

THE MADRAS



"They are slaves who are not
In the right with two or three."

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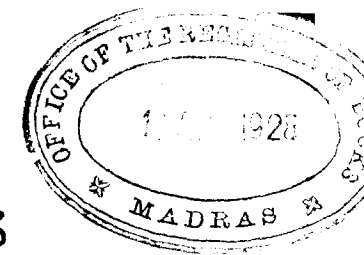
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The Psychology of Symbolism

'WHEN ancient man connected trees and stones, horns and pillars and mountains, rivers, lakes and heavenly bodies, one with another, he did so because to him all were parts of a perfect whole.' In these words Dr. Mackenzie expresses the attitude of primitive man to life, and the universe in which he finds himself. The sentence quoted is from his book on 'The Migration of Symbols' in which he considers the main types of symbols in use in the various religions, civilized and primitive.

Now symbols do not by any means form a peculiar feature of primitive thought. As a matter of fact, it is as man rises in the scale of culture that symbolism becomes developed, refined and most suggestive. Deep down in man's mind lies still that consciousness of the oneness of the universe, that feeling of unity of all things in the midst of apparent diversities. And symbolism expresses this feeling; it is a manifestation of what is man's real views about the universe, about the creatures in the universe and about himself.

Let us at the outset consider the meaning and purpose of a symbol. The word 'symbol' is defined as 'a visible sign or representation of an idea, anything that suggests an idea or quality or another thing as by resemblance or by convention.' The purpose of illustration in ordinary conversation is obviously to make clear what we mean. An idea, if obscure, cannot be easily grasped unless with extra help. If it is too profound, none but the scholar can understand its import. The progress of all knowledge is marked by the degree to which it can be apprehended by the average man. But the average man can be instructed only with the aid of mechanical devices like signs and symbols. Just as the picture in our elementary books is the key to the story, so at a later age the figure of speech (how suggestive a term!) enables the reader to grasp the real effect underlying the words of the author which otherwise would have puzzled him. In our intercourse with our fellow-men, signs and symbols have to be brought into play to economize labour, time and money. Fancy the sailor instead of signalling to the port officer furlongs away, going up leisurely to him and giving information about a ship; or our sending written letters to our friends

It is evident then that signs and symbols are necessary for the mutual benefit of one and all. But it may be doubted whether symbols which play so large a part in language are at all necessary in religion. The question does not arise when we bear in mind that religion is not something that is *sui generis* or inexplicable, but belongs to the sphere of man's normal activities. It is as a response to the religious needs of the people that religion functions. Religion is not a non-psychological phenomenon, but may be understood best as a phase of mental life. As mental life is the field of psychology it is not strange that religion should be analyzed psychologically. In fact, it is the psychology of religion that is replacing the crude, untested and fancy-mongering religion of an earlier day. Religion is but an expression of a phase of man's personality, and therefore in religion we are still in the realm of meaning, import, criticism, in short, all the higher mental processes.

The ordinary logical concept is a symbol with reference to a judgement. It is a short-hand expression standing for a series of judgements. When we are using the concept, we implicitly mention the various judgements which have contributed towards it. We cannot in the nature of the case keep on detailing all the various judgements every time we want to speak of a thing. Progress in knowledge consists in having recourse to short-cuts in expression. It is an index to the stage of culture reached by a race when their language is rich in expressions.

Even the conventional signs we use in our daily intercourse with other persons, are just so many symbols conveying meaning. In speaking we make gestures to express our meaning more clearly. In writing, we use the marks of punctuation which are a time-saving, labour-minimizing device. The child's life would not be half worth living were it not for the signs which it makes and which people understand.

Thus the parent-source of symbols is nature. Nature is our educator, assuming for the present that nature and we are distinct. Most of our daily actions are based on phenomena of nature, our movements are controlled by phenomena of nature; our concerns are with the phenomena of nature. Modern civilization advances on the basis of our adaptation to our environment. It is not a matter of surprise therefore that man's symbols should be suggested by and suggestive of nature and its phenomena. For it is through nature that we get at the 'unseen.' We believe that nature as we see it to-day is but a part of what is yet to be seen. Nature is revealing itself to us gradually. There is sure to lie behind this visible presence, a yet more glorious phenomenon. And the visible is a key to the invisible. To understand the invisible we must first understand the visible.

For, so long as we believe in the possibility of evolution as a continuous process yet allowing the 'emergence' of real differences, we must hold to the view that reality can be grasped only by our understanding the revelation given us by nature.

Man's life consists in his responses to his human and non-human environment. Life is mainly a life of responding to the influences of the people and things about us. There is no man who is not social. Even the anchorite who 'leaves the world' is a social being making social responses towards the environment of the forest. Therefore we may say that man is intimately related to the universe of which he is a member. His actions, his interests, his thoughts all keep him within the circle of the universe. Every event, natural or human affects him. He cannot get on without nature and the rest of humanity. This shows him how organic a part of the universe he is. Thunder and sunshine, mountain and river, moon and stars, trees and plants, animals and men, these are equally his concern. To get on in life means the smooth course of all these things. It is more easy to move along with nature than to try and oppose it; 'at peace with the elements' for self-preservation is his motto.

Most symbols express the social character of man. From the very fact that man uses symbols of the phenomena of nature, symbols of the activities of other organisms, like animals, reptiles and birds, it will be seen that man wants to testify to his intimate connection with the other members of universe. It sometimes strikes me as though primitive man had some vague theory of his evolution from lower organisms and that he idolized stones, reptiles and animals as a mark of gratitude for their having been instrumental in his own making. However that might be, man is decidedly a social animal and he symbolizes this feature of his life.

Sometimes it is a common experience to hear the expression 'that gesture was far more eloquent than words'; or that 'words fail to describe such and such a thing.' A symbol's function is often to express more than can be attempted in language. There are things which cannot be related at all except through symbolic representation. Why is it that we often hear of a play that was unsuccessful owing to the poor acting of the players? The words are the same, and perhaps the gestures may be intelligible enough. And yet it requires the master-actor to give the true interpretation to the drama.

And then there is the 'crowd' which cannot hope to understand things unseen which cannot rise above itself to imagine without extra aid, the higher conceptions which the leaders in thought create. A conception of God as spirit fails to stir the hearts of the illiterate to devotion. But the image with twelve hands, six faces, mounted on a peacock, with two consorts on either side—this representation of Deity readily appeals and evokes the most sacred devotion. Symbolism is, in the main, a response to a felt need, and adaptation to the human, illiterate environment on the part of intelligent man.

Having thus considered the nature of the symbol itself, it may be interesting to dwell for sometime on its origin. Pratt writes 'Before an object or an action

can become a religious symbol it must have become so intimately associated with the religious object as to be itself permeated in the mind of the worshipper with the sacred feeling, the faith, the volitional attitude which is his religion.' Generalizing very broadly, we may say that religion is associated *primarily* with hero-worship. Of course it may be objected that by religion is here meant the religion of the worshippers of Grama Devatas. But it is from Grama Devatas that the idea of one god evolved. The god of civilized and discerning consciousness is but the Grama Devata changed beyond recognition by an idealizing process. However, the hero cult leads to the village god worship, and in many cases village gods were originally real heroes. The things which they used acquired special virtue. Not only they, but other things like them also become filled with peculiar significance. The accounts we hear of some of the magical swords used by legendary figures like King Arthur, are illustrative of this feature. Later on, when the hero's achievements are either a vague memory or are forgotten, the objects alone function and become religious objects. A substitute stimulus has evoked the original response according to the well-known principle of psychology.

Let us consider another phase of the matter. Man is a creature with the instinct of curiosity. He observes things not only because he is interested in them as affecting him personally, but he just observes them because he wants to *know* what they are. The movements of the reptiles attracted his attention. The way in which the serpent wriggles towards and into its hole left a firm impression on man's mind. The action of the snail as it crept to safety into its shell was a wonder to him. The shape of certain creatures had a fascination for him. In short, most of the unusual things in nature, which always attract attention, were objects of interest to man. The original stimuli were replaced by substitutes and they, the latter, evoked the original responses. Certain movements of his fellow-beings also had more than a passing interest for him. The dance, for example, which is a manifestation of love, friendship and joy, became a symbol with other bearings than the original ones. The 'blood-relatedness' of people which makes for kindred and family love is represented later by an actual mixing of the blood of two different persons. The community dinner of the tribe is replaced by the common dinner of different persons to symbolize unity. Instances of this kind may be multiplied but they illustrate the fundamental principle of substitute stimulus and response. When two things a man and a weapon are associated originally, and the response made to the stimulus man, later on the weapon becomes the stimulus while the response is the same.

Other principles involved are those of analogy and the fallacy of *post hoc ergo propter hoc*. That like produces like is a very common belief. If on a former occasion a certain object was connected with a successful event, that object becomes a symbol of success. The other principle holds good also in the same way. The dance of savage tribes, the ploughing and sowing ceremony performed by certain South Indian tribes come under these categories. Rain-making ceremonies often rest on this principle. The man who gets up into a tree, pours water on the ground, strikes a match and beats a drum, believes that this will bring rain very soon.

It may be helpful for us to notice at this stage the relation between symbols and myths. A symbol is a visible sign or representation of an idea; and a myth is the embodiment of a 'belief regarding some fact or phenomenon of experience, in which often the forces of nature and of the soul are personified.' It is evident that the symbol and myth are almost of a piece, the former being a device to put in a picturesque and striking manner what cannot otherwise be expressed, and the myth being the explanation of a phenomenon on popular lines. Dr. Kellett in his story of the myths has suggested the following psychological elements as promoting the origin of myths: (1) ignorance, (2) the desire not to confess it, (3) fear, (4) wonder, (5) analogy (*like in one point or two—like in the rest*), (6) association of ideas, (7) courage, (8) story-telling impulse and story-improving tendency. Let us consider whether some of these tendencies play a part in symbolism also. A symbol does not owe its origin to ignorance at all. For, it is only after understanding the full significance of an object that it is made to stand as a representative of that significance. And far from there being a desire to conceal anything, the symbol symbolizes a comparatively high degree of culture inasmuch as it not only presupposes the genius of the man who instituted it but the ability of the man to whom it is a symbol to be satisfied with it.

Fear sometimes prompts symbolism. Many objects of worship are objects of fear. Many natural phenomena came to be worshipped because of the fear they created in man's minds. Many snake symbols, and symbols of other creatures are common in South India. The various charms that are used are just symbols of the objects feared. In fact totemism which is one aspect of symbolism is also prompted by fear. To be called the descendants of a particular animal, especially when that animal is a wild one, is to create an imaginary relationship simply with a view to self-preservation. Even in the giving of names, the fear instinct is at work. Uncouth names are often given to children to save them from evil influences like disease or death. In some cases, the real name is known only to the bearer of it and his parents, because of the belief that if a man comes to know the real name of another, he has him, the name being the man. It is noticed by Thurston that Nambudris of Malabar have two names, one secret and the other public.

It will not be denied that wonder is one of the chief items in the formation of symbols. Most of the objects of nature are wonderful to behold. The caves, the huge mountains, the movement of water on the ocean, the movement of living things, the shape of certain creatures, are all wonderful. Now what is out of the ordinary strikes us as of special importance. When we want to suggest the idea of greatness, we represent a deity as being born on a mountain, when we want to suggest the idea of change we represent that idea by means of water; when the mysterious nature of a thing is to be depicted we have recourse to the cave symbol.

The other features, analogy and association of ideas we have already in part admitted. The fertility rites that are often performed in various connections are due to the belief in the principle of analogy. Some tribes include in the marriage rites, a ceremony of fishing in a tank. The custom of using plantain-trees as door

posts and as pillars of the marriage booth rests on the idea of fertility. Rice-throwing on happy occasions is also a symbol of fertility. The device resorted to by many magicians of torturing an effigy with evil intentions on a person is a manifestation of the idea of analogy.

Courage is also an aspect of the symbolizing tendency. For the manufacture of a symbol is a venture of the imagination. Just as the myth-maker puts forth a theory, the symbol-maker creates an idea which may not be after all accepted by other members of Society.

The story-telling and improving tendency is involved in symbolism. For symbolism is imagination. The highly developed concepts of religion are full of significance and meaning. The phrase 'and thereby hangs a tale' may be applied to the symbol as very apt. Behind each symbol there are ever so many legends and myths which have been manufactured to suit the particular theory of the particular symbol.

Thus we find that the symbol and myth are dependent on more or less similar psychological tendencies. Both the religious symbol and myth merit our admiration as indicative of the soaring inspiration of man, and both are defective inasmuch as they are pure speculation. Taken by itself, the symbol or myth is perfectly consistent in itself, i.e., its origin, the purpose it serves, the meaning contained in it are quite plausible. But when cold reason is applied, a myth is seen to be a myth and a symbol as just serving a useful purpose.

The appeal of art is an appeal which it is impossible to resist. Human nature is so highly developed that it readily responds to the 'tertiary qualities' of beauty and the like. The appreciation of art, the appreciation of beauty and the appreciation of the grandeur of natural objects are peculiar to the human consciousness. What makes the appeal in a dancer is primarily the idea of grace. And with primitive tribes too, the dance is resorted to, though not mainly, owing to its aesthetic appeal. It brings him joy to behold a dance. Just before going out to war, a dance puts the warriors in the proper frame of mind. The actions which are similar to those that follow victory serve the very useful purpose of auto-suggestion. The music and song accompanying the dance infuse in them courage and strength. The songs chosen are such as to stir the blood of the warriors. The rhythmical music effectually promotes, says Hirn, regular co-operation in fighting. The united efforts of the various men are due to the one purpose which they have set themselves of dancing harmoniously. A common purpose calls forth common action. Later on, in the actual presence of danger, the common purpose still holds and united action results. The same writer, Hirn, continuing says that the dance is the response to the need of stimulation especially in the presence of danger, owing to fear and owing to the necessity of slaughter. Tattooing, painting, etc. are had recourse to with a magical purpose. These give the person a new power, as it were, and he becomes exhilarated. Historic art is connected with national pride, for the sight of the heroes of old really tends to rouse people to action. The primitive warrior, during his dance makes grimaces and awkward gestures to strike terror in others. Translating these feelings into psychological terms, we come

face to face with 'empathy', the 'feeling into' a thing. The appeal of art is in the first place emotional; the actors themselves are affected: the spectators also are moved greatly. The joy of the dance makes the warriors more courageous while the onlookers cheer the fighting party. The dance is also a socializing factor. Art is social in nature. To enjoy art is to be at one with one's fellowmen. To join in a common dance is to establish friendly relations with another tribe. After concluding peace with a tribe, the two tribes dance it together as a symbol of friendship.

Sometimes a dance consists of various movements on the part of people supposed to be possessed. They imitate what is believed to be his appearance, movements and behaviour. 'With regard to some of the symbolic dances representing hunting or fishing or the movements of game-animals,' writes Yrjo Hirn, 'much may be said in favour of Mr. Farrar's view that the object of the pantomime is to make clearer to the deity a prayer regarding the things imitated.'

The close connection between a dance and its magical influence must be borne in mind. Dramatic performances often form part of initiation ceremonies in primitive society. The kangaroo dance practised by the tribes of Australia is meant to impart instruction concerning the customs of the animals to the novitiates, or to confer upon them a magic power over the game. The practices followed in curing people suffering from various troubles are also magical in their significance, depending as they do on the belief in 'the efficacy of vehicles and symbolic action.' In Conjeevaram there is a temple where a narrow opening is cleared in the wall. People have to go through it as a sign of their having crossed the pass of purgatory. Mr. Hirn observes that 'the method of restoring sick people and sick cattle to health, by pulling them through a narrow opening, for instance, in a tree, which has been explained by most authors as a case of magical transference by contact—i.e. transference of the disease from the patient and of the vital power represented by the tree to him, ought, according to the brilliant hypothesis of Prof. Nyrop, to be considered a magical symbolic representation of regeneration. A common example of this kind of symbolism in India is furnished by the practice of making people under a social ban pass through seven arches or huts which are successively burnt. This is a sign of regeneration, man, according to the Hindu belief, having to pass seven stages of life.'

Having now spoken in passing of the connection between art and the social requirements of mankind, we may go back for a moment to the appeal of art on which something has been said. In addition to the artistic appeal, and the magical significance connected with various sculptures, there is further the spiritual connection which goes further than mere art or magic. The representation brings the deity into concrete relation with man 'through the sympathetic forces of the image.' As Mr. Hirn aptly remarks, 'A work of art always gives to the spectator and no doubt also to the creator, an illusion of reality.'

It is this sense of reality that is aimed at in most forms of the so-called idol worship. To the worshipper, the idol is a visible presence. His spiritual needs are satisfied when he offers his respects in front of the idol. But though the idol

is thus treated, the idol does not have any value of its own. It is because of the belief that the deity takes possession of the stone that the stone is treated with great respect. By virtue of its form alone, no stone is sacred; 'it acquires divine power only by being put into material connection with the deity. The god is certainly supposed to feel a special temptation to take up his abode in the idol made in his image . . . in the island of Nias, the spirit of the deceased is conducted to his statue by means of some small animal which has been found in the neighbourhood of his grave.' (Yrjo Hirn: *The Origins of Art*).

Art leads to rituals. The ritual is practised because it satisfies several human needs. Symbolic art is a feature of rituals. Most of the idols we see in our temples are representations of men's ideas of various deities. These deities have different rites. And these different rites require special manifestations in shape, etc. For example Siva is depicted in some temples as a dancer. This manifestation or avatar has peculiar rites attached to it. Thus to worship this particular manifestation on this or that particular occasion constitutes the essence of a ritual. It gives the worshipper too a peculiar satisfaction to conduct different forms of worship on different occasions with different objects of worship. The principle of analogy (like produces like) comes into operation. When turmeric is used on marriage and other lucky occasions, it is a symbol of fertility. Later on, this symbolic rite is believed to produce real fertility. Corn is often a symbol of immortality, and when on ceremonial occasions it is used, it is believed that the family would continue to the end of time.

The symbol is often the expression of the control of man over nature. It is a matter of common knowledge that the belief in man's ability to control nature is widespread. A symbol is often met with testifying to this belief. Arrow-head symbols are found in many parts of the world to represent thunder. Indra's thunderbolt is very often represented by a spear. Certain charms are represented in the form of arrows facing different directions, and these charms are connected with gods controlling nature. There is magical significance attached to the cardinal points. Most Hindu gods, in fact all of them with the exception of one, face the east. The exception is Dakshanamurthi who faces south for special reasons. Marriage couples are made to face east when they sit in the marriage booth. Dead bodies are buried north to south. Houses are built facing a certain direction and each direction has a special significance attached to it. Dr. Mackenzie writes, 'In Egypt, natural phenomena suggested to man the idea that certain influences emanated from the cardinal points . . . certain deities were identified with these influences, and they came to be regarded as controllers of them.' In India too, each point on the compass is presided over by a deity. To propitiate that deity, and invite his help, offerings are often made. The nine deities which in many temples are represented in a corner, are of this kind and people often worship them.

Whirlwinds and whirlpools are copied by people who make spiral movements. The spiral movement is considered to be of great magical virtue. The peacock is supposed to bring rain by its circular movements. Many other things prefer the

spiral motion. So man thinks that the spiral motion is unusually powerful in bringing about desired effects. The devotee in the temple goes round and round the idol. The Brahman before he begins to eat, describes a circle round the leaf with drops of water. The magician removing the evil eye of a child waves a camphor (in a spiral manner) before it.

We hear of writings in caves. Caves are mysterious in nature. By writing in them, man was under the impression that he was creating power, 'on the analogy of mysterious potency in the womb.' Similar in character are the symbols of the 'deep.' The gods are often said to be born in the 'deep'. Allusions to this are very frequent in the Indian books. Hiranyagarba moved or floated in the waters. Rudra is referred to 'as putting the waters in motion'; Brahma is said to be seated on the lotus flower (a reference to the inner side of the lotus flower which is of the nature of a recess). The whirlwind also was a source of natural energy. The spiral was a 'birth symbol'.

Writes Dr. Mackenzie, 'The ancient custom of making a sacred circuit to the right appears to have been intended to stimulate the Great Bear constellation to revolve in the proper direction. There was a danger—so it was believed—that it might jam or else spin in the wrong direction The ceremony of encircling sacred objects and places was sometimes a spiral movement By following the course of nature, the magic-workers not only assisted nature, as they believed, but procured for themselves an accumulation of "good-luck"—that is, every thing man desired, health, food, prosperity, etc. . . . By inverting the course of nature the magic-workers either performed a ceremony of riddance, or invoked the forces of evil.'

We may now consider the psychological motive underlying the symbols of natural phenomena. It is none other than the familiar one of self-preservation. By using the term self preservation we are including almost all the instincts, for it is held that ultimately self-preservation is the genus under which we may class all the other instincts. Man's motive is always a selfish one. He adopts himself to his environment because of his desire to keep his skin and bones intact. The words of Dr. Mackenzie quoted in the last paragraph bear witness to this tendency.

Another point we have to remember is that though a person knows a particular symbol to be inadequate or meaningless, he yet lets it continue as a symbol because he does not like to destroy the illusion he and others were under. An example will make this clear. A man underwent an operation recently and the doctor said that he may probably have a temperature in the night. His relatives dared not touch him lest he *should* have fever, and would rather let him suffer than destroy their belief that everything was well. When a person known to us turns out to be different from what we thought him to be, we have all felt a peculiar kind of sadness and disappointment. Our mental organization suffers a rude shock. To prevent a similar shock, the symbol is allowed to have its original significance. Even apart from this, the very symbol is an illusion. It is not a reality. It is supposed to be real and people treat it as real.

The symbol is thus merely a social convention and a religious convention. All the members of society acquiesce in that convention. It is therefore a bond of union among the members of a society. It is a convention because it is a convenient form to hold the attention. Attention is preserved by definite form and the symbol being a definite something succeeds in this direction. The symbol is therefore an aid to conative activity of a kind.

It will be seen that symbol-making is a response to the play instincts. Imagination itself is a kind of play response, and a symbol is the outcome of such a response. It is an object of religion or art only secondarily and its being either depends on association of ideas. But primarily it is a play response and affords amusement to the creator and enjoyer alike.

The symbol (it is forced upon us), is just a short-hand expression of the intellectual conquest of man. In fact, I believe that, if we know the various symbols that were and are being used since the beginning of man, we could construct a history of civilization. The amount of meaning concentrated in a particular symbol is the measure of man's intelligence. A repetition in use of the various forms of symbols help to fix them in the mind of the race. As the historians of a country are its people (since they preserve the customs of the country), so the symbols in use mark the stages of intellectual development of the race.

Thus, we find that the symbol which is essentially the representation of an idea with a view to its better understanding stands for more than a mere representation. It satisfies certain instinctive needs, has its emotional appeal and is not devoid of conative bearings. It is a highly intellectual mechanism.

MADRAS.

K. BALASUBRAMANIAN.

Moral and Religious Concepts in Courts of Law¹

A few months ago I happened to send a notice of demand by ordinary post to a friend of mine on behalf of an institution of which I am a responsible officer. As the notice was not in the first instance heeded, I sent a similar notice to him by registered post, and in order that such a procedure might not annoy him, I added a postscript to the effect that I adopted this method of despatching the notice in order merely to ensure its safe delivery. This time there was a prompt reply to my letter, but my friend did not forget to add in his turn a postscript to the effect that he was not a bit annoyed at my sending the notice per registered post, since he was conscious of the fact that lawyers were merely 'dry bones.' I think that my friend was simply voicing the sentiments of the layman that lawyers are a feelingless and a heartless set of persons.

Another impression that lurks in the minds of the common people is instanced by an anecdote which Attorney-General Sir Douglas Hogg has narrated regarding a clever lawyer, who, addressing a class of law students, tried to bring home to them the virtue of interpreting with hair-splitting exactitude the statements and averments made in Courts of Law. By way of illustration, the lawyer put the following question to his hearers:—'Supposing I told you that three frogs were sitting together on a log of wood, and one decided to jump off, how many frogs do you think would be left on the log?' 'Two,' shouted the students. 'Wrong' corrected the lawyer. 'The frog I specially referred to only decided to jump off. He did not jump.' It is no wonder that the man in the street considers the lawyer as a being who delights in quibbling and in juggling with words.

There is a third impression that you can hardly efface from the minds of persons who have had some business or other with lawyers. I was struck very forcibly the other day with an idea that was conveyed in the pages of a humorous journal, wherein a lawyer was defined to be: 'One who defends your estate against an enemy in order to appreciate it himself.' In other words, a lawyer is associated in the popular mind with a leech or vulture.

The same humorous journal gives us a definition of the word 'mortgage', which instances yet another impression that the common people ordinarily entertain regarding lawyers. The definition runs thus:—'The word *mortgage* is derived from the French word *mort* meaning death and the English word *gag* meaning to choke. It denotes a lawyer's invention for choking property to death.' In other words, a lawyer is supposed to indulge in ruinous technicalities.

¹ An address delivered before the Madras Christian College Day Association, 31st December, 1927.

The courts of law do not fare better at the hands of the laity. I remember having read some time ago an incident recorded in the life of one of the Lord Chancellors of England. A distinguished Frenchman, alighting at one of the railway stations in London, picked up a cab which was in charge of a veteran cabman whose experience in his profession extended to over three decades. The visitor asked the cabman to drive him to the courts of justice. 'Courts of justice,' cried the cabman. 'I do not know of any in England.' The Frenchman was perplexed. The cabman smiled and said, 'Oh, you perhaps mean, sir, the courts of law; well, get in, and I shall drive you over there.' The laity in India have no better opinion regarding the courts of law here than what was entertained by the English coachman. The judicial tribunals, in their view, do not dispense justice, but dispense with it, and merely administer rigid and oppressive rules of law.

Then, again, truthfulness is considered to be a commodity rarely found in the courts of law. The humorous weekly, from which I have already freely drawn, defines a lie as 'a very poor substitute for truth, but the only one discovered up to date!'

I have spoken so much about the popular impressions regarding the courts of law and the lawyers, because the purpose of my discourse this morning is to controvert, if I can, such ill-founded notions by indicating, as briefly as I can, the fact that lawyers and persons who administer the law are after all men of like passions as the laity, and that moral and religious concepts have not been ostracized from the courts of law or from the minds of lawyers.

After all, what is law? It is merely a set of rules of human conduct based upon moral or religious principles and enforced by the courts. I am aware of the fact that this is not a strict and orthodox definition of law, according to jurisprudence. It however, approximates as closely to the exact definition of law as π nearly equals $\frac{22}{7}$ in the formula giving the area of a circle. One reason why there has been so much misapprehension regarding law, lawyers and law-officers is because legal experts are so unwilling to hold that law cannot exist without morals or religion. Take, for instance, the great pioneer in the region of scientific study of jurisprudence—John Austin. In his classical book on jurisprudence, Austin speaks of three sets of rules which he considers to be really distinct from each other. They are styled as the law of God, positive law, and positive morality, and these really correspond to the three terms which I have used in this address, viz., religion, law and morality. What Austin has failed to appreciate is the fact that all these three entities are inter-related. His attitude towards them has constrained him to be at pains to show that 'the law of God, positive morality and positive law sometimes coincide, sometimes do not coincide, and sometimes conflict.' This he need not have done, if all these three were taken to be parts of one great whole, overlapping each other at certain points.

Take any rule of law you may, you will find that it is traceable to some principle of religion or morality. Savigny, the great German jurist, rightly remarks that law lies indebted in the moral and religious consciousness of the people. Now, for instance, why should law prohibit cruelty to animals, if the

law-giver was not swayed by the feeling that cruelty to animals is repugnant to moral and religious sentiments? Why should the courts of law invalidate an agreement, when it is proved that in the formation thereof one party has practised fraud upon the other, if fraudulent conduct was not considered by the legislature to be opposed to morality and religion? Why should the legislature taken upon itself the task of administering the religious endowments of the country if our law-givers had not felt that such institutions ought to be looked after carefully for fostering the religious and moral welfare of the people? I can multiply instances indefinitely to show that law is not isolated from religion or morality, but that on the other hand it is a powerful instrument for enforcing moral and religious principles. But the time at my disposal is utterly inadequate for this purpose. I shall however just elaborate for a little while the idea that I wish to press before you this morning that courts of law do not merely administer the law but further have in their hands weapons which they can wield effectively for protecting or advancing the moral and religious sentiments of the people, and that they have not closed their eyes to the fact that there is an all-pervading divine impulse which is constantly watching over and guiding the people. It is true that the legislature and the courts of law profess that they do not concern themselves with the morals and the ethical ideals and the religious beliefs and tenets of the people, but in practice they often act otherwise. Look, for instance, at the significant explanation appended to Section 9 of the Code of Civil Procedure 1908, which states that a suit in which the right to property or to an office is contested is a suit of a civil nature, notwithstanding that such right may depend entirely on the decision of questions as to religious rites or ceremonies.

I think that the erroneous notions which people entertain regarding the lawyers and the courts of law are mainly due to the fact that lawyers and law-givers and judges fight shy of the words 'religion' and 'morality,' although in the exercise of their respective functions they use and put into practice expressions which are merely paraphrases of either or both of the words 'religion' and 'morality'. It seems to me that our modern lawyers are as fond of fictions as their ancients in this line were, and this fondness they are frequently delighting in even at the risk of their popularity, which they can easily obtain and maintain if only they were a little more outspoken. Some of the names which they have used to denote in reality religion or morality are: (1) justice, equity and good conscience; (2) public policy, and (3) natural justice. I shall now very briefly examine these terms, in order to draw your attention to the fact that these expressions are practically synonymous with moral or religious principles.

Now, as regards the expression 'justice, equity and good conscience', the High Courts and their subordinate Civil Courts in India are empowered by statute to administer 'justice, equity and good conscience' in cases where legal principles are not available for deciding a particular point coming up before them for adjudication. In connection with the various kinds of jurisdiction exercised by the High Court of Judicature at Madras, the Letters Patent applicable to this Court

speak not only about the administration of law but also about the administration of equity and rules of good conscience.

In the Madras City Civil Court, it is provided that all questions arising before it shall be dealt with and determined according to the law administered in the Original Side of the High Court. Inferentially therefore the City Civil Judge can have cases before him wherein he may be called upon to enforce rules of justice, equity and good conscience.

For the *Motussil* Courts, it has been enacted that, when it is necessary to decide any question regarding succession, inheritance, marriage or caste or any religious usage or institution, the Muhammadan law in cases where the parties are Muhammadans and the Hindu Law in cases where the parties are Hindus or any custom having the force of law or governing the parties or properties concerned, shall form the rule of decision, unless such law or custom has been altered or abolished by the legislature, but that, in cases where no specific rule exists, the courts shall act according to justice, equity and good conscience. From these legislative provisions, we cannot help drawing the inference that the phrase 'justice, equity and good conscience' must refer to rules of morality or religion, taken note of and administered by the judge in cases where the law is silent on any point referred to him for decision.

In a full bench decision of the Allahabad High Court, C. J. Edge has attempted to explain the expression 'justice, equity and good conscience' in the following manner:

The words 'justice, equity and good conscience' are conflicting terms; but before a judge applies what may appear to him at first sight to be in accordance with justice, equity and good conscience, he must be careful to see that his views are based on sound general principles and are not in conflict with the intention of the legislature, or sound principles recognized by authority.

Now this is really answering a question by asking another question. You ask the learned judge, 'what is the meaning of the term "justice, equity and good conscience"?' He tells you that the question is answered if you can answer for yourself what 'sound general principles' are. I have no doubt that, in using these words, the learned judge had in mind 'sound principles of morality'; but, as I have tried to point out to you, the love for a fiction is inherent in a lawyer, and in right lawyer-like fashion His Lordship has avoided the word 'morality' and has deliberately used the synonymous words 'sound general principles'.

C. J. Jenkins, in a case that came before him in the Calcutta High Court has said:

The rules and fictions which have been in many cases adopted by the common law courts in England for the purpose of obtaining jurisdiction in cases which would otherwise have been cognizable only by the courts of equity, are not necessary to be followed in this court where the aim is to do complete justice in one suit . . . In India we are free from the trammels, and we are guided in matters of procedure by the rule of justice, equity and good conscience.

In other words, His Lordship recognizes the fact that if complete justice is to be administered in Courts of Law, they can ill afford to overlook principles of morality and religion.

For the term 'public policy', I shall content myself with referring you to Section 23 of the Indian Contract Act IX of 1872 which enumerates the cases where the consideration or object of an agreement is unlawful, and one of these cases is where the consideration or object is opposed to public policy. Now what else is meant by the expression 'public policy', if it does not mean a rule of morality? An instance in point is reported in a recent Bombay case where a custom which permits a dissolution of the marriage tie by either husband or wife against the wish of the other, the sole condition being the payment of a sum of money fixed by the caste, is held to be void as being opposed to public policy that is, as being opposed to good morals. As the principles of morality vary in different parts of the country and at different times, it is interesting to note the following words in the judgement of a case reported from the Bombay High Court, which I quote here as another instance of judges dreading a straightforward use of the word 'morality':

'Public policy' is a very uncertain term. What is public policy at one time may not be a sound public policy at another time. Special care is to be taken to determine what is public policy and what is not.

The term 'natural justice' occurs in Section 13 of the Code of Civil Procedure, 1908 which specifies the cases in which a judgement pronounced by a foreign court of law is not conclusive as to any matter thereby adjudicated. One of these cases is where the proceedings in which the foreign judgement was obtained are opposed to 'natural justice.' Now what is natural justice if it is not morality or religion? On this subject an expert commentator rightly remarks:

Foreign judgement must not be contrary to natural justice. It is never advisable to limit the meaning of wide terms intentionally used by the legislature. The words are wide enough to allow of an investigation into the moral rightness of the decision.

May I now invite your attention for a while to the fact that the courts of law pay due regard to the popular consciousness of God's presence in the courts, and to the religious belief of the people that God himself is constantly abiding in the objects or institutions that have been consecrated or dedicated to Him? The Indian Oaths Act 1873 supplies us with one of the most effective guarantees that can be adopted in a court of law for making a party or witness speak the truth. Not an hour passes in a court of law without an oath or a solemn affirmation being administered to him by which he binds himself in the presence of the Almighty God to speak 'the truth, the whole truth and nothing but the truth.' An old English decision aptly defines an oath as 'A religious asseveration by which a person renounces the mercy and imprecates the vengeance of Heaven if he does not speak the truth.'

In this connection I am reminded of the following anecdote which I came across some time back in a local newspaper. In a colonial law suit it was necessary to call a Negro cook as witness. The judge asked the usual questions before the oath was administered:

'Do you know what will happen to you if you tell a lie?'
'Yes, sir. I shall go to hell, and burn there for a long while.'
'Quite so. And if you tell the truth?'
'We lose the case, Sir,' was the prompt reply.

Now I am aware of the fact that many figure in our courts of law in the same manner as the negro witness. Many are prepared to swear away their whole being and commit themselves body and soul to the horrors of hell. But in a majority of cases, when an oath is taken, the parties speak the truth, and this is particularly the case where what is known as a 'special oath' is administered to them.

In the Oaths Act a distinction is made between an ordinary oath or affirmation, which every witness is bound to make in a court of law, and a special oath or solemn affirmation which comes under Sections 8 to 12 of that Act. It is provided in these Sections that if any party to or witness in any judicial proceeding offers to give evidence on oath or solemn affirmation in any form common amongst or held binding by persons of the race or persuasion to which he belongs, and not repugnant to justice or decency and not purporting to affect any third person, the court may tender such an oath or affirmation to him. If any party offers to be bound by any such oath or affirmation, if it is made by the other party to or by any witness in such proceeding, and if such party or witness agrees to make it, the court may proceed to administer it or may issue a commission to any person to administer it or authorize him to take the evidence of the person to be sworn or affirmed and to return it to the Court.

These sections came for consideration before the Privy Council recently in the case of *Lala Indra Prasad vs. Lala Jugmohan Dass*. For the sake of convenience, I shall call the parties Prasad and Dass. In this case, Prasad who was the brother of Dass brought a suit against the latter for a partition of the family properties. The proceedings in the partition lasted for over ten years and underwent all the vicissitudes of a lengthy and wearisome law suit. But the battle was fought between the parties with great acrimony of feelings. We are told that at one stage Dass was actually cross examined for thirty-three days. The main result of the case was unfavourable to Dass, since it was found that he was indebted to Prasad to the extent of about two lacs of rupees; but at this stage an ill advised step on the part of Prasad turned the scales against himself. By a freak of inexplicable generosity, Prasad, when filing in Court his lists of joint family properties alleged by him to be in the possession of Dass, made the following offer: 'Lala Indra Prasad says he will give up out of his list such items as Lala Jugmohan Dass denies before the deity Latchmi Narasinghji.' Dass eagerly grasped the offer, and accepted it with avidity. The Court thereupon appointed a local commissioner who proceeded to Prasad's house, and in the presence of Prasad and the deity Latchmi Narasinghji he recorded the admissions and denials by Dass of the items in the list filed by Prasad. You may be sure that Dass was made of the same stuff as the negro witness, and he flouted the vengeance of Latchmi Narasinghji and swore to the best of his material advantage. The result was that the tables were entirely turned, and that, instead of Dass's being indebted to Prasad, Prasad was caught in the meshes of the special oath offered by him to his brother under the Oaths Act and was fixed on to a liability to the extent of nearly a lac of rupees, based on the sworn statement of Dass. Prasad was now thoroughly alarmed, and clutched at the straws that floated in his way along the

current of legal consequences that flowed from the enforcement of the terms of the Oath Act. His struggles were of no avail, and judgement went against him. Prasad now appealed to the Privy Council, but the decree of the lower court was confirmed. The judgement of the judicial committee in the case affords very interesting reading, and is filled with the concept that the deity Latchmi Narasinghji was a veritable symbol of the living God. Prasad tried again, on his appeal to the Privy Council, to wriggle out of his obligation under the decree by pressing forward several arguments to the effect that the terms of the Oaths Act were not complied with; but these arguments were not accepted by the Privy Council because as I read the judgement, they ran counter to the religious concept that I have referred to just now. In one portion of the judgement, their Lordships say:

'It is asserted that the deity (Latchmi Narasinghji) was not present on that occasion. His *dibba* (the box in which the idol was located) was in the *kothri* (the chamber of worship), but the deity was not himself within it. To this assertion their Lordships can give no countenance. The plaintiff and the defendant acted as if they both believed, as their Lordships cannot doubt they did that the deity was present in the *dibba*. If, to the knowledge of the plaintiff, the deity was not so present, the whole proceedings were reduced to a farce, if not to something worse.'

You will thus see that the Privy Council has delivered its judgement on the assumption that the deity was in a mysterious way present on the occasion. When it was contended by Prasad that the deity was not actually invoked to bear witness, their Lordships of the Privy Council brush aside that argument on the ground of another religious concept, akin to that of the Hebrews, that the God of Israel neither sleepeth nor slumbereth. In doing so, their Lordships refer with approval to the following remarks of the trial judge:

'The very presence of God or idol on the spot, when the statement was made, so to speak, within his sight and hearing, was tantamount to his invocation by name in case of his absence. When the God or idol had been brought purposely on the scene to witness the statement of the defendant, it was by no means necessary to call him to bear witness, for, having been brought to the scene, he could not be suspected to be inactive or asleep.'

In the case of Hindu religious institutions, like temples, the ideal person is the idol itself, so that the mahant of a temple is only an agent of the deity; that is to say, God is the proprietor of the institutions and the mahant is but his servant. The latter is not a trustee for the deity, but is only a manager. So also in the case of wakf properties, which are vested not in the Muthavalli or Sajja da Nashin but in God Almighty Himself. This religious concept is well emphasised in a recent Privy Council case, *Sir Vidya Varulhi Theertha Swamigal vs. Balusawmy Iyer*. The following passages from the judgement of the Privy Council may interest you. Says Mr. Amir Ali in delivering the judgement:

It would be a serious inroad into the rights of Hindus and Muhammadans if the rules of Hindu and Muhammadan laws were to be construed in the light of legal conceptions borrowed from abroad, unless perhaps when they are absolutely so to speak *in pari materia*.

A trust in the sense in which the expression is used in English Law is unknown in the Hindu system pure and simple. Under the Hindu Law, the image of a deity of the Hindu pantheon is, as has been aptly called, a 'justice entity' vested with the capacity of receiving gifts and holding properties. Religious institutions, known under different names, are regarded as possessing the same juristic capacity and gifts are made to them *co-nomine*. . . .

When the gift is directly to an idol or a temple, the seisin to complete the gift is necessarily effected by human agency. Called by whatever name, he is only the manager and custodian of the

idol or the institution. . . . In no case was the property conveyed to or vested in him, nor is he a trustee in the English sense of the term.

So also, the Muhammadan law relating to trusts differs fundamentally from the English law. It owes its origin to a rule laid down by the prophet of Islam, and meaning 'the tying up of property in the ownership of God the Almighty and the devotion of the profits for the benefit of human beings.' When once it is declared that a particular property is wakf, the right of wakf is extinguished, and the ownership is transferred to the Almighty. The donor may name any meritorious object as the recipient of the benefit. The manager of the wakf is the Muthavalli, the governor, superintendent or curator. But neither the Sajja da Nashin nor the Muthavalli has any right in the property belonging to the wakf; the property is not vested in him, and he is not a trustee in the technical sense. In view of this fundamental difference between English and Hindu and Muhammadan laws, the rules of law applicable to wakfs and Hindu religious endowments are exempted from the Indian Trusts Act II of 1882.'

This religious concept was acted upon by His Lordship Justice Ramesam when answering in the affirmative the question that was put recently to the Full Bench of the Madras High Court as to whether Section 9 of the Madras City Tenants Protection Act III of 1922 (before its recent amendment) applied to landlords who held their lands as trustees of religious institutions. In this case, His Lordship held that the plaintiff was really the idol of the temple, that the landlord of the suit land was undoubtedly the idol of the temple within the definition of the term landlord in sub-section 3 of Section 2, and that, that being so, there was no difficulty in applying the explanation to Section 9 to the suit land.

Several legal principles follow this religious concept. For instance, 'the principle of Hindu Law which invalidates a bequest other than to a person in existence at the death of the testator does not apply to a bequest to the trustees for the establishment of an image of a deity after the death of the testator.' The reason is that God is a living being who never dies and is obviously a person in existence at the death of the testator. 'Such a gift is valid, though the image is to be established and consecrated after the testator's death.' This is, I think, because the deity lives independently of the image which is but his symbol. For similar reasons.

- (a) 'The destruction or mutilation of the image does not affect the endowment. A new image may be established and the endowment kept up. The actual installation of an idol in a temple or the construction of a temple is not absolutely necessary for validating the settlement in favour of the idol'.
- (b) 'A distinction of property for religious or charitable purpose is not invalid because it transgresses against the rule which forbids the creation of perpetuities.' For the dedication is by its very nature perpetual, since God has no beginning and no end.
- (c) 'An endowment is not invalid because it is to take effect after the determination of an estate for life.' For God is a Being in existence at the time of the creation of the life interest.
- (d) It has been held by a Full Bench of the Allahabad High Court that a suit in respect of a property held by an idol should be brought *in the name of the idol*, as represented by shabait. For the idol really stands for the eternal Being who is deemed to be a living personality in the courts of law.

In closing I should just like to remind you that these three sections in the procedural enactment of the legislature give very wide powers to the courts of law in the exercise of which they bring considerations of morality to bear upon their decisions. These deal with the awarding or disallowing of costs, with the granting of compensatory costs in respect of false and vexatious claims or defence, and with the preservation to the Courts of an inherent power to make such orders as may be necessary for the ends of justice and to prevent abuse of the powers of the court. With reference to the last mentioned section, may I add this that the courts of law in India have recognized, without contesting the validity of such a jurisdiction, that 'the court has, in many cases where the circumstances require it, acted upon the assumption of the possession of an inherent power to do that justice for the administration of which it solely exists'.

So you see that law after all does exist in amity and brotherhood with religion and morality, and lawyers are not such despicable creatures as people often take them to be.

S. BALASINGAM SATYA NADAR.

MADRAS

The Malabar Drama

Kerala or Malabar comprising British Malabar, Cochin and Travancore, is a patch of territory as interesting to the antiquarian and the anthropologist as to the globe trotter and sight-seer. It preserves to this day, despite the onslaughts of modern civilization, its old world institutions, such as its games, theatrical representations, laws of inheritance and marriage, although every one of these is gradually undergoing great transformations. Though in point of literature, Malayalam is poorer than Kanarese, and poorer still than Tamil and Telugu, it has preserved for us certain forms of dramatic poetry which are lost to Tamil and which throw considerable light on the earlier dramatic works in that ancient language. The dramatic effusion of a people being an unconscious but true reflection of their civilization and thought, the achievements of the Malayalis in the histrionic art have, therefore, more than a mere academic interest. They give us a glimpse, however dim, into the ancient history of a section of the Dravidian race.

Love of pleasure is coeval with the beginning of man, nay, it is almost instinctive with all sentient beings. With all his contempt for this transient world, and in spite of his transcendental philosophy, the Hindu is as keenly alive to the pleasure of life as any other man. The pursuit of knowledge, pure and simple, unmingled with pleasure, is irksome, but when combined with the fine arts, it is both pleasant and profitable. The aesthetic consciousness in man manifests itself in various ways. Poetry, sculpture, painting, acting and music have really made life worth living, for in them are to be found the never ending sources of harmless pleasure. In the drama, the co-operation of *abhinaya* or acting, *kavita* or poetry, *sangita* or music, is brought into play. Of the three, the art of acting is the most indispensable to the dramatic. The drama has developed out of dancing, though the two arts have not developed *pari passu*. The combination of poetry and music in the drama is almost accidental.

The drama in Malabar as perhaps in the rest of world's literature, is to be traced to religion. The words *nata* (actor) and *nataka* (play or drama) are derived from the verb *nat*, the Prakrit form of Sanskrit *nr̥it*, to dance. The art of dancing in India, which is a preliminary to *abhinaya* or acting is very ancient, and has a divine origin attributed to it. Siva has his *thandava* dance, his consort Parvati, her *lasya*, and Krishna his *rasakrida* or cyclic dance. Bharata is the accredited inventor of dramatic entertainments in India, or at any rate, the first codifier of the science. His work is called *natya sastra* and sometimes *natya veda*. It is interesting to note that Bharata consists of three syllables, each having some significance *bha* stands for *bhava* (gesticulation), *ra* means *rasa* (vocal music) and *ta* stands for *tala* (keeping time by means of cymbals). There are three varieties of Bharatic representations, *nr̥illa* or simple dancing

without gesticulation and speech; *nritya* or gesticulation without language, i.e., pantomime; *natya* or gesticulation with language, from which *nataka* or drama takes its origin.

The pure Tamil word for *nataka* is *kuthu*, which term is perhaps still retained in the Malayalam word, *chakkyar kuthu*, other verbal equivalents therefore being *attom* and *kali*, all these words being of Tamil origin. The first rude attempts at histrionic representations still keep possession of the several old castes in Malabar. The *chavattu kali* or *alavuchavittu* (dance on the ground), and the *kolekali* or *kolati* (stick dance) of the valans, the *vela* dance of the Parayans, the *panakali* of the Panans, the *kolamkettukali* of the Kaniyans, the *kaikothikali* of the Brahmans and the Nayers, the *patakom* and *kutiatom* of the Chakkiyars, and the *sastrakali* (familiarily known as *yatrakali*) of the Nambudiris are instances in point. The earliest beginnings of our drama have to be found in these mimic dances, accompanied in some cases by vociferous songs. Most of the *kalis* or plays of Malabar are of native growth. However worthless they were from the literary and histrionic standpoints, they entertained the family circles and amused the social gatherings. Some of them are the following:

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| 1. <i>bhadrakalipattu.</i> | 11. <i>yezhamattakkali.</i> |
| 2. <i>tottampattu.</i> | 12. <i>thumbitullal.</i> |
| 3. <i>devendrappalla.</i> | 13. <i>kallukali.</i> |
| 4. <i>ammanakkali.</i> | 14. <i>karikakkali.</i> |
| 5. <i>kolatikkali.</i> | 15. <i>thenkali.</i> |
| 6. <i>kalyanakali.</i> | 16. <i>thattumelkkali.</i> |
| 7. <i>ayvarkali.</i> | 17. <i>mohiniyattom.</i> |
| 8. <i>parisakali.</i> | 18. <i>irakkali.</i> |
| 9. <i>kurakkali.</i> | 19. <i>andiyattom.</i> |
| 10. <i>natayarikkali.</i> | |

It is in these shows that the first traces of a dramatic tendency are visible, but it is impossible to determine which evolved from which, or how the drama proper evolved itself from these. We are very much prone to look at the manners and institutions of ancient times through the false medium of our everyday associations of an advanced age. Unless we can look upon ancient institutions with the eyes of the ancients, unless we can transport ourselves in spirit to earlier times, all our conceptions of what was done by them must be dim, uncertain and unsatisfactory.

Most of the minor *kalis* above referred to, except the *mohiniyattom* and the *kaikottikkali* are confined to south and middle Travancore, and are quite unheard of in the rest of Malabar. There are about one hundred and fifty kinds of these *kalippattus* (action songs); but few of them have seen the light of publication. Their stories are mostly taken from those inexhaustible treasure houses of Indian national legends and myths, the *Ramayana* and the *Mahabharata*. *Krishnarjuna Yudham* and *Santana Gopalam* are the most well known of these songs. Most of these are after the model of the *kavadichintu ragam* in Tamil. The *alavuchavittu* has peculiar songs and *talams*. The use of pure Tamil words in these songs is

apparent and points to an early period when the influence of Sanskrit on Malayalam had not begun to assert itself.

We may now pass on to an account of some of the *kalis*; but it can only be imperfect, being based on oral reports from stray representatives of an old generation which has almost died out.

The *kolati* or *kolkali* is a dance in which a party of ten to fifteen persons move in a circle, around a burning lamp, with a stick in each hand, and strike one another's sticks singing and keeping time with their feet. In the Tamil and Telugu lands, this is maintained as a periodical study for the elder boys of pial schools, and is performed in connection with the *Vinayakachathurthi*, and the *Vijayadasami*. This obtains even now among the Pulayans and the Valans of Malabar. The author of the *History of Malayalam Literature*, Mr. Govinda Pillai, says that stories of the type of *Santana Gopalan*, *Krishna Lila* and *Kamsavadham* have been rendered into *kolatikkali* songs (Para 107. Part I).

The *vela* dance of the Parayans is performed in honour of Kodungalloor Bhagavati. They sing to the accompaniment of the drum and the flute.

The *panankali* is almost a regular play. It is acted all through the night and consists of two women actors and two men actors.

The *kolamkettukali* belongs to the Kaniyars, the hereditary astrologers and mantravadins of Malabar. It is performed after the first quarter of the night, the party consisting of men and women. It is more or less a devil dance, accompanied by blood-red scenes got up by preparing a boiled solution of chunam and turmeric.

The *kaikottikkali* is confined to the women of the higher classes, the Nairs and the Brahmans. It is a circular dance accompanied by singing, in which ten to thirty girls take part at a time.

The *thiruvattirakkali* is in commemoration of Kamadeva, the cupid of our mythology, who, as the story goes, was burnt to ashes by the great God Siva. A number of young ladies meet in a tank early morning on the *thiruvattira* day in Dhanu (December—January) and plunge in the water. They sing and play in the water until the peep of dawn. Their singing closes with *polappattu* which is in the form of a dialogue between a caste lady and her slave woman.

The *bhadrakalipattus* or *thottampattus* are sung in praise of the goddess Bhadrakali in Palghat and in the neighbouring parts of Trichur. There are certain dances also in connection with them. They had originated before the fourth century A.D. The *mannothukali*, *lalakali*, *kannyarkali* and *desattukali* are varieties of the dance. The dance lasts for three days.

The *ammanakalipattus* are among the oldest songs in Malabar. They must be traced to a greater antiquity as they are of the recognized species of the early songs of the Tamil land. The play consists of throwing up three or more balls of bell metal and catching them alternately by the right and left hand with great ease and dexterity.

The *ayvarkali* obtains only among the Thiyaas or Eshavas of South Travancore. It is a representation of the story of the five Pandavas, each of whom is personated by an actor. The entire story of the *Mahabharata* is rendered in easy songs to be

sung and acted to the accompaniment of hand drums called 'tappus.' It is performed only in the day time, and is completed in two days.

The *andyattam* played at night with the help of a burning lamp, has but one player in it who does not open his lips.

The *kalyanakali* is performed on marriage occasions among the Nairs of South Travancore. To this day in the taluqs of Chirayankil, Neyyantirikara and Kuzhithura (in Travancore) there are regular troupes of these players called *sankhakkars*. The actors who have no special costume for the play sing merry songs and dance to the tune in many merry-go-rounds. The songs sung in all the above *kalis* are regulated by *matras* and not by syllables in each foot or padom.

The *yathrakali* or more correctly, *sastrakali* is performed by a section of the Nambudiris, called *sastrangakkar* or *kshatrangakkar*, on occasions of the first feeding ceremony of babies, of thread investing, marriage and the first anniversary of one's death among the Nambudiris. It is said to have originated about the year 3400 of the Kaliyuga. It has at present, religious, social and farcical elements combined with it. The *kali* propitiates chiefly Siva and Parvati, as well as Bhadrakali, Sasta, and Subramanya. It is of two kinds: (1) *kali and sastram* and (2) mere *kali*. In the first, the performers undertake the cooking business at the feast; in the second, they merely perform the play. The Nambudiris and the Malabar Pottis are trained in the art. In the first variety of the play, at about 4 p.m. on the day of feasting, some ten or fifteen of these men rush into the dining pandal, on the floor of which are scattered the remnants of rice and curry, and invert the empty, unwashed *chempu* or copper cauldron and continue to strike it with a ferule each, singing to the metallic music thereby produced. One of the party suddenly jumps off his seat, takes hold of a spoon, dances about, becomes inspired and assumes the rôle of Sir Oracle. He runs up and down the pandal, jumps up the cauldron, calls many 'hips and hurrahs', and breaks a cocoanut. At night-fall four of the party circumambulate a burning lamp in the parlour of the host's house and sing songs in praise of Bhagavati. This is called *nalupadam*. In the course of supper, they call out for certain edibles, which are less often than not, supplied to them. They also sing in long tones songs called *karislokas*. They also recite some 'royal commissions' or *neets* in prose indited by reputed scholars and based on puranic episodes. Supper over, preparations for the real *kali* are begun. They repair to a neighbouring temple or Nambudiri's house and put on the actors' dress and move in slow procession to the pandal. They reach the host's pandal, and sit round the lamp, and sing songs in praise of Ganapathi and Siva. This is followed by diverse kinds of dumb-shows and exhibitions of skill in swordsmanship. Certain songs, called *polivu* songs, are recited to the accompaniment of the studiously slow drumming of the *chenda* (drum). Till day dawn rude imitations of the Nayar soldier, *pandaram*, launderer and laundress appear on the scene and play several farcical parts. With the rise of the next morning sun, all this is over. The songs are mostly in pure Malayalam, though there is a large admixture of Sanskrit words in those composed recently.

It is interesting to inquire into the connection, if any, between this *yathrakali* and the *jatra* (*yatra*) of the Bengalis, which latter is generally an exhibition of some of the incidents in the youthful life of Krishna, maintained also in extempore dialogue, but interspersed with popular songs. But it is impossible to say at this distance of time, if the *jatras* of the Bengalis did not find their way into Malabar through the Aryan settlers of North India during their migration hither and become the present *yathrakalis*.

If the nautch represents the beginnings of the Indian drama, we may well say that the *mohiniattam*, which answers to the *dasiattam* on the other side of the Ghauts, serves more or less the same purpose. The dancing party consists chiefly of a male leader, called Nathuvan, one Bhagavathar or singer, a drummer, and two or three Nair girls of low extraction who do the actual dancing, and whose limbs are trained for different postures and gestures. In this *attam*, only one *rasa* (emotion or sentiment) viz., *sringara* or the erotic, is brought into play and that perhaps of a rather low type. The girls exhibit certain signs by the fingers and dance more or less in accordance with the injunctions of Bharata. *Mrudangam*, *titti*, and *kuzhitalam* are the musical instruments used in the *attam*, which is performed at night. The *Chakkiyarkoothu* is a peculiar institution of Malabar, more or less akin to the *Katha kalakshepam* of the East Coast. The Chakkiyars are hereditary actors. Their very occupation is to act plays in temple mandapams, called *koothambalam*. They are the children of adulterous Nambudiri women, born after the commencement of their guilt. Boys, so born and invested with the sacred thread, are Chakkiyars, and those not invested Nambiyars. The unmarried daughters are classed among Nangayars, their origin could be traced to the beginning of the *Kaliyuga*. The Chakkiyar is a mimetic dancer; and his *koothu*, a monologue, mainly consists of a sort of combined recitation of, and commentary on, passages from the Puranas and the Ithihasas. Broadly speaking, the *koothu* originally included the acting of *nalakams* or dramas. Their earliest patron was Kulasekhara Varma Cheruman Perumal, a Sanskrit poet and dramatist, whose plays, *Subhadra Dhananjayam* and *Tapalisam Varanam* as well as *Ascharya Chudamani*, *Naganandan*, etc., were put on the boards by them for the first time. This prince has composed for them a book called *Attaprakaram*, laying down canons for the *koothu* and fixing the *ankavila* (fees) therefor. The enacting of a play is called '*koodiyattom*,' and in this the Nangiyars take the female part. *Mattavilasam* and *Anguleeyankam* are only two out of the few *koothus* wherein a single actor appears. *Prabandhom* is the general name for the works used for recitation in the *koothu*. The *prabandhoms* are adaptations in Sanskrit of the Hindu Scripture, for the use of the non-Brahmans; and Melappathur Narayana Bhattathiri the great Sanskrit poet and author of *Narayanecyam* in Sanskrit has composed about fourteen *prabhandoms*. Minor episodes are introduced in the *koothu* by the reciter.

The *koothus*, meant for the propitiation of the gods and the felicitation of men, form important items on the *utsavam* (festival) programme of almost every temple worth the name in Malabar. Private individuals also arrange

for these performances in temples, and meet their cost by way of discharging their vows. A single session of these *koothus* lasts 12, 20, or 40 days; and on no account exceeds 40 days. The belief is that liturgical recitations are as efficacious in obtaining salvation during the *kaliyuga* as divine service, and will be a check on the growing materialism of the iron age. The *koothu* is performed in the afternoons. A burning lamp is placed before the Chakkiyar; the only article of furniture is a three footed stool on which he now and again sits in the course of the performance. He wears a quaint headgear and an uncouth dress, his face is grotesquely painted with sandal paste and ashes, and his eyes with lampsoot. He has certain brummagem bracelets on the fore-arms and the feet. A Nambiar accompanies him and opens the *koothu* by sounding his big jar-shaped metal drum. The Nangayar sounds her cymbals occasionally. The Chakkiyar opens with a prayer, with gesticulations and well regulated movements. He cuts a caper or two. Though the entire audience may burst in laughter at the jokes cracked by the Chakkiyar at the expense of any particular individual, it would be a serious breach of etiquette, if the person so ridiculed replied to the Chakkiyar. The Nangayar should not even smile at anything that takes place at the *ambalam*; and if she infringes the rule the performance will be stopped at once.

The Chakkiyar is a rhapsodist having the gift of a good memory and strong common sense. He is a reciter, preacher, jester, cynic, satirist and connoisseur of public morals, all in one. He has an observant eye for men and manners. He recites epic poems very charmingly, with peculiar intonations and emphasis, all his own. The recital, in great part improvisation, is acted and sung distinctly, and acquires a dramatic character by his introduction of hypothetical dialogues with imaginary interlocutors. There are elements of frank gaiety and amusing buffoonery, as well as serious heart thrusts and withering sarcasms. If his eloquence is energetic and sublime, his humour is coarse and broad, his personal satire stinging, his attack on social institutions acrimonious, vehement and even indecent. His allusions, elucidations, and gestures, for instance, in enacting the freaks of Ahalya and Indra, are broad and coarse—nay, positively immoral for any audience. His references to the posture of labouring women in confinement are simply demoralizing.

To make a skilful actor at *koothu*, it takes several years of hard study and training. The novice has to study Sanskrit *natakas*, the *Ramayana* and the *Mahabharata*, as well as Bharata's *Natya Sastra*. He has to spend about a decade in these studies and in physical training, such as squeezing his body into shapes, ogling, winking, staring etc. In certain kinds of *kudiattam* the jester has no place. But in those in which he has a place, there are four parts called *vinodam* (amusement), *vanchanam* (deception), *rajaseva* (service to Kings) and *asanam* (food), an explanation of which would take us too far. These can bestow *purushartham*, viz., dharma (duty), *artha* (wealth), *kama* (love) and *moksha* (salvation) on all who listen to them. Some of the *slokas* in Sanskrit are Bhartru hari's; the Malayalam *slokas* are by a Namburi Brahmin Tolakavi, a dependent of Bhaskara Ravi Varma, Perumal alias Kulasekhara. He was a satirist who made light work of all poets, whether they were princes or peasants.