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THE Hindu Organ.

The Only Newspaper in Ceylon for the Hindus,
PUBLISHED EVERY MONDAY AND THURSDAY

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THURSDAY,

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THESAWALAME AND ITS ORIGIN

THESAWALAME & MARUMAKKAL THAYAM LAW

TWO ANALOGOUS LAWS

By V. Coomaraswamy, B A, Proctor
(Special to the "HINDU ORGAN")

FROM the general description given in the last article ("H. O." 23.10.33) of the Marumakkal Thayam Law of Malabar, the definitions of some of the peculiar words met with in that law and their explanation, it will be seen that the essence of the Marumakkal Thayam Law consists in its Matriarchal System of the Law of Inheritance where a property descends from a common ancestress along the female line only.

From the definition of Tarwad it will be seen that it is the same as the Joint Family System of Hindu Law with this difference, that under the Marumakkal Thayam Law the females and their descendants only are included. Neither party to a marriage—originally a loose union known as *Sambandam* (சம்பந்தம்)—becomes thereby a member of the other's family as in the case of a wife who becomes a member of the husband's family under the Hindu Law. The offsprings of the union belong to the mother's Tarwad and have no claim to any share in the father's property or to maintenance therefrom. In the Tarwad thus constituted the Tarwad property is the joint property of all the members and each member is entitled to maintenance out of the Tarwad property. But the Tarwad property, according to the old law, is impartible. Families becoming very numerous often split into various branches and in fact become new Tarwads. In such cases Partitions might be, and often were, effected by common consent of all the members. And when that was done the entire Tarwad becomes split into branch Tarwads, between which branches there exists only the "community of pollution or purity and impurity" (புண்ணியம்) but not the community of property (உடைபுண்ணியம்). Such partition or separation however does not prejudice the right of one branch Tarwad to succeed to another branch should the latter become totally extinct (அந்நாள் அடைபு).

Thavazhi Illam

Sometimes however the husband or the father of some of the members of a Tarwad provides a separate house (இல்லம்) out of his self-acquired property for his wife or children and the new household then becomes a separate branch—a *Thavazhi Illam* (தவழி இலம்)—of the original Tarwad, but retains both the community of property with the Tarwad from which the Illam branched off. In the Thavazhi Illam as in the original Tarwad the inheritance descends in the female line. It was in the families of Princes and Rajas and the influential families of Samantas (petty chiefs) that the idea of owing separate family (Illam) property

started. Originally the senior in age of the families or the group of Illams of the family succeeded to the royalty or dignity to the Illam properties attached to the family or groups. This custom, adopted on grounds of public policy rather than of private law was however availed of by private families of recognised standing and in course of time became a recognised custom of even private families. The earlier and original custom of Malabar was that the Illam properties were managed by the senior female member and this rule survives to the present day among the descendants of the Royal families of Cochin, Travancore, etc. in South Canara.

One Manages Family

It is important for us to concentrate attention on this development of the *Tavazhi Illam* property as it is this phase of development of the Marumakkal Thayam Law that supplies the clue for the Dowry System gaining a strangle-hold in our Thesawalame and in the Kandyan Law of Inheritance *re Bina* married females.

This will be fully explained later. Now to conclude what I have to say on the general aspects of the Marumakkal Thayam Law of Malabar I have already explained that it is the eldest male member who manages the community property of a Tarwad and is known as the *Karanavan* and the other younger members are known as *Anandiravans* and each member has a right of succession to the *Karanavan*ship in the order of his seniority and all members are maintained out of the Tarwad property. It must also be remembered that *Karanavan* and *Anandiravan* are correlative terms and any member of a Tarwad calls all members older than himself as "my *Karanavans*", and all younger to him "my *Anandiravans*."

A whole community therefore constituting the Tarwad had one *Karanavan* who managed the affairs of the community and from his purse flowed the money necessary to feed and clothe each of the members of the community. The *Karanavan* cannot be removed from his office against his will except for misfeasance. He may however voluntarily abdicate his office, in which case the next senior member fills up his place and assumes duties as *Karanavan*. Every member of a Tarwad is however entitled to dispose of property acquired by his own exertions just as he pleases, but whatever may be left over out of acquisition property undisposed by the acquirer by acts *inter vivos* or by testamentary disposition, lapses to the Tarwad. Such in brief was the device adopted in Malabar on grounds of economy and to preserve property in the family or community and to perpetuate it for the benefit of succeeding generations.

Its Introduction Into Jaffna

I may now proceed to explain when and how the Malabar custom or usage (Continued on Page 3)

CEYLON PRISON REFORM

Bill Now Being Prepared

Question in House of Commons

London, Monday
In the House of Commons today, replying to Mr. Vyvyan Adams (Con.) who inquired in regard to prison reform in Ceylon, Sir Philip Cunliffe-Lister said that the Governor had informed him that a Bill for amending the Prisons Ordinance in order to give effect to the recommendations of the Executive Committee of Home Affairs was being prepared for early introduction. He said that he had not yet been informed of its progress but would hear further when the Bill is passed. —(Reuter)

Four Irrigation Engineers

COMMITTEE RECOMMENDS CEYLONESE FOR APPOINTMENT

The Executive Committee of Agriculture and Lands, at its meeting on Friday last, recommended the appointment of four assistant engineers from among young Ceylonese who had the necessary academic training but were lacking in practical experience.

Minneriya Peasant Colony

COMMITTEE'S PROPOSED VISIT.

The Executive Committee of Agriculture and Lands, it is understood, have decided to arrange a visit next month to the Minneriya Peasant Colony so that the members may have an opportunity of obtaining first hand information as to the progress of the colonization scheme.

STEEL TRUNK IN CREMATORIUM

How It Came to Be There?

Last Friday the Police Vidhan of Kokuvil found a steel trunk and a tin suit case, containing jackets, clothes, pillow cases, bunnys, toilet requisites and a bottle of honey in the Thanakamarathadi crematorium, Kokuvil. An exercise book was also found, wherein was written the name "Kana Thangaratnam" in Tamil. Police Constable Velantham is making inquiries.

Country Rice And Paddy

NO REDUCTION IN RAIL FREIGHT

It is understood that the Executive Committee of Communications and Works has again decided not to propose any reduction in the rail freight for country rice and paddy or to make any report on the subject to the State Council.

A Short Story.

THE RESCUE FROM DEATH

By Supra

THE two brothers and the three women who crowded round the Somawar were evidently unhappy, though there was a forced cheer in their talk and occasional by the elder of the men, who was about twentyfive, actually smiled.

"Whatever we have lost, mother, we have, and we can never lose, the sky and the stars and the mountain and the river. These are all ours and there is enough for real happiness and enjoyment in these not in man-made things. My sufferings have absolutely convinced me of that. We are having this kind of life for three months now, mother—and you will be surely surprised to know that both my brother and myself have actually grown three pounds in weight! It is not the richness of the food we eat but the mind and the air and the sun that count in everything."

"Yes the mind—brother" added the younger man, about twenty-two, "if you had not given me the many words of advice, I for one would have rebelled. But now that we have taken up this work, I am wondering why so many of our graduates should, at all, be uneasy when they do not get a clerkship. Any way, I am content and happy to live with you and to serve you."

"And yet, here is mother regretting that her educated sons have become boatmen, Hanjis, serving the proud European masters who order us about, instead of being proud of you who, after years of collegiate education, are prepared to blindly follow me in faith and love. Mother, he is a gem of a fellow."

II

The Pandit brothers, as they called themselves, had purchased a houseboat on the Jhelum in Srinagar with the purchase money of their ancestral house in Mirakadal and gone in for the life of the Hanjis. They had both passed the highest university examinations in the highest class. The eldest failed for two years to get a job in his own State—and he saw that jobs for which he was qualified went to Muslims who were not so qualified. Alas, the Ruler, on the advice of his Prime Minister, had to placate the Muslims. Communal representation was installed in the services!

So the Master of Arts of the Punjab University stuck to this business life under the canopy of heaven and in the bosom of nature without the need for contact with those near and dear who pretend to sympathise with you in your poverty.

There was at first some hostility from the Muslim boatmen, of course. They looked askance at the two educated Hindus plying their trade. But the good nature of the Pandits disarmed all opposition. They never returned a harsh word for a harsh word: "we are poor and hungry, oh Muslim brother, I want your help"—words, said with such sincerity, that they soothed the most savage breast.

III

"Thanks, madam"—of course Khak the elder Pandit was speaking in Kashmiri and Urdu and not in English, but you are paying me for

my services already. I have conscientious objections to take a tip, but believe me, I am very grateful to you. You have made me happy by acknowledging that my work is good."

The lady was startled at this exhibition of self-denial from the Hanjis who generally try to make the best out of a Sahab.

It was the case at all times and all occasions. These Hanjis, the Srinagar visitor said, were certainly gentlemen. Their accounts were clean. In fact, it actually paid them to ask these Pandit Hanjis to make their purchases, for the Pandits paid much less than they did.

"God has ordained that we serve others, so that we may go through the grind on this earth while we live—and it is our duty to serve. The reward is in God's hand."

That was what the elder Pandit often said to his "master", Mr. Smith, the gentleman who occupied his houseboat.

IV

"I am sure, sir, I am speaking to a gentleman"—said Khak the younger to Mr. Hunter, Mr. Smith's friend who lived in the boat, "but since you have often been pleased to express satisfaction with my work, I have to tell you, as a humble man to a rich and powerful man, that my sister who serves you does not like your attentions. You will, please desist. Of course I know that you have been accustomed to that sort of things, but I hope you will respect my feeling."

"But the girl is beautiful—and surely I pay."

"I have said my say, sir, and our honour is ours. I can only appeal to your sense of honour."

x x x

Mr. Hunter was a wild and irresponsible youth—and passionately in love with his friend's wife. He was credited with having vast wealth's."

Some loose conversation on the dining table—the Pandits know English though they did not speak that language, and so could understand—first opened the eyes of the younger Khak to this criminal intimacy between them. But then Mr. Hunter cast glances on his sister.

And so he protested.

The younger Pandit also took the precaution after this of inviting his uncle, a muscular fellow, to live in the boat. Suppose anything unpleasant takes place: there must be some one to give the first aid—in this case to knock out the teeth of the dog who would insult a helpless young girl.

V

Mr. Hunter's passion for the Pandit girl grew with obstruction. He had never been used to it. Where is the girl that money could not buy? So he dangled a hundred rupee note before the girl as she went to the main boat in answer to a call from the lady.

That evening, while as usual, Mr. Hunter and Mrs. Smith were boating in the *Shikara*, Khak's uncle, who was the boatman roundly abused Mr. Hunter in the presence of Mrs. Smith and asked him to come to the land and fight for insulting his niece.

"Inform the police against the boatman"—threatened the lady.

"How dare you insult me!" roared Mr. Hunter, but the other man was cool.

(Continued on page 3)

Car For Sale.

Old Model Chevrolet Car. Good running order, decarbonised lately. Tyres good, new wires & battery.

Rs 350/- or nearest offer. Apply to: S. CHAS. PATHIRANA Main Street Jaffna.

(Mis. 172 21st)

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Hindu Organ.

THURSDAY, DECEMBER 21, 1933.

A COMMAND PERFORMANCE?

A "PLENARY" SESSION OF WHAT posters proclaimed to be the All-Ceylon Minorities' Conference but which the chairman was discreet enough to describe as a conference "got together to enable those people who have been entrusted with the resolutions to speak on them" was held in Colombo last Saturday. We must admit that the gentlemen who were allowed to take part in the proceedings spoke very well, indeed, some even excelling their own record in the past. The Conference party passed unanimously resolutions demanding an immediate amendment of the Order-in-Council and objecting to any piecemeal amendment. The urgency of the demand is stated to arise from a desire to ensure a correct political balance between the different communities in the Island. The phrase "correct political balance" passes our comprehension. If it means that some of the interests in the Island are inadequately represented in the State Council, we should certainly ask the support of every Ceylonese to remedy the omission. For, no one can seriously dispute the propriety or necessity for the representation of every interest in a democratised legislature. If the representation accorded to the various interests under the present constitution is found to be inadequate or incorrect the obvious method is to place before the country a scheme of Electoral Reform if the same is not accepted by the Delimitation Committee. Instead of so doing, we find the conference seeking umbrage under general propositions which but half conceal the purpose behind the whole move.

The phrase "political balance", we guess, conceals more than the conference-holders have deigned to reveal to the public. So far as the Tamils in this Province are concerned, we are free to confess that the supporters of the Conference who proceeded to Colombo and presumed to speak on behalf of the Tamils did not represent Tamil opinion at all. No one in Jaffna, outside the group of gentlemen who met at Mr. R. R. NALLIAH's office to draw up the list of 'delegates', understands the subtle implications of the phrase. There are many members of this charming group

who are woefully in the dark as to the meaning of this aggressive phrase. We have glanced in vain through the proceedings of the last meeting of what is called the All Ceylon Tamil League for a ray of light to help us understand the position taken up by the group of Tamils who are out to save us from political extinction. They shout "Minority interests". But, prithee, what are these and how are they to be protected? The answer is again a shout, "Minority rights." The political prodigies of the local counterpart of the All Ceylon Tamil League have not taken the trouble to disclose their views to the public. General propositions such as "adequate representation", "more protection," "minority safe-guards" do not lead us anywhere. It is necessary to drop clap-trap methods and take the public into one's confidence if one aspires to represent the country.

The manner in which the preliminary confabulations are managed and conferences got up to pass resolutions does but little credit to purity in public life. In their own interests, we would suggest to politically inclined groups to educate public opinion to support their views before they claim to speak on behalf of the people concerned. This is an elementary duty on the part of a leader in any democratic country. Our would-be leaders did not choose to go to the country with their views because they knew in advance what reception they would have in the absence of the trusted leaders who have scorned to don the livery of the new brand of patriotism. It is a pity that there should be any body of educated men ready to subordinate the interests of the country to purposes that have their sole meaning in a success hastily snatched up from a mad scramble for immediate opportunities. We appeal to them to modulate their own pace to suit the normal process of achievement of the country's freedom and not stray into shortcuts however inviting they may appear.

The conference has done no good to any one. Its purpose, in the words of its Chairman, was "to show the authorities that the minorities in almost their entirety are opposed to the reforms as at present adumbrated." The Governor's Government might now convince themselves of the success of the conference and exploit it to delay the reforms. That is why we suspect the conference was a command performance.

We have reliable information of unruly conduct on the part of prospective

Chankanai Local Option Poll.

They have succeeded in voting for the tavern; though we regret the event, we do not complain. It is certainly difficult for any one to prevent people exploiting the weakness and vice of their neighbours to amass wealth. It is quite lawful to do so when Government which claims to be the greatest temperance organisation permits, even encourages, the opening of drink shops under the specious plea of meeting legitimate demands. But, if the exercise of option by the inhabitants of a village is not to degenerate into a farce or a trial of strength between temperance workers and the aggressive elements in society, supported in almost every instance by head-men, police-men and excise men, the authorities should see to it that no canvass-

ing is allowed near the polling booth and traffic and other regulations to preserve order are carried out without giving any room for suspicion that Government is taking sides. Respectable people cannot but refrain from attending the poll unless they feel certain that they would not be exposed to insulting behaviour on the part of ragamuffins under the very nose of the police. It is reported that a respectable social worker was assaulted in the presence of the policeman on duty but no steps were taken by this guardian of the law beyond preventing the aggrieved party from gaining access to the presiding officer. We trust the Government Agent will cause inquiries to be made and take steps to prevent the repetition of slackness on the part of Excise, Police or Peace Officers.

The Hon. Mr. D. S. Senanayke, Minister for Agriculture formally inaugurates today the "Islands' Motor Launch Service"

organised by the Jaffna Islands' Boat Service Co-operative Society. This marks a new departure in Co-operative enterprise. People whose knowledge of the work done by the Co-operative Department is confined to reports of meetings and conferences at which the Registrar invariably takes the chair are wont to look upon Mr. W. K. H. Campbell and his doughty lieutenant Mr. J. A. Maybin as lucky individuals who do not have much work to do except boss the show at village meetings and write interesting reports. The average man has not the opportunity to follow the day to day work of the Registrar. One day he is in Jaffna, the next at Galle, then at Puttalam or Batticaloa and is back again in his office. His work may not be spectacular but is essential in that it goes deep down the soul of the people and helps them to realise the potentialities of mutual aid in the realm of economic life. The progress of Co-operative work in the country is bound to be slow. Persuasion, not compulsion is the method open to the worker. He has to face the suspicion and distrust of the people and make his approach by gentle appeal to the enlightened self-interest of the people concerned. Often there is opposition from interested parties and he must bide his time to win over the people to his side. All these would call for the exercise of tact, patience and above all sympathy. To judge by results, no one can honestly say Mr. Campbell has not justified the choice of the Government in giving him charge of the Co-operative Department. That he has secured the confidence of the people in this province is amply borne out by the Central Co-operative Bank, numerous Credit Societies and the Launch Service. We are aware that Mr. Campbell and his assistants are working out a scheme for Co-operative Marketing of Malayalam tobacco. When this scheme is put into operation Mr. Campbell will have well and truly laid the foundation for Co-operative enterprise in this province. For we have every reason to believe that the Launch Service and Marketing Scheme will furnish the model for many other undertakings of a similar nature such as Co-operative dairying, laundry, poultry and sheep-farming. We congratulate the Jaffna Islands Motor Service Co-operative Society Ltd. on the success of their venture and wish the Launch Service every success.

UNTOUCHABILITY IS FAST DYING OUT

GANDHIJI ON PROGRESS OF HARIJAN WORK

A RELIGIOUS REVIVAL

REPLY TO CRITICS OF THE MOVEMENT: AN INTERVIEW

Siddhantha, Dec. 17.

The Special Correspondent of the Madras "Hindu" writes:—

Through the kindness of Prof. Malkane, your special correspondent had the opportunity of interviewing Mahatma Gandhi during the period of his rest this afternoon. Gandhi was at his meals when the interviewer was ushered in and greeted him with a smile.

"May I ask a few questions on some points that strike me as worthy of being brought to your notice?" I asked.

"Most certainly," Gandhi said, "I am ready. Go ahead." And, the interviewer did.

What The Harijans Want

"In a recent meeting which he addressed at Madras," the interviewer observed, "Mr. M. K. Acharya has stated that 95 per cent. of those 'Harijans' do not want 'the Gandhian Creed.' What is your view on the matter?"

"I do not know what 'the Gandhian Creed' is. If I do not know it, how do the Harijans know it or Mr. Acharya himself? I do not claim anything special to me. There is no such thing as 'Gandhian Creed' so far as I know. I know only this. I am engaged in giving Harijans clean water. I am engaged in giving them facilities for education. I am engaged in finding accommodation for them in public caravansarais where they cannot get it. I am engaged in wearing them from drink and carrion. Do they not like all these? I am engaged in teaching them the elementary rules of hygiene. Do they not want it? I am engaged in telling them what the fundamentals of Hinduism are and in having public temples thrown open to them. Mark the distinction. They may not want to enter these temples and if some body said that they do not want to, I will not be able to prove conclusively to the contrary, though the prima facie evidence that I have is all in my favour. Whenever they find temples are thrown open to them they are simply delicious with joy, as I found them to be to day when I opened two temples and entered them with them. I do not care whether they want to go to the temples or no. I simply feel that Savaranas should do their duty. There is nothing 'Gandhian' about it. Every Hindu who believes that untouchability must go, must undertake this work."

Varnashrama and Untouchability.

"It was observed by another person that Gandhiji being a believer in Varnashrama, which was but a graded system of untouchability, he was not qualified to tackle this problem. What do you think of this view?" was the next question.

"For me," Gandhiji observed, "Varnashrama does not mean a graded system of untouchability. I have explained what I mean by Varna Dharma. It does not mean to me grades at all. It is not a vertical division. It is a horizontal one. In my view, all varnas stand absolutely on the same plane, i.e., of equality. Hence there can be no question of untouchability. 'Varna Dharma' is a mighty economic law, which if we subscribe to it, would save us from the catastrophe that is in store for the world. I have sufficient warrant in Hindu scriptures for saying that Brahmins and scavengers are absolutely on a par in the eye of God."

Nature of the Harijan Movement

"It has been suggested in some quarters," the interviewer next put in, "that the Harijan movement is a form of civil resistance propaganda and in promoting Harijan movement by his tour, Gandhiji is promoting civil resistance. What is your opinion on this suggestion?"

"Then I am between two cross-fires," replied Gandhiji. "Congressmen accuse me of having damaged the cause of civil disobedience by taking up this whirlwind campaign. Those who suspect me of ulterior motives accuse me of strengthening civil disobedience. I am unmoved by these charges or insinuations, and can only re-declare that I have absolutely no ulterior motive. It is a peremptory religious call which I am obeying. The tens of thousands who attend the meetings do not even hear the expression 'civil resistance' from my lips. This is purely a religious revival. This does not mean that I have changed my views on civil resistance. The very science of civil resistance demands absolute honesty. If I use this campaign for furthering civil resistance, I should be guilty of dishonesty. Civil disobedience does not need such dubious aids."

Progress of Harijan uplift.

"What do you think of the progress of Harijan uplift work in provinces you have toured so far?" was the next query.

"My impressions are altogether happy," was the answer, "and if they are continued in the other provinces, I would have no hesitation in saying that untouchability is fast dying out. On no other basis can I account for the tens of thousands of people who flock to the meetings and give me their coppers well knowing what these are to be used for."

Sinnathamby Pulavar Memorial Fund

Amount Received Rs. 100 Cts. 40
Do not overlook Your Duty

—M. S. Ehatamby.

TAMIL LOVERS' CONFERENCE

Opens On December, 23

The Secretary, Tamil-Lovers' Conference, writes:

The Tamil-Lovers' Conference will be opened at the Pachiappa's Hall on Saturday the 23rd December at 11-30 a.m. by the Hon. Rajah Sir Annamalai Chettiar under the presidency of Dewan Bahadur S. Kumaraswami Reddier, Minister of Education.

Books Exhibition

The Tamil Books Exhibition, attached to the Conference, will be opened on Thursday the 21st at 5 p.m. at the Pachiappa's Hall by the Raja of Rannad under the presidency of the Rt. Hon. Mr. V. S. Srinivasa Sastry.

MOTHER OF FOUR IN A DAY

Woman Gives Birth To Four Children

Confinement Case In McLeod Hospital

The unusual occurrence of a woman giving birth to four children took place on Tuesday last at McLeod Hospital, Inuvil. All the children are girls and are alive. The mother is the wife of one Ponnan of Uduvil. She and her children are keeping well and are receiving special attention at the hands of the hospital authorities.

The delivery took place with intervals of two to three minutes. The children weigh 2½, 2½, 2 and 1½ pounds each respectively.

CYCLONE HAVOC IN CHIDAMBARAM

300 People Perish

Madras, Dec 19th
Appalling accounts of havoc done by the recent cyclone in Chidambaram and Taluk show that about 300 people lost their lives, and that the loss to property, including buildings and crops, extends to about ten lakhs of rupees.

This, however, lacks official confirmation.

Parents' Day At Vaddukoddai Hindu School

The Parents' Day at the Vaddukoddai Hindu English School will be celebrated today commencing at 5 p. m.

Too Many Spare Parts

MAN CAN DISPENSE WITH MOST DECLARES SURGEON

Chicago: Man has too many spare parts according to Dr. Merris L. Fishbein, editor of the "Journal" of the American Medical Association.

Only four organs of the human body—the heart, the brain, the pancreas and the adrenal glands—still defy surgical removal, said Dr. Fishbein. He was discussing the successful removal of an entire lung by two St. Louis surgeons. This operation, he said, was an important contribution to the war on cancer.

"The body in most cases has 100 per cent margin of safety" said Dr. Fishbein. "We have removed stomachs, livers, bladders—almost everything that the ordinary person regards as necessary part of himself. Yet we find it perfectly possible to live without them."

The man from whom an entire lung was removed reported five weeks after his discharge from hospital that he was able to carry on all normal activities and had gained eight pounds in weight.

Personal

Mr. K. Balasingham, Advocate, was in Jaffna last week.

Mr. V. Coomaraswamy, B. A., Proctor, left for Madras last evening to attend the Conference of Tamil-Lovers.

NOTICE.

"Wanted influential and respectable people as field Inspectors and Agents for Jaffna Branch of the Cash Insurance Bank Ltd.—Apply in person from 27th December to 31st December, 1933, at the office, Main street, near Grand Bazaar, Jaffna." (Mis. 19, 18 & 21.)

NOTE: The Editor is not responsible for the facts or views of Correspondents.

LETTER TO THE EDITOR

THE STATE COUNCIL AND THE JAFFNA BOYCOTT

Sir,—Many of us well remember a question put to a Sinhalese witness in the Vallai murder case by advocate Mr S. D. Tampoe, one of the defending counsel in that case, viz. "The Police Magistrate, the Superintendent of Police, the additional District Judge and the Government Agent of Jaffna are Singhalese gentlemen, you are one of their kins and how is it that you were afraid of the Tamils in the North?" The veteran lawyer might have unwittingly put this question but some of us find much material in it for thought.

I am not here to criticise the wisdom of the Jaffna boycott of the State Council, as it is well known that it was decided on by the majority of our veteran leaders who know better than I but only ask what have we done to inspire the sympathy of the majority community which is certainly important for us—a minority community—to ultimately gain the object for which we decided upon the boycott. It is really impossible to mince the fact that a belief is gaining ground that the communal canker is becoming more and more virulent among our Sinhalese brethren and that it is impossible for them to sympathise with us, that they always manoeuvre for their own self-aggrandisement and that therefore it is imperative that we should work out our own destiny independently. How far this belief could be justified I am not able to say but there are some unfortunate events to justify those who are holding that belief. While it is a matter of pride to us that higher administrative posts are given to the sons of the soil more largely now than before, the appointment of a Singhalese for the first time to the Northern Province Government Agency is regarded by many as the result of a desire on the part of those in authority to introduce Singhalese rule in Jaffna. The Jaffna man is astute enough to be able to reel between the lines. The Donoughmore reforms were criticised from hill-tops by the Singhalese at the outset as unworthy of acceptance, but they were accepted at the last moment and the reason for such change of attitude is being ascribed to the Sinhalese ambition of wielding power. Retrenchment and the inability of the Tamil boys to enter Government services may be partly due to economic conditions but their incidence on the Tamils disproportionately is believed to be the outcome of communal partiality. Last and not the least is the ministers' memorandum for the reform of the State Council which has been rejected by the members representing the minority communities and which surely gives evidence of a camouflaged attempt to introduce Singhalese rule in Ceylon. Then again, though it may be a stray occurrence, what about the results of the Balangoda bye election and afterwards? The above are some unfortunate events which stand in the way of fostering good feeling among the Tamils towards the Singhalese and even the most ardent anti-communalist who has a back bone has to pause for a while and ponder over the situation. It is no use to ignore or hide real facts. If there is actually communalism among our Singhalese brethren it has to be diagnosed and if its truth is ascertained, we have certainly by all means to stand on our own legs and hold our own with all our might. Self-preservation is the first law of nature and self respect is more than anything else.

We at this distance have watched the events in our home-land with great anxiety all this time and while we feel that communalism retards the progress politically of a country that is inhabited by several races, we cannot surely sit with folded hands when those belonging to the major race are not equal minded as we are. We also feel that time has come when we have to face grave problems which compel us to see to our assistance first. Our fate in Madaya is doomed and in another five years according to the present policy

IPOH RAILWAY INSTITUTE

Tenth Annual Meeting

The tenth Annual General Meeting of the Railway Institute, Ipoh, took place at the Institute Hall, Saibin Road, Ipoh, at 7.00 p. m. on Sunday, the 26th Nov. 1933, with Mr. G. W. Lloyd in the chair.

The accounts for the year July 1932 to June 1933, and estimates for the ensuing year were passed, after which certain amendments to the existing By-laws were also passed by the general body.

The election of Office-Bearers for the ensuing year resulted as follows:—President.—(Ex-Officio) General Manager F. M. S. R.

Vice-Presidents.—Messrs. G. S. Helps, G. W. Lloyd.

Hon. Secretary.—Mr. John Lian.

Hon. Treasurer.—Mr. P. Kanagasooriar.

Members of the Committee.—Messrs. S. Saminathan, A. Kanagasingham, A. Christian, Abdul Moin bin Othman, Chong peng Thye.

Hon. Assistant and Sports Secretary.—Mr. A. R. V. Ponnurajah.

Hon. Literary Secretary.—Mr. Ding Hing Hua Moi.

Members of the Sports Committee.—Messrs. M. Suppiah (for Ping Pong), Kang Teong Ban (for Tennis) (Chin Guan Lian) (for Football), Abdul Latiff bin Talib (for Cricket), S. Vallipuram (for Volly-ball), V. Selvanayagam (for Badminton), K. Narayanasamy (for Boxing). (Cor.)

Thesawalame And Its Origin

(Continued from page 1)

embodied in the system of law above explained came to be introduced into Jaffna and how that law worked out in practice in Jaffna. One of the earliest names by which Ceylon was known is *Serendib* which is only a Europeanised form of *Seylan*, that is, the Island of the Cheras, which is as much as to say, that the Island was in the earliest known historic times under the sway of the Chera Kings of Malabar. This is confirmed by the traditional accounts of the early history of Jaffna as contained in the *Kailaya Malai* and *Vaipavamalai*. The first colonisation of Jaffna is said to have been effected by *Yalpadi* the Lutist from whom the Peninsula derives its name, and the earlier settlers in Jaffna were from Malabar where, as I pointed out in my 1st and 2nd contributions to this thesis, the Dravidian race had remained in their Matriarchal stage without emerging from that stage to the Patriarchal stage as it happened sooner or later in the rest of the South Indian Districts.

The earlier settlers of Jaffna therefore brought with them from Malabar the customs and usages of the Dravidians in their Matriarchal stage.

(Continued on Page 4.)

of this Government those of us in Government Service will have cleared out. We are now not united in thought and policy and that is not going to do us any good. We may be thinking out Schemes and passing resolutions within our own homes, but we want a powerful central organization to pool our resources.

My appeal to my people is, therefore, this. Let there be no division among us such as boycotters and anti-boycotters and let us with one mind come on a common platform to discuss the various problems confronting us bearing in mind that a house divided in itself cannot stand. We need brave men to form a new body and to initiate the new move and surely they are to be found in the Jaffna Youth Congress only. The first duty of the new body will be to call a conference of all Tamils to which some of our Singhalese brethren also may be invited. We must find out what actually the attitude of the Singhalese is.

Yours truly,
V. W. Thambiah.

Kuala Lumpur
8th Dec. 1933

A Short Story.

THE RESCUE FROM DEATH

(Continued from page 1)

"The State police is of course the Englishman's, Mr. Hunter," said the boatman in faultless English this time, as he rolled up his sleeves and showed his muscles, "but I am a limit of that profession. I know you and your relations with Mrs. Smith, I also happen to know your past. So beware. I am in the C. I. D. of the British Raj. Leave my voice alone and have your pleasures. But next time a complaint comes to me from my niece, you know where you will be, Mr. Hunter."

For a moment blood left Mr. Hunter's face. But he was yet Englishman enough to extend his hand and apologise.

"That explains it—you are an educated lot—" he said, "I took you for the common lot."

"My nephews were a vagabond lot, and so I put some money in a boat" explained the bogus C. I. D.

VI

"It is too serious, brother—we do not want scenes but it is fine the husband was warned."

"What business is it of ours?" asked the elder Khak.

"With murder face to face?"

For, Mr. Hunter had proposed to poison Mr. Smith and throw his body in the deeps of Manussal with a stone around the corpse, so that it may tell no tale. Mrs. Smith had shuddered at first but her infatuation for Mr. Hunter was too great. The younger Pandit had heard this murder plot—they talked freely in the *Shikara*.

"Sir," said the elder Khak as Mr. Smith was poring over some books, the while his wife and friend had gone out, "will you believe me if I say that Mr. Hunter is out to kill you."

Mr. Smith laughed. "Of course not—" he said, "we are friends from college days."

"Nor when I say—excuse my impertinence, but it is to save you—that Mr. Hunter is in love with Mrs. Smith and that she reciprocates."

"What are you aiming at?" asked the surprised husband as he lay down his book. "And who are you who speak such faultless English," "Come out and see—" was the reply, "and then perhaps you will believe."

x x x

The *shikara* with Mr. Smith and the elder Khak landed on the other side of the lake. The younger Khak who had taken the lovers, showed the big chenar tree behind which they had disappeared.

Mr. Smith and the elder Khak crept along.

And Mr. Smith saw—

His wife lay in Mr. Hunter's hands "Come away sir—you shall have your vengeance—this man will poison your food tonight—I have a bogus police officer who will terrify him—unless you want more serious action in which case you can inform the police—we can silently get rid of this snake in your household."

VII

"Stop eating that, Mr. Smith—it is poisoned."

The voice burst from behind the dinner table, and the tall and muscular form of the Pandit's uncle emerged.

"Mr. Hunter knows that I know all—so he will make a confession himself. I do not belong to the Kashmir C. I. D. but I can, at this moment, bring the police to arrest him—the food is proof enough. But if Mr. Smith would hush up the scandal, I am game too. But Mr. Hunter must say all himself to his friend."

Mr. Hunter shivered. He madly looked about.

"No one will prevent you committing suicide Mr. Hunter" said the C. I. D. man "but I know you as the biggest coward. Out with your confessions."

And Mr. Hunter said all in shame, regret, anger.

"Go—and take your toy also with you—let me never see you both," said Mr. Smith to his friend and his own wife "and Rai Bahadur, (turning to the bogus policeman) keep the evidence with you in case my divorce claim is contested."

"Mr. Hunter knows I know all about him—he will not come near the divorce court" was the reply.

(Roy's Weekly)

Drainage Channels In Jaffna

PROPOSALS FOR IMPROVEMENT

Comprehensive Scheme Under Consideration

It is learned, says the Daily News, that the Minister of Agriculture and Lands will bring up before the State Council early next year a supplementary vote for clearing and improving the entire system of drainage channels in the Jaffna Peninsula. The Executive Committee recently considered proposals put forward by the Irrigation authorities, and approved of a supplementary estimate being submitted. The vote will be asked under Head 44 (Irrigation Extraordinary).

Apart from the provision made for the recurrent expenditure on major irrigation works in the Northern Province, the current year's Budget contains no provision for any extraordinary irrigation works in that province.

It is understood that a comprehensive scheme for providing an efficient irrigation system in the North by linking up some of the big tanks in the area and by an improved chain of irrigation channels is also under consideration by the authorities.

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Under and by virtue of the commission issued to me in the above Case, the undermentioned Bungalow and Premises will be put up for sale by public auction on Saturday, 6th January 1934 at 3 p.m. at the spot.

All that allotment of land called Paraddai Kadu in extent 1 Acre 2 Rods and 30 Perches situated at Kankasanturai to Keerimalai Road, Pallai in Tellipallai with stone-built Bungalow, Well and other appurtenances belonging thereto and bounded on the East by the property of the heirs of the late Sir A. Kannagasabai, North by road, West by the property belonging to the heirs of the late Nitchingar Chinnappoo now belonging to Dr. Thuraiappan and on the South by the property of Mrugur Sinnanamy and Share-holders.

The above land will also be sold by lots.

V. SELVADURAI,

Commissioner.

Goodyear Palace, Hospital Road, Jaffna.

1-12-33 (Mis. 163, 18, & 21.)

Thesawalame And Its Origin

(Continued from page 3)

Two economic aspects of the Dravidian race in their early or Matriarchal stage are noteworthy in this connection. One is the conception of property as belonging to the community and not to the individuals and the underlying idea was to preserve that property for the future in the interests of that particular community. The other is the tying down of property to females and not to the males, again a surer and safer method of preserving such property for the future.

These two principles were certainly at work in the customs and usages that prevailed among the early settlers of Jaffna from Malabar. But it is doubtful whether the Tarwad and Karanavan system of tenure of property was ever introduced or was ever in vogue in Jaffna. Even in Malabar where each Tarwad consisted of numerous families, tracing descent from some common ancestress the inevitable conflict between a Karanavan's duty towards the other members of his Tarwad and his natural affection for his own wife and children (not belonging to that Tarwad) often gave rise to constant bickerings, and the result has been for such Tarwads to split up into branch Tarwads.

Dowry System a Relic of Marumakkal Thayam Law

In Jaffna where nature smiles but grudgingly to the toil and moil of the agriculturist and the economic conditions less favourable than in Malabar and where individuals and single families had to struggle each for his or her or its own existence, it is hardly possible to imagine that communities or even groups of families condescended to pool their resources together or tolerated the retainance of a common purse and looked up for their feeding and clothing to the senior member of their community or group of families descended from a common ancestor. On the other hand the tendency must have been from the very beginning for the community to split up into smaller groups of families deriving community of property and interests not extending beyond two or three generations. But the idea of community of property at least on a small scale is clearly discernible in some of the provisions of Thesawalame as it had come down to us. Of this more later. I shall content myself with stating for the present that the Dowry System as it has existed in Jaffna for centuries together, is a typical relic of the Marumakkal Thayam law introduced into Jaffna by its earlier Malabar settlers. One of the fundamental principles of Thesawalame law as administered in Jaffna till very recently is that females succeed females; daughters succeed to their mother's property and dowried sisters succeed a dowried sister (தலைக்காரிக்கு ஆணைக் குறைக்காதினா). These are only concrete applications of the general principle of the property descending in the female line from generation to generation.

Suitable to Jaffna Conditions

I have already pointed out in my exposition of the Malabar system that in the Royal household and influential families it was the practice in Malabar for the husbands or the fathers of some members of Tarwad to provide separate houses (தலைக்காரி) and separate properties out of such husband's or father's self-acquired properties thus provided for became separate branch Tarwads known as Tavazhi Illam (தாவழி இலம்). This customary mode of holding Joint Family Property as occasion arose was suitable to the economic conditions of Jaffna and the early settlers from Malabar adopted this mode of tenure of their self-acquired property, as the most practical custom to perpetuate such properties in their families for future generations.

When therefore, a daughter of the early settlers married, she was, according to the custom that prevailed among them in their former place of abode, Malabar, provided with a separate house or a distinct share in the parental house, other landed property, implements of husbandry, household utensils, jewelry etc., suitable to her station in life. This is the origin of the Jaffna dowry system, that is, to use the phraseology of the Malabar Law, the daughter starts the branching off of a Tarwad (Parental communal property) into a Tavazhi Illam (தாவழி இலம்) with her husband as its Karanavan. Viewed in this way each of the dowried daughters in a family may

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be considered a separate Tavazhi Illam branch of the parental Tarwad property. The rule of law of Thesawalame of a dowried sister inheriting the properties of another dowried sister dying issueless to the exclusion of her brothers can be explained only by the principle of Marumakkal Thayam Law, in which, as I have indicated above, one branch of Tavazhi Illam succeeds to another Tavazhi Illam becoming extinct by the death of its last member issueless.

Similarly, the right of a surviving husband to settle upon his daughters by way of dowry any portion of his deceased wife's property—and to this even the highest Tribunal in Ceylon had given legal sanction even in recent times—rests upon the theory of a community of property of a Tavazhi Illam over which the Karanavan had the right of disposal.

Brought Form Malabar

We thus see that the Thesawalame law principles of females succeeding females, the dowry System by which the property of a family was preserved by being tied down to females from generation to generation, daughters inheriting mother's property, a dowried sister succeeding to a dowried sister and the right of the surviving father to dowry a daughter out of the properties of a deceased mother are ultimately traceable to the Matriarchal System of Malabar known as the Marumakkal Thayam Law which the early settlers from Malabar had brought with them to Jaffna.

* Many other matters of our Thesawalame, such as the law of adoption which is now obsolete can be assigned as having their origin from Malabar. The law of Otty Mortgage and the law of preemption both of which are peculiar to Thesawalame are also from Malabar.

The well-known Thevaram Hymn of St. Sundarar beginning, "விழைந்தோரின் குற்றியல் செயல்" cannot be comprehended in all its import and significance unless you are familiar with both the Otty and the preemption laws, as obtaining under the Marumakkal Thayam law as well as under Thesawalame. Under both the systems an Otty-holder has the right of preemption and an owner who sells his land without first redeeming the Otty undergoes the risk of his sale being defeated by the Otty holder claiming the right of preemption.

Free Right of Disposal

Hence, in the stanza of Sundarar "விழைந்தோரின் குற்றியல் செயல்" means that Lord Siva has the free right of disposal over Sundarar as there is no

outstanding right in anybody else as Ottyholder, or incumbent who could raise a voice against such free disposal so far as the saint is concerned. Then follows the Saint's reason for stating that he is an unnumbered property of his Lord, "விழைந்தோரின் குற்றியல் செயல்". "I willingly surrendered myself and became Thy slave for ever and Thou hast full dominium and plenary control. There is no other person to question it. But no master inflicts a wanton cruelty on his slave simply because he happens to have plenary control and there is nobody else having even subsidiary rights over that slave and in a position to protect on behalf of that slave against the doings of the Supreme Master. Thence, Sundarar's lament is "குற்றியல் செய்து கொடுத்தேன். ஆகவே—" "The slave has done no wrong. But it pleased Thee, my Master, to deprive me of my eyesight." "எழைந்த கடினேன் என்றே கொண்டு நீயே பறிப்பீர்." "What reason canst thou assign for inflicting on me the wanton cruelty of depriving me of my eyes? None! And therefore Thou standest condemned." [After so many entreaties from me you have restored my one eye.] "எழைந்த கடினேன் என்றே கொடுத்தேன் வாழ்த்து சொந்தே." "If Thou wouldst not restore me the vision of my other eye as well, may Thou prosper, my plenary Lord!"

It is worthy of note that St. Sundarar in his Devaram Hymns is often seen to display relations as felicitous knock of giving expression to the spiritual relations between himself and Lord Siva and illustrating them by instances of familiar occurrences in daily life. The stanza in question conveys such a truth by citing a system of legal tenure of property in vogue under the Marumakkal Thayam Law and my only excuse for explaining the whole stanza at length is, that the stanza forcibly brings out the restrictions imposed on the free sale of landed property when others of the community have minor rights as Otty, co ownership etc. which have given rise to the law of pre-emption, still a peculiar feature of the Thesawalame Law. And the idea runs through the whole stanza down to the last line.

Sufficient has been said to convince the readers that the Jaffna Thesawalame has its origin from Malabar and in the Marumakkal Thayam Law. How far the later settlers of Jaffna from the Coromandel Coast in the beginning of the 13th Century modified the purely Matriarchal system and combined with it principles of the patriarchal system obtaining amongst the latter will be dealt with in the next contribution.

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