

Legislative (1895) Department.

ORDINARY PRINTED.

G.O., No 77 ✓

Dated 24th August 1895

[Despatch Abstract.]

MALABAR MARRIAGE BILL.

Communicating to the Legislative Council Memorandum of
Objections to the --- submitted by M.R. Ry A. Sankariah Avargal, Retired
Diwan Peishkar of Cochin.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

24TH AUGUST 1895, No. 77, LEGISLATIVE.

Please make the necessary alterations and print 25 copies of the Bill as spare copies. Also supply 100 copies with a paper pocket in addition to this. Paper 10. C.V. 2/9.

GOVERNMENT OF MADRAS.
LEGISLATIVE DEPARTMENT.

READ—the following paper:—

From M.R.Ry. A. SANKARIAH, Retired Diwan Peishkar of Cochin, to the Chief Secretary to Government, dated 16th August 1895.

[Memorandum of objections to the Malabar Marriage Bill.]

I beg to submit this memorandum in virtue of my thirty years' connection with the Malabar coast and of my special studies and researches in Hindu law and religion.

1. The Marumakkatayam law for women, as founders and perpetuators of families and owners of property, is not confined to Malabar. Every village and town of every part of India contain families under the Marumakkatayam law. While Makkatayi girls are taught to regard the husband as God, their Marumakkatayi sisters are taught to regard God as the husband. Every temple has one or more families registered to sing or dance to the praise of the God, and they have a higher status than those unattached. In Malabar itself the higher classes of Naryars (contracted into Nair and meaning women) who have eschewed meat and drink and are in the service of God are called Warriars, Nambiars and Marars. As Marumakkatayam families exist all over India, any legislation regarding them should proceed from the Government of India and not from the Local Government.

2. The agitation for legislative action does not proceed from the responsible heads (Karanavan and Tarawad Amma) of Marumakkatayam families, but from junior enthusiasts living out of their homes and influenced by Makkatayam sentiment and male jealousy. The member in charge of the Bill is not an elected member and there is no other member in the council to represent and defend the interests of the Marumakkatayam community. Government interference with the religious and social observances and arrangements of the people and with their household and domestic economy should always be avoided and especially when it is not demanded by a majority of the elders of the community affected.

3. The Malabar Marriage Bill does not mean a Bill to promote marriages in the district of Malabar, but purposes to make Marumakkatayi Hindus Makkatayees concurrently and at pleasure. It means marriage without priests and religious obligations, conjugal rights at discretion with a permanent Marumakkatayam status, rights and relations amongst persons of distinct tarawads (families) and even castes, disruption of tarawads and excommunication in the case of elopements, public scandal and litigation to eschew disagreeable and unhealthy companionship, impediment to improving the fortune and status of tarawads by improved alliances, &c. It is, in short, an incongruous medley of two systems of Hindu law, of religion and scepticism, of marriage and free love, &c. The British Indian Governments should not go in for such experiments, at any rate before the ruling Marumakkatayi houses of Cochin and Travancore approve of them and take the lead. The ex-rajahs of the Malabar country and the chief tarawads should not be discredited in their descent through a succession of refined, able and independent mothers.

4. Marumakkatayam law is co-ordinate with Makkatayam law. The first is founded on the Truth "*Mâyâ-mayam idam sarvam*" called also kshetra-pradhanam (Realism) and the second on the Truth "*Brahma-mayam jagat*" called also beeja-pradhanam (Idealism). The first is the true remedy and salvation of the thousands of both sexes of all countries and creeds who depend for salvation on their own individual karma and on that of their heirs of their blood, and who value the right and advantage of living in celibacy whenever they choose; and the second is only for those who value the religious merger and the religious services, as husband and wife. In Marumakkatayam law, the woman seeks heirs to *herself* by a friend of another family and domicile, and rights of property as well as religious obligations belong therefore only to the members of her family. In Makkatayam law, the man begets heirs to *himself* on a wife transferred to his family and domicile and blood. Whether the living soul passes from the male to the female or not there is no question about its growth by *the mother's blood only*. As Raja Sir T. Madhava Row rightly said, Marumakkatayam law favours the equality of the sexes, women's rights, and progress by selection; while too often sickly and vicious children are born under stress of the Makkatayam law, when neither health nor the desire for progeny favours the sexual indulgence. Under Naryar law, the expense and anxieties of marrying girls which are now discussed in the public prints do not agitate the tarawads; nor do the scandals and crimes exist of adultery, infanticide, husband-or-wife murder, &c. The Marumakkatayam Hindu who seeks a law to bind his person and property for the benefit of a woman and her heirs of another tarawad is as wise as the Makkatayam Hindu who weds a woman religiously blessed to beget heirs and to observe religious duties for another man.

ORDER—dated 24th August 1895, No. 77, Legislative.

Communicated to the Legislative Council.

(True Extract.)

Chief Secretary.

To the Hon'ble Members of the Legislative Council.
„ M.R.Ry. A. Sankariah.

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Govt. of {1895} Madras.
LEGISLATIVE.

Issued

Encl.

Recd.

G.O., 24th August 1895, No. 77.

AUGUST.

Malabar Marriage Bill.

Communicating to the Legislative Council
memorandum of objections to the — submitted by
M.R.Ry. A. Sankariah, retired Diwan Peishkar
of Cochin.

[G.
75]

NOTE FOR THE UNDER SECRETARY.

I submit herewith original of G.O.
77 Legre. re Malabar marriage bill
The Bill & papers 165 are still in proof
stage, & it seems awkward to commu-
-nicate this G.O. to the Honble members
before they are in receipt of the Bill
& papers 165. Orders are therefore
solicited as to whether the order may
be sent to the petitioner only, at present
& to the Honble members along with
the Bill & papers.

~~499~~ 499. until
Dispatch to other G.O. is ready
to command submit
before G.O.

MEMO OF OBJECTIONS

TO

THE MALABAR MARRIAGE BILL.

To

*The Chief Secretary to the Government of Madras
Legislative Department*

SIR,

I beg to submit this Memo in virtue of my thirty years' connection with the Malabar coast and of my special studies and researches in Hindu Law and religion.

1. The Marumakkatayam law for women, as founders and perpetuators of families and owners of property is not confined to Malabar. Every village and town of every part of India contain families under the Marumakkatayam law. While Makkatayi girls are taught to regard the husband as God, their Marumakkatayi sisters are taught to regard God as the husband. Every Temple has one or more families registered to sing or dance to the praise of the God, and they have a higher status than those unattached. In Malabar itself the higher classes of Naryars (contracted into Nair and meaning *women*) who have eschewed meat and drink and are in the service of God are called Warriars, Nambiars and Marars. As Marumakkatayam families exist all over India, any legislation regarding them should proceed from the Government of India and not from the Local Government.

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RECEIVED
28 JUL 95
LEGISLATIVE DEPARTMENT

Current No. 205
Legislative DEPARTMENT.

From A. Sankariah
Retired Dewan Beishkar,
Triplicane.

No. -
Dated 28th }
Received 28th } July 1895
29th }
Enclosures 30 cc. of the

SUBJECT.

Submitting a memo of objections
to the Malabar Marriage Bill.

To the Honble members of the Legislative Council
" to R. Sankariah

CRA
1/8.

This is a guess production but I suppose
that the memo be communicated: it is
however in a signed copy I
think that we should have one

Ref^{ce} only and No 1898.

The pet^r is requested to
submit a copy of his pet^r
only authenticated by his signature

was the person who
was introduced by the Commission

Order
PS

Communicated to the Legislative
Council.

15/8/95

The writer of this pet^r presented
a memorandum to the Malabar
Marriage Commission

not placed marked with
white tape

Re

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ORDER

Rafon Luo 205-Lyre.

rent No. 229
Legislative DEPARTMENT.

From Mr. R. A. Sankariah
Retired Dewan Peishkar

Order 24 Aug 1895, No. 77.
PS

Communicated to the
Legislative Council

No. -

Dated 16th
Received 18th } Aug 95
rep 18th
Enclosures "

SUBJECT.

Submitting a signed copy of
the memo of objections to the
Malabar Marriage Bill,

See
clerk

CRU
24/8

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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IN ORIGINAL.

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