal* and *adimakal* allude to a socio-historical setting in which those terms are put to use legitimately. Moreover, they refer to a specific mode of social relation as well. Hence, when these concepts are erased or denied the permission within the text both the historical context and the social relations they define are also getting camouflaged along with.

Body and language were the two major means of expression of caste. In Travancore, while speaking to the 'higher' castes, the 'lower' castes had to follow certain gestures exhibiting their inferior caste position. Caste, in that manner, was very much performative and the social arenas where people from different castes come into contact were the major sites of such operations. Kunnezhath Parameswaramenon had explained it clearly as 'to speak to the Brahmins, Kings and feudal lords[,] a ritualistic language was used by those who held 'lower' position in terms of caste, wealth and labour'.[96] He elaborated further, that 'this language has been widespread in Malayalam because the sudras [Nairs] insist those castes lower to them such as the

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[95] P. Palpu. 1896. p. 32. (Emphasis added)

[96] Quoted in Andalat. 2012. *Charithrathil Vilayam Prapicha Vikarangal* (The Emotions Drowned in History). Sahithya Pravarthaka Co–operative Society. Kottayam. p. 20. (Independent translation)

Ezhavas, Mappilas and Cherumakkal to observe the same custom [use of ritualistic language] that people prescribed to practice in relation to Brahmins and Kings.[97] During conversations with 'higher' castes, 'the avarnas were forced to use a special language when referring to themselves or their possessions. They were to commence speaking by saying "your slave has received permission to observe"... when speaking, he must place hand over mouth, lest the breath should go forth and pollute the person he is addressing.'[98] Thus the ritualistic language and style of verbal utterance ostensibly preserved the acts of (re)constitution of the 'lower' caste subjectivity in the social spaces.

Since Travancore was a Hindu state, well-paid administrative positions were occupied exclusively by 'upper' castes. Even after the administrative reforms which altered the traditional criteria for gaining offices in Travancore civil service, superiority of caste remained, in actual practice, as the dominant operational principle. The Ezhava Memorial does not seem violating the established scheme of logic that the one who is *higher in caste order will have higher rights*. In a context where the Ezhava Memorial (in the Malayalam text) elaborates the rightful claim of the educated Ezhavas, it maintains that;

> [S]ome of those who have lesser rights towards the government than us and those who are lower than us in terms of caste occupy due share of administrative posts in this country [.] And moreover [,] not only from among us (*adiyangal*) but also those people who have been ostracised from caste [which is] comparatively lower than us or those who have gained a mere name from other religions is getting ample opportunities for education and employment.[99]

The expression, *lesser rights*, which appear in the Malayalam version invoke the notion of *anyonya avakāsamgal*[100] (joint-rights): a usage prevalent in the vernacular tradition indicating *mutual relations* among the 'higher' and the 'lower' castes.[101] The

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[97] Ibid. p. 23. (Independent translation)

[98] C. N. Somarajan and S. Sivadasan. 1995. *Civic Rights Movement in Travancore*. S.N. Publishing House. Kollam. p. 8.

[99] P. Palpu.1988 [1896]. p. 49. (Independent translation)

[100] "[I]t is a fact that caste differences exist among various classes within the Hindu community. And their joint–rights [*anyonya avakāsamgal*] are governed by the same as well". P. Palpu.1988 [1896]. p. 51. (Independent translation). In the book *Thiruvithamkotte Ezhavar*, the term *anyonya avakāsamgal* is used as a translation of the expression *mutual relation* that appeared in Dewan's reply to the Ezhava Memorial.

[101] In his reply to the Ezhava Memorial, Dewan specifically explained the 'general' criterion according to which mutual relations among different castes were maintained in the social arena of Travancore. He

concept a*vakāsam* here refers to the rules governing interpersonal relationship of people of different castes in social life. The rights are mutual in the sense that they are determined by "one's relation to the Hindus".[102] The expression 'born in relation with the Hindus' refers to those terms of mutual relations which were maintained according to the social scale that represented the hierarchical order of caste wherein the Brahmins are located at its top. The concept of *anyonya avakāsamgal* derives its substance from this idea of *relationality*. With the assertion of the principle of hierarchy in rights, the Malayalam text of the Ezhava Memorial invoked the idea of *anyonya avakāsamgal* and thus reinforced what it was actually intended to oppose. The notion of *avakāsam* mentioned specifically in the Malayalam version of the Ezhava Memorial does not appear in the English text. Instead, the English text speaks of 'persons belonging to communities whose claims are much less strong than ours and who are acknowledged to be inferior to us in point of caste hold suitable appointments in the State'.[103] This lack of conceptual equivalence is highly crucial in understanding these texts.

The petition written in the mother-tongue seems to have invoked the same from which the author-subject actually wishes to get him removed. This critical remark on the Ezhava Memorial made through conceptual analysis of the Malayalam text cannot be made possible if the English version of the Ezhava Memorial is examined. The abundance of self-demeaning idioms used in the Malayalam text mirrors the imprint of caste that has been deeply engraved in the vernacular language traditionally used by the 'lower' castes.[104] On the contrary, English language was a product of modern

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said: "These prayers raise a question which concerns not only the class to which the memorialists belong, but also other sections similarly situated in the social scale. The fact cannot be disguised that caste distinctions prevail among the several sections of the Hindu community and govern their *mutual relations*, and the memorialists generally speaking are no exception. These distinctions, it should be remembered, are not of recent date. The conditions which this feature has brought into existence are naturally so marked in an ancient Hindu State like Travancore, that they beset the question with peculiar difficulties. Government, solicitous as they are for a satisfactory solution, have to feel their way and proceed cautiously lest any violence should be done to social order and harmony". P. Palpu. 1896. p. 32. (Emphasis added)

[102] Regarding the status of the converted Christians, the Dewan once stated that they are "required to conform to the custom and usage observable by persons of the caste in which he was born in his relation with the Hindus". R. N Yesudas 1977a. p. 29. For detailed discussion, see Chapter two.

[103] P. Palpu. 1896. p. 31.

[104] He prefers to perceive the language used in the Malayalam text as a "variety of sly civility" rather than conceiving the same as an "indication of their lower status in the caste and social hierarchies". Udaya Kumar. 2014. p. 6.

education provided by missionaries under the aegis of the colonial rule. It was also an indication of prestige and power and, as far as a 'lower' caste person is concerned it was a means to achieve self-respect, dignity and social mobility. Hence, one could see, the petition written in English speaks in a de-contextualised language, transgressing servility of the 'lower' caste subject.

Language becomes mark of a sharp divide within the 'lower' caste subject expressing dissent. The colonial condition offered possibilities of articulation other than the traditional modes and seems to have helped to refashion the political. However, at the very same moment, when the same subject speaks in the vernacular language one could also locate the limit of the political. This disjunction, I would argue, points at an insinuation of a tension between modernity and tradition manifested in the language of expression of a 'lower' caste subject who started demanding equality and representation.

**Conclusion**

One of the central concerns of this chapter was to analyse the economy of the term *avakāsam* by exploring the social, political and the textual contexts in which it was employed. It has become evident that the word *avakāsam* and the concept it carries could be properly understood only in relation to the context of its utterances. It has been put to use in ritualistic, customary, moral and legal terms and we have seen that there are contexts where these overtly contradictory modes of rights co-exist. In the nineteenth century Travancore, the social interactions and exchanges were ordained predominantly by the customary rights which were quintessentially antithetical to the legal notion of rights governing the order of the emergent public. Although the formation of public domain marks a critical deviation in the discourse of rights, it also carries conflicting aspects of avakāsam containing an altogether different time-space (of tradition and modernity).

The customary rights operated in a social situation in which caste, birth and labour were tightly linked and determined one another. The customary rights were often performed in ritualistic modes, such as giving or receiving gifts during local festivals that were usually associated with harvest. Those moments also helped for the constant reproduction of hierarchy in social relations. Customary rights derived its legitimacy

from the tradition and its continuous usage. Therefore, it often disclaimed individual subject's discretion and freedom. The servile rights which were inherited by the slaves (to remain subservient to the master and also to perform whatever duties they were destined to perform) were the property of the master who enjoyed freedom to sell the rights of the slaves if needed. The discourse of legal rights that emerged along with the formation of the public domain in Travancore set to play a new rationale of freedom that was antithetical to the customary rights. It was in the context of such a changing discourse of rights the 'lower' castes demanded right to social recognition.

The discourse of rights for social recognition imbibed two different levels of articulation. For, at first, the 'lower' castes had to claim membership in the human community prior to demand equal membership in the society. Hence, the right for social recognition actually implied a demand for 'right to have rights'. The 'higher' caste men who already had considerable share of power and access to resources and education required no further recognition to become members of the society. When the public service in Travancore offered opportunities for the educated, they protested against the dominance of the 'overseas' Brahmins and claimed their right to representation as native subjects. The discourse of rights around the public domain thus carries a structural disparity as the 'lower' castes, whose access to the public domain has hitherto been denied, had to make demands for right to recognition whereas the privileged and the educated sections were able to claim their right to equal representation in the avenues newly made available in the public domain. In the nineteenth and early twentieth century Kerala, though reforms were articulated through the language of rights, the public domain (consisting of the common public) was formed within a discourse of structurally uneven, conflicting and seemingly ambiguous notions of rights.

This lacuna is otherwise reflected in the Malayalam and the English texts of the Ezhava Memorial; the former speaks of a language of caste inferiority whereas the latter uses a dignified language of formal petitioning. The concept *avakāsam* used in the Malayalam version of the Ezhava Memorial indicates how the idea of hierarchy of rights operated within the text and contradicts the very intention of the petition itself. The same text uses self-abasing idioms such as *adima*, *adiyan* and *agathi* to address the Ezhava community. It could be perceived as a reflection of a sense of caste

inferiority, highly embedded in the vernacular language, carried by the Ezhavas till the end of the nineteenth century. The subject who speaks confidently in the English version however demands rightful claims in a formal language of petitioning. The colonial condition in Travancore therefore facilitated the 'lower' castes to express their grievances in a higher order, formal, administrative language. The contradiction evident in the language of expression of subjecthood reflects a crucial phase of transition of the Ezhava subject towards the end of the nineteenth century.

**Chapter Four**

**Towards the Political: The Formation of Communities and Articulation of Citizenship Rights in Travancore, circa 1900 – 1937**

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In due course, the discourse of rights around public domain seems to have produced a niche of reform and a 'citizen-subject' in Kerala. Though the intensity of such a development had not applauded similarly in the three political units (Malabar, Cochin and Travancore), it made remarkable impact on the prevailing state of affairs in the native states of Travancore and Cochin. Of such developments, the most significant one is the formation of communities that have come into existence through a process of internal reorganisation of castes and religions. The usage of community appeared as something other than caste and religion but at the same time it evidently assimilated and radically redefined both. The emergence of the communities was a result of an extensive mobilization of members of similar caste/sub-caste groups, sharing similar material and social status as well as uniformity in beliefs and customary practices. Unlike caste, it could be assumed that the communities were open to reform and change. This chapter explores how the new discourse of right centred on the question of equality became prominent and contributed to the formation of communities in Travancore. It also looks at the process through which the communities transformed the public domain into a sphere of the political. Here an attempt is offered to figure out the new possibilities of articulation of rights beyond the questions concerning recognition and representation.

The Malayali Memorial marked the inauguration of constitutional agitations in Travancore. Such endeavours supposedly followed non-coercive means like submission of memorials, creation of favourable public opinion, discussions and debates in the Legislative Assembly and public meetings. If we examine them critically, it would become evident that those agitations never questioned the supreme authority of the native monarch. The popular demands were articulated only by virtue of being the law abiding citizens of the country or the subjects of the King on the other. The real objectives of those movements were to reorder the social relations of

power and privileges that are held hostage within the conventional habitat of caste and customs. The two major questions repeatedly raised in those reforms were these: How power is embedded in caste and its operations in the society? [and] How the customary rights, joint-rights in particular, foster the established power relations among castes?)

## Communities and Re-constitution of the Society

Reform/*parishkāram* and progress/*purogathi* were the major keywords indicating the process of social modernisation in Kerala. The articles and editorials which appeared in the vernacular newspapers during the first three decades of the twentieth century would ratify that demands were raised frequently in favour of community reform, governmental reform, agricultural reform, judicial reform, revenue reform, religious reform, customary reform and so on. From the last decades of the nineteenth century itself, several attempts have been made by the newly educated class to form organizations intending to reform certain customary practices which may hinder the aspirations of the emergent educated men in the society. The *Samudāya Parishkarana Sabha* or 'Community Reform League' was an example of such an attempt made by the educated Nair youth to alert their community to dispose of their customs such as *marumakkathayam* or matrilineal system of inheritance and *sambandham*.[1] In the early decades of the twentieth century, a number of such organisations came into existence in Travancore. Of which the most significant incident was the creation of the *Sree Narayana Dharma Paripalana Yogam* (hereafter S.N.D.P. Yogam) in 1903, with Narayana Guru as its lifetime president.[2]

The communities were active and influential in the native states than in British Malabar.[3] As far as the 'lower' castes were concerned, creating a community was a

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[1] G. Arunima. 2003. *There Comes Papa: Colonialism and the Transformation of Matriliny in Kerala, Malabar, C. 1850—1940*. Orient Blackswan. Hyderabad.

[2] As the Malayali and Ezhava Memorials turned out to be a failure in terms of producing favourable results for the Ezhavas, Dr. Palpu took initiative to set up an association to commence reforms among the Ezhavas. His meeting with swami Vivekananda induced him to materialize this venture. Even before Dr. Palpu making such an effort, a small association of the Ezhavas had taken shape under the guidance of Narayana Guru at Aruvippuram. With the intension to form a broader association, the Aruvippuram temple association was developed into Sree Narayana Dharma Paripalana Yogam in 1903. See P. S Velayudhan. 1978. *S.N.D.P. Yoga Charithram* (History of S.N.D.P. Yogam). Genuine Printers & Publishers. Ernakulam. pp. 23–25.

[3] "Apart from the fact that Guru was from Travancore, the influence of the Yogam was most felt in that area and its activities were to a great extent framed by the sociopolitical conditions prevalent there. For

need of that time. On the one hand, the community organisations gave the dispersed sub-caste segments unity and more bargaining power and on the other hand the community organisations were eligible to send their representatives to the Sri Mulam Popular Assembly as the nomine of respective castes. However, the latter possibility was only an appendage to the former reason. As Awaya elucidates; "the lower castes including the Tiyyas appear to have suffered from caste discrimination more severely in the Native States (Travancore and Cochin) where the governments tried to bolster their rule by representing themselves as protector of Hindu orthodoxy".[4] The regions, especially the princely states and the British Malabar, maintained not only political difference but they also differed in terms of their peculiar social conditions. Like the Ezhavas of Travancore and Cochin, their counterpart, the Tiyas of Malabar were not largely excluded from the field of education and employment. Therefore, the conditions favouring the formation of a Tiya caste organisation was much weak in Malabar.[5] Another reason for the absence of Tiya caste mobilisation in Malabar was that "unlike the limited area of the Native States, there was no scope for forcing the Madras government to admit communal representation for each caste such as Tiyyas. Finally, in Malabar, the Tiyyas' movement was challenged by the nationalist movement which was weak and late-coming in the Native States".[6]

However, when the S.N.D.P. Yogam was formed in Travancore, they proposed a wider notion of community beyond regional boundaries. They invoked a new cartography of community, considering the Ezhavas "a larger community, spread like an ocean having waves and circles, stretched out from Kanyakumari to Kannada district".[7] The S.N.D.P. Yogam, from the early phase onwards, started working out a plan of action to reform the caste from within. As mentioned in Chapter Two, the sub-caste relations were almost akin to the hierarchical relations that existed between the 'lower' and 'higher' castes in the society. This phenomenon has made internal reform

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instance, at the end of 1915 out of the 1,299 members of the Yogam, only 138 and 74 were from Malabar and Cochin, respectively." *Mitavadi*. vol. 4, no. 6, June 1916. p. 10.

[4] Toshie Awaya. 1997. "Some Aspects of the Tiyyas' 'Caste' Movement with Special Reference to British Malabar" in Kotani H (ed.) 1997. *Caste System, Untouchability and the Depressed*. Manohar. New Delhi. p. 143.

[5] Ibid. p. 161.

[6] Ibid. Awaya explains that, "though the educated Malayalis were paying due attention to it [Congress movement], Malabar became politicized only after Besant's Home Rule League had spread there. The first political conference was held in Palghat in 1916". Ibid. p. 154.

[7] P. S Velayudhan. 1978. p. 232. (Independent Translation)

of castes practically unable to be realized. As C. V Kunhiraman once explained; "among the Ezhavas, there are different sub-caste and they even observe touch-pollution or untouchability [with] each other. It has regional and local implications as well. For instance, the Ezhavas of Trivandrum consider them superior than the Ezhavas of Paravoor and similarly, the latter treats the former in the same manner. This sort of caste pride is very much rooted among the Ezhavas".[8] In addition, the differences in rituals and customs also obscured the possibility of inner caste unity among the members of the same caste.[9] Having taken these difficulties and inconsistencies into consideration, the S.N.D.P. Yogam made efforts to reform the caste from within. One of the major aims was to create uniformity in rituals and customs among the Ezhavas.[10] In an annual meeting of the S.N.D.P. Yogam, Dr. K. Kunhikannan has stressed the aspect that "No matter what kind of relationship exists between different castes, there has to be complete equality, fraternity and cooperation within the castes. The community will not achieve progress if it acts in opposition to this idea".[11] The internal unity of sub-castes thus turned out to be one of the basic prerequisites for the formation of a wider community. The term community thus envisaged a homogenous social group among the sub-castes.

The objective of the S.N.D.P. Yogam was to establish unity among the people who were traditionally belonging to a caste called the Ezhava or Chogon, or Thiya.[12] In order to propagate the ideas of the S.N.D.P. Yogam, a mouthpiece named *Vivekodayam* was started.[13] One of the major issues promulgated through

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[8] Ibid. pp. 121–122. (Independent Translation)

[9] For instance, the Ezhavas of Travancore followed different systems of inheritance. In some of the northern districts they followed both matrilineal and patrilineal systems together, in some other places like Chavara, Paravur etc. the Ezhavas observed matrilineal model and in many of the northern Taluks, they followed patrilineal system. Ibid. p. 253.

[10] Ibid. p. 125.

[11] *Keralakaumudi* (Malayalam Newspaper). 15 May 1924. p. 4. (Independent translation)

[12] However, in Malabar, the influence of the S.N.D.P. Yogam was considerably limited and Awaya elaborates that in Malabar, "[I]n the course of Tiyyas' caste movement, the demand for communal representation constituted the area where their argument would to some extent be applicable. For it was along the lines of gaining some reservation or consideration for the Tiyyas as a 'caste' in the field of education, government service, and seats in the elected bodies that the Malabar Tiyya leaders continued to think and attempt to organize themselves outside the Yogam. This was considered necessary because the Yogam's demand for communal representation was directed towards the Travancore government. In 1917, just before the Montagu–Chelmsford Reforms, Tiyya petitioners demanded for the Madras Governor when he visited Malabar that they be given reserved seats. Toshie Awaya. 1997. p. 150.

[13] 'The main intension of the Journal was to direct the community (ezhava) towards the right path and try to make harmonious co–existence with other communities and also to prepare the Ezhava

*Vivekodayam* was the immediate need of the community to reform their age old and unreasonable customary practices. In one of its volumes, the S.N.D.P. Yogam secretary Kumaran Asan wrote that, "customary reforms implicate two major aspects in the main; primarily, to reform the existing customary practices (such as *therandukuli, pulikudi, kettukalyanam* etc.) which require heavy expenses that a poor Ezhava family could not afford and secondly, to save the Ezhava community from disgrace through timely reforms in the customary practices".[14] During that period there was this strong impression that unless there are dedicated attempts to reform the custom there would be no progress whatsoever. As Āsān pointed out, the prime intent was to create a niche of reform among the community to change their tradition from within. Here, they envisaged a body with reflective potential to make the members of caste vulnerable to reform and change. This marks a critical moment in the making of a new communal or common identity beyond the contours of caste which operates according to the rules of self-subjection. Another significant aspect was that the communities which demanded equality both inside and outside the realm of a community could not easily ignore similar demands claimed by castes considered lower than them in the order of social hierarchy. This situation opened up new possibilities for unitive action among communities having similar interests and demands. Communal cooperation has thus become the essential precondition for cohesive action. Dr. Palpu wrote in the *Vivekodayam* that,

> "[T]he object of the Yogam is to improve the condition of the Tiya or Ezhava or Chova community of this cost, and its policy is to effect this improvement without prejudice to the interest of other communities. In regard to communities whose conditions are similar or worse, the S. N. D. P. Yogam has made it a point to render all possible help. His Holiness, the Guru who is the permanent president of the Yogam, observes no caste distinction himself and his motto: 'Whatever one does for one's own happiness should be conducive to the happiness of others as well.' The Yogam follows this religiously".[15]

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community to assimilate the value of love towards the community, respect to religion, morality etc.' P. S Velayudhan. 1978. pp. 111–112.

[14] He stated that the corpus of the community is being degenerated as a result of these outdated and pensive customs and they caused decrease in the wealth of the community. It was dangerous because, wealth was the blood of community corpus. Ibid. p. 124. Quoting from *Vivekodayam*, (Midhunam, 1079 M.E). (Independent translation).

[15] The Welcome Address delivered at the public meeting by Dr. Palpu. *Vivekodayam*. 1916-1917 (1092 M.E). No. 1&2. p. 35. A. Ayyappan attests that, "[b]efore the consolidation of the Irava caste by Narayana Guru, the Iravas of the northern districts of Kerala treated those of the Travancore area, that is southern Kerala, as strangers, as weavers with whom they had nothing in common". A. Aiyappan.

This statement points towards a significant change a *samudāyam*/community maintains in contrast to caste. Unlike caste, the communities maintained the idea of a society which was totally different from the point of view of caste. The society in the nineteenth century Travancore was constituted exclusively by the 'higher' castes. Others were untouchables, and therefore, kept aloof from the sphere of the social. Even when people from the 'lower' social echelons started demanding rights, those attempts did not help them to transgress their particular caste folders. On the contrary, communities themselves were formed on the basis of a practical consensus among different sub-castes. As mentioned by Kunhiraman in the above statement, the S.N.D.P Yogam which represented a community of the Ezhavas/Tiyas was ready to acknowledge the marginality of other sections of the society. This compulsion to recognize the deprived other, who were considered socially and ritually inferior and impure, was a historically unprecedented situation. And, it gradually gave way to new forms of social and communal relations in Travancore in the early decades of the twentieth century.[16]

Following the Ezhavas, under the leadership of Ayyankali, the Pulayas of south Travancore formed the *Sadhujana Paripālana Samgham* in 1907. The main purpose of the organization was to mobilize the Pulayas who were mostly unaware of the condition of their social status and the rights they actually possessed. Hence, the Sangham took efforts to spread education and also to improve the quality and standard of their labour.[17] It is important to note that a few years after its formation, the involvement of the Pulayas in the activities of the organization seem to have increased in large numbers.[18] When government of Travancore introduced a system of nomination of members from underrepresented groups and communities to the Sri Mulam Popular Assembly, taking advantage of this situation, Ayyankali applied for

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1965. *Social Revolution in a Kerala Village: A Study in Culture Change*. Asia Publishing House. Bombay. p. 168.

[16] However, such a communal cooperation among the untouchable castes had not been materialized all of a sudden. For instance, "A Tiyya temple in Trishur (Trichur), consecrated by Guru in 1916, was open to the Kammalas (artisan caste), but not to the Pulayas. The latter were allowed to proceed up to a certain point. Jagannatha Temple in Tellicherry is another case in point". Toshie Awaya. 1997. p. 147.

[17] *Malayala Manorama* (Malayalam Newspaper). 20 October 1909. p. 3.

[18] In 1915, during the Legislative assembly meeting the representative of the Sadhujana Paripālana Samgham stated that the organization had 126 subunits and 68, 000 members across the country. *Malayala Manorama* (Malayalam Newspaper). 3 March 1915. p. 7. As news paper reports show, special meetings were held to discuss the affairs of the Pulaya women and in those meetings women's participation was remarkably high. *Malayala Manorama* (Malayalam Newspaper). 14 January 1911. p. 3.

membership in the Legislature on behalf of the Sadhujana Paripālana Samgham in 1910 and eventually nominated to the Assembly in the next year.[19] Similarly in 1913, the Pulayas of the central Travancore also formed the Sadhujana Paripālana Samgham under the leadership of Vellikkara Choti, who also became a nominated member in the Sri Mulam Popular Assembly to represent the Pulayas of the central Travancore.[20] In his initiative, a monthly called '*sadhujanaparipalini*' got published as their mouthpiece.[21]

As far as the Pulayas were concerned, the Sri Mulam Popular Assembly turns out to be a pivotal agency to vocalise their demands and ventilate their grievances. They demanded governmental support and social sanction of their rights which would enable them to access schools and public places without discrimination.[22] Unlike other communities, customary reform was not the major agenda of the Pulayas. One of the issues Ayyankali repeatedly emphasized in his speeches in the Popular Assembly was that the education system in the state should be more inclusive and accommodative of the Pulayas. As a member of the Assembly, he sought solutions to these problems through constitutional means. He demanded strict rules to punish the school masters who disregard the rights of the Pulaya children.[23] Furthermore, he requested the government to award scholarships to Pulaya students so that they can meet the expenses of education.[24] During the 10th session of the Sri Mulam Popular Assembly, Ayyankali made another request to distribute lands to the landless Pulayas, overthrowing the customary restrictions preventing the Pulayas from holding private land.[25]

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[19] *Malayala Manorama* (Malayalam Newspaper). 3 December 1910. p. 3.

[20] *Malayala Manorama* (Malayalam Newspaper). 30 May 1914. p. 5. It became the *Keraleeya Pulaya Mahasabha* in 1917.

[21] *Malayala Manorama* (Malayalam Newspaper). 1 April 1914. p. 5.

[22] Their struggles were not meant for the educated few but on the contrary, they were aimed at producing a few educated men/women from among their communities. In a conversation with Gandhi, Ayyankali categorically said that what he desired was to see at least ten graduates in his community.

[23] *Malayala Manorama* (Malayalam Newspaper). 28 February 1914. p. 10. Moreover he suggested that to handle critical situations the government should appoint an officer who should be accompanied by a person from their side to search out the teachers who denied the rights of the Pulaya children.

[24] *Malayala Manorama* (Malayalam Newspaper). 28 February 1917. p. 6. See Report of the proceedings of the 13th session of Sri Mulam Popular Assembly in 1917.

[25] *Malayala Manorama* (Malayalam Newspaper) 24 February 1914. p. 2. It seems that the government of Travancore gave attention to the grievances of the Pulaya community. The statement made by the Pulaya member in the Popular Assembly shows that the government rendered 500 acres of land to the Pulayas of Travancore. *Malayala Manorama* (Malayalam Newspaper). 15 March 1915. p. 7.

The Parayas who rallied under the banner of the *Brahma Prathyaksha Sadhujana Paripālana Sangham*[26] also raised demands for land and adequate educational facilities.[27] Kandan Kumāran, a nominated member of the Sri Mulam Popular Assembly from among the Parayas made a series of request to save their rights from the bureaucrats who often denied their rights and kept them away from the public offices.[28] The Pulayas and the Parayas articulated the question of social justice and emphasised the need of reform in the state bureaucracy. Ayyankali pleaded the government to offer lower grade employments to the Pulayas in places like government press.[29] He persuaded the government to take immediate measures to prevent mistreatment of the Pulayas in government hospitals and local medical shops.[30] Furthermore, he made a proposal that "to attend Pulaya patients, Pulaya servants are to be appointed to nurse the patients who are admitted in the Pulaya ward".[31] The demands made by Ayyankali were aimed apparently at contributing to resolve the immanent crisis the Pulayas encountered in their quotidian life.

The Pulayas and the Parayas (who constituted the hereditary slave population in Travancore), though their social conditions and demands were more or less same, never united under a common organization. It could be noticed that caste and regional differences were very much active in the formation of communities among the Pulayas and the Parayas as well. For instance, in the Popular Assembly, Kandan Kumaran argued for special legal protection for the Parayas on grounds of their customs and ritual superiority. He states: "We belong to the Brahma Prathyaksha community. The Parayas and the Brahmins are the same community. Our customs are very much similar. Therefore it is injustice that we are treated as untouchables".[32] As it indicates,

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[26] According to reports, the 'Brahma Prathyaksha Sadhujana Paripalana Sangham' by the year of 1914, managed to establish 44 buildings in many parts of the country and almost 40 teachers were appointed to educate their children. *Malayala Manorama* (Malayalam Newspaper). 8 April 1914. p. 5.

[27] *Malayala Manorama* (Malayalam Newspaper). 28 April 1914. p. 5.

[28] *Malayala Manorama* (Malayalam Newspaper). 26 February 1916. p. 1. See the Report of the Sri Mulam Popular Assembly Proceedings of 1916. In 1918 Kumāran announced in the Popular Assembly: "We are ill–treated by the local officials whenever we approach them and threatened in case if we raise any complaint against them. Since we are not allowed to go near Courts, Taluk and Panchayat offices, there is no way to report our grievances". *Malayala Manorama* (Malayalam Newspaper). 23 February 1918. p. 2. See the Report of the proceedings of the14th session of Sri Mulam Popular Assembly in 1918.

[29] *Malayala Manorama* (Malayalam Newspaper). 28 February 1914. p. 10.

[30] Ibid.

[31] Ibid. (Independent translation)

[32] Report of the proceedings of the14th session of Sri Mulam Popular Assembly in 1918. *Malayala Manorama* (Malayalam Newspaper). 6 March 1918. p. 6. (Independent Translation)

in practical terms the Parayas shared demands for equal rights with the Pulayas but ritually they identified themselves with the Brahmins and superior to the Pulayas. Adjunct to that, the Pulayas were organised on the basis of regional affiliations as well. Apart from the *Sadhujana Paripālana Sangham* of Ayyankali, there was a 'Pulaya Mahāsabha', which was largely an initiative of the benevolent Nairs and the Christians of north Travancore.[33] In central Travancore, it was the '*Keraleeya Pulaya Mahāsabha*', led by Vellikkara Choti and Karumban Daivathan, representing the Pulayas.[34] During the first four decades of the twentieth century, like the Ezhavas and the Nairs, the Pulayas could not form a larger community, sharing a common organisational platform. The regional variances and the differences in caste-communal relations prevailed in specific localities appears to have played a crucial role in it.

The educated youth among the Nairs were instrumental in bringing in internal reforms within the caste. The members of the *Malayali Sabha* (an outfit of the Nair students) formed an organization named the *Sāmuhya Parishkarana Sangham* in 1899 with the intention to reform certain customs that they considered deleterious to the progress of the community.[35] C. Krishna Pillai, leader of the union, travelled all over Travancore to set up '*karayogams*' or local units. As a culmination of his efforts, with the help of likeminded people, in 1903 he established the *Changanassery Nair Samajam*. In the same year another organisation named the 'Travancore Nair Samājam' also came into existence. The central concern of these associations was to create unity among the Nairs who were divided into so many sub-castes.[36] The Travancore Nair Samājam paid serious attention to the issue of self respect of the Nairs and advised them to avoid using the *sudra* title anymore.[37] The Samājam also made efforts to establish

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[33] *Malayala Manorama* (Malayalam Newspaper). 12 April, 1916. p. 6.

[34] The 'Keraleeya Pulaya Mahāsabha' came into existence in 1917 under the leadership of Vellikkara Choti and Karumban Daivathan who were nominated members to the Sri Mulam Popular Assembly for many years. Choti has made it clear that this association is different from the Sadhujana Paripālana Sangham of Ayyankali. *Malayala Manorama* (Malayalam Newspaper). 15 September 1917. p. 3.

[35] However, there was a dispute between the leaders regarding the question that 'what aspects should be the focus of reform and what would be the proper line of action to be followed. C. Krishna Pillai had the opinion that the Sabha should focus on customary reforms but leaders like C.V. Raman Pillai emphasized on power politics.

[36] However, regarding the destruction of the 'Tharavad System' (Joint family system) there were contradictory opinions among the members of the association. C.V. Raman Pillai strongly recommended the joint family system to remain. C. Krishna Pillai had the opposite view and he also demanded redistribution of family wealth among the members.

[37] *Malayala Manorama* (Malayalam Newspaper). 8 June 1910. p. 1. (Independent Translation)

good contact with people 'lower' in the social order and made some attempts to offer them education.[38]

Communities signal a critical moment of transition in the society. They came into existence in the wake of political and economic modernisation in Travancore. In the ninth annual meeting of the Travancore Nair Samājam, P. Padmanabha Menon spoke out it very clearly that "since the Nairs are reluctant to get into the domain of trade and commerce, they are lagging behind the people whom they call the low castes".[39] He focused also on the rampant division among the Nairs hindering the process of formation of a community directed towards progress.[40] Though the Travancore Nair Samajam met its end by 1916 due to internal rift, in the meanwhile, another organisation named the *Nair Samudaya Bhrithya Jana Sangham*, which later became the 'Nair Service Society' (hereafter N.S.S), began to emerge by the initiatives of some Nair youth of Changanassery headed by Mannathu Padmanabha Pillai. The N.S.S paid immediate attention to put an end to the matrilineal joint family system followed by the Nairs. It also advised the Nairs to achieve educational and economic advancement like the neighbouring Christian community. Besides, to create a strong community of the Nairs the N.S.S attacked the sub-caste system.[41] Padmanabhan wrote:

"[T]he Nairs unlike other communities lack a sense of fellow-feeling even today...They live isolated from one another on the basis of social differences and regional dissimilarities. The sense of oneness has not yet evolved even among the Nair households in the same village... One could very well imagine the extent of community consciousness that would be there among those divided on a hierarchical basis into Illakkars, Swarrupakars, Edasseris and Chakkalas and never

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[38] In the fourth annual meeting of the Nair Samājam, P.K. Madhavan Pillai indicated that because of the efforts of the Karayogam, in a Taluk, the Nair and the Pulaya children were learning in a school like siblings. *Malayala Manorama* (Malayalam Newspaper). 8 June 1910. p. 1.

[39] *Malayala Manorama* (Malayalam Newspaper) 8 May 1915. p. 1.

[40] Being a historian himself, Menon rightly pointed out that one of the major threats the Nairs as a community now facing was that there were utterly no unity among the sub-castes within the Nair segment. He explained that among the 18 sub-castes of the Nairs, 14 were considered as 'higher' and the remaining 4 as 'lower' or inferior castes. And there were strict pollution rules existed between these two divisions. He emphasized the need of eradication of this difference which till date is hampering the unity among the Nairs. *Malayala Manorama* (Malayalam Newspaper). 8 May 1915. p. 1, 4.

[41] The "Nair Samjam", formed in Madras, also made efforts to unify the sub-castes and to establish community sentiment among the Nairs. "Nair Samudaya Parishkaram". *Keralan* (A Bi–lingual journal published from Travancore). 1906. Volume. 2. Issue. 7, 8, 9. p. 184.

associating with one another through inter marriages or inter dining and keeping themselves away from all activities likely to foster sentiments of unity".[42]

Here he invokes the idea of community as a symbol of larger unity which happened to be a precondition to achieve progress. Departing from traditional customs, the N.S.S tried to establish uniform patterns in ceremonies like marriage among the Nair sub-castes.[43] The N.S.S focused attention on Nair families and by joining them together, local units (*karayogam*) were established. Through these units the N.S.S promoted modern education and commerce.[44]

The Muslims of Travancore, despite being backward in terms of education, were mostly unwilling to welcome modern education. They did not show interest in learning Malayalam as they considered it as an Aryan dialect fostered by the Hindu writers. Besides, they also kept distance from English as it was considered as a language of the British.[45] However, at a time when other communities began to embrace education, demands generated for the same from among the Muslims in Travancore. The vernacular newspapers carried articles to enlighten the Muslims. In a newspaper articles titled *Islaminte Poorvaswathu* (The Inherited Wealth of Islam), an author concealed under the name 'a Musalman', criticised the conservatives among the Muslim community for preventing both men and women in attaining education.[46] He also vehemently opposed the notion that science is essentially hostile to god.[47] Another newspaper articles expressed the opinion that: "in consideration of educational achievements, the government of Travancore compare the Muslims with the lower castes. In order to spread education among the Muslims the leaders within the community should take more responsibility than the government".[48] There were demands arising from the public compelling the representatives of the community in

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[42] Mannathu Padmanabhan. 2003. *Reminiscences of My Life*, (Tr. Prof. P.C. Menon). Cultural publication Department. Government of Kerala. Thiruvananthapuram. p. 27.

[43] Ibid. 52.

[44] P.K. Parameswaran Nair. 1972. *N.S.S History Vol. I*. Nair Service Society Publication. Changanassery. p. 162.

[45] Lawrence Lopez. 1988. *A Social History of Modern Kerala*. Trivandrum. p. 184.

[46] *Malayala Manorama* (Malayalam Newspaper). 29 August 1917. p. 1.

[47] Ibid.

[48] The author explains, 'in view of this Muslim samajams should be formed in every Taluks to persuade parents to send their children for education. The Muslims of Travancore should form a fund to carry out those initiatives.' K. K. Seyd Ahmed Vakkom, "Thiruvithamkoor Muslim Vidyabhyasam" (Education of the Travancore Muslims). *Malayala Manorama* (Malayalam Newspaper). 15 May 1915. p. 1. (Independent Translation)

the Sri Mulam Popular Assembly to articulate the issue of educational advancement of the Muslim community.[49] Accordingly, in 1918, the Muslim member in the Assembly requested the Dewan to give special consideration on the issue of educational enhancement of the Muslims. And he also recommended appointing a Muslim official to inspect the schools.[50] Though the Muslims had a sense of being a religious community, it could not form a community organisation to champion the process of reform. Though there was a strong demand for establishing a *Muslim Mahājana Sabha* since 1917,[51] it took an organisational form only in 1923 with the establishment of the *All Travancore Muslaim Mahājanasabha* headed by Vakkom Abdul Khadar Maulavi, a social visionary and a liberal minded scholar.[52]

Unlike the Muslims, from the last decade of the nineteenth century itself, the Christian sects had made efforts to set up joint ventures. The erstwhile Travancore-Cochin Christian Association of 1898 was reorganized later in the name of Travancore-Cochin Christian Conference (also known as the *Thiruvithāmkūr-Cochi Christian Mahājana Sabha*) and in its second meeting held in 1911 the major resolution approved by the members insisted "to ensure cohesive actions by different segments within the Christian community".[53] The major challenge before the Christian conference was that they could not have claimed community status unless resolving the question of exclusion of the 'lower' caste converted Christians. In 1911, the Conference passed a resolution that "the Christian organisations, officials and other members ought to offer their service for the betterment of the depressed castes in the country".[54] And in its 1915 conference, special consideration was given to the issues of the Christian-

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[49] Ali Muhammad Abubakkar from Alappuzha, in his Newspaper article, emphasized that the Muslim representatives should argue in the Legislative Assembly to make primary education compulsory among the Muslims. *Malayala Manorama* (Malayalam Newspaper). 29 December 1917. p. 6.

[50] *Malayala Manorama* (Malayalam Newspaper). 27 February 1918. p. 2. See the Report of the proceedings of the14th session of Sri Mulam Popular Assembly in 1918.

[51] *Malayala Manorama* (Malayalam Newspaper). 15 September 1917. p. 6.

[52] He started a periodical called 'Muslim' in 1906 with a view to explain the views of Quran and also to instigate customary reforms among the Muslims. In addition to that under his initiative a monthly journal in Arabic-Malayalam named 'Al-Islam' and a Newspaper called *Swadesabhimani* was also published. "He encouraged modern education among Muslims and held that the existing laws of Islam pertaining to the material matters were not commutable and, hence depending on the conditions of time and place they are subject to change. He advocated for independent judgment — *ijtihad ital*— against Islamic orthodoxy and fundamentalists". Lawrence Lopez . 1988. pp. 183, 187–189.

[53] *Malayala Manorama* (Malayalam Newspaper). 3 May 1911. pp. 2–3. See the Report on the proceedings of the 2nd meeting of the Travancore-Cochin Christian Conference. (Independent translation)

[54] Ibid. (Independent translation)

Pulayas.[55] Despite the fact that these efforts being made, it was difficult to undermine the social, political and cultural differences among various Christian sects. They also had different political interests as well. For instance, regarding the representation of members in the public service, the Roman Catholics demanded special consideration and it became highly intense during 1920s.[56] In the 25th session of the Sri Mulam Popular Assembly, Kuruvila Chandapillai, a Catholic member from Changanassery, explained that

> "[i]n respect of numerical strength, educational achievement and material prosperity, the Catholic community held an important place among the various communities in Travancore... As a result of their sustained agitation, the Government had recognized of late the principle of communal representation in the public service and they had further recognized the Roman Catholic as a separate entity among the Christians themselves. But this kind of theoretical recognition of the rights of communities for representation in the public service and of the Roman Catholics for separate representation as a community did not in itself carry matters far. The theory should be brought into practice to the fullest extent".[57]

The communities in Travancore emerged within the context of an emergent discourse of representational rights, marking a critical period of transition in the wake of the twentieth century. During a discussion in the Sri Mūlam Popular Assembly, calling attention to the question of communal representation in Travancore, Mr. Raman Pillai (a member from Kottayam) stated that "the population of all the various castes and religions in Travancore do not get their rightful share of jobs not only in the land-revenue department but also not in any other departments".[58] In reply, another member Mr. Piraviperumal Pillai asked for a clarification: "May I ask you to explain which castes are they?" Mr. Raman Pillai, in his reply, maintained that "I am talking about

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[55] *Malayala Manorama* (Malayalam Newspaper). 21 April 1915. p. 6. Subsequently the executive committee of the union was assigned to meet the Dewan for requesting him to continue the nomination of their members to the Legislative Assembly and also to provide them with enough opportunities in the field of education. See the Report on the proceedings of the 4th annual conference of the Travancore-Cochin Christian Conference.

[56] Emphasizing on this aspect, Nazrani Deepika newspaper wrote an editorial to persuading the Roman Catholic community to argue out their demands separately. *Nazrani Deepika* (Malayalam Newspaper). 22 March 1924. p. 2.

[57] Mr. Cheriyathu, a member from Meenachil Taluk, announced in a Popular Assembly: "Catholics never wanted that they should be given any special consideration in suppression of the legitimate claims of other communities. They only wanted their rights should be duly recognized. They did not also want that Government should give the go-by to efficiency merely for the sake of communal representation." *Proceedings of the Twenty-fifth Session of the Sri Mulam Popular Assembly of Travancore.* 1929. Government Press. Trivandrum. p. 255.

[58] *Nazrani Deepika* (Malayalam Newspaper). 16 December 1929. p. 1. (Independent translation)

community, not about caste". Mr. Piraviperumal Pillai raised a counter question that "does not caste mean *jāti*?" Raman Pillai replied: "I would withdraw that part which sounds *jāti* where I actually spoke community. I am talking about community". He added that, "only the Malayali Brahmin and the Kshatriya communities are holding majority of administrative offices in Travancore".[59] As this discussion explains, in the early twentieth century, there was an intended effort to displace the term *jāti* with *samudāyam*.

The Malayalam word *samudāyam* denoting community represents neither caste nor religion per se. When we focus on specific use of the word *samudāyam*, we could find that it has been used in two different ways; one referring to community of a specific kind and another signifying the society. Only the textual and verbal context of usage of the concept can provide its intended meaning. However, there is an intriguing association between the two different usages of the word *samudāyam*. The word *samudāyam* which denotes a particular section could also be a reference to a larger *samudāyam* (society) composed of individual communities, each demanding equal representation. In contexts, where the term *samudāyam* is used to refer to these two dimensions, people often use the term *swa-samudāyam* to designate one's own community and samudāyam to denote the society. As it sounds, the term community stands for reform and progressive action both within (*swa-samudāyam*) and outside (*samudāyam*).

What is crucial about communities in the context of our discussion is that it sets off the play of ideas of equality, citizenship and equal rights in the socio-political arena of the twentieth century Travancore. Furthermore, a new discourse of rights demanding redistribution of resources, opportunities and also of social power has emerged in this context. In the political arena, the important change that took place with the formation of communities was that they began to form strategic alliance or coalition of communities with a view to raise shared interests and demands.

**Demand for Citizenship and Equality of Rights**

In 1918, an association named the *Travancore Mahājanasabha* came into existence. The intention of the Sabha was to seek measures to protect the rights of the citizens of

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[59] Ibid.

Travancore, irrespective of caste and religious distinctions.[60] However, immediately after the inauguration of the association, due to differences in opinion, a fraction led by E.J. John (a high court lawyer) left the union and formed the *Paurasabha* which literally means 'the union of citizens'.[61] The two major issues which caused the split in the *Travancore Mahājanasabha* in its infant stage were these: firstly, some members of the union strongly opposed when the Ezhavas raised the question of temple entry and secondly, there were resistance when the Christians demanded admission in the Revenue and Military departments in the state public service, which was reserved for the 'higher' caste Hindus.[62] A league was subsequently formed by the sympathizers of the *Paurasabha* and passed resolutions condemning the policy of exclusion continued by the Travancore government.[63] The *Paurasabha* raised questions of equal representation and the issue of temple entry and commenced a mass movement to achieve these goals.[64]

In the 14th session of the Sri Mulam Popular Assembly, a memorial has been submitted to the Dewan asking to make a public declaration that "all the branches of the public service are open to all classes of His Highness' subjects without distinction of caste and creed".[65] Adjunct to that, the Travancore-Cochin Christian Conference also passed a resolution stating that "no one shall by reason of birth or religion be excluded from admission to any department of public service in Travancore and specified that 'the revenue department may be thrown open to the Christians also".[66] In addition, through public meetings they took efforts to popularize the demand for

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[60] *Malayala Manorama* (Malayalam Newspaper). 29 June 1918. p. 2.

[61] *Malayala Manorama* (Malayalam Newspaper). 2 July 1918. p. 2.

[62] Ibid.

[63] One of the major resolutions passed in the meeting was that, "'out of the 35 lakhs of His Highness the Maharaja's subjects, 26 lakhs people comprising the Ezhavas, Muslims, Christians etc. are till now excluded from the Revenue Department of the country. It is contrary to the notion of 'equality in citizenship rights', which is the fundamental principle of good governance. In addition to that, it contrasts the self–respect of the subjects and may lead even to communal disharmony.' *Malayala Manorama* (Malayalam Newspaper). 9 November 1918. p. 5.

[64] Malayala Manorama wrote an editorial titled 'Travancore Government and the Christians' to offer support to the claims of the Christian representation in the public service and also for equal citizenship rights. *Malayala Manorama* (Malayalam Newspaper). 5 October 1918. p. 2. In a public meeting of the Ezhavas, held at Calicut, C. Raman Thampi announced publically for the first time that the Ezhavas should be allowed to enter into the Hindu temples. *Malayala Manorama* (Malayalam Newspaper). 7 Novemebr 1918. p. 4, P. S Velayudhan. 1978. p. 204.

[65] *Malayala Manorama* (Malayalam Newspaper). 6 March 1918. p. 2. See the Report of the proceedings of the14th session of Sri Mulam Popular Assembly in 1918.

[66] *Malayala Manorama* (Malayalam Newspaper). 18 May 1918. p. 1. (Independent translation)

'equal rights to citizens' among the equally affected communities.[67] These movements finally resulted in the creation of the 'Civic Rights League' (hereafter C.R.L.), a coalition of the Ezhava, Christian and Muslim communities, in Travancore.

The Malayali Memorial's failure to satisfy the demands of other signatories except the Nairs was one of the major reasons that compelled the formation of the C.R.L.[68] The formation of the C.R.L. marks a significant turn in the history of Travancore because it was the first 'political' coalition that took shape apart from caste or religious lines. It thus indicates the emergence of a nascent civil society in Travancore. Within the public domain, the C.R.L. created a political space inclusive of larger agendas beyond special interests of individual communities. The C.R.L. in a booklet titled *Caste and Citizenship in Travancore* elucidates its wider politics in great detail. It says; "though we have our differences socially, educationally, [and] religiously, we have none here, we are all one. Izhava or Mahomedan, Pulaya or Pariah, catholic or Protestant or Syrian, we are all one in our demand for equality of citizenship. As our cause is just and as we have sunk our differences for the common good".[69] The savarna Hindus, however, raised strong criticism against the Ezhavas for taking part in the agitation along with Christians and Muslims. Responding to such critiques, T.K Madhavan, in an editorial in the *Desabhimani* newspaper elucidated that "the Civic Rights League has a larger agenda than that of guaranteeing the admission of the 26 lacks of the His Highness' subjects in the revenue department. Besides, all sorts of discriminations that may curb the self-respect of all human beings should be eradicated. Exclusion of the Christians and the non-caste Hindus from the key departments of the public service is

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[67] Public meetings were held at Thiruvalla, Alappuzha, Kanjirappalli and Chengannur. In those meetings, people belonging to the Ezhava, Christian and The Muslim communities were actively participated. Along with the meeting, in all these places, local units of 'Civic Rights League' were formed. In the meeting which was held at Chengannur, apart from the aforesaid three communities, the Hindu–Pulayas, led by Karumban Daivathan, also took part and extended their support. *Malayala Manorama* (Malayalam Newspaper). 19 November 1918. p.3, *Malayala Manorama* (Malayalam Newspaper). 21 November 1918. p. 3, *Malayala Manorama* (Malayalam Newspaper). 28 November 1918. p. 5, *Malayala Manorama* (Malayalam Newspaper). 3 December 1918. p. 5.

[68] The Civic Rights League explained: "A period of some half a century of Brahmin ascendency followed, under which there was a gradual ousting of Nair and Christian elements generally from the Service. This hardship was so keenly felt by these communities, that some 27 years ago, they jointly memorialized the government. This resulted in the removal of the complaint of the Nairs, but in the case of the Christians and the Revenue Service there was hardly any improvement at all." *Caste and Citizenship in Travancore (No. 1)*. 1919. Published by the Travancore Civic Rights League. Kottayam. p. 4.

[69] *Caste and Citizenship in Travancore (No. 11)*. 1919. Published by the Travancore Civic Rights League. Kottayam. p. 2.

therefore unacceptable".[70] Regarding the question of alliance with the Christians, he explained that, "there is no point in supporting the savarnas simply because they are Hindus. In the same manner, the Ezhavas do not intend to neglect the company of the Christians only for the reason that they are a separate religion".[71] The C.R.L. was very clear on its objective that, on matters of religion, community and governance of the state, equal rights should be delivered to all.

The setting off of a discourse of equal rights inclusive of all citizens was in fact a new shift in the articulation of rights in Travancore. On the one hand, it brought the idea of equality in political deliberations as a maxim according to which the state and society is to be (re)organized. In the pre-British legal tradition in Travancore, the notion of equality was absent when discussions took place regarding the administration of justice as per the *dharmasathras*.[72] On the other hand, the notion of citizenship emerged as a focal point in deciding the rights of the populace. The transformation of the subject (of the Maharaja) to that of citizen of the state indicates a critical turn in the articulation of rights because unlike the subjects, citizens are entitled to have the privilege of claiming equal rights based on citizenship. Unlike the Malayali Memorial and the Ezhava Memorial that focused mainly on the needs of a few educated men who were denied of access to posts in the public service, the C.R.L. placed the issue of exclusion and social discrimination as matters concerning citizenship rights. Making use of the population data, they demanded redistribution of rights in an equal manner.

> "Out of a total population of about 34 lacs in Travancore, only about 7 lacs of caste Hindus are held, at the present moment entitled to the full rights of citizenship. In other words, only 20 out of every 100 subjects of H. H. Maha Rajah are in possession of the full civic rights and that twenty are confined to what may conveniently be designated the upper strata of the Hindu section of His Highness' subjects... 80 out of every hundred are labouring under varying degrees of civic disabilities and inequalities".[73]

Nonetheless, on many occasions, the government of Travancore justified its policy of exclusion on religious ground, pointing out the reason that during the reign of

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[70] Paul Manalil. 2003. *A.J. John: Vyakthiyum Kaalavum (A.J John: Person and Period)*. Department of Cultural Publications. Government of Kerala. pp. 22–25. (Independent translation)

[71] Ibid.

[72] The pre-British legal texts such as *Vyavahāramala* and *Sankarasmriti* never spoke of equal treatment of all the castes under similar conditions. See Chapter five for more discussion.

[73] Ibid. p. 6.

Marthanda Varma, the state had been dedicated to Sri Padmanabha Swami, the tutelary deity of the Royal house. For that reason, only the 'higher' caste Hindus were allowed to enter into the revenue and military services. In Travancore, the devaswom administration (governance of the temple and temple properties) was under the revenue department.[74] When the issue of the separation of the devaswom from the revenue department appeared before Dewan Gopalachariar, he clearly stated that; "Any reform that is proposed must be consistent with the essential features of the constitution under which the sovereign administers this state as the agent of the Deity. He is bound to maintain the same on Hindu principles".[75] The Dewan also maintained that the government is constitutionally bound to respect the act of dedication made by the king Mārthanda Varma in his reign during 1729-1758.[76]

The C.R.L. vehemently opposed this argument of dedication and argues that it was purely a "political act" of the king Mārthanda Varma "to protect the acquired territory on the one hand and to protect himself from Hindu enemies by assuming the sacred character of a servant of the deity on the other".[77] And the C.R.L. even went onto declare that "no dedicator can dedicate to the gods what really does not belong to him. The rights of the subjects belong to them and not to the Rajah".[78] This statement was made in public, through a published booklet circulated throughout Travancore. The language of rights used in this declaration marks the development of a new discourse of rights centred on the category of the citizen and the question of equal citizenship. Along with the change in the language of rights, new conceptual categories commenced operation. According to the nature of the rights claimed, the subjects' relationship to the sovereign power also seems to have changed. Before the C.R.L., the popular movements in Travancore had never challenged the rights of the native king in deciding the rights of his subjects. The new discourse offered them the possibility to rethink the question of rights and power in terms of ideas like equality and citizenship.

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[74] Concerning the existing rule, the Dewan Madhava Row announced this 'rule' in public in reply to an address presented to him by the Christian Association at Kottayam in 1080 M.E (1904–1905) 'The Dewan told the Association that though personally he fully sympathized with them in their aspirations, yet as the responsible minister of the State he had certain restrictions and limitations placed on his action by the tradition of the State and the constitution of the Government.' *Caste and Citizenship in Travancore (No. 1).* 1919. p. 4.

[75] K. K Kusuman.1976. *The Abstention Movement.* Kerala Historical Society. Trivandrum. p. 15.

[76] Ibid.

[77] *Caste and Citizenship in Travancore (No. 1).* 1919. p. 6.

[78] Ibid.

The discourse of rights set off by the C.R.L. was diametrically opposite to the customary rights which respected the ascendancy of caste. The C.R.L. declined the authenticity accredited to caste and announced that "caste should have nothing to do with citizenship we hold to be fundamental. Citizenship is the birthright of all classes of His Highness' subjects without distinction of caste or creed".[79] Here the idea of birthright is redefined as a political category, based solely on the principles of equal citizenship. The C.R.L. liberated the concept birthright from the contours of caste and employed it as a common category representing the citizens of the country as a whole. Having done that, they addressed two issues in the main: the present inequality in the rights of citizenship and the invidious practice of unequal treatment by the government of its citizens.[80] They elaborate:

> "[i]t is not merely a question of thirty-nine appointments nor even of a few hundreds. Really the question is deeper. It touches the basic principle of citizenship. The principle embodied in the famous proclamation of Her Majesty Queen Victoria is what has to be considered. "It is our further will that, so far as may be, our subjects of whatever race or creed be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge." It is this principle that is violated by the exclusion of large bodies of loyal citizens of Travancore from any department of its Public Service".[81]

This declaration could explain the attitude of the C.R.L. towards the paramount power. It does not mean that the subjects of Travancore were primarily loyal to the British. They prioritised only those British regulations which were eager to underline the principle of equality. In a traditional Hindu state like Travancore which often found itself in a helpless position to overcome the authority of long standing customs, the British rules were the only viable option for the people who suffered exclusion and discrimination due to the ascendancy of tradition and customs of the land. Since the administrative matters in the princely state of Travancore were under the tutelage of

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[79] Ibid, p. 1.

[80] The response of the government of Travancore to the demands made by the Civic Rights League was not much sympathetic. Dewan Gopalachariar's response to the arguments of the League was that "[o]nly some thirty–nine or forty appointments which are closed to you. Why should you be concerned about this trifle, when all other places are open to you?" *Caste and Citizenship in Travancore (No. 11).* 1919. p. 12. E.J John replied in his speech that, "we hold it to be our right and our duty, respectfully but with all firmness, to demand that the recognition in Travancore of this inequality in the rights of citizenship – an inequality for which there is no basis but the accident of birth – should be withdrawn". Ibid. 12–13.

[81] *Caste and Citizenship in Travancore (No. 1).* 1919. p. 7.

the British, the people who agitated against discriminative policies of the Travancore government often took the opportunity to hold up the British law in contradiction to the policies of the native state.

Since it was a coalition across caste and religion, the proclaimed objectives of the C.R.L. were broad and secular. One of its major concerns was to stop the practice of untouchability. A resolution was passed in one of its meetings with a view "to completely abolish the custom of untouchability by further extending the scope of the government circular dated 21st July 1884, and republished in March 1908, in regard to the citizen right of the depressed classes in Travancore".[82] The resolution also stressed the importance of enabling these classes "to have free and unrestricted access to all public places and all institutions founded or maintained from public funds".[83] The C.R.L. duly submitted a memorial to the Dewan and made three major demands. Firstly, it demanded 'full citizenship rights' "by throwing open all ranks in every department of the public service to all subjects of His Highness the Mahārāja, irrespective of race or religion. Secondly, to extend the benefits of all public institutions equally to all communities in the state and thirdly, in so far as it lies within the province of government, by removing the stigma of untouchability, which has been such an insurmountable obstacle in the path of progress of the depressed classes of this country".[84]

The Dewan Krishnan Nair in his reply to the memorial offered positive response to the demands other than the question of removal of untouchability. In response, the C.R.L. stated that "a policy that works injustice to a large section of the people cannot be justified on the ground of long continuance".[85] And they also argued that, "the devaswoms should no longer be made an excuse for keeping a large proportion of His Highness' loyal and law-abiding subjects from their rights as citizens".[86] However, the

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[82] *The Travancore Civic Rights League, Resolution No. 7, Dated 24. 02. 1919.*

[83] Ibid.

[84] *The Memorial submitted by the Civic Rights League to the Dewan of Travancore*, dated 20–02–1919. After receiving the memorial, Dewan Krishnan Nair announced the verdict of the government that, "with reference to the issue of untouchability, the government is helpless in giving promises. The effect of education and communal progress that would be achieved over time may cure it. For the upliftment of the backward classes, the government will do its best, as it has been doing. The issue of bifurcation of the revenue from the devaswom is now under due consideration of the government". Paul Manalil. 2003. p. 28.

[85] *Caste and Citizenship in Travancore (No. 1).* 1919. p. 10.

[86] Ibid. 11.

demand made by the C.R.L. was not to open the devaswom department to the non-Hindus. Conversely, they argued for free admission for all the eligible candidates to all grades of the revenue service. For that reason, the C.R.L. suggested decoupling of the revenue department from the devaswom.[87]

The C.R.L. offered a common platform for articulating the questions of recognition and representation. It succeeded in creating such a space because, first of all, the C.R.L. invoked a category of *avasa samudāyamgal* or aggrieved communities designating the socially and politically alienated communities in Travancore and opened up a possibility for cross-communal coalitions derived from the experience of their social and political marginality. Moreover, the C.R.L. articulated the common concerns of the relegated communities in a new language of rights addressing the questions of equality and citizenship and thereby merged the demands for recognition and recommendation together. As Koshy pointed out, "[a]s a result of the continuous agitation organized by the socially downtrodden classes, the concept of equal rights for all gained recognition among the public".[88] Another significance of this agitation was that it raised the question of untouchability as a social issue and a concern of the general public.[89] It was from the platform of the C.R.L. that the Ezhavas launched a massive struggle for temple entry in Travancore. For them, temple entry was not a matter of religious reform but on the contrary it was primarily a question of basic civil rights.

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[87] They demanded that the "[d]ewaswom should be separated from the Revenue Department and constituted into a special department. This change will automatically open the revenue department to qualified members not only of the Christians, Izhva and the Mahomedan communities, who aggregate some 16,76,000 or nearly half of the population of the state, but also of communities still lower in the social scale, who form some 11,00,000". Ibid, p. 9.

[88] M.J Koshy. 1972. *Genesis of Political Consciousness in Kerala, Kerala*. Historical Society Series. Trivandrum. p. 45.

[89] As there was no sign of dispersal of the League, the government constituted a committee headed by Krishna Iyengar to enquire and make a report on the separation of the devaswom from the revenue department. As per the suggestions made by the Iyengar committee, the government issued the Devaswom Proclamation on 12th April, 1922. Accordingly, the decoupling of the devaswom and the revenue departments was approved and the restriction on appointments, applicable to the Christians, Muslims and the non–caste Hindus to the revenue service was also removed. Ibid. p. 46. However, as Kusuman argues, the agitation led by the League failed to accomplish its aim of establishing social justice and equality since the government was reluctant to consider the demands of the Ezhavas with sympathy. As a result the Ezhavas launched an agitation for temple entry as the next step towards the affirmation of equal rights of the untouchables in Travancore. K. K Kusuman.1976. p. 18.

**Untouchability and the Question of Civil rights**

The re-formation of social spaces and public domains were one of the central concerns of reformative struggles that took place in Travancore. As we have already seen, this attempt had begun in the nineteenth century with a view to establish the basic liberty of the untouchables to making use of their rights to access the public domain. The roads, markets, schools, hospitals etc. were the domains they endeavoured to make available to the untouchable sections of the society. However, even in the early decades of the twentieth century, the temple premises and the roads around the temples were inaccessible and unapproachable to the untouchable castes. Making use of those domains were exclusive rights of the 'higher' castes. Since Travancore was a traditional Hindu state, there was no sharp distinction between 'the social' and 'the religious' and therefore the social and religious spaces were kept aloof from the polluting castes. When the C.R.L. took the idea of removal of untouchability as one of its major agendas, the temples turned out to be the prime object of reform.

The Ezhava leadership raised the issue of denial of their entry into the temples owned by the government as an instance of violation of their basic civil rights. To induce public deliberation, C.V. Kunhiraman and T.K Madhavan promulgated the issue through the newspapers and also introduced a discussion at the Sri Mulam Popular Assembly.[90] In the Assembly, Madhavan emphasized the need of a government order to put an end to the practice of untouchability. In his reply, the Dewan Krishnan Nair unambiguously declared that since the matter is purely religious in character, the government is incapable of introducing radical measures to interdict the long standing custom of untouchability.[91] Two years later, T. K. Madhavan approached the then Dewan Raghavaiah pleading to grant permission to forward a resolution on the matter of temple entry in the Assembly. This plea also was rejected on religious grounds.[92] The failure of these attempts persuaded T. K. Madhavan to seek Gandhi's support

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[90] Elaborating C. Raman Thampi's speech, C.V. Kunhiraman wrote an editorial in the *Desabhimani* newspaper. In addition to that T. K. Madhavan moved a resolution in the Sri Mulam Popular Assembly appealing for the removal of untouchability and unapproachability, in 1919. P. S Velayudhan. 1978. pp. 204–212. Simultaneously, the Ezhava leaders propagated the method of non-cooperation among the Ezhava community with the intention that they should boycott the temples maintained by the government and the savarnas until their demand was admitted. Ibid. 214, *Malayala Manorama* (Malayalam Newspaper). 3 March 1919. p 1, *Nazrani Deepika* (Malayalam Newspaper). 28 February 1919. p. 3.

[91] P. S Velayudhan. 1978. p. 213, *Malayala Manorama* (Malayalam Newspaper). 3 March 1919. p. 1.

[92] P. S Velayudhan. 1978. p. 214.

during his visit at Tirunelveli in 1921 and Gandhi extended his support for the cause.[93] Later on, in 1924, the Kerala Pradesh Congress Committee constituted an 'Anti-untouchability Committee' and decided to start satyagraha struggle near Vaikom temple.[94] Afterwards, "The Anti-untouchability Committee took a decision to carry out a procession of men from all castes. It planned to proceed through the roads around the Vaikom temple to worship at each *gopuram*".[95] However, since Gandhi was opposed to the idea of a massive protest and full-fledged civil-disobedience at Vaikom, the Committee dropped the programme.

The intervention of the Congress in the affairs of the princely state triggered fresh discussions. Gandhi held the belief that the matter of temple entry was primarily an issue of Hindu religion. He maintained: "political consequences of this struggle there are, but you are not to concern yourself with them... It is a struggle deeply religious for Hindus".[96] The Ezhava leadership, especially Sahodaran Ayyappan and C.V Kunhiraman, contested this notion and brought the issue as a matter of public deliberation. One of the articles in the *Keralakaumudi* reads:

> "Regarding the struggle going on at Vaikom, it seems both Mahatmaji and the Dewan do not have a clear answer whether it is a matter of civil rights or religious or social. However, it appears that Gandhiji holds the opinion that the non-Hindus should not participate in the satyagraha, as he considers it to be a religious matter. The savarna Hindu reporters discuss it as a religious issue... However, it is certain that Mahathmaji has the opinion that it is not a political matter whereas the Dewan thinks it to be political... For, the Dewan has stated that the outsiders should not be allowed to interfere in the political affairs of Travancore. From his words, it is

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[93] At Tirunelveli, Madhavan introduced the issue of temple entry to Gandhi. After listening to it, Gandhi asked him to drop the demand for temple entry. He advised Madhavan to begin with demanding access to public wells and said; "then you may go to public schools". Madhavan corrected him immediately: "You seem to mistake our position in society for something analogous to that of Panchamas in British India. Except half a dozen schools... all public schools are open to us..." Gandhi replied that, "then you are ripe for temple entry and directed him to offer civil disobedience." Quoting from the *Collected Works of Mahatma Gandhi*, XXI, pp. 185–8, interview on 23rd September, 1921, published in *The Hindu* 30th September, 1921 in Robin Jeffrey. 1976 b. "Temple entry Movement in Travancore, 1860–1940". *Social Scientist* Vol. 4, No. 8, March. pp. 3–27, here p. 14.

[94] Sardar K.M Panikkar has explained in his autobiography that "[o]n the matter of selecting Vaikom as the location where Satyāgraha to be launched, there was a dispute between T.K. Madhavan and the Kerala Congress Committee. Madhavan had the opinion that Haripad was the suitable place to start with." As Raveendran explicates, "he went on to criticize the Congress Committee for bringing in the politics of British India into Travancore". T. K Raveendran. 1975. *Vaikkam Sathyagraha and Gandhi*. Sri Narayana Institute of Social and Cultural Development. Trichur. pp. 51–52.

[95] T. K Raveendran. 1975. p. 53.

[96] M. K Gandhi. *Young India*. 19 March 1925. p. 94.

understood that this is a public road. This demand for freedom to walk through the public road is indeed a demand for civil rights".[97]

Whether religion or politics; which one of these ought to be the central target of reform? This question had already been debated in Travancore even before Gandhi's intervention. In a newspaper article, Madhava Varier (the editor, *The Malayali* newspaper) argued that "the issue of untouchability was fundamentally a religious affair and it should be dealt with accordingly". And he suggested that the reforms initiated by the Arya Samaj would be appropriated to handle it.[98] His perspective was contested by many who hailed the view that untouchability is fundamentally a question of civil/social rights. Opposed to Madhava Varier, Kunhiraman (the editor, *Keralakaumudi* newspaper) argued that "a genuine communal cooperation cannot be evolved normally unless and until those objects that potentially hinder the very conditions of cooperation are not removed".[99] He also suggested that "instead of reforming the Hindu community as a whole, people should focus on reforming their own community independently".[100] He vehemently opposed the position that the issue of untouchability and demand for temple entry are matters internal to Hindu religion. Conversely, citing an example from the ancient Rome, he placed it as a question of fundamental civil rights of the Ezhavas. Kunhiraman argued that, "in the ancient Rome, the Plebeians were not allowed to worship inside the pilgrims of the Patricians. Along with other civil rights the Plebeians demanded temple entry. Then the Roman Government did not reject the Plebeians' demand and granted it as their civil rights".[101]

Kunhiraman held the opinion that "the existing law of the state does not prevent the Ezhavas from entering the temples but it is the local customs, which is as powerful as the law of the state, putting these barriers".[102] To avoid conflicts, some argued, a prior consensus needs to be evolved before breaking the traditional norms and customary

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[97] *Keralakaumudi* (Malayalam Newspaper). 5 June 1924. p. 1. (Independent translation)

[98] *Keralakaumudi* (Malayalam Newspaper). 11 November 1920. pp. 3, 2. (Independent translation). See also *Keralakaumudi* (Malayalam Newspaper). 1 December 1920. p. 1. He believed that, "since untouchability is a commonly held belief, a mutually amenable approach and a gradual process of change is most required". *Keralakaumudi* (Malayalam Newspaper). 27 May 1921. p. 1. (Independent translation)

[99] *Keralakaumudi* (Malayalam Newspaper). 28 April 1921. p. 1. (Independent translation)

[100] Ibid. (Independent translation)

[101] *Keralakaumudi* (Malayalam Newspaper). 18 November 1920. p. 1. (Independent translation)

[102] *Keralakaumudi* (Malayalam Newspaper). 23 July 1923. p. 3. (Independent translation)

practices. K. Govinda Pillai wrote: "since the current issue has implications at both the level of customary practices and religious belief, a possible solution cannot be revealed unless a general agreement could not be formed".[103] In response to Pillai, K.T Michel, a lawyer, commented that "those roads are maintained by the government of Travancore and the existing laws do not prevent the "untouchables" from making use of them".[104] Many among the Ezhava leadership had the opinion that the Ezhavas were legally entitled to use the public roads around the temples and also to enter into the temples owned by the government and the 'upper' castes. They found the satyagraha struggle irrelevant to that context and remained sceptical of the intention of the Congress in Travancore.[105] In an editorial article, Kunhiraman defined satyāgraha as a "willingness to voluntary submission to accept imprisonment after violating the governmental law or customary practices".[106] Instead, he affirmed: "those who prevent the lower castes from exercising their freedom must be imprisoned, not the other way around. For, they are exercising their legally sanctioned rights only".[107]

The Vaikom satyagraha concluded with a settlement initiated by the government that the roads around Vaikom temple, except the eastern road through which the Brahmins entre the temple, shall be opened to all castes without discrimination.[108] Nonetheless,

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[103] *Nazrani Deepika* (Malayalam Newspaper). 18 April 1924. p. 1. (Independent translation)

[104] *Nazrani Deepika* (Malayalam Newspaper). 26 April 1924. p. 1. (Independent translation)

[105] Moorkoth Kumāran, a disciple of Narayana Guru, strongly argued that the Congress had a hidden intention in Travancore because "the real agenda of the Congress is the attainment of swaraj, not the removal of untouchability". *Malayala Manorama* (Malayalam Newspaper). 12 June 1924. pp. 5–6, *Malayala Manorama* (Malayalam Newspaper). 24 January 1925. p. 5. P.T Marco shared a similar concern over the objective of the Congress but extended support to the means of satyāgraha in his reply to Kumāran. *Malayala Manorama* (Malayalam Newspaper). 24 June 1924. p. 6. K. Ayyappan also criticized Gandhi and the Congress for giving primary importance to the attainment of swaraj instead of removing untouchability. He argued that, "for Gandhi, since he is not an untouchable, swaraj is a matter of self-respect but untouchability is of benevolence only". *Keralakaumudi* (Malayalam Newspaper). 5 June 1924. p. 1. By pointing out the upper caste nature of the Congress, he emphasized that, in the present context, instead of completely depending on others' help, the untouchables should play their historical duty in annihilating untouchability. He elucidated that, "the service of the Congress should be received with gratitude but do not forget the fact that their primary concern is to deal with Khilafat and the Hindu-Muslim unity as there is no swaraj if the Muslims felt hurt. The untouchables should create similar situation. Then Gandhi and others will try not only to eliminate untouchability but also to annihilate caste". He therefore affirmed that "the untouchables themselves have to try to locate the very roots of untouchability and it is invariably their duty to remove their misery". Ibid.

[106] *Keralakaumudi* (Malayalam Newspaper). 26 July 1923. p. 3. (Independent translation). When the goal of temple entry was removed from the purview of Vaikom satyāgraha, the intention of the Congress as well as the feasibility of the Gandhian method became a matter of suspicion.

[107] Ibid. (Independent translation)

[108] Travancore government issued a compromised settlement order declaring "all roads around Vaikom temple with the exception of the eastern road shall be opened to all castes without discrimination. It was also declared that the prohibited portion will be opened neither to the Christians and the Muslims

the Ezhavas continued their struggle for temple entry. In 1932, the government of Travancore appointed the Temple Entry Enquiry Committee to decide upon the feasibility of avarnas' entry into Hindu temples.[109] There were differences of opinion among the members of the committee. Some of the savarna members argued that the question in debate lack legal validity and it cannot be considered as a matter of civil rights. They argued that "the courts in British India and in Travancore have repeatedly held that the entry of Avarnas into temples constitutes defilement".[110] They call attention to the verdict of Justice Muthuswami Aiyar, in a case reported in I.L.R. 13 Madrass 293, declaring that "the right asserted is not an exclusive personal right or right of domestic or family worship or a right of property which may be conceived to exist independently of caste or religion. But it is a *joint right* to be exercised in a religious institution conformably to caste usage to the extent recognised by it".[111] With this attempt they re-invoked the concept of joint-rights (*anyonyāvakasamgal*) and argued that the temples and the roads around temples do not come under the purview of civil rights.

They cited another case, Gopala Mooppanar v/s Dharmakota Subramonia Aiyar, in which Justice Sadasiva Aiyar upheld the predominance of customary usages. He made it clear that "a court of law cannot reject a custom because it is not in accordance with the principle of equality, or individual notion of right or wrong".[112] Having reported these judgements they concluded the discussion that "[t]he court have treated the right of the Savarnas to keep Avarnas out of their temples according to their faith to save

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nor to the Hindus except the caste–Hindus". T. K Raveendran. 1975. pp. 202–203. On the basis of this settlement the Congress called off the satyāgraha on 23rd November 1925.

[109] The government appointed a committee in 25th November 1932 to deliberate on the issue of temple entry. The constituted committee was meant to submit a studied report containing necessary recommendations and advices for the King. The Committee was constituted with eight members and Dewan Bahadur V. S Subrahmanys Aiyar, Retired Dewan of Travancore as its president. In order to elicit public opinion, the Committee examined witnesses from twenty four stations in Travancore. *Report of the Temple Entry Enquiry Committee* 1932. pp. 1–3.

[110] Ibid. p. 35. Section 295 of the Indian Penal Code corresponding to Section 294 of the Travancore Penal Code reads: "Whoever destroys, damages or defiles any place of worship or any object held sacred by any class of persons, with the intention of thereby insulting the religion of any class of person, or with the knowledge that any class of person is likely to consider such destruction, damage or defilement as an insult of their religion, shall be punished with imprisonment of either description of a term which may extend to two years, or with fine, or with both." Ibid. 34–35 The Travancore High Court has followed the interpretation of defilement given by Justice Muthuswami Aiyar. In a case where some Ezhavas entered into the Kadakkavoor temple in the Chirainkizh taluk, the High Court held that their entry was punishable under section 294 of the Penal Code as it constituted defilement of the temple. Ibid. pp. 24–25.

[111] Ibid. p. 37. Emphasis added.

[112] Ibid.

them from pollution, as a civil right capable of adjudication in a court of law. On the merits, they have held that, according to longstanding usage and religious authority, the Avarnas have no right to enter the temples and that they are entitled to offer worship only from the position outside the temples assigned to them by usage".[113] According to the magisterial court, not getting polluted by the presence of the avarnas is therefore a civil right of the savarnas. As it indicates, within the temple premises even the civil and individual rights were interpreted in accordance with religious or customary usages serving the interests of the 'higher' castes.

The Committee finally reached a conclusion that any change in the customs regarding worship in temples can be made by the sovereign using the 'extraordinary right' he possesses.[114] The government, the members of the Committee noticed, has *Melkoima avakāsam* over everything that which comes under the term 'public'. It defines Melkoima as "the right which the Sovereign power possesses over property of which ownership is in others. It is a right of superintendence, an incident of Sovereignty".[115] Supposedly, "*Melkoima* right is confined to public temples, that is to say temples in which any section of the public at least is interested as of right".[116] Though the *melkoima* right cannot be used as a means to interfere in privately owned properties, in certain cases, it could be used as a form of supreme power to make changes in the state of affairs. The Committee summarised that "by virtue of the Melkoima right, the power of supervision and of assuming the management, if that step is necessary for the proper administration of these temples...the Committee thinks that the extent to which the present rule prohibiting the entry of Avarnas into temples may be modified should

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[113] Ibid. p. 38.

[114] "The theoretical right of the Sovereign to legislate for the State is absolute and unrestricted. The question, however, which we are considering here, is how far the government can without exercising that extraordinary right interfere in the administration of Hindu religious institutions? We have seen that they have, by virtue of their exercising the *Melkoima* right, the full powers of a trustee in the temples under their management. As regards temples under private management again, they can exercise the Melkoima right of superintendence to see that the trustees administer the temples properly and, when that step becomes necessary to ensure proper administration, they can take over the management themselves. In the case of purely private temples belonging to individuals or single families, the Government have no right of interference". Ibid. p. 92.

[115] Ibid. p. 86. "The *Press Communiqué* which accompanied the Proclamation added that the State's assumption of the Hindu religious institutions in the days of Col. Munro was an act done in the exercise of the traditional right of *Melkoima* inherent in the Hindu Sovereigns of the State and that it was not an act of confiscation". Ibid. p. 87.

[116] Ibid. p. 92.

be determined by the Sovereign on the advice of the *Parishat*".[117] The authority to revise customs and the rules of caste was vested on a body of *Parishat* which consists of at least "three persons who each know one of the Vedas".[118] And the sovereign could make use of His exceptional right in accordance with the advice of that *Parishat*.

**Community as Political Unit**

The discourse of representational rights turned into a new form during the 1930s. The re-emergence of the political coalition among the Christian-Ezhava-Muslim communities marked this new development in Travancore. This time the coalition demanded communal representation in the newly constituted bicameral Legislature in Travancore.[119] The disgruntled communities demanded further modifications in the legislative reforms already implemented by the government of Travancore. They argued that the new reform was incapable of challenging the long standing domination of the Nairs and the Brahmins in Travancore public service and legislative bodies. The Ezhava, Christian and Muslim communities jointly identified themselves under the nomenclature *asamathwa samudāyamgal* (unequal communities) and *samyuktha samudāyamgal* (joined communities).[120] In December 17, 1932, these communities

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[117] Ibid. p. 103. Parishat is a body of learned Brahmins who are capable of interpreting the *dharmasatras* to make the rules suitable for new conditions. Ibid. p. 71.

[118] Ibid. pp. 71–72.

[119] During the 1930s, especially after Sri Chittira Tirunal assumed power (1931), several attempts were made by the under-represented communities through petitions and memorials in favor of introducing legislative reforms in Travancore. The Representative Assembly of Mysore was pointed out as the model. Taking into account of those demands, the Raja decided to reorganize the Sri Mulam Popular Assembly and the Legislative Council of Travancore. Accordingly he enacted the Travancore Legislative Reforms Regulation II of 1932 and introduced a bicameral legislature with effect from 1st January 1933. Of the newly constituted legislature, the Lower House was called the Śrī Mulam Assembly and the Upper House the Śrī Chithra State Council. On 28 October, 1932 the proposed reform was formally announced. In the election to the Popular Assembly those who paid Rs. 5/- and above as land tax were alone enfranchised. To the Council, those who paid Rs. 25/- and above as land tax alone were enfranchised. In the Assembly, the total strength of the representatives would be 72, of which 12 would be official members. Of the 60 non-official members, 48 were to be elected. There were 42 mofussil constituencies and one city constituency. One seat was allotted for planters and two each for landlords and traders. In the state Council, the total strength was 37, i.e., 27 non-officials and 10 officials. Of the 27 non-officials, 22 were to be elected and five nominated. Graduates who completed ten years and retired officials drawing of pension of Rs. 60/- and above also were enfranchised. K. K Kusuman. 1976. p. 23.

[120] In a meeting of the S.N.D.P. Yogam held on 27 November 1932 at Alleppey, a resolution was passed to initiate protest against the reform and subsequently appointed a committee to formulate a programme of action in cooperation with the likeminded organizations. *Nazrani Deepika* published an editorial to elucidate the necessity of such a political coalition in Travancore. *Nazrani Deepika* (Malayalam Newspaper). 9 December 1932. p. 5. Various Christian denominations of Trivandrum and Working Committee of the Muslim Service Society held separate meetings and reached at a common

held a meeting at Trivandrum and decided to continue their agitation 'by all constitutional means' under the banner of 'All Travancore Joint Political Congress'.[121] The Joint Political Congress demanded equal "representation in the Legislature, the public services and the Army on the basis of population for all considerable communities, as well as adult franchise and responsible government".[122]

The Joint Political Congress was primarily a political alliance, constituted on communal basis. Their demand was that "the non-official seats in the Assembly should not be filled up by nomination, but throw open for election in general rural multi-member constituencies with adequate reservation for the considerable communities; the same principle of reservation should be made applicable to the State Council also".[123] Since the government of Travancore took an unsympathetic stance on these demands, the Joint Political Congress initiated a new movement and named it the 'Abstention Movement'.[124] They chose the name abstention because they were forced to prove that the intention of the struggle was not to threaten the sovereignty of the king and it was totally distinct from the non-cooperation movement waged against the British outside the princely states.[125] Later on, to avoid such misconceptions, in 1934, they gave up the name abstention and renamed their struggle as 'Civic Rights Movement'.[126]

In Travancore, the social power, enjoyed exclusively by the 'higher' castes, was habitually transformed into administrative and political power. Tradition or custom provided with the rationale legitimising this transfer of power. In public discourses, the communities which constituted the Civic Rights Movement, addressed themselves *asamathwa samudayamgal* and thus invoked the notion of equality as a political question in Travancore. Without interrogating the norms of the Hindu religion, the

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conclusion that reservation of seats on the basis of the strength of population alone would save and safeguard the interest of the Christians, Ezhavas and Muslims. K. K Kusuman.1976. p. 31.

[121] P.K.K Menon. 2001. *The History of Freedom Movement in Kerala (Vol. II)*. Department of Cultural Publication. Government of Kerala. p. 425, K. K Kusuman.1976. p. 31.

[122] P.K.K Menon. 2001. p. 425.

[123] K. K Kusuman.1976. pp. 31–32.

[124] *Nazrani Deepika* (Malayalam Newspaper). 24 February 1933. p. 9.

[125] Ibid.

[126] *Malayala Manorama* (Malayalam Newspaper). 31 January 1934. p. 3. And they categorically declared that the objective of their movement was precisely to eradicate inequality and not to challenge the legitimacy of the government headed by the Mahārāja whatsoever. *Malayala Manorama* (Malayalam Newspaper). 2 February 1934. p. 5.

question of equality could not have been problematized or articulated politically. In a public meeting of the Joint Political Congress held at Chengannur, C. Kesavan announced that;

> "[i]f the Ezhavas are following the religion of Sree Narayana Guru, they have no relationship with the Hindu religion. But the government is including the Ezhavas as a part of the sanātanis... [W]hat the Hindu religion values most is one's birth... Hereafter, the Christians should believe that the Ezhavas are not Hindus. The Nairs, Brahmins, Chettis and Nambudiris can claim no religious superiority over the Ezhavas".[127]

As opposed to faith the Joint Political Congress propagated rationalistic thought in order to nurture belief in the worldly material life. In a memorial submitted to the Dewan Mohamed Habibulla in 1934, the Joint Political Congress stated that "since there will be no life after death, by enjoying the happiness of the worldly-life, men should treat this world as it is the heaven and after death, there will be no redress and penalties and the idea of heaven and hell are merely fictional".[128] The Ezhavas attacked the Hindu beliefs and *sasthras* which treated the untouchables as inferior creatures.[129] During this period, the S.N.D.P. Yogam launched a campaign for religious conversion on a massive scale. As far as a Hindu state is concerned, it was not desirable that a large number of its subjects embrace Islam or Christianity or Buddhism. It was the pressure created by the conversion movement that induced the Travancore government to issue the temple entry proclamation in 1936. It was purely a political act of which, the aim was precisely to rescue the religion of the kingdom from the threat of mass conversion.

The Joint Political Congress submitted a memorandum to the government of Travancore on 4th January, 1935. Subsequently, the Dewan constituted a committee of eleven members under the chairmanship of V. Subba Iyer to study the issue and on the basis of the report of that committee, the government passed a new order standardising

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[127] *Malayala Manorama* (Malayalam Newspaper). 8 February 1934. p. 6. (Independent translation). See also *Nazrani Deepika* (Malayalam Newspaper). 9 February 1934. p. 5.

[128] *Nazrani Deepika* (Malayalam Newspaper). 11 May 1934. p. 1. (independent translation)

[129] In a conversation with Gandhi during the Vaikom satyagraha, the caste Hindus declared that, "according to our faith, according to our Achara, we believe that they are born in the unapproachable caste by their bad Karma in their previous birth. We have been enjoyed by our Kerala Achara to treat them in this manner; we consider, for the matter, that these people are worse than dacoits or robbers". S. Raimon (ed.). 2006. *Selected Documents on Vaikom Satyāgraha*. State Archives Department. Government of Kerala. Thiruvananthapuram. p. 105.

the recruitments in the public service on the basis of the report submitted by the committee.[130] The committee was of the opinion that the appointments among the three religious groups "should be in proportion to their respective numerical strength".[131] Though the government did not constitute a public service commission as suggested by the Subba Iyer Committee, an office of the public service commissioner was instituted for the said purpose and appointed Dr. Nokes as the public service commissioner.[132] In addition, the government also reconstituted the army of the state (known as the Nair brigade) which until then was a monopoly of the Nairs alone.[133]

The Joint Political Congress wanted to dismiss the present Legislative Council and to re-elect the members of the Council on the basis of numerical strength of various communities. In August 1935, the government of Travancore appointed a Franchise and Delimitation commissioner to resolve the question of representation in due consideration of the demands of the Ezhava, Muslim and the Latin Catholic communities.[134] In the next election to the legislature the S.N.D.P. Yogam, Kerala Christian Service League, Latin Christians' Congress, All Travancore Muslim Service League, Travancore State Catholic Congress together formed a 'Joint Parliamentary Board'— a united front to face the coming election.[135] In the election held in May 1937, the Joint Political Congress won the majority of seats and became the largest single party in the Legislature.[136] The changes happened in administrative, military

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[130] K. K Kusuman. 1976. pp. 64–65.

[131] Ibid.

[132] Ibid. See also P. K. K Menon. 2001. pp. 435–436.

[133] K. K Kusuman.1976. p. 66. "Already on 26 April, 1935, Government of Travancore issued, with the approval of the Government of India, a communiqué regarding the re-organization of the Nair Brigade and the Bodyguard. The Travancore Military forces were brought under the Indian State Forces Scheme and the scope of recruitment to the Brigade, hitherto confined to certain classes, was widened". P. K. K Menon. 2001. p. 436.

[134] P. K. K Menon. 2001. p. 438. The government passed an order on the basis of the report submitted by E. Subrahmania Iyer, Franchise and Delimitation commissioner. *Malayala Manorama* (Malayalam Newspaper). 21 August 1936. p. 3. Though adult franchise was not approved, franchise for the Assembly was extended to everyone who paid one rupee or more as tax. The government also decided to delimit the constituencies and appointed Mr. Nilakanta Iyer as special officer for preparing the voters' list. P. K. K Menon. 2001. p. 440.

[135] *Malayala Manorama* (Malayalam Newspaper). 26 October 1936. p. 3. Though the Nair community expressed their discontent with the decisions taken by the government in favour of the abstentionists, they refrained from boycotting the election. *Malayala Manorama* (Malayalam Newspaper). 4 November 1936. p. 6.

[136] From 1935 onwards, the members of the Joint Political Congress began to seek the possibility of creating a political party. They began to realize that only a political party which believes in political and economic ideals can make a government prone to progressive action. *Nazrani Deepika* (Malayalam Newspaper). 27 August 1935. p. 3. However, they could not materialize it at that time.

and legislative arenas signal the emergence a new rationale of representation. The new criteria of representation were antithetical to tradition and customary usages prevailed in Travancore. Communities emerged as authentic units of representation and became the major actors within the emergent political arena in Travancore. The discourse of rights, articulated through the idioms of equality and citizenship, provided the social and political context to make such demands for equal representation possible. These changes actually put an end to the normal transfer of the established social power into administrative and political power in a traditional Hindu state like Travancore.[137]

Later on, the joint Political Congress was renamed as the *Samyuktha Party*.[138] The main motive of the Party was to work together in the legislature beyond communal interests. The *Samyuktha Party* laid foundation for the formation of the Travancore State Congress. And it was the State Congress that led the movement for responsible government in Travancore in the subsequent years. The struggles for recognition and recommendation gradually melted down soon after the proclamation of temple entry and administrative and legislative reforms in Travancore. However, the normative and the philosophical milieu which were instrumental in composing and fostering those struggles and the discourses of rights were prevalent thereafter.

**Conclusion**

As a generic term, the Malayalam word samudāyam refers to society as a whole and in particular it denotes an individual community which came into existence through an extensive mobilisation of similar caste/sub-caste groups as well as different religious sects. The same word here carries these two different concepts but with a remarkable connection that the latter being the basic structure constituting the former. The previous chapter focused on the formation and (re)formation of public domain in Travancore whereas in this chapter I tried to elucidate the social context of formation of communities and how they played a critical role in transforming the public domain capable of addressing questions of equality and citizenship rights. In the initial phase, as discussed in the last chapter, the question of representation was placed in a

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[137] As Ouwerkerk pointed out, as a result of the movement led by the 'joined communities', the traditional domination of the Nairs' began to decline. Louise Ouwerkerk. 1994. *No Elephant for the Maharaja: Social and Political Change in the Princely State of Travancore (1921–1947).* Dick Kooiman (Ed.). Manohar. New Delhi. pp. 89–90.
[138] Ibid, p. 90.

language of customary rights and also with unconditional allegiance to the Native monarch. In the later phase, when rights were demanded in company with concepts like equality and citizenship, the language of rights attained new character. A discursive arena of rights opposed to religious and customary usages has thus been constituted. The communities evolved as social units catering those discursive spaces. This context also points at the creation of a nascent civil society in Travancore with community as its base. The political agitations emerged from this civil society seems to have redefined the idea of birthright as a political category, based solely on the principles of equal citizenship. This new discourse also brings into play the idea of egalitarian redistribution of power and privileges based fundamentally on citizenship rights. In sum, the discourse of rights cantered on equality here refers to a transition from a mere subject (who derived rights and privileges primarily as an obedient subject of the king) to a citizen-subject (who demands rights primarily as an equal citizen of the country).

The different stages of transformation of the community coalition, the Civic Rights League, also show the evolution of modern political structures and democratic practices in Travancore. The assertion of a common social identity under the nomenclature '*avasa samudāyamgal*' or aggrieved communities indicated the possibility of creation of cross-communal political unity in Travancore. This was a significant incident as it helped to undo the dominant chances of unity and action on caste and religious lines. When we perceive the emergence of a civil society in Travancore, we also have to be aware of the fact that in the agitations demanding equal citizenship rights, the erstwhile slave castes and their community organisations were totally absent therein. Though they were very active during discussions within the legislative assembly of Travancore, their presence remained to be highly marginal in the emergent civil society which was happened to be space providing possibility for political coalition and combined agitations. The question of their absence hence requires further investigation.

In Travancore, the communities were produced within a context created by the discourses of rights concerning questions of recognition and representation. Combining with notions such as equality and citizenship the idea of representational rights posed a challenge to the existing notion of representation that replicated the

caste based social power. To understand this context of change, it is important to comprehend the changing modes of articulation of rights as well as the modes of restructuring of power. And it will become more perceptible when we examine the intellectual domain where these concepts are shaped and enunciated.

## Chapter Five

## Reconstructive Philosophy and Critical Thinking: Mapping the Intellectual Cartography of Travancore

Drawing up the intellectual cartography of a region is to be considered as a highly imperative exercise in understanding the ways concepts are shaped and put to use in political discussions in a society. In the formation of the discourses, elucidated in this study, various kinds of philosophical and critical thinking seem to have played decisive roles. Those intellectual activities often helped in creating congenial conditions for the articulation of various concepts of rights. This chapter therefore depends heavily on the discussions taking place in the intellectual field of Travancore during the first four decades of the twentieth century. It often helps to understand how people comprehend and engage with the contemporary world within which they are located. Moreover, it helps to know how people critically interacted with the established social and political practices and different power apparatuses.

In this chapter, I will attempt to map out some major streams of thought, especially those endeavours which were philosophical and critical in character. In the previous chapters, I have already dealt with various debates and discussions on the question of untouchability, reform, and the notion of the public. I will now focus on some major philosophical and critical thoughts carrying pensive reactions to the entrenched complexities rampant in Travancore society. The domination of tradition and customs were maintained with the help of certain prominent myths, beliefs and *dharmic* doctrines backed by the Hindu religion. In order to elaborate them in detail, I would examine the major *dhārmic* texts which were treated as the authentic legal documents in the pre-British period. My attempt to engage with some of the major currents of the philosophical and critical thinking stems from an intention to look at how certain rules and norms prescribed by the *dharmasastras* turned out to be a matter of critique in the early twentieth century Travancore at a time when new concepts, norms and political practices emerged as part of various reform movements. This chapter endeavours to evaluate the language, objectives, nature and the subject matter of critical/reflective

thinking that had variedly influenced those reform activities. To delineate the method of critical thinking, this chapter gives particular attention to the works of Narayana Guru. It also examines the diverse usages of the concept of *samudāyam* (community) and would elucidate the different perspectives of *samudāya parishkāram* (community/social reform) debated and discussed in the public sphere of the early twentieth century Travancore.

**The Scheme of 'the Social' in the *Dharmasātras***

The myth telling the origin of Kerala in *Keralolpathi* proclaims, Kerala (or 'Malayalam'), a geography that stretches out from Gokarnam (now situated in Karnataka) to Kanyakumari (now a part of Tamil Nadu), created by Parasurama — a warrior sage who is considered as an incarnation of lord Vishnu — from the Arabian sea.[1] This story also invokes the entry and establishment of settlement of the Aryans from the northern Indian regions to the south. Parasurama thereafter offered this land to the Brahmins as *jenmam* so that they enjoy complete ownership rights. Along with the gifted land, as mentioned in chapter two, the ownership rights were also transferred to the Brahmins who have thus been enabled to hold *jenma avakasam* or birthright and lordship over the land. As elucidated in *Sankarasmriti* (circa 17th century) — a Hindu *Dharmasastra* which is believed to have been written by Sankaracharya — Brahmins, who have been gifted the land by Parasurama became *jenmies* (lords) of the land.[2] Whereas, it was also believed that, as Walter Hamilton (1812) mentions, the Pulayas and Parayas were converted into slaves by Parasurama to lend compulsory service to the Brahmins.[3]

The significance of the myth of creation of Kerala by Parasurama is that it helped primarily to authenticate the birthright and supremacy of Brahmins. The *Hindu Sastra Sara Samgraham* [Essentials of Hindu Law] also confirms that people in this land (Malayalarājyam) follow the rights and laws made by Parasurama.[4] As it indicates, the scheme of social organization and human relations elucidated in dominant

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[1] *Keralolpatti (The Origin of Malabar)*. 1868. Stolz & Reuther Basel Mission Press. Mangalore.
[2] *Sankarasmriti; Laghu dharma Prakasika* (Poorvabhagam). 1081 ME (1902) [with a preface by Kodumgalloor Kunjikkuttan Thampuraan and interpretation by T. C Parameswaran Moosath]. Thrissivaperoor. Bharatha Vilasam Press. p. 10.
[3] Adoor Ramachandran Nair. 1974. "Adimatham" in *Kerala Charithram Vol.2*. Kerala History Association. Ernakulam. p. 60.
[4] A.S Sankara Pillai (Tr.). 1877. *Hindu Sastra Sara Samgraham* [Essentials of Hindu Law]. (Publisher Unknown). Alleppy. p. 37.

*dharmasastras* and legal texts which were prevalent during the pre-British period seem to have endorsed the supremacy of Brahmins. This chapter engages with *Sankarasmriti* and *Vyavaharamala* (circa 14th century); the two significant texts which were highly prominent and influential in providing moral, ethical and legal directions for governance of the state and society in Travancore, especially before the advent of the British rule.[5]

*Sankarasmriti* considers knowledge about *dharma*; the moral code of conduct, as the fundamental prerequisite enabling people to live in a society.[6] Apart from dharma, which is commonly applicable to all, the text speaks also of *swadharma* or particular code of conduct which is varied according to caste, birth, labour and gender. The *dharmasastras* show that the social organisation depends heavily on preservation of swadharma (of individuals); the most important dharma everyone should observe invariably. According to *Sankarasmriti*, one of the major duties of Kshatriyas is to preserve people obedient to their swadharmas.[7] Similarly, *Vyavaharamala* puts it firmly that "for each caste, wealth attained by them will be considered dharmic only if it is attained by means of whatever duties assigned to each caste".[8] *Sankarasmriti* pronounces it much more rigidly that "those who get rid of swadharma shall certainly be punished... [A]nyone except Brahmins who does heinous crimes should definitely be killed".[9] As it indicates, Brahmins enjoyed some reservation when they violate their prescribed swadharma for the reason that punishing Brahmins same as others are considered as a serious violation of dharma. The distinction between dharma and swadharma thus offers a key to understand how the dharmasatras conceived of the relationship between society, caste and labour.

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[5] These texts were highly significant as they were the two pivotal dharmic texts which elucidate moral and legal codes and regulations applicable to people of different social echelons. *Sankarasmriti* was considered to be a condensed version of *Bhargavasmriti* (believed to have been written by Parasurama) codified by Sankaracharya. The text which is renamed as *Sankarasmriti* elucidates dharmas associated with the four *varnas* and *asramas* and elaborates how people of each varna shall observe those dharmic rules and norms in their daily life. *Vyavaharamala* , a legal text (which incorporated so many aspects from *Parasaramadhaviyam* and therefore assumed to have been written in AD 14th century), continued to be the basic legal text until the establishment of British model courts and laws in Travancore and Cochin. S. Parameswara Aiyar edited and introduced the text, compiling four major sources, in 1924.

[6] *Sankarasmriti; Laghu dharma Prakasika* (Poorvabhagam). 1081 ME (1902). p. 2.

[7] Ibid. p. 12.

[8] Ulloor S. Parameswara Aiyar (ed.). n.d. *Vyavaharamala* (The Sri Mulam Malayalam Series, No. IX). Government of Travancore, Trivandrum, p. 92. In case of emergency, Brahmins can choose Kshatriya and Vaisya way of life to overcome the crisis. He, under no circumstances, can choose the occupation of Sudras. Ibid. pp. 92–93. (Independent translation)

[9] *Sankarasmriti; Laghu dharma Prakasika* (Poorvabhagam). 1081 ME (1902). p. 189. (Independent translation)

Dharma will be protected as long as people stick to their swadharmas. Dharma forms the generic structure of the social whole whereas swadharma regulates individuals as members of different sections of the society: duty bound and obedient to tradition. The king is obliged to preserve dharma by keeping the subjects strictly according to the social position of their caste and religion.[10] *Vyavaharamala* gives emphasis to this aspect in particular. It says; "when people depart from their own dharmas, the king should bring them back to their respective dharmas... [T]he three varnas, including the kshatriyas, should follow the dictates of the Brahmins. Dharma should be taught by the Brahmin to all and the King ought to discipline the subjects".[11] The Sudras must follow whatever the Brahmins want them to do.[12]

The sanctity of social and ritual status and legal protection given to the Brahmins in these texts explains also the relationship between birth and karma. *Vyavaharamala* maintains that except Brahmins the other three varnas can become servants based on the condition that while performing duty as a servant, one should follow the order of varna hierarchy.[13] The text elucidates the basic criteria for being a witness in the court, stating that "if any of the first three varnas decline swadharma and become servant of others so as to protect their caste shall be treated as Sudras. Hence they should take oath in the same way the Sudra does in similar circumstances".[14] Here, it might appear, it is one's karma, not birth, which authenticates the status of witness. Nevertheless, here, it could also be seen that it is only the *janmam* (birth) which helps to identify the defilement of swadharma. Hence, it is indeed caste/birth that becomes the basis for identifying one's own karma or swadharma and also its defilement.[15]

*Vyavaharamala* strictly speaks of swadharma and more often than not, it appears to be the salient condition for protecting freedom and rights. It affirms that a slave, either

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[10] Ibid. p. 177.

[11] Ulloor S. Parameswara Aiyar (ed.). n.d. p. 335. (Independent Translation)

[12] The sudras under no circumstances speak harshly to Brahmins. Instead, he should always utter 'kindly forgive my sins' to them. He shall not speak Sanskrit, shall not remain illiterate, shall not learn *sastras. Sankarasmriti; Laghu dharma Prakasika* (Poorvabhagam). 1081 ME (1902). pp. 196–97.

[13] The Kshatriyas could serve the Brahmin; the Vaisya could serve the Kshatriya and similarly, the Sudra could serve the Vaisya. See Ulloor S. Parameswara Aiyar (Ed.). n.d. p. 186.

[14] Ibid. pp. 71–72.

[15] "Karma and dharma are those inexorable causative forces which explain all life events, of justice and injustice, and of reward and punishment. Together, these principles weave the most comprehensive and persuasive explanation of and moral reasoning for personal and social accountability". R.S Khara. 2000. "Elusive Social Justice, Distant Human Rights: Untouchable Women's Struggle and Dilemmas in Changing India" in Michael R Anderson, Sumit Guha. 2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press. New Delhi. p. 204.

man or woman, who has been doing servile labour to his/her master cannot be sold by the master if the slave is unwilling to get transferred to another owner.[16] It helps to assume that as long as one sticks to his/her swadharma, no matter slave or Brahmin, their rights shall therefore be protected. However, such rights and freedom are meant only to protect the specific duty attached to each varnas, not to reform or discard the same. *Sankarasmriti*, by defending tradition, explicates that "tradition shall not be defamed by brave men. If caste needs to be protected, it is desirable not to reform tradition and rituals... [T]herefore, the idea of intermingling of caste promoted by the modernists is not reasonable".[17]

These texts do not attempt to demarcate varna and caste as separate forms of organisations and therefore do not prescribe separate dharmic rules for both the categories. Varna could be a broad scheme within which different castes operate according to the status they attain within the social context of Travancore. One of the major characteristics of both *Vyavaharamala* and *Sankarasmriti* is that the rules and norms of varna as well as personal and interpersonal codes of conduct are explained with respect to the supreme position of the Brahmins. The freedom and rights of the other varnas/castes are thus elucidated according to their relation with the Brahmins in the order of varna hierarchy. The explanatory scheme of these texts follows closely the idea of joint-rights (*anyonyāvakāsamgal*), determined primarily according to "one's relation to the (caste) Hindus".[18] Human actions and nature of labour are classified under the binaries of right/wrong, good/bad and superior/inferior categories which correspond to the higher/lower and pure/impure division of hierarchical caste arrangement in the society.

The major question that comes up when we draw heavily from the textual sources as a base to elucidate the practice of caste is that the gap between the 'textual' and the 'factual' details do not necessarily match completely when we bring them together with a view to understand specific contexts. For, the context of operation of caste is shaped largely according to specific modes of social relations and necessities that are regional in character. Having pointed out this notable distinction between the 'field view' of Indian society as against the 'book view', M.N Srinivas puts it clearly that

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[16] It is a punishable offence if the present owner sells them without their consent. Ibid. 185.

[17] *Sankarasmriti; Laghu dharma Prakasika* (Poorvabhagam). 1081 ME (1902). p. 139. (Independent Translation)

[18] See chapter three for more details.

"*jati* (the endogamous caste unit) and not varna (the four fold 'caste' classification) must remain the legitimate object of sociological/anthropological inquiries on caste".[19] The *dharmasatras* (both Vyavaharamala and Sankarasmriti) speak mainly of varna (not caste) to elucidate the norms and rules of the order of social hierarchy. However, it is quite apparent that at the societal level castes also carry the status of varna. For instance, the Nair caste was considered as Malayali sudras who were obliged to render service to the Brahmins.[20] And regarding the Brahmins, no matter what is written on *varna* and practiced in the form of caste, they seem to have enjoyed social and ritual superiority over the others. As it suggests, though not in a very coherent form, *varna* and caste coincide at some level in social practices. What is more important here is the magnitude of influence that these texts would have played in the constitution of the social order and relations of power. As scholars have pointed out, "whether or not *Sankarasmriti* was written by Sankaracharya, it is certain that the Brahmins have made use of the text to fortify the caste system in Kerala".[21] Therefore, these texts and the ideas discussed in these texts become highly significant especially when we try to explore how they have been criticised and re-imagined by the reformists and scholars in the early twentieth century Travancore.

The three major strands which are palpable in the emergent mode of critical thinking in the early twentieth century Travancore; firstly, there were critical responses to the dominant philosophical traditions; secondly, we find the importation of relevant ideas from other traditions, mostly western, in some writings; and finally, there was introduction of new concepts to express present social and political realities. Before engaging with the nitty-gritty of these modes of thinking, it is important to note that the rules prescribed in the Hindu *sāstras* had been undergoing revision and change due to the interventions made by the colonial administrators in the nineteenth century.[22] The *Hindu Sastra Sara Samgraham* lists six radical changes made by the British administrators in the native law/customs. They comprise of the abolition of sati [1830], prohibition of *adimatham* or slavery [1843], confirmation of hereditary

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[19] For a detailed discussion, see T.S., Ramesh Bairy. 2010. *Being Brahmin, Being Modern: Exploring the Lives of Caste Today*. Routledge. New Delhi. p. 4.
[20] The varna system did not function in its ideal form in Travancore, Cochin and Malabar regions. Though the Nairs were considered as sudras, in Kerala (or in the Malayalam speaking regions), in the order of caste hierarchy they occupied a much higher status and employed as servants of the Brahmins. It is to be noted that the caste corresponding to the vaisya varna was also absent in Kerala.
[21] Adoor Ramachandran Nair. 1974. p. 111.
[22] A.S Sankara Pillai (Tr.). 1877. p. 2.

rights after religious conversion [1850], approval of widow remarriage [1856], validation of the Hindu will document [1860] and finally, endorsement of inter-caste marriage [1872].[23] As I have already indicated in chapter three, the introduction of these aspects, along with many other important resolutions, seems to have helped to orient in so many ways the actions and thoughts of people in the early twentieth century Travancore.

**Confronting with the Tradition: Critiques of Domination**

A lucid and detailed exposition of a historical context of critique could be made, as Lovejoy mentioned, only through serious engagement with textual and other forms of expressions made by both major and minor writers of that time.[24] The major/minor distinction is not really applicable in Travancore's context as many reformists in fact hailed from illiterate background and their writings are not available in the public sphere. Hence, to engage with their ideas and arguments, one has to focus also on newspaper articles and stories, autobiographies, biographies, legislative discussions, pamphlets and so on. The nature of those expressions is varied in a manner that some of them were highly philosophical and pensive, some are overtly political and some are theological in nature. However, the one common feature evident in many of such endeavours is that, contrary to *dharmasastras*, caste became identified as the prominent marker of social and political power. And it was conceived not only as a symbol of domination but also as a means of negotiation and a marker of identity that help to reinvent the historical past.

The negation of the myth of *Keralolpathi* which authenticates the birthright of the Brahmins over the land of Kerala was an important act to repudiate the ascribed supremacy of the Brahmins. The works of Chattampi Swamikal attains particular importance as they ferociously attacked the texts and myths with the help of which the Brahmins claimed their ritual and social superiority and privilege. It is believed that Parasurama gifted the land of Kerala to the Brahmins whom he invited from the northern (Indian) regions. Accordingly, on the one hand, the Brahmins achieved ascendancy in the order of social hierarchy and on the other hand, they attained the

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[23] Ibid. p. 3.
[24] Arthur O. Lovejoy. 2001 [1936]. *The Great Chain of Being: A Study of the History of an Idea*. Harvard University Press. Cambridge.

status of being priests or gurus of the rest. By refuting these beliefs, Swamikal argues that it is not the Brahmins but the native Nairs are the real owners of the land.[25] As opposed to *Keralolpathi* myth, he endeavours to construct a historical past to reclaim the sudra supremacy in the land. In his works, he largely employs the "cause-effect logic" in order to foreground his arguments as opposed to the dominant beliefs and practices supporting the pre-eminence of Brahmins in social hierarchy.[26] He maintains that Parasurama, being an avatar of lord Vishu, cannot be affected by curse as he already possesses the knowledge of the ultimate unity of *ātmans* stipulated in the Bhagavat Gita. Hence, there is no point in gifting the land to the Brahmins to remove curse, which in actual fact is non-existent.[27] One of Swaminkal's major arguments is that "the Brahmins are not the native inhabitants of Malayalanatu, they came from other regions and therefore they have to be considered as foreigners".[28] In his writings one can also locate remarks of the Arya-Dravida distinction; the former represents the Sanskrit tradition and the latter Tamil-Malayalam tradition, intending to fortify this foreigner/native division.[29] And it has been invoked mainly as a means to repudiate the claim of birthright made by the Brahmins to ascertain their dominance over the territory, customs and rituals of Kerala.

Chattampi Swamikal employs a method of reassertion of historical past (of the Sudras/Nirs) to resist the Brahmin-Sudra distinction as well as hierarchy and domination associated with it. He maintains that "the terms Malayali-Brahmin and Malayali-Sudra are the major reasons for our crisis today".[30] He argues; it is based on the *Chaturvarnya* that this distinction is made and the Sudras (or Malayali Nairs) are heavily suffering from the same.[31] He makes an intriguing effort to set free the geography he called *Malayalanatu* from the clutches of *Chaturvarnya* system, on the basis of which the Brahmins claim their purity and superiority. He argues; "those who observed *varnashrama dharma* are considered Aryans and the rest *mlechanmar* or inferior race. The regions where Aryans inhabited are called Aryāvartham and the rest *Mlechadesamgal* or lands of inferior race. The *Malayaladesam* however was not a

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[25] Chattapi Swamikal. 2001 [1916]. *Pracheena Malayalam*. Sahrudaya Books. Puliyannoor. p. 17.
[26] Ibid, p. 26.
[27] Ibid. He invited the Brahmins from other regions and gifted the land to them so as to get rid of the curse of killing of twenty one generations of Kshatriya Kings.
[28] Ibid, pp. 65–66. (Independent Translation)
[29] Ibid, p. 66.
[30] Ibid. p. 85. (Independent translation)
[31] Ibid, p. 89.

part of *Brahmavartham* or *Aryavartham*. Hence it is logical to believe that this region was not under the rule of *Chāturvarnya*, observed by the Aryans".[32] He thus concludes that the texts such as *Keralolpathi* and *Kerala Mahathmyam* which extol Brahminic supremacy are their own creations and their intention was precisely to establish their dominance over the sudras who were the real inhabitants of the land.[33]

The social customs or *acharas* were observed diligently because they were believed to have been pronounced by *acharyas* or philosophers in the past. Sankaracharya was referred to as a major source to substantiate caste and customs, including the practice of untouchability. Narayana Guru's reconstructive approach to *advaita* of Sankaracharya was a critical response to such practices. Though Guru also followed advaita philosophy foregrounded by Sankaracharya, his intention was different from that of Sankaracharya. For, Guru employed the logic of *advaita* precisely with the intention to invalidate the authenticity of caste and untouchability.[34] Once he categorically declared that in philosophy, he followed the *advaita* tradition of Sankaracharya. Nonetheless, Guru was critical of Sankaracharya's justification of caste discrimination elucidated in the latter's commentary on *Apasudra-adhikarana* of *Brahmasutra*.[35] Guru's approach was highly distinctive because he questioned the rationality of those practices from within the very same knowledge system that endorsed it. Unlike Sankaracharya, Guru never approved of caste and the practice of caste discrimination as a legitimate affair defining the *vyavaharika* — the world of relative, everyday life.[36] Guru, being an untouchable, never undermined the relevance of the material life wherein people are treated unequally.

Unlike Sankaracharya who expounded the theory of *māya* for explaining the laws of the *vyavaharika*, Guru affirmed that the material world, which is manifested as

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[32] Ibid, pp.104–105. (Independent translation)
[33] Ibid, p. 65.
[34] Concerning the reaffirmation of advaita philosophy in nineteenth century, Udaya Kumar elaborates; "Advaitin arguments were invoked in a range of writings in nineteenth century India in relation to worldly life and social action. The salience of these interventions is often found less in their strict adherence to Advaita doctrine than in its re-citation, in the way the latter texts make the doctrine confront fresh experience and authorize new discursive move. It is over the course of this innovative repetition that the space of a new subject — of thought, articulation and action – takes place". Udaya Kumar. 2016. *Writing the First Person: History and Autobiography in Modern Kerala*. Permanent Black. New Delhi. p. 47.
[35] Kuttippuzha Krishnapillai and Kumaranasan. (2007). *Sree Narayana Guru: Jeevacharithravum Gurusmritikalum* (Biography-Malayalam). Prabhath Book House. Thiruvananthapuram. p. 62.
[36] Nataraja Guru. 2003. *The Word of Guru: Life and Teachings of Guru Narayana*. D. K Printworld. New Delhi. pp. 277–278.

multiple forms of knowledge, (including humans), is none other than the Absolute Knowledge.[37] *Aṛivu* (Knowledge) was the foundational notion of Guru's philosophy. He invokes the idea of knowledge designating the universal (Knowledge) and the particular (knowledge) versions of truth. In his treatise on *Aṛivu* or *The Epistemology of Advaita* (as translated by Nitya Chaitanya Yati), Guru attempts to establish two significant arguments. Firstly, 'the Knowledge' is an all-encompassing totality and therefore nothing exists external to it.[38] He thus foregrounds the idea of universality (of Knowledge) as the true content of that which is existent. Secondly, he maintains that "we [human beings], in essence, are the same 'Knowledge' which makes us know of all specific knowledge".[39] As Yati elaborates, "the recognition of an object brings a duality within the consciousness, of the knower and the known. In fact, there is only a modulating consciousness which Guru here calls knowledge".[40]

Guru here asserts the idea of non-duality of the universal Self and the individual selves.[41] The *advaita* of Narayana Guru hinges on this consensual space of non-duality which also emphasises the primacy of the universal without negating the importance of the particular. As Natarāja Guru rightly points out, "he emphasised only two platforms of thought. One was that of the everyday world of facts, and the other that which belonged to the Reality beyond."[42] As he conceived the unity of *anya* (the other) and *sama* (the same) at the level of the Absolute, so did he expound equality among humans at the societal level.[43] What is highlighted here is a middle

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[37] In his work *Aṛivu*, which was written between 1887 and 1897, Guru expounded the epistemology of *advaita* — a non-dual perception — with a systematic elucidation of the origin, structure, method and the validity of Knowledge. In *Aṛivu*, Guru explains that "...[w]hat is being considered to be 'the known' is none other than 'the Knowledge' itself". Narayana Guru. 2001. *Epistemology of Gnosis* (*Arivu*) (commentary by Nitya Chaitanya Yati). Nārāyana Gurukula. Varkala. p. 55.

[38] Ibid, p. 11.

[39] Ibid, p. 55.

[40] The absolute Knowledge functions primarily as the Knowledge of knowledge and at the same time it makes us know of all specific knowledge. Having mentioned this, Guru states that; we, in essence, are this Knowledge *Epistemology of Gnosis* (*Arivu*). Verses VII, XI. The subjective experience that 'I know' in fact is the function of the absolute Knowledge within oneself. It is nothing but the self-unfoldment of the absolute Knowledge that creates 'the knower' as well as the impression that 'I know' or 'I don't know' *Epistemology of Gnosis* (*Arivu*). Verse XII. It implies two major aspects of truth: firstly, even the knowledge that I do not know is also an effect of the absolute Knowledge. Secondly, what is spoken of as 'I', which assumes duality when one becomes an object of one's own knowledge, derives from the one essential content. Ibid. p. 2.

[41] See versus 11 of *Arivu*: "What remains as knowledge of knowledge and makes here, we are that." Ibid.

[42] Nataraja Guru. 2003, p. 42.

[43] Narayana Guru expounds: "[I]nfinite is the way in which the knowing function becomes unfolded from the one consciousness; yet its entire range could well be classified into two: *sama* and *anya*... The knowing function in which one perceives many reality is called *anya*, literally 'the other' (all the

position of 'consensual neutrality' wherein the specific entities could achieve their unitive and universal expression.[44] In other words, it implies non-separateness of consciousness and of the being due to the mediating knowledge that is universal.

Reflecting on the question of reality and difference, Guru makes an attempt to bridge the gap between abstract thought and social reality. This moment also marks a departure from the dominant tradition of *advaita*. Emphasising the interdependent nature of the Knowledge and the known, Guru laid down four basic principles in the main. Firstly, the absolute reality (the Knowledge) which mediates the coupling of the subject and the object — the duality that appears at the event of knowing. A state of being aware of this reality, as he indicates, on the one hand refers to transcendence and on the other hand it assists to redefine the existents in the light of the real.[45] Secondly, 'caste' differences among humans as depending solely on species-character.[46] This indicates a change in perspective contrary to caste which functions as a system separating individuals on the basis of birth and karma. Thirdly, in terms of material conditions, Guru admits, mutable variances are visible among humans; like clean and dirty, educated and illiterate, haves and have-nots and the like.[47] But in essence, humans are only different manifestations of the universal Self and therefore worthy of being treated equally.

From the nineteenth century onwards, the concept of equality had found a critical space within the reformist practices in Travancore. Muthukutti Swamikal (also known as Vaikunda Swami and Aiya Vaikundar) (1810–1851), founder of a new sect called Ayyāvazhi, was the first reformist who made use of the concept of equality and that

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externally-oriented objective knowledge); the knowing function in which Reality perceived as one is called *sama* ('the same' which refers to the internally-oriented knowledge in which knowledge knows itself)... As a natural consequence of these two types of potentials, *sama* always embraces its specific aspect; so does *anya* too... [nonetheless] one should realize that the one *aṛivu* unfolds itself as both kinds of knowledge, or else reductively see the two as meeting at one neutral *aṛivu*". Verses 36 and 38 of *Atmopadesasathakam* (Guru dictated this to his disciples Sivalinga Swami and Caitanya Swami while camping at Aruvippuram in 1897). Narayana Guru. 2006. *Complete Works* (Tr. Muni Narayana Prasad), National book Trust, New Delhi. p. 244.

[44] In *Atmopadesasathakam* (1897) Guru explains: "The knowledge 'This is a Pot' is of the *anya* kind, and of it, the 'This' part is *sāmānya* and 'is a pot', *viśeṣa*. Both together give completeness to a unity of knowing, in this example, of knowing a pot". Narayana Guru. 2006, pp. 244–245.

[45] Narayana Guru. 2001., p. 9.

[46] "Within a species, does it not, / Offspring truly breed? / The Human species, thus seen, / To a single species belongs". Narayana Guru. 1914. *Jāti Nirnayam* (A Critique of Caste). in *Narayana Guru: Complete Works.* 2006. Translated, Compiled and Introduced by Muni Narayana Prasad. National Book Trust. India. p. 331.

[47] *Mathrubhumi* (Malayalam Newspaper) 31 March 1925. p. 3.

was among the Channars of south Travancore in the early eighteenth century Travancore. He was a scholar in Hindu scriptures as well as in Bible. He declared himself as a son of lord Vishnu who takes birth to put an end to the age of *Kaliyuga* by annihilating the *Brahmins* and thus would establish '*dharmayugam*' or the age of dharma. As Sheeju argues, "[B]y this move, he could amalgamate the story of Jesus as the son of God into the Hindu fabric".[48] Instead of rejecting Hindu religion, his movement attacked the established power structure and symbolic order from within.[49] Unlike other reformists, Muthukutti Swamikal was a staunch critique of the Travancore king.[50] He established *samathwa samajam* and professed the idea of equality among the 'lower' castes. He promoted 'inter-dining' among the 'lower' castes and created places of worship called the *pathis*. The *pathis* were not exclusive religious spaces. They were open to people who are willing to discuss matters concerning their social life.[51] This reconsideration of spaces according to the principle of equality may certainly have influenced the twentieth century reform movements in Travancore.

The reassertion of *advaitic* thought as a means to shape a critique of caste was an important disposition of reconstructive thinking. It constituted one of the major philosophical foundations of the non-Brahminic thought as well. Pandit Karuppan, a scholar and reformer from the state of Cochin, in his magnum opus *Jaatikkummi*, offers an intense critique of caste discrimination. He narrates the story of Śankaracharya's encounter with lord Siva, disguised as a Chandala.[52] When Śankaracharya asked the Chandala 'go away' to save him from distance pollution, Chandala reverts: 'if you are asking to my body to move, you must know that it is not eternal but a constantly changing substance only. Therefore, it changes [moves] even if you don't ask. On the contrary, if you are asking to go to what is eternal and

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[48] N. V Sheeju. 2015. "The Shannar Revolts, 1822 – 99: Towards a Figural Cartography of the Pretender". *South Asia Research*. Sage Publication. Los Angeles. 298 – 317, here, p. 310.

[49] He organized the *Channars* and launched massive agitation against the Travancore government for imposing unnecessary taxes on the low castes. He specially insisted his disciples to use turbans while entering into temples he found. It is to be noted that using turbans was not allowed to the low castes in those days. However, when the Christian *Channars* became targets of attacks by the upper caste Hindus, the temples and the disciples of Vaikunda Swami were exempted. Joy Balan Vlathankara. 2009. *Vaikundaswamiyum Samoohika Navodhanavum , Vaikundaswami and Social Renaissance,* Chinta Publishers, Thiruvananthapuram, pp. 40, 42.

[50] Swati Tirunal, the king of Travancore, imprisoned him for criticizing the sovereign authority king.

[51] Ibid.

[52] K. P Karuppan. 1912. *Jaathikkummi.* with Biography by T. M Chummar. Reprinted by Kerala Sahitya Akademi. Thrissur. pp. 23–45. *Jaatikkummi* was an independent interpretation of *Maneeshapanchakam* written by Sankarachaya.

unchangeable, it does not move even if you insist'.[53] The Chandala here invoked the basic premises of advaita philosophy and criticised Śankaracharya, the pioneer of advaita philosophy. In so doing, he established that Śankaracharya still holds belief in duality.[54] The reassertion of advaita from a 'lower' caste point of view was very much prevalent in scholarly interventions in the early twentieth century reformative endeavours. Karuppan called upon the notion of *njānam* or wisdom/knowledge and asserted that *njāni* or the one who achieved wisdom does not perceive caste and pollution. As he emphasised, *njānam* removes duality or separateness. Like Narayana Guru, Karuppan also emphasises that real knowledge would certainly remove the māya of duality.

Critique of *varnashrama dharma* was central to the early twentieth century debates and discussions around reform. In the early decades of the twentieth century, it was the Gandhian views regarding the *varnashrama dharma* that was much debated and discussed in Travancore. Among many, Narayana Guru was one of the strong critiques of Gandhi's notion of *varna* (separated from caste) and *varnashram*; both according to birth and karma.[55] Guru's response to Gandhi's defence of *varnashram* was that: "Gandhi may be making this separation on the basis of *Guna* and *Karma,* but since there is nothing substantial or fundamental in both of them and they are also vulnerable to change, how to decide the Varna?"[56] Guru here maintains a position that unless and until the sacred bond between birth and karma are destroyed, one cannot logically delegitimize caste.[57] Sahodaran Ayyappan, a disciple of Narayana Guru who

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[53] K. S. Radhakrishnan 2012. Preface to Birth Anniversary Edition in Pandit K.P Karuppan. 1912. *Jaathikkummi*. with Biography by T. M Chummar. Reprinted by Kerala Sahitya Akademi. Thrissur. p. 18.

[54] Ibid.

[55] *Young India*. 22 January 1925. p. 29. When Gandhi came to Vaikom in 1925, he visited the ashram of Narayana Guru at Varkala, and they entered into a discussion on caste and religion. Gandhi held a position opposing Guru's philosophy of essential oneness of caste, religion and god. In an intriguing conversation, citing an example by pointing to a nearby tree, Gandhi said that "the leaves of the tree are of different kind and so are religions but Guru replied that though they are seemingly different, when chewed they taste similar". P. K Balakrishnan(ed.). (2000). *Narayana Guru* (Anthology), Kerala Sahitya Academy, Thrissur p. 174. See also "Gandhiji's speech at Sivagiri Madom", S. Raimon (ed.). (2006). *Selected Documents on Vaikom Satyāgraha*. State Archives Department. Government of Kerala. Thiruvananthapuram. p. 64.

[56] P. K Balakrishnan(ed.). (2000), p. 167. (Independent translation)

[57] *Mathrubhumi* (Malayalam Newspaper). 31 March 1925. p. 3. He later explained that "though there is logic in Gandhi's opinion but, if follow that mode of reasoning, one has to accept that each individual has a different religion. No religion can exist without its footing on an eternal dharma or truth. Mohammedanism emphasizes brotherhood and Christianity, love. In that sense, there must be certain universal principles that which unite them all. All eternal values are of equal importance and in

initiated inter-dinning in Kerala, opposed the Gandhian notion of *varnashram*, terming it as a new form of traditionalism.[58] The basis of this argument, he asserted, is highly credulous as it professes that human intellect and skills could be transferred incessantly through tradition.[59] Chattampi Swamikal also held the same position while asserting that knowledge about truth (*brahmanjanam*) and duty of labour or *swadharma* (*dharmanustanam*) are in no way related to *jenmam* or birth but attainable through life only.[60]

Many of the 'lower' castes of Travancore found conversion into Christianity as a means to uplift their status in the society. However, the 'lower' caste converts remained lower even after their conversion to Christianity. Poykayil Appachan, a Christian convert from the Paraya caste, made relentless attempts to fight against this discrimination. He joined several churches like the Marthoma Syrian Church and the Plymouth Brethren. However, none of those attempts enabled him to wipe out his Paraya identity. As final solution to address the question of marginality, he founded the new sect called Prathyaksha Raksha Daiva Sabhha (PRDS) in 1909.[61] Appachan wrote a large number of songs expressing the slave experience of the Parayas. Through his songs, he passed his ideas on to the members of his Sabha. As Sanal Mohan pointed out, the language he used was not the ordinary language that the 'lower' castes of Travancore used in the twentieth century. Instead, "[t]he songs of the oral tradition as well as those that were printed and circulated are in modern literary Malayalam retaining fine lyrical qualities...This shows the instance of linguistic modernity... The use of modern Malayalam by the Sabha assumes significance here in that language becomes a semiotic cultural field in which negotiations take place".[62] The songs of the Sabha dealt extensively with the suffering of slavery and the experience of being sold and purchased like cattle in the slave markets.[63] The poems

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discursive terms, he underlined that, these universal principles are interdependent". P. K Balakrishnan 2000, p. 174. (Independent translation)

[58] K. Ayyappan. 1965 [1934]. *Saddeseeyam*. Bhagyodayam Press. (Place unknown). p. 4.

[59] Ibid, p. 4.

[60] Chattampi Swamikal. 1921. *Vedadhikara Niroopanam*. in Arumanoor Nirmalanandan. 2008. *Jeevithavum Sameekshayum*. Sahodaran Publication. Thiruvananthapuram. p. 170. He held the view that by birth all are Sudras. According to the karmas being followed, eventually they will become Brahmins, Kshatriyas, Vaishyas and Sudras. Ibid, p. 168.

[61] Sanal Mohan. 2006. "Narrativizing Oppression and Suffering: Theorizing Slavery". *South Asia Research*. Sage Publication. Los Angeles. pp. 5 – 40, here p. 6.

[62] Ibid. pp. 11, 12.

[63] In a song narrtivising the experience of servitude, Appachan writes:

contained deepest expression of sorrow and anguish caused by forceful separation of children from their parents.[64] In order to produce special emotional effects, as Mohan explains, Appachan introduced many conceptual categories. It includes:

> "[a]dimakkanneer (slave tears), adima yugam (age of slavery), adima shariram (the slave body), adima nukam (yoke of slaves), adimachangala (chain of slaves), adimayola (palm leaf document on slave trade) and adima bhavanam (slave family). Similar categories have been employed in creating the emotional transformation like adimamakkal (children of slaves), adima vargam (slave caste), adima rakshakan (emancipator of slaves) and adima vimochanam (emancipation of slaves). Categories of people who bear the marks of the above-mentioned constructs are often referred to as Adi-Dravidas/Adiyar, meaning original inhabitants."[65]

When Chattampi Swamikal was attempting to reclaim the lost ascendancy of the sudras/Nairs through textual references indicating the traces of the native rulers called the Nagas (whom he called the Nairs), Appachan was focusing on to find expressions to reinvoke past experiences of servitude, the history of which has not been written by anyone yet.[66] One of the poems written by him explicates, "I do not see a single reference as regards the history of my race while there are many on other races".[67] Instead of textual references, since there are none, Appachan calls upon memory and focuses on oral tradition of stories and poems preserving experiences of servitude and pain to regain access to the past.[68] He draws attention to the 'inability' rather than ability to rebuild the authentic, textual history of his race.

As we could see, history, in radically different ways, appears as a prominent category in discourses around reforms in Travancore in the early twentieth century. And subsequently, caste has become a subject of historical evaluation and critique. For instance, Narayana Guru defines "caste as a state of mind, with a long history and

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"If sold it is salable again / If to be killed could be transferred for it again/ Sold as absolute property /How could we forget it? / Paired with oxen and buffaloes/ Forced to plough the fields / Oh! God how do we forget the intense grief?" Ibid. p. 24.

[64] He writes:
"Those who bought our parents / Chained and dragged them away / Orphaned children roamed / In wilderness without anyone to help. / They didn't see anyone. / Infants died starving for milk / Time the eternal witness alone was pained". Ibid.

[65] Ibid. p. 26.

[66] T.H.P Chentharasery. 2010. Poykayil Appachan (Jeevacharithravum, Paattukalum). Mythri Books. Thiruvananthapuram. pp. 55–56.

[67] Ibid, p.55.

[68] Sanal Mohan.P. 2015. Modernity of Slavery: Struggles against Caste Inequality in Colonial Kerala. Oxford University Press. New Delhi.

when examined objectively, it dissolves into nothingness".[69] In Chattampi Swamikal, Narayana Guru and Poykayil Appachan, history works as a prominent category and offers three different conceptions of caste. One; as a matter of status and pride that was once lost but can be reaffirmed through reinterpretation of history, two; as a historical and objective reality having no content if pondered upon rationally, three; as a reality or an indelible mark imposed by history and that is still there as memory and pain which cannot be overridden. These conceptions of history invariably evoke a sense of time; a 'contemporary' moment. The 'contemporary' indicates the temporality of being and a sense of reflectivity to one's own existence.[70] The three different perspectives on history look variedly and critically at the present context with the intention to transform it.

Critique which appears as a mode of thinking in all the above mentioned persons could also be seen as an indication of a reflective attitude towards the time in which they all lived. This temporality aspect needs to be understood in terms of the generative context of their thought which fundamentally was reformative in character. Sahodaran Ayyappan in one of his notable essays pointed out that "the deprived communities (*avasa samudāyamgal*) have become aware of their rights (*avakāsabodham*)".[71] The two significant terms; 'deprived communities' and '*avakāsabodham*', used by Ayyappan help to reveal an emergent political condition in the princely states of Travancore and Cochin where certain communities have attained a state of maturity to identify themselves deprived and also became aware of their rights to redeem the state of marginality.[72] It refers to a decisive change that defines the contemporary time where the social margins have become aware of their state of

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[69] Sathyabai Sivadas. 2011. "Casteism as Redefined by Narayana Guru: Biological and Philosophical Implications", Paper presented at IIAS, Shimla on *Philosophy, Vision and Work of Narayana Guru as an Instrument of Egalitarian Social Change*.

[70] As Agamben defines it, contemporariness refers to a "singular relationship with one's own time, which adheres to it and, at the same time, keeps a distance from it. More precisely, it is *that relationship with time that adheres to it through a disjunction and an anachronism*". Giorgio Agamben. 2009. *What is an Apparatus?*. David Kishik & StefanPedatella (Trs.). Stanford University Press. Stanford, California. p. 41. He affirms that "the contemporary is he who firmly holds his gaze on his own time so as to perceive not its light, but rather its darkness. The contemporary is the one whose eyes are struck by the beam of darkness that comes from his own time." Ibid, pp. 44–45.

[71] K. Ayyappan. 1965 [1935]. p. 9. (Independent translation). *Avakāsabodham* is a state of being completely aware of one's own rights. It refers to a political moment in which people are enlightened enough to make sense of who they are and what they deserve legitimately.

[72] Ayyappan is not the only person who uses these terms to designate the contemporary time. These terms gained enough currency during the early twentieth century Travancore where community organizations made coalitions and joint political movements. For details see chapter four.

deprivation and also of their power to protest. As T. M Varghese, one of the Syrian Christian leaders of the Civic Rights League, observed, "[T]he demand for citizenship rights helped to endorse the status of the downtrodden within the *pothu samudāyam* [society]... They have proved that they are not stooped to the seductive power of religion. They have become aware of their own status".[73] The social reform movements took place in the twentieth century Travancore were largely a reflection of self awareness and *avakāsabodham* acquired by the marginalised communities.

**Narayana Guru and the Re-constitution of a Linguistic and Social Context**

Historical contexts cannot be conceived of simply as moments within a continuum but they could be perceived as something that have the potential to break the continuum and thus open up multiple forms of expressions and interactions. One of the major methods to make better sense of the complexity of a given context is to understand the emergence of concepts which specifically address/express the questions of that time. Moreover, it is important to look at how those concepts are functioning in different situations as well. As I have already explained, when the conception of rights changes, it also marks a critical deviation in the existing state of affairs as well as in the mode of social relations. Concepts are relational and when put to use, they produce intended effects only if they are in company with other concepts which also facilitate the need of that particular context. Unless an attempt is made to describe the articulation of concepts such as *manushyan* (human being), *samathwam* (equality) and *samudāyam* (community), the language or the discourse of rights emerges in the early twentieth century Travancore cannot be grasped properly. Narayana Guru's works are particularly important in understanding these concepts and their various usages. His writings are categorised mainly under three labels; the philosophical, social and devotional. Here, my attempt is to examine the use of the abovementioned concepts and my engagement is limited to some of his major philosophical and social texts only.

Guru's intention was to propose a unitive philosophy. The invention of the category of *manushyan* was a decisive part of that attempt. He put forward the universal idea of

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[73] K. M. Varghese. 1919. "Paurasamtwavadavum Rajyolkarshavum" [Demand for Citizenship Rights and the Progress of the Country]. *Nazrani Deepika* (Malayalam Newspaper). 21 October 1919. p. 1. (Independent translation)

'human being' as opposed to individual caste/sub-caste identities and invoked the notion of *manushyatvam* or humanity to designate the quality of being human.[74] Guru explained humanity as a salient quality of human being and one achieves this fundamental human quality only when he/she considers the other with equal respect and dignity. One of Guru's significant contributions to social philosophy is that he brings the notions of 'human' and 'humanity' as pivotal norms to reorder the society which was functioning according to the logical parameters of caste. The very logic of caste, he affirmed, is resting on the dialectical relationship between the Brahmin and the Paraya and these names are mere ideas that are superimposed on the essential reality that is human nature.[75] He uses the concepts human and humanity as a point of consensus where those artificial differences could disappear. Guru's use of these concepts would contribute to the explorations into the history of concepts and conceptual change in a way that it helps to understand, as Pocock mentioned[76], what difference it would make when a concept is abstracted from a social milieu and what difference it could produce when it is re- employed in the same context.

In *Jāti Lakshanam* (Syntax of Caste, 1914), Guru invokes the word *inam* or 'kind' (the etymological meaning of *jāti*) to redefine the very idea of caste.[77] He abstracted the popular notion associated with the word *jāti* and used it as a concept which negates the established meaning of the same. In *Jāti Nirnayam* (A Critique of Caste, 1914), he explicates that, it is the species-character such as "bovinity that proclaims a cow" that determines one's caste.[78] Though it is valid at the level of formal appearances only, the species-character enables us to know something specifically.[79] Since those specific entities are different manifestations of the same Reality, caste can never be considered as a bona fide category capable of begetting social division and discrimination. On the contrary, he affirmed that humans are of one caste and they are equal in essence. He thus constituted a category of 'human' and the idea of 'essential equality of humans' (the idea which was alien to the local tradition) at the centre of a

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[74] "Manusyathvam: 'humanity' means the assemblage of all specific qualities that distinguish man from other beings, including those higher values which are essentially human". See Nataraja Guru. 2003. p. 284.
[75] Narayana Guru. 2006. pp. 331–332.
[76] J.G.A Pocock. 2009. *Political Thought and History: Essays on Theory and Method*. Cambridge University Press. Cambridge. p. 12.
[77] Ibid, p. 333.
[78] Ibid, p. 331.
[79] Ibid, p. 335.

newly emerging polity. In an address to the members of the *Pulaya* community, Guru said;

> "[H]umans are of one caste. They are not differed on the basis of caste except on conditions of material life. Some are advanced in terms of wealth, education and cleanliness; some are on the other way around. Humans are of different colours as well. Apart from such differences, humans are not differed in terms of caste. You now are deprived of having money and education. What is desired is to attain them both. Primary importance should be given to education. For, the rest — money and cleanliness — accompanies it".[80]

Hoping to cultivate unity among people across castes, Guru promoted common worship and inter-dining in temples and ashrams. In order to make people aware of his attitude towards such measures he published this message: "whatever be the religion, dress, language etc. of humans, as their caste is the same, there is no harm in inter-marriage and inter-dining".[81] Guru's conception of equality rests on this basic foundation of humanity. The differences apparent in the material life are not eternal but redeemable through reform. To achieve material development, he maintained, social reform and people's engagement in commercial activities should be the right path to be followed. He once stated that, "what people require essentially is knowledge and food. Therefore preference should be given to matters like education and commerce".[82] He opined;

> "[S]ince education is the vital force leading each community towards emancipation, we must pay ample attention to propagate it among us... [I]t seems that the importance of Sanskrit education is decreasing nowadays. And today English has become the most prevalent language. Therefore we need to focus on it. In society, not only men, women should also get the benefit of education. They must not be forced back in these matters. Commerce is the next major factor necessary for community uplift or it is the only avocation that is now offering monetary benefit".[83]

Guru held the belief that equality and freedom shall be the essential components leading to progress. Liberation of labour from the clutches of caste was one of his serious concerns. He opined that "as caste restricts both freedom and intellect, in the

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[80] Extract from a speech delivered by Guru in 1916 at Muttathara, as quoted in B. Rajeevan. 2011. *Vaakkukalum Vasthukkalum*, D C Books. Kottayam, p. 293. (Independent translation)
[81] *Kerala Kaumudi* (Malayalam Newspaper). 2 June 1921. p. 2. (Independent translation)
[82] *Mathrubhumi* (Malayalam Newspaper). 31 March 1925. p. 3. (Independent translation)
[83] Extract from a speech delivered by Guru in 1912 at Pallippuram. See P. Bhaskaranunni 2005. p. 253. (Independent translation)

absence of these vital capacities, the worth and quality of labour would necessarily be ruined".[84] With the acquisition of knowledge, Guru believed, change would take place in the minds of all pensive individuals. He found education and organization as two important means to suturing and liberating the unorganized and illiterate masses. To spread this insight, he promulgated the message, "strengthen through organisation and liberate through education", among the masses.[85]

Being a 'lower' caste person, Narayana Guru was well aware of and made use of the condition of liberty granted by colonial modernity. Once he announced that "the British are like our guru: it is they who gave us *sanyas*".[86] And he made this statement by citing the story of Sambuka — a 'lower' caste person who was killed by Rama as he practiced tapas to become a monk — from the Hindu epic Ramayana.[87] Though he made this statement with a hilarious tone, as it also sounds, he was well aware of the change made by the British at least to the extent that under the colonial condition a 'lower' caste person can choose an ascetic life and be educated and could become a hermit. However, unlike an ascetic monk, he diligently addressed the issues concerning the material life of common people and tried to engage with them through

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[84]He added: "Caste deteriorates labour. For, one cannot take up a job according to one's predilection. On account of birth, one simply follows a profession... If one has genuine proclivity in father's profession he could follow the same. Otherwise, limiting of freedom and labour is of no use". See P. K Balakrishnan (ed.). 2000. p. 167. (Independent translation). Exploring the larger context in India, Khare gives a remarkable discussion regarding different modes of reforms in India. He explains: "the reformist Hindu culture increasingly emphasizes one's 'common dharma' (*sadharana dharma*) over 'specialized dharma' (*visesha dharma*) of caste rules, rituals and duties"..."[M]odern reformers selectively try to open the 'eternal' (sanatan) karma-dharma and caste orders to democratic social, and political changes and their contingencies (e.g., consider Vivekananda, Gandhi and Vinoba Bhave's selective approaches to change). But radical reformers, old and new, either totally refute 'caste accommodating' rules and ranks (e.g. Kabir) or pursue an alternative moral order (e.g., as Ambedkar viewed Budhism for untouchables)". R.S Khara. 2000. "Elusive Social Justice, Distant Human Rights: Untouchable Women's Struggle and Dilemmas in Changing India" in Anderson, Michael R, Sumit Guha. 2000. *Changing Concepts of Rights and Justice in South Asia*. Oxford University Press. New Delhi. pp. 204–205.

[85] C. R Kesavan Vaidyar. 1995 [1972]. *Sree Narayana Chinthakal*. D. C Books. Kottayam. pp. 90–102. Awaya elaborated how education had become one of the central concerns of the Tiyyas of Malabar. "At the core of the Tiyyas' movement were those who held such a value in common. For them, becoming educated was the fastest possible route to social mobility on the private level. At the same time, producing as many educated Tiyyas as possible was considered as the best route to the community reform, the result of which was a resolution of caste disabilities. Their attempts to reform old aged customs were connected with their goal to spread education among them". Toshie Awaya. 1997. "Some Aspects of the Tiyyas' 'Caste' Movement with Special Reference to British Malabar" in Kotani H (ed.) 1997. *Caste System, Untouchability and the Depressed*. Manohar. New Delhi. p. 148

[86] Udaya Kumar. 2016. p. 43. However, he was very critical of the British rule in India. In an interview given to S.K Warrior he opined that the Ezhavas should support the non co–operation movement against the British Raj. *Keralakaumudi* (Malayalam Newspaper). 2 November 1921. p. 1.

[87] Sunny M. Kapikkad. 2017. *Janathayum Janadhipathyavum* (People and Democracy). Vidyarthi Publications. Calicut. pp. 245–246.

his own philosophical understanding. As pointed out by Nataraja Guru, "his teachings were overt and public".[88] To address questions that are relevant to social life, Guru developed a philosophy of ethics. The basic human nature, according to Guru, is essentially egoistic. This is the major reason for conflicts among human beings when they interact each other. Taking into consideration of the pleasure-seeking nature of rational human self, he elucidated that "everyone strives always to actualize self-contentment in all possible ways. And this is true in all the worlds".[89] Having mentioned this, he summarised: "conflict between men arises mainly with regard to objects dear to each".[90] To elude such conflicts, he postulated an ethical principle: "whatever one does for one's own happiness (*ātma sukham*) should bring about another's (*aparan*) happiness at once. Any action that ensures one's happiness and causes another's suffering goes against the principle of the oneness of the Self".[91]

The oneness or the non-separateness of the Self is the pivotal point of Guru's ethics. The principle mentioned above refers to two major features of Guru's ethics. On the one hand it deals with the constitution of one's relation to the other in social life governed by the economy of desire and of private interests and on the other hand it foregrounds one's ethical relation to the other practically the same as one cares for oneself. Guru's concept of *aparan* refers to the other who is not separated from the very same Self which animates all individual selves. As Nataraja Guru explains, "the term *aparan* (*a-paran* or non-other) refers to the one who is not separated from the Self".[92] Guru employs the non-duality principle to delineate the other. The difference between oneself and the other is thus mediated by the supreme Self that is one alone. Guru does not negate the existence of the other but rather underlines the sameness of being and thus invalidates 'objectification'. The conversion of otherness into a sociable mode of *aparan* also demands radical reconstruction of the self as well as its opening to the other. Guru's philosophy of ethics exemplifies how he employed the reconstructive method in advaita philosophy. With the invention of the concept of *aparan*, he reconstructed the *advaita* philosophy as a system of thought which, unlike

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[88] Nataraja Guru. 2003. p. 177.
[89] Ibid, p. 247.
[90] Ibid, p. 240.
[91] Ibid, p. 241.
[92] See Nataraja Guru's commentary on *Atmopadesasathakam* in Narayana Guru. 2008. *Atmopadesasathakam* (Malayalam). Commentary by Nataraja Guru and Nitya Chaitanya Yati and Muni Narayana Prasad (Trs.). Narayana Gurukula. Varkala. p. 170.

that of Sankaracharya, could incorporate the idea of essential human equality, not only at the level of thought but also as a principle relevant in the *vyavaharika* life.

Language was one of the major tools of Narayana Guru's reconstructive method. When he changed *jāti* into *inam* (specific kind), the word *jāti* changed its relationship to the entire vocabulary, and acquired a new function that is no more related the earlier concept, i.e. caste. He did it with a view to give the word a new function apart from the dominant meaning it carried. Similarly, reflecting on the question of religion, he preferred to take the literal meaning of the word *matham* (religion), that is, *abhiprāyam* (opinion). He affirmed that since people do hold differences in opinion, religion also reflects the same.[93] While deliberating on different religious beliefs, he maintained that "religion is purely a matter of mind and of personal opinion".[94] Therefore, he firmly stated that "the affairs of the community (*sasmudāyam*) should be treated separately from that of religion".[95] Once he commented on the issue of religious conversion:

> "[R]eligion has two sides, the internal and the external... Which one of them ought to be transformed? If the zeal is to transform the external side of the same then it does not imply religious conversion, but it is the transformation of society [*samudāya parivarthanam*]. Whereas the 'internal' transformation has already been taking place gradually in all pensive individuals. It cannot be done by others because it happens along with the acquisition of knowledge".[96]

If social transformation is the desired end, Guru suggests this twofold method and advocated a blending of knowledge, education and reformative action. One of Guru's major concerns was to construct social spaces where people from all social echelons could come together and interact. He laid foundation to a number of temples, schools and ashrams. After the inauguration of the temple of lord Siva at Aruvippuram in 1888, Guru wrote a message in front of the temple that read: "Devoid of dividing walls of caste or race or hatred of rival faith, we all live here in brotherhood. Such, know this place to be the model foundation".[97] The act of consecration of the Siva

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[93] Extract from Guru's conversation with C.V Kunjiraman. See P.K Balakrishnan (ed.). 2000. p. 174.

[94] C. R Kesavan Vaidyan. 1992. *Sree Narayana Guruvum Sahodaran Ayyappanum*, D.C Books, Kottayam, p. 78. (Independent translation).

[95] Ibid, pp. 67, 78.

[96] See P. K Balakrishnan (Ed.). 2000. pp. 172–73. (Independent translation)

[97] See Nataraja Guru. 2003. p. 26. Since the first consecration, it is said, Guru installed images in as many as 64 temples. These images were not of local gods and goddesses but those of the Sanskrit pantheon such as Siva and Subrahmanya. Discouraging animal sacrifice and offerings of toddy, he

temple itself was a challenge to the customary rights enjoyed exclusively by the Brahmins. And, by opening the temple to all sections of people, irrespective of caste and religion, he converted the much overt sacred space into a public domain. For him, the temples were meant to promote free interaction of people without caste and religious prejudices. Hence, when he realised later that temples did not satisfy the required goal he demanded to stop constructing more temples and promoted schools in its place.[98] He announced: "[W]e believed that temples would help to bring people together at least in places of common worship. The experience is on the contrary. Temples augment caste differences. Now endeavours are required to give education for the people. Let them acquire knowledge. That alone is the remedy to make them better".[99]

The concept of *aṛivu* (knowledge) appears to be the central category in Guru's language of philosophy. One of his major philosophical treatises, *Āthmopadesasathakam*, begins by emphasizing the possibility of transcendence one can achieve at the level of knowledge. The expression "the one who knows further than knowledge" refers to a state of being beyond what we normally conceive of as knowledge.[100] This idea of 'beyond' is a highly important aspect in Guru's scheme of thought. When he reformulates concepts such as *jāti*, *matham* and *aṛivu*, he refers to a higher plane of understanding other than the commonly held meaning of these concepts. He thus stretches the concept further than what is meant by it. So as to achieve knowledge about the true meaning, one has to go beyond or transcend the present state of awareness. Guru employs a method of conceptual reconstruction when he engages with the idea of *samudāyam* as well. He envisaged community to be a 'human collective' consisting of all those who have disposed of their caste affinities

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introduced a Brahminical form of worship, for the performance of which Tiyya priests were trained". Toshie Awaya. 1997. p.151.

[98] (Independent translation). It is also to be noted that many of Guru's disciples were opposed to consecration of Hindu temples. Some presidential speeches at the early Yogam conferences show that there was a certain amount of doubt among the Tiyya intellectuals with regard to the meaning of temple construction, for some sections considered it to be promoting idolatry and irrationality. The reply to such doubts was generally given by way of pointing out the role of temples in encouraging the unity and in propagating reform". Toshie Awaya. 1997. p. 152. C. Krishnan, in his letter to Narayana Guru, commented that the more Guru spread the Vedic teaching, the more caste consciousness became strengthened. And he advised that Guru should start a new religion, preferably such a religion as Budhism which neglected the jati distinction. *Mitavadi*, Vol. 5, no.2, Feb. 1917. p. 32.

[99] See P. Bhaskaranunni. 2005. *Keralam Irupatham Noottandinte Arambhathil* (Kerala: Beginning of the Twentieth Century). Kerala Sahitya Academy. Thrissur. p. 251.

[100] See Narayana Guru. 2006. p. 235.

and religious intolerances.[101] Guru's conception of community as a human collective was radically superior to and transgressive of the nature and scope of social reform movements led by the caste based associations of that time. Regarding the membership of the S.N.D.P. Yogam, Guru (in 1926) mentioned that "the aim of organization should not be confined to the creation of a community of a specific group only… Our community organization should bring all human beings together".[102] The community that he envisages thus goes beyond the framework of community reforms and thus turns out to be a directive pointing at a higher objective; the constitution of 'human community' or *manushya samudāyam* to which individual caste-communities need to be moved on. Reflecting on Guru's consideration of *samudāyam*, Udaya Kumar explains;

> "[*S*]*amudayam* appears as the means by which the human being can learn to recognize human-ness, its species identity, and its natural kind... The first step in that direction is to work through and destroy caste character of Ezhava identity and reconstitute it as *samudayam*... The concept of *samudayam* pointed in two directions: towards a caste identity, which is sought to annihilate, and towards a universalistic identification with the human species".[103]

In Guru's language of philosophy it appears that each of these concepts carries universal and particular content and form a dialectical relationship within. As regards the use of concepts, two significant aspects are evident in Guru. Firstly, in his intellectual enterprise, the concepts become a mediating space of differences. For instance, when he asserts that 'humans are essentially equal' he opens up a mediating space in thought to logically invalidate the radical social distinctions imposed by caste. The second aspect is related to his method of conceptual reconstruction. He categorically explains that the real meaning of *jāti*, *matham* and *samudāyam* is not what people generally understood as true. He then tries to address and resolve the tensions created by these concepts and replaces them with the 'real' concepts. Two things are happening here. Firstly, he critiques the present context in which the

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[101]In a conversation with Sahodaran Ayyappan, Guru explained: "Caste must be eradicated. There is no other way out. Humans are of one community. Caste must be eliminated so as to attain that situation". M. K Sanoo. 2007 [1976]. *Narayanaguruswami* (Biography). H & C Publishing House. Thrissur. p. 272. (Independent translation)

[102] See G Priyadarsanan. 2008. "*Desabhimani T.K. Madhavan*" in T.K. Madhavan. 2008 [1928]. *Dr. Palpu*. Trivandrum. T.K. Madhavan Foundation. pp. 5–18, here p. 13. (Independent translation).

[103] "The cleansing of the community analogous to the cleansing of the body's caste markers, involved the removal of rituals like *talikettu* and *tirandukalyanam*, associated with the attainment of puberty by girls in the community". See Udaya Kumar. 2016. p. 77. (Emphasis as in the original)

concept is used in its fallacious tone. Secondly, he hints the potentiality of the concept to transgress the conditions of the same context. In Guru, conceptual reconstruction turns out to be an act of redeeming the concept from its customary usages. This is not a mere de-contextualisation of the concept. As it turns out, it is not a bare abstraction of the concept from the context where it is used. On the contrary, what he does is an act of re-contextualisation. It is a kind of reprocessing or a reuse of a concept with a view to activate its true potentiality. In Guru, concepts thus attain both explanatory and reconstructive potential.

**The Concept of Community and the Language of Reform**

In Travancore, the concept *samudāyam*/community emerged as a central theme of public deliberations in the first three decades of the twentieth century, dominated by the discourse of representational rights. As mentioned earlier, the term *samudāyam* was used mainly in two different ways, one representing individual communities and the other referring to the society as a whole. However, when community became the prime object of social reform and politics of representation, one could see the emergence and circulation of different conceptions of *samudāyam* in Travancore's public sphere. With added prefix and suffix, the concept *samudāyam* was used in a number of ways such as *swa-samudāyam, jana-samudāyam, pothu-samudāyam, manushya-samudāyam, samudāya dharmam, samudāya jeevitham, samudāya bodham,* and *samudāya parishkāram*. To understand the characteristics of critical and intellectual discussions happening around the concept of community, the different usages as well as the specificity of each of these expressions need to be understood.

In Travancore, there were few attempts to introduce the category of gender as a community and also an object of reform. A newspaper article published in 1918, titled *Nammute Sthreekal* (Our Women) under the authorship *Oru Katholikkan* (A Catholic) elucidated that "*samudayam* means a society of both men and women. It is a mistake to think that the *samudayam* will be totally reformed if men alone are educated and reformed. This in fact is the present state of our *samudayam*".[104] After four days, another article written by *Oru Purushan* (A Man) appeared in the newspaper and it was titled *Sthreekalude Avakasamgal* (Women's Rights).[105] Contrary to what the title

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[104] *Nazrani Deepika* (Malayalam Newspaper). 13 December 1918. p. 4. (Independent translation)
[105] *Nazrani Deepika* (Malayalam Newspaper). 17 December 1918. p. 1.

suggests, the article contained a harsh critique of the ideas expressed in the earlier article. He found the current aspiration for reform among women of that time as a dangerous tendency since they are mere imitations of the western model of reforms. The article offered a general comparison of eastern and western social life and put forward the assumption that the eastern model valued ideal and moral aspects of women's life (including wifehood, homeliness and motherhood) and the west, on the contrary, gave importance only to worldly pleasures.[106] He attacked the western notion of equality among men and women, saying that men in the west desires such a condition as they look down upon themselves as if they are equal to women.[107] The article was concluded with the observation that the west is always in a childhood stage as the values never remain stable there; they are always unsettled or changing.[108] This article dealt with the issues of reform and women's aspiration for freedom as questions of morality. And the present time was perceived as a moment of conflict between the 'higher' vales and mistaken ideas of reform.

Responding to the criticism raised by 'a man', a newspaper article under the authorship *Oru Sthree Thanne* (A Woman Herself) appeared on 27 December 1918 and, as a rejoinder to the former, it was titled *Sthreekalude Avakasamgal*.[109] As far as a woman is concerned, she argued, "*gruhaney dharmam* (the dharma of a housewife) is not meant to spend until the last breath of her life in the kitchen or giving birth to children. To know what it really is, one requires education. Women do not enjoy that privilege as they are always and already dragged into a deteriorated state through early-marriage and a chain of other evil customs [*anacharamgal*]".[110] The concept *gruhaney* (the sound *ney* adds female gender to *gruha*, the home) literally refer to the one whose *dharma* is to care for home/family/the domestic (*gruha*). The author of this article makes use of this concept as a potential means to criticise the prevailing unequal gender binary and the idea of labour attached to it. She firmly asserts, "if one admits that it is the dharma of a *gruhaney* to take care of the house/family, the male counterpart of housewife, i.e. a *gruhasthan* [the sound *than* adds male gender to *gruha* and the concept literally designates the one whose *dharma* is to care for home/family]

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[106] Ibid.
[107] Ibid.
[108] Ibid.
[109] *Nazrani Deepika* (Malayalam Newspaper). 27 December 1918. p. 1.
[110] Ibid. (Independent translation)

is also obliged to follow the same *dharma*".[111]  Considering women as a single *samudayam,* she raised the question that "what benefit does the country gain from a situation where our community holds on to conservative values and therefore remains unreformed".[112] And she concluded the article with this notable statement: "If woman is deemed to be the better half of man, their rights should also be similar and equal. Although you [men] have the right to express your opinion, it is a time that we [women] ourselves should decide what we ought to do for us".[113] However, apart from vary few instances, this kind of assertion of women as a community was absent in Travancore's public sphere. Although they were visible in several platforms within the larger public domain, they did not constitute a movement as a community demanding separate rights for us".[114] However, apart from vary few instances, this kind of assertion of women as a community does not appear in the public sphere debates in Travancore. The nature of women's engagements in the literary public sphere, as J. Devika argues, was also subjected to the 'gendering' process through which the 'natural' qualities (such as compassion, kindness, love etc.) were affixed as inherent components of ideal womanhood.[115]As she elucidates, one of the earliest women's magazines in Malayalam, the *Keraleeya Sugunabodhini* (published in 1892) approved of the rationale of the public/domestic binary that the very first issue itself stated clearly that "politics and narrow argumentation about religion would be strictly avoided".[116] Though they did not constitute a movement as a community demanding separate rights for women, they were visible in several platforms within the larger public domain. They participated in public meetings and social movements in great numbers.[117] With regarding the transformation of identity of the Ezhava women,

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[111] Ibid. (Independent translation)

[112] Ibid. (Independent translation)

[113] Ibid. (Independent translation). The second part of the article was published on 31st December and it claimed equal rights for women with men as enjoyed by their counterparts in the west. See *Nazrani Deepika* (Malayalam Newspaper). 31 December 1918. p. 1.

[114] Ibid. (Independent translation). The second part of the article was published on 31st December and it claimed equal rights with men as enjoyed by their counterpart in the west. See *Nazrani Deepika* (Malayalam Newspaper). 31 December 1918. p. 1.

[115] J. Devika. 2002. *Imagining Women's Social Space in Modern Keralam*. Working Paper 329. Centre for Development Studies. Thiruvananthapuram. pp. 7, 8.

[116] Ibid. p. 8.

[117] Women's questions were largely attended from within the organized caste-community structure only. For instance, the S.N.D.P Yogam started its women's wing in 1904 itself. In the satyagraha struggle at Vaikom, they participated in large numbers. See Meera Velayudhan. 1991. "Caste, Class and Political Organisation of Women in Travancore". *Social Scientist*. Volume 19, No. 5/6. pp. 61–79, here pp. 64–66. The Pulaya women were also active under *Sadhujana Paripalana Sangham*. As one of the newspaper reports in *Malayala Manorama* suggests, in 1911, in a Pulaya women's meeting, conducted by *Sadhujana Paripalana Sangham*, 35 Pulaya women spoke and 1500 were attended. The

Merra Velayudhan observed that, by 1935, they constituted a large working class population in Travancore.[118]

The idea of *swa-samudayam* (one's own community) has become a matter of serious concern when reforms were oriented towards inner-caste unity and prosperity. Community demanded/offered a unitary space and a common platform for all the different inner-caste groups, irrespective of widespread regional and class differences. Such a state of concord was to be achieved through carrying out reforms in customs and traditions of caste. This call for reform was accompanied by a set of new moral and social codes relating to food, clothing, labour, education and so on. Through a message, Narayana Guru advised the Ezhavas: "do not tap, sell and drink toddy".[119] A major intention of reforms within caste was to set up a new standard of life in accordance with the changing need of the time. Those needs are well expressed in a public speech given by C. Krishnan during the annual conference of the S.N.D.P. Yogam. He advised the Ezhavas to control unwarranted expenses which cause harm to the community in general and individuals in particular. He underlined the importance of quitting toddy consumption.[120] Along with the spread of education among the Ezhava community, he emphasised the need of including vocational training as well.[121] With these suggestions, he maintained that "we cannot accomplish such endeavours which we carry out with the invention to make progress within *swa-samudāyam* (our community) unless proper education is given to the *jana-samudāyam* (common populace) on these matters".[122] The social reform in Travancore was altercated in between these two divergent poles of *samudāyam*/community.

Regarding the question of reform of *jana-samudāyam*, there were different opinions. Speed was a key category in understanding reform. *Keralachintamani* (a Malayalam journal) in an article on community reform emphasised gradual and slow process of reform within the *samudāyam* (society) as opposed to speedy and unorganised process of reform. Otherwise, the journal argued, it will not contribute to the cause of the

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meeting was presided over by Missis C. John Yesudas. *Malayala Manorama* (Malayalam Newspaper). 14 January 1911. p. 3.

[118] Meera Velayudhan. 1991. p. 70.

[119] Toddy is a locally made beverage extracted from palm and coconut trees. One of Ezhavas' traditional occupations was tapping and selling of toddy.

[120] C. Krishnan. [M.E] 1088 [1912–1913]. "Naam Cheyyendava" [The Things We Should Do]. *Keralachinthamani* (A Malayalam Monthly Journal). Volume VII, Issue I. p. 26.

[121] Ibid.

[122] Ibid. (Independent translation).

esteemed notion of 'reform' (*parishkāram*).[123] It criticised the community reform initiatives for maintaining a 'top to bottom' approach and alleged that reforms are carried out forcefully by a very few but are implemented over the vast majority.[124] The journal maintained the position that "true education should be provided to the *jana-samudāyam* (general community). What is required is to produce a powerful public opinion which is capable of either creating or eradicating traditional customs. Firstly, the power which is capable of encouraging legislation is to be created, law will be generated in due course of time".[125] It held the position that the customs and traditions which are looked after for a very long span of time cannot be removed suddenly in the name of community reform.[126]

Since customary practices like untouchability had its impact on the whole society, the inner-caste reforms, though it was meant to modify the castes from within, seem to have affected the *jana-samudāyam* as well. Hence, when efforts are made to amend the age-old customs and usages of the *swa-samudāyam*, the *jana-samudāyam* also shared the affects of reform. The reformists, mostly from the 'lower' caste cluster, were antithetical to the notion that reforms should follow a slow pace and it should be accompanied with enlightenment achieved by the general community. The speed of reform emerged as a matter of serious concern during the satyagraha struggle at Vaikom. Gandhi employed the method of satyagraha as a means of "peaceful conversion of the orthodox" and he firmly held the position that the satyagraha shall go on "no matter whether it takes long or short to reach the goal".[127] He postponed the goal of temple entry and, for the sake of gradual and steady implementation of reforms, reoriented it as a struggle for gaining rights for walking through roads around the Vaikom temple. In an interview, Narayana Guru expressed his response regarding this shift in the focus of struggle that, "there is no reason to postpone the goal of temple entry; even now it is already late".[128] This difference in conceiving the urgency of reform could also be seen as a reflection of a sense of the present time and

[123] *Keralachinthamani* (A Malayalam Monthly Journal). [M.E] 1088 [1912–1913]. "Samudayakarya Vicharam" [Thoughts on Community Issues]. Volume VII, Issue II. p. 29.
[124] Ibid. 31.
[125] Ibid. (Independent translation)
[126] Ibid. 32.
[127] *Young India*. 19 June, 1924. p. 201.
[128] *Desabhimani* (Malayalam Newspaper). 31 May, 1924.

self awareness created through the discourses of rights for recognition and representation.

Community reform turned the Hindu religion and the rituals and associated customs into an object of critique. In this context, several interventions had also been made to criticise the nature of the ongoing reform and also in defence of the Hindu tradition. In an article titled "*Samudāya Parishkāram*" (Community Reform) Anujan Nambudiripad equated (individual) community with human body and argued that while trying to initiate reform within a community, the reformists have to be aware of the special rites/rituals and customs each community followed in particular.[129] He affirmed that "[t]he rites/rituals are as important as food is important to human body. Without depending upon certain specific rituals, a community cannot exist".[130] Whereas the "customs are not as important as rituals... They are like jewelleries ornamenting human body".[131] He emphasised the point that the reformist should be aware of the significance and difference between rites/rituals and customs. The customs associated with religion are vulnerable to modification but rites/rituals are more fundamental and vital for a community to exist.

A more vehement critique on community reform came from T. P. R Menon. In a journal article titled "Arya Samudayam", he attacked the English educated reformists for being led by the fallacy that the ancient Hindus lacked a larger *samudāya bodham* (sense of community) and that the community, created by the Aryans, served the contentment of individuals only but not the whole society.[132] He criticised that "they [the new reformists] do not believe in carrying forward reforms in line with our own *samudāya dharma*. They believe in changing the *samudāya jeevitham* (social life) of the Hindus from top to bottom, and hold a theory that Hindus should accept the western model of social life mostly, if not completely. Their intention is to create a new *samudāya bodham* (social consciousness) based on the logic of rationality which separates religion and social life from nationality".[133] And he affirmed that "if we totally negate our own *samudāya swabhavam* (social character) and legal tradition

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[129] Alathur Anujan Nambudiripad. [M.E] 1094 [1918–1919]. "Samudaya Parishkaram" [Community Reform]. *Kerala Kesari* (A Malayalam Tri–monthly Journal). Volume. IV. Issue. 7, 8. pp. 192–193.
[130] Ibid. (Independent translation)
[131] Ibid. (Independent translation)
[132] T. P. R Menon. [M.E] 1088 [1912–1913]. "Arya Samudayam" [Aryan Community]. *Keralachinthamani* (A Malayalam Monthly Journal). Volume VII, Issue IV. p. 85.
[133] Ibid. (Independent translation)

and try unconditionally to imitate the western culture, it will only help to perish demolish our *samudāyam* (society)".[134]

From a different perspective, Ravivarma Thampuran argued that the Hindu social structure and practices such as untouchability cannot be considered as the root cause of the social ailments suffered by the marginalised sections. He maintained that many hold the view that the reason for the lack of political rights lies in the defects of the Hindu social structure".[135] He went on to argue that "even among the scholars, there is a belief that if the caste difference and related practices are destroyed, unity will be emerged within the *Bharata Maha samudāyam* (the great Indian community). Whatever purpose it might have intended to serve, it is certain that now untouchability is a pernicious system and it needs to be destroyed. The argument to be made is that the presence or absence of these systems has no direct relationship with the unity among the communities".[136] He skilfully tried to rescue the Hindu social practices from the purview of reforms. Instead, he proposed that, if the real need is to bring unity among different communities, "different people should engage in different jobs, then it will become necessary for different communities and people to work in harmony".[137]

In the 1930s, the tussle between community reform and social harmony shifted onto a dispute between casteism and nationalism. When the 'deprived communities' claimed representational rights as opposed to the monopoly of the 'upper' castes in Travancore administration, the opposition criticized the demand for equal communal representation as an expression of casteism which is against unity and nationalism. Responding to this, in his journal *Sahodaran*, K. Ayyappan wrote: "here the social consciousness of the populace has not grown beyond the boundaries among the communities"... Primary importance is accorded here to the community and not to the nation. We are born, raised and die in a social situation where *saamudaayika bodham* [community consciousness] is pervasive".[138] Concerning the political aspect of the issue, he affirmed: "certain communities argue for retaining the undue share that they

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[134] Ibid. p. 88. (Independent translation)
[135] L. A Ravivarma Thampuran. [M.E] 1102 [1926–1927]. "Samudayaparishkaram" (Community Reform). *Swadesabhimani*. Volume. III. Issue. 11, 12. pp. 527, 528. (Independent translation)
[136] .Ibid.
[137] Ibid. p. 529.
[138] K. Ayyappan. 1965 [1935]. "Nidaanam Nokkathe Chikatsa" [Treatment without Criterion].in *Saddeseeyam*. Bhagyodayam Press. p. 20. (Independent translation)

have been enjoying in government service and in representative bodies. They maintain that their position is nationalistic, where in reality, it is nothing but casteist. Certain other communities argue for their fair share and others accuse them for being casteist. While it might appear to be the case at a first glance, the argument of these communities is in effect truly nationalistic".[139] Ayyappan preaches a reversed notion of nationalism in contrast to what was acclaimed traditionally in a theocratic state like Travancore.

Ever since the legislative power of the state was handed over to the legislative assembly and popular participation was ensured in the making of public policies, the conception of state power began to change. This change in the conception of power is well evident in Ayyappan. Defending the political position of the 'deprived communities', he argued that "those who argue for community based representation seek to achieve communal integration through strengthening each community and establishing equality among them by giving them political power and thereby gradually demolishing the walls of social segregation. Their intention is thus to establish a true national condition where community based representation becomes redundant".[140] Ayyappan advocates a nation which is relevant only when equality, in terms of sharing of power and equal rights, is established among the communities. He therefore does not demarcate between reforms of *swa-samudāyam* and the enlightenment of *jana-samudāyam* as antagonistic processes as the former being the condition of possibility for the latter.

**Conclusion**

The intellectual sphere of the early twentieth century Travancore witnessed the emergence of different streams of critical thinking and reconstructive philosophy. Through such endeavours certain hitherto untouched arenas such as tradition, history, caste, slavery, customs, and social power had been subjected to vehement critical evaluation. The prominent myth like *Keralolpathi* as well as the *dharmasāsthras* which authenticated *varna* division and caste practices were the major targets of those ventures. The intention of those actions was indeed varied. Chattampi Swamikal's

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[139] K. Ayyappan. 1965 [1935]. "Nayar Ezhava Vairam Illa" [No Enmity between the Nairs and the Ezhavas]. in *Saddeseeyam*. Bhagyodayam Press. p. 44. (Independent translation)
[140] K. Ayyappan. 1965 [1935]. "Malayalarajyam Kaanunna Suvarnarekha" in *Saddeseeyam*. Bhagyodayam Press. p. 10. (Independent translation)

attack on the Brahminic construction of myths and customs was aimed at re-inventing the lost ascendancy of the Nairs. Whereas Poykayil Appachan was attempting to re-create the memory of a community's slave past, of which no reference is found in the prominent histories written so far. Both these attempts were acts of re-assertion of their (lost) identity but differed significantly as they conceived of history from totally different vantage point of their caste. The reconstruction of the *advaita* philosophy represents another major stream of critical thought. Narayana Guru offers a methodical reconstruction of the advaita philosophy of Sankaracharya. Like Narayana Guru, the advocacy of caste and the practice of untouchability evident in Sankaracharya's thought was the major object of critique in Pandit Karuppan's writings as well. They attacked the genuineness of caste and proclaimed the essential equality of human beings. The intellectual arena and the new conceptual terrain opened up as part of these critical endeavours widened the scope of articulation of rights in the early twentieth century Travancore. The increasing demand for equality of rights should be comprehended against this intellectual background.

The reconstructed version of advaita philosophy, proposed by Narayana Guru, evolved from a social context where caste inequality and discrimination was prevalent at its most insidious form. His philosophy takes a social turn when he propounds a new set of ethical principles to console the egoistic human nature. The concept of *aparan* (non-other) becomes a maxim for considering the other as not an object but an equal consociate in social interaction. His critique of 'the social' is also accompanied with his method of conceptual reconstruction. Through this method, he tries to expose the gap between the actual and the possible. He abstracts concepts like *jāti*, *matham* and *samudāyam* from its common or popular forms and (re)uses them as concepts referring to *inam* (that which indicating a specific kind), *abhiprayam* (personal opinion) and *manushya samudāyam* (human community) respectively. He reuses those concepts in the same context from which he abstracted them, but with a different tone altogether. He thus illustrates the deficiency of the social context which carried the concept in its earlier form and unfolds the possibility of reconstructive thinking and transformation.

*Parishkāram* (reform) implies a critical engagement with history and time. And it requires a new language and vocabulary for its expression. Reforms, in the early

decades of the twentieth century Travancore, found expressions predominantly through a language of representational rights. *Samatwam* (equality) and *samudāyam* (community) were the two 'basic concepts' which dominated in public deliberations on reform and representation. *Samudāyam* has two different but interrelated faces. One is the inward looking face which is obsessed with the sub-caste differences. The idea of *swa-samudāyam* emerges in this context of demanding of a unitive caste/community identity formation. The other side of *samudāyam* is overtly outward looking and concentrates on social and political reform. At this juncture, the interests of *swa-samudāyam* often turn against the larger idea of *jana-samudāyam* (the general community) which also includes the adversaries of the former. *Samudāyam* thus represents inner-caste reform and social and political reform at once. *Samudāyam* became a political idiom when it achieved a new form, *avasa-*s*amudāyamgal*, a coalition of deprived communities that claimed equal representation and citizenship rights. The concept also represented a collective gender identity of *sthree samudāyam* in the early twentieth century. Apart from these, Narayana Guru proposes another dimension; *manushya samudāyam*, pointing at a transcended state of collective human existence. In sum, the multiple dimensions through which the basic concepts are expressed and the effects they produce through the specific relations they attain within the linguistic and extra-linguistic contexts constitute the trait of a discourse.

# Chapter Six

## Summary and Conclusion

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The study so far attempted to testify the proposition that the discourse of rights, power and critical thinking renders a milieu that is congenial for reformative action. In the nineteenth and early twentieth century Travancore, such fields of discourse produced congenial settings for the formation and shaping of public domains, subjects and communities that are deemed to be the major indices of Kerala modernity. To understand these complex historical processes, the present study employs a method of conceptual analysis. The changing articulations of the concept of *avakāsam* are traced in order to conceive of different moments of social and political change that happened roughly from 1805 — or from the beginning of the Resident rule in Travancore — to 1937 in the princely state of Travancore. This study thus puts forward the proposition that explorations into conceptual change would be a reliable means to explain social and political change. In other words, conceptual history or the history of political concepts could be traced as a means to map out the various instances of change.

By offering a detailed elucidation of the changing articulations of the concept of *avakāsam,* the present study expounds that those various moments of enunciation of rights reflect the different phases of social and political transformation of Travancore. The various forms of reformative struggles that are evident since the initial decade of the nineteenth century and remained highly active throughout the first half of the twentieth century Travancore are generally understood as the prime indicators of Kerala renaissance and modernity. More often than not, those struggles are termed under a generic category *avakāsa samaramgal* (struggles for rights). The present study asserts that the concept of rights articulated in those various struggles and protests were not one and the same. Within the contexts of particular struggles different or even conflicting conceptions of rights operated. Each of such operations are closely related to or interlinked with the existing forms of power and relations of power.

Tradition is an amorphous term. However, this study uses the concept of tradition in terms of its specific temporality. It not only includes everything that has drowned into the past but also denotes the presence or the continuity of many things including practices, institutions etc. that are still remaining and making tradition a relevant category. Tradition is transferred through customs. And custom indicates continuity of practice. The institutions and practices that are transferred through customs may also carry the basic conditions necessary for their subsistence. In Travancore, the Hindu *dharmasāsthras* provided justification for the practices that are considered as integral parts of customs and tradition of the land. *Vyavahāramāla* and *Sānkarasmriti* were the two major *dharmic* texts which served this purpose. In the pre–British period, the social relations and the administration of justice in Travancore were maintained as per the doctrines and rules laid down by these texts. They prohibited the violation of *swadharma* and the infringement of the same was considered as a breach of *dharma* which was considered indispensable for social harmony and peace. *Swadharma* was defined according to the principle of *varna* and the specific duties attached to each *varna*. Since Travancore society was not structured in line with the *varna* system, *jāti* occupied the role of *varna*. Both *Vyavahāramāla* and *Sānkarasmriti* acknowledge a social scale in which the Brahmins occupied the supreme position. The personal and interpersonal codes of conduct of people of each caste below the Brahmins were to be ordained with respect to the ritual purity and caste superiority of the Brahmins. The explanatory scheme of these texts, I would argue, implicitly proposes the idea of *anyonyāvakāsamgal* (joint-rights) which endorses a form of social relations with caste hierarchy as its base. As per joint-rights one ought to make contact with the other as indicated by the position and status of his/her caste in contrast to the higher ones. The idea also invokes a social scale where one is placed in relation to the ('higher' caste) Hindus.

The *dharma* had to be respected by all, including the king. In case of violation of *swadharma*, some exceptions were allowed to the Brahmins only. Since Travancore was a traditional Hindu state, the Brahmins who constituted the priestly class enjoyed two major privileges; firstly, to advise the king on matters regarding the revision of customs and usages of the land and secondly, to interpret the Hindu *dharmasāsthras* when disputes arise. The top most administrative posts were occupied by the Maratha, Telugu and Tamil Brahmins. The revenue and devaswom administration was totally

174

under the control of the 'higher' castes and among them, the Nair caste was dominant. In the nineteenth century Travancore, as explained in chapter one, the Brahmins were powerful enough to influence the administrative process and reforms. When dewan Munro initiated modernisation of administration in Travancore, the provisions for the administration of justice was made according to the Hindu *dharmasāsthras* and it was done with the advice and supervision of the Brahmin pundits. It indicates the nature of the colonial administrative reforms implemented in the early nineteenth century Travancore. In reality, Munro's reform did not defy the established social power and privileges customarily held by the 'upper' castes. Although measures were implemented to restructure the administrative system, the reforms actually paid no interest in altering the core features of the scheme and the principles of the law of the land. The administration of justice remained still under the control of traditional authorities. At one level certain radical change had taken place in the structural realm but the language and content of the law which governed the political and social arena of Travancore remained more or less unaffected.

Travancore's sovereign power was vested on the native monarchs. With the treaty of 1795, Travancore came under the 'protection' of the East India Company. In 1805, based on another treaty, the state came under the Resident rule. As a result, the two antagonistic agencies, namely the sovereign and the paramount power, began to claim their supremacy over political power. The relationship between the British and the native state of Travancore is often explained in terms of the ideas such as 'indirect rule' and 'subsidiary alliance'. However, as Travancore's case shows, there were so many instances of dispute on power between the sovereign and the paramount power. The external relations, especially trade and commerce of the state were controlled by the British. On matters related to the internal administration of the state, if disputes arise, more often than not, the native sovereign acted in accordance with the 'advice' of the paramount power. The socially and communally deprived sections found the paramount power as an alternative and superior centre of power which can be made use of as a mechanism to influence or pressurise the native government on occasions when their grievances are denied. Though many of the popular agitations were highly critical of the Travancore government headed by the dewan, in most cases, those critiques did not turn against the native sovereign who was considered also as a deputy of the lord Sree Padmanabha. In Travancore the political and the social power

were closely linked via religion, customs and rituals, and caste was the major criterion according to which the division of power was made among different sections of the society. The operation of social power — designating different forms of power relations among various castes — remained unchallenged as it was operated on the authority of the dominant tradition and customs of the land. Power operates through a congenial language through which the rationale of the existing modes of domination and subordination could be effectively articulated. To be more specific, in the early nineteenth century Travancore, power was expressed through a language of customary *avakāsam*/rights. And there was a direct correlation between the established relations of power and relations of rights.

Customary rights were distributed according to *jenma avakāsam* (birthright) and *swadharma*. Caste determined *swadharma* and it was operated in terms of ritualistic social behaviour and practices and forms of heritable labour. The customary rights reflect the rules and norms of the order of caste/social hierarchy and the aspect of power embedded in the then existing relations of production. The discourse of customary rights was highly prominent and effective because it operated in bond with the existing social power and with the sanction of the *dharmasāsthras*. The customary rights were often performed in ritualistic modes and such practices were linked to local festivals that are associated with harvest. On such occasions, the tenants used to submit a share of their cultivated produces to the landlord and in return they received gifts. Such acts of giving and receiving were part of the usual observance of customary rights. Those moments, at the same time, habitually reproduced the social relations of power as well. The language of articulation of those relations of power was also highly singular. The 'lower' castes, who were engaged in manual and servicing labour for the 'higher' caste, had to use self–demeaning idioms such as *adiyan*, *adima* etc. to refer to themselves whenever they speak to their lords (*thambrakkal*). For the 'lower' castes, performing the self–humiliating gestures and language were part of the normalcy of social life — or contexts where people from different castes interact.

As part of the customs of the land, people of each caste possessed rights. However, in practice, those rights functioned in the form of inviolable duties. And they mostly discarded subject's discretion and freedom. Certain customary rights were saleable.

For instance, the servile rights were highly distinctive in the sense that unlike other forms of rights they were liable to be sold and purchased. They were inherited by the slave castes. The servile rights made them subservient to the master so long as he [the master] wishes and they also insisted the slaves to perform whatever jobs and duties they were destined to perform. The salves nevertheless had no control over the rights they possessed. The servile rights were the property of the master and he enjoyed freedom to sell the rights of the slaves if required. The Travancore government was the major custodian of servile labour. The official proclamation of the Travancore government to free the children of the sirkar slaves from offering free labour to the government was in fact an act of declining the hitherto possessed servile rights. Nonetheless, even after the proclamation in 1855 that abolished the system of slavery, the slaves were denied of enjoying the legal rights which would have enabled them to educate their children and hold arable land. In Travancore the social life was still ordered by the customs or the law of the land.

In the second half of the nineteenth century, as opposed to customary rights, a new discourse of rights began to emerge. The abolition of slavery and the niche of reform created by the Shanar agitations seem to have facilitated that change. The activities of the protestant missionaries also helped to generate a sense of civil rights among the 'lower' caste converts. The shift from customary rights also indicated a disjunction between the established relations of power and relations of rights. For, the new discourse of rights was antithetical to customary rights and established social power prevailing in Travancore society. The process of modernisation initiated by dewan Madhava Rao (1858–1872) had made high impact on the fields of education, land relations, trade and commerce, public administration and external affairs. As a result, the public domain began to flourish in Travancore. Under the aegis of the government, new schools, hospitals, public roads etc. came into existence. The emergent public domain also envisaged a common public as an inner component capable of, at least in principle, making use of those avenues. In actual practice, the public domain becomes public only when people from different social echelons rightfully claim those spaces on the capacity of being a common public (*pothu–janam*). Hence, the evolution of the idea of 'the public' as spaces as well as populace became a decisive social event when the pulayas of Travancore, under the leadership

of Ayyankali, began to assert their 'right to have rights' in 1890s. This marks the commencement of a discourse of rights for recognition in Travancore.

The process of modernisation had made significant impact on the then existing social and political condition in Travancore. It succeeded in creating cracks within the traditional balancing of social power. One major policy implemented by the government was that unlike earlier manners, educational qualification was made necessary for getting sirkar jobs in Travancore. At this juncture, the 'lower' castes demanded entry into the public schools together with children of other castes and religion. However, the actual situation was such that, on the one hand the 'lower' castes became legally eligible to make use of their basic civil rights but the social customs prevented them from using it. This situation in fact marks a critical shift in the discourse of rights; from customary to civil rights. However, it does not mean that the customary rights left off with its relevance but, what really happened was that a new milieu had emerged where both the customary and civil modes of rights coexisted. The public in Travancore was evolved within such a context of conflicting discourses of rights.

The discourse of rights for recognition reflected much clearly the 'lower' castes' lack of social power. When education became the basic criterion for attaining government jobs, the 'higher' castes who already had the privilege of getting education took the advantage of the policy. The result was that the established social power easily got reproduced in the new circumstance as well. Therefore, at first, the 'lower' castes had to fight for their basic rights to actually exercise their legal rights for getting admission in the public schools. In Travancore, the question of recognition was articulated in the form of a 'right to have rights'. It was meant to address two fundamental questions of identity, i.e. to be recognised as human being and then as citizen of the country. The demands for getting access to public schools, roads, hospitals etc. were claims of rights to get recognition fundamentally as dignified human beings who, on that capacity, can claim rights to equal citizenship. It thus includes the aspects of both social and political recognition.

The question of power in Travancore cannot be explained aloof from the idea of rights. Towards the end of the nineteenth century, especially after the development of the legislative bodies in Travancore (the Legislative Council in 1888 and the Sri

Mulam Popular Assembly in 1904), the administrative power came under the office of the dewan. When the legislative body of the state became more and more representative of people even from the 'lower' caste echelons, the nature of conception of state power also began to change. In the last decade of the nineteenth century, the educated men (*sic*) of Travancore, led by people from the Nair caste, raised the question of representation and thus initiated a new discourse of rights. Through a petition called Malayali Memorial, addressing the king of Travancore, they questioned the monopoly of the Marathi, Telugu and Tamil Brahmins who occupied the top positions in the state bureaucracy. The Malayali Memorial criticised the prevailing policy of exclusion of native people from the state bureaucracy and claimed the birthright of the native subjects of Travancore as opposed to Brahminic supremacy. Though the Christians and the Ezhavas were also signatories of the Malayali Memorial, the government of Travancore accepted the plea of the Nairs only. Thereafter, out of despair, the Ezhavas of Travancore submitted another Memorial in 1896 and demanded representation of eligible Ezhavas in Travancore public service.

The language of articulation of these two memorials shows the manner in which caste operated at the last lap of the nineteenth century. Caste consciousness and subjectivity were expressed through the medium of language. The administrative matters of the princely state had to be made in correspondence with the British Resident. Hence, the Malayali and Ezhava Memorials were submitted in both English and Malayalam languages. The Malayali Memorial, which was actually an initiative of the educated Nairs, used a formal language in both the Malayalam and English versions of the petitions. The Ezhava Memorial, architected by Dr. Palpu, followed a formal language of petitioning in the English version whereas the Malayalam version of the same used a highly self-humiliating and demeaning language which the 'lower' castes customarily used to express their grievances to their 'higher' caste lords. It indicates the manner in which the traditional logic of caste/customary power implicated in the self-articulation of the 'lower' caste Ezhavas at the end of the nineteenth century Travancore. The last decade of the nineteenth century was, as I have mentioned earlier, provides clear expression of the entrenched complexities of that time. It was the decade in which the two major discourses of rights (for recognition and representation) became active. And, it was on the basis of caste identity that people

variedly claimed their rights to access the public domain. Those claims reflected also the social imbalance caused by the deep-seated caste inequality.

The conceptual analysis of the Malayalam version of the Ezhava Memorial clearly suggests that it follows the rationale of caste hierarchy and conception of rights according to which the Ezhavas were also treated 'lower' in the society. By employing conceptual analysis as a method of critique, I have stated that the use of self-humiliating concepts such as *adiyangal*, *agathikal* and *adimakal* as well as the use of the concept of *avakāsam* — which meant to invoke the concept of *anyonya avakāsamgal* referring to a kind relationality that the 'lower' and the 'higher' castes maintained according to their respective 'lesser' and 'higher' claims to rights as per the existing social scale — in fact defied the very intention of the Ezhava Memorial itself. The English version of the same petition, which was written in a highly formal language of petitioning, explicates the possibility of a different mode of articulation made possible by the colonial condition in Travancore to the educated 'lower' castes. The language here becomes the major index for analysing the change evident in the subjectivity of the Ezhavas towards the end of the nineteenth century. The public domain at the end of that century carried room for the articulation of conflicting modes of rights and it was within such a milieu that the subjects of different castes explored the possibility of re-formation. The contradiction evident in the language of expression of subjecthood reflects a crucial phase of transition of the Ezhava subject as well.

The discourse of representational rights not only prearranged the context of re-formation of the subject but it also created a socio-historical setting which induced the formation of *samudāyamgal*/communities in Travancore. The transformation of caste and religious sects into a new social unit called communities was a critical moment produced within the discourse of representational rights. In the first two decades of the twentieth century, the castes which were internally divided into different sub-caste units and treated themselves as mutually polluting segments began to form unity and assumed organisational structure. The community organisations such as S.N.D.P Yogam, N.S.S, Sadhujana Paripalana Sangham, All Travancore Muslim Mahājanasabha and the Travancore–Cochin Christian Conference were such conglomerations. The trajectory of development of *samudāyamgal*/communities could

be understood in line with the development of the concept of *samudāyam*. Considering its 'multiple meanings' and 'varying applications', the word *samudāyam* is deemed to be a 'basic concept' that had constantly been contested throughout discussions and debates on representational rights. The concept of *samudāyam* implies two substantive ideas; *swa– samudāyam* and society as a whole.

In the first three decades of the twentieth century, the concept of *samudāyam* developed as a subject matter of debates on reform and it began to be explored in terms of political, moral and philosophical connotations. The public sphere deliberations that took place in the early decades of the twentieth century confirm that there was a palpable tension in defining the notion of *samudāyam*. Whenever the question of reform became a matter of critical deliberation, the relationship between *swa-samudāyam* and *jana-samudāyam* turned out to be a theme of contestation. For, the reform within *swa-samudāyam* would also have made subsequent effects on the *jana-samudāyam* which includes other communities and interests as well. Such contexts witnessed the use of the concept of *samudāyam* with moral implications. And this was done prominently by those who were apprehensive of the speed or the urgency of reform. For, reforms, especially those which were initiated by the 'lower' castes for removing customs such as untouchability, always troubled the traditional balance of power maintained in accordance with the hierarchical relations of caste. The re-formation of caste into *samudāyam* and the development of various *samudāyamgal* as social agents point at the creation of a nascent civil society in early twentieth century Travancore.

The concept of *samudāyam* attained a political stature when the Civic Rights League (of Christians, Ezhavas and the Muslims) began to identify themselves as *asamathwa samudāyamgal*, *samyuktha samudāyamgal and avasa samudāyamgal*. The political consolidation of the socially marginalised communities hoisted the ailments of (individual) *samudāyamgal* as an indication of the shortcomings of the existing society. Apart from that, the formation of the aforesaid concepts also indicates the propensity of political discussions held largely around the questions of inequality and social exclusion. As it shows, with the (re)invention of concepts, the mode of understanding of 'the social' and 'the political' would also be changed. The discourse of representational rights, within which *samudāyam* played a decisive role, also set off

the ideas of equality and citizenship rights at the centre of the political discussions in the first half of the twentieth century Travancore. The traditional understanding of the sovereign-subject relationship changed when 'equal citizenship rights' became the prominent demand. The fundamental civil rights of the subject turned out to be the pivotal factor defining this relationship. In other words, it marks a transition from a subject-citizen who derived rights and privileges primarily as an obedient subject of the king to a citizen-subject who demands rights primarily as an equal citizen of the country.

The public domain emerged during the second half of the nineteenth century was exclusive of the 'lower' castes on two major reasons. On the one hand, on the basis of customs of the land, they were denied access to the arenas such as schools, roads, hospitals etc., and on the other hand, since they were deprived of education, they were ill-equipped to meet the basic criterion (i.e. education) which was made mandatory for getting jobs in the state public service. The prevalence of competing ideas of rights (the customary and the civil) that became evidently influential in the constitution of those public domains (re)emerged as a serious tension between the 'equals' and the 'unequals' of the society and also became a matter of political dispute between the privileged and deprived communities in the second and third decades of the twentieth century. The communities turned out to be the prime agents representing this social and political difference. The various uses of the concept of *samudāyam* (such as *asamathwa samudāyamgal*, *samyuktha samudāyamgal*, *avasa samudāyamgal*, *manushya samudāyam* etc.) indicate the manner in which those representations were variedly made in the public sphere of Travancore.

The present study has made an attempt to elucidate the intellectual deliberations through which the concepts such as *samathwam*, *manushyatvam*, *samudāyam*, *charithram*, *paurathwam* etc. (equality, humanity, community, history, citizenship etc.) have been differently conceived and debated in the first three decades of the twentieth century Travancore. The prevalence of tradition and customs which authenticated the Brahminic dominance was one of the major objects of critique. The rules and norms prescribed by the *dharmasāsthras*, especially the doctrines of *dharma* and *swadharma*, were reconsidered critically and reconstructed according to the changing aspirations of the time. The teachings of the protestant missionaries and the

182

works of Vaikunda Swamikal (between 1831 and 1851) among the Shanars of south Travancore signals the commencement of a new form of thinking antithetical to what was existed in a traditional Hindu state like Travancore.

The myth of creation of Kerala by lord Parasurama was one of the major assumptions on the basis of which the Brahmins ascertained their birthright over the entire geography of Kerala. Chattampi Swamikal's writings were an attack on this assumption and instead of the ascendancy of the Brahmins he tried to reinstate the lost dominance of the Nairs who according to him were the native rulers whom the Brahmins overpowered through tactics. In the twentieth century, the idea of 'lost superiority' played a key role in kindling the Nair identity during the phase of community formation. As I have pointed out, in the Malayali Memorial, the Nairs were claiming their birthright which was not adequately recognised by the state while distributing the administrative power in Travancore. Chattampi Swamikal was attempting to logically reinstate this vital aspect in the early twentieth century. The reassertion of the historical past was one of the major traits of critical thinking. Unlike Chattampi Swamikal, who sought to reinvoke the presumed historical supremacy of the Nairs, Poykayil Appachan was trying to rejuvenate the memory of the slave experience of the Parayas as a form of protest against the dominant history shared by the caste Hindus and Christians. In his writings the idea of history is reconsidered as an archive of memory which has never been written so far.

Both Narayana Guru and Pandit Karuppan were keen on challenging the rationale of caste discrimination which was substantiated on the authority of Sankaracharya. They followed the scheme of advaita philosophy and argued that humans are not truly separated on the basis of their caste and they are one and the same in essence. These assertions seem to have influenced the struggles addressing the question of right for recognition and also contributed to the spread of the concept of equality among the 'lower' castes to a great extent. The anti-caste positions and anti untouchability campaigns of the S.N.D.P Yogam stem from the conceptual terrain opened up by Guru.

Narayana Guru's works are highly interesting from the vantage point of conceptual history as it offers illuminating insights into the way certain 'basic concepts' were drew on at a time when the demand for equality, representation and citizenship rights were articulated on community lines. His approach is to be considered 'reconstructive' as it dealt with concepts as instruments which could explicate the limitations of the social context in which they are put to use and also capable of revealing the possibility of transformation of the existing conditions. His reconstructive approach help substantiate the notion I have put forwarded here that certain concepts also refer to the disposition of the existing socio-political context and the mode of human relation. Guru reconsiders the concepts of *jāti*, *matham*, *arivu* and *samudayam* and argued that the 'real' meaning of these concepts is not what people generally understood as true. In order to erase out the delusions created around those concepts, he explores out the 'real' content of the concept and reuses them. Unlike the prevailing conceptions, Guru reformulated *jāti* into *inam* (referring to 'the specific kind'), *matham* into *abhiprayam* (opinion) and *samudayam* into *manushya samudayam* (human community). This approach unravels both the explanatory and the reconstructive potential of concepts. Guru's method is to be termed critical because by locating the present inadequacy of the concept in representing its real potential, it offers a critique of the present context in which the concept is used unproblematically. In addition, Guru's engagement with concepts is significant also because while reusing them he is tries actually to unravel the 'true' potential of the concepts.

The articulations of specific forms of rights are also substantiated by so many other concepts (such as *samatvam* and *samudayam*) that were emerged as essential components representing the particular demands of that time. Concepts become imperative as they are 'relational' in two remarkable senses. Firstly, within the linguistic field they produce specific or intended meaning and vital impacts only through mutual relations with other concepts. Secondly, concepts (especially political concepts) also refer to the outside of the linguistic world and invoke specific modes of social and political relations among people. To explore these two modes of relationalities, in actual practice, means to explore the relationship between language and reality. In the early twentieth century Travancore, concepts were shaped and reshaped through philosophical endeavours and various other forms of critical

184

deliberations. The different discourses of rights and power attained singular expressions against such intellectual backgrounds. For instance, the customary rights remained legitimate under the traditional forms of power (operated through the authority of the native monarch and the Brahmins) and that discourse was backed by the rules and regulations elucidated by *dharmasāsthras*.

In sum, in the formation of a discourse these three aspects play equally important roles. The presence of the paramount power and the establishment of sirkar schools and roads were the two major forces that activated the discourse of rights for recognition and that discourse was backed by the idea of civil rights promulgated by the missionaries and colonial policies of that time. It was within the condition offered by this specific discourse that the spaces which were customarily monopolised by the 'higher' castes became converted into 'public' domains which can be made use of by a 'common public'. The demand for representational rights emerged as a powerful discourse in company with the changes happened in the legislative and administrative powers in Travancore. The ingrained potentials of that context were activated by the philosophical and critical thinking through which concepts like humanity, community, equality and citizenship were discussed and re-formed. The communities and citizen-subjects were emerged from this specific ambit of discourse. The present study, through the examination of different trajectories of the concept of *avakāsam*/right, provided evidences as to how those changes became the exposition of certain critical instances of social and political changes through which the established relations of power and conditions of human relations were reshaped in Travancore.

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