CHAPTER 3
TIYAS OF NORTH KERALA:
SOCIAL STRUCTURE
CHAPTER 3
TIYAS OF NORTH KERALA: SOCIAL STRUCTURE

3.1 Introduction

Tiyas consist of three communities rolled into one. They are known as Billavas, Tiyas and Ilavas (Izhavans) – reckoning from north to south, with a few special names such as Covans, Tiyar, Cannar, etc. They are numerically the largest single community of Kerala. In the hierarchy of castes, some authors consider the Tiyas outside the pale of 'Varna' altogether, and label them as 'Avarna'. Traditionally, Tiya was an untouchable to all those who belonged to the four 'Varnas'. According to F. Fawcett, the Tiyas came from Ceylon. It is recorded in the South Canara Manual that "It is well known that both before and after the Christian era there were invasions and occupations of the northern part of Ceylon by the races then inhabiting Southern India, and Malabar tradition tells us that some of these Dravidians migrated again from Ilams or Ceylon northwards to Travancore and other parts of the west coast of India, bringing with them the Southern tree of coconut (tenginamara) and being known as Tivars (Islanders) or Iravans, which names have since been altered to Tiyas and Ilavars. The Tiyas are always styled Ezhuvan in documents concerning land., in which the Zamorin, or some Brahmin or Nayar Grandee, appears landlord. The traditional occupation of Tiyas is toddy tapping".

Tiyas of Northern Kerala belong to eight illams (clans). The word illam, now used exclusively for the residence of a Namputiri, is supposed to have been used in days of old for the house of a person of any caste. The eight illams

Kalakams are the socio-religious centres of the Tiya community in the old Malabar region of Kerala, where the popular cult of Teyyam performance is prevalent. In olden times there were four Kalakams to look after the sixty-four Villages of North Malabar. They were Perinchellur, Panniyoor, Chegannur and Parappur. It is believed that this set up was in vogue since the time of lord Parasurama. Out of the said four Kalakams three were situated in distant places and for the administrative purpose three other Kalakams were introduced which were very near to Parappur Kalakam. They were Athiranikkod, Mooshikakkulam, Iringalakkuda. All these Kalakams were controlled by Brahmins only. Thereafter several other castes also followed the Kalakam system practiced by Brahmins. They were Tiyas, Maniyani’s and Moosaris in North Kerala. All Kalakams are centred in the worshipping places.

There are four Kalakams in the Tiya community of Northern Kerala. They are 'Kuruvanthatta Kalakam' at Ramanthali, near Payyanur in Kannur district; Ramavilyam Kalakam' at Elambachi, near Trikaripur in Kasaragod district; Nilamangalam Kalakam at Nellika Thuruthi, near Cheruvathur in Kasaragod district; and Palakkunnu Kalakam at Kottikulam in Kasaragod District. Although these Kalakams are socio – religious units for worship, these are not temples as prescribed under the Bhramnical religious concepts. Under
each Kalakam there are a few Dravidian worship centres also. The smallest units of administration was called ‘Tara’. Four Taras constitute a Nalpad and four Nalpad form one Kalakam. Four Kalakams make a Thrikkuttam. Thrikkuttam was attached to a great temple and the leaders of Thrikkuttam were known as Accans who assemble in a kottil. Different levels of assemblies were held according to the gravity of the decisions to be taken. There are two kottils in North Malabar, one at Payyanur and the other at Andallur near Telicherry. It is believed that the last Thrikkuttam was held some hundred and odd years ago.

Kalakams have its own territorial jurisdiction. It controls the socio-religious activities of the Tiyas who fall within the territorial jurisdiction of each Kalakam. Male and female members of the Kalakam pay subscription for the religious as well as social functions of the Kalakam. Defaulters are excommunicated.

Kalakam also functions as the centre for settling the disputes. It often punishes the culprits by way of imposing fines. Excommunication is also common while settling the disputes. Inter-community and intra-community disputes are also redressed by the Kalakams.

Being the centres of worship, Kalakams also host several festivals. The main festivals are Puram, which falls in the months of March – April, Pattusavam (Singing of ritual songs) which is in the months of December – January and Kaliyattam Teyyam festival once in a year and Perumkaliyattam (Mega teyyam festival) conducted once in 25 years. Perumkaliyattam is
common only in the Ramaviliam and Nilamangalam Kalakams, whereas in Palakkunnu Kalakam a festival called 'Kalam Kanippu Ulsavam' is held in the month of February.

3.2 Other classifications of Tiya

Tiyas belonging to different tharawads of different Kalakams are also known on the basis of their place of residence. The members of a tharwad residing in a particular place are called by prefixing the name of that place. If they are distributed all over the places they are called Parakka and so on. The following is the classification of Tiyas of various Kalakams on the basis of the tharwad membership and place of residence:

**Oloda Tiya**

Oloda Tiya are mostly found in Olavara region. The main office of Ramavilyam Kalakam belongs to Oloda Tiya. There are two divisions among them viz., Moothadan and eleyadavan.

**Parakka Tiya**

Parakka means widely spread. The members of some tharawads are spread all over the jurisdictional area of the Kalakam.

**Nellikkal Tiya**

Nellikkal Tiya originally belonged to Nellikkal of Cheruvathur and the Nilamangalam Kalakam falls in the same place and naturally almost all officials of Nellikkal kalakams belong to Nellikkal Tiya. There are two
divisions among Nellikka; Tiya viz., Karadan with higher status and Kaithadan with lower status.

**Vavu Tiya**

Vavu Tiya is another illam of Tiya Community and whose original Tharavadu is Pavoor veedu in Karivellur village.

**Thalakkodan Tiya**

It is believed that Thalakkodan illam is the supreme illam among Tiya (*Illathil Pradhani Thalakkodan* – a Malayalam proverb which means that Thalakkaodan is the dominant lineage). Their original place is Ramapuram in Kannur District. It is believed that Thalakkodan was the headman of the Tiyan in the past. Thala means head, Kodan means holds. They have rights over the Koormbakavu of Kandoth. Another decision is called Kakka Thalakkodan. Ramapuratha Tiyas are considered higher to Kakka Tiyas.

**Puthiyodan Tiya**

They are considered as the new Illam among Tiya. Puthiyathu means new. They have rights over Thaleyanerikavu in Payyannur.

**Pala Tiya**

They are found mostly in Nileshwaram area. There is also a place called Pala in Nileshwaram and it is believed that the Pala Tiya has originated from Pala of Nileshwar.
Pekadam Tiya

This is considered to be the last Illam and the mythology reveals that this is an off shoot of incest relationship. This is considered to be the progeny of incestuous relationship between a man and his maternal sister. Pizhachadam (wrong done) has become Pekadam.

3.3 Teritorial Jurisdiction of Kalakams

All the four Kalakams belong to North Kerala and the three Kalakams are situated in the Northern most district of Kerala called Kasaragod and the remaining one Kalakam called Kuruvanthatta belongs to Kannur district. The boundaries of each Kalakam is described below (see map no. 2)

Kuruvanthatta Kalakam comprises 2 villages namely Ramanthala and Ettikulam of Ramanthala Panchayat excluding Kunnuru. Boundaires of the Kalakam is as follows:

West: Erampuzha East: Kunnaru river
North: Kavvayi river South: Kunnaru

Ramavilyam Kalakam:

Olavara to Udayankunnu is the original Oorkakam (jurisdiction) of Ramvilyam Kalakam. Now it is restricted to four villages, namely, South Trikaripur, North Trikaripur, Udinoor and Padanna Village.
Boundaries:

East: Talichalam Thod  
North: South boundary of Ori

South: Kavvayi River  
West: Arabian sea

Nilamangalam Kalakam:

Nilamangalam Kalakam situates in Cheruvathur Village of Cheruvathur Panchayath in Hosdurg Taluk, Kasaragod District.

The boundaries are:

East: Railway line  
West: Arabian sea

South: Padanna Kadappuram  
North: Kottapuram in Nileshwar Panchayat

The Kalakam area falls in the places like

Thuruthikara  
Kaithakkad

Muzhakkara  
Ori

Kundantemad  
Oriyakkara

Kannankai  
Kizhakkemad

Kundpadanna / Kuttivai  
Erinhimad

Meenkadav  
Orkalam

Polla  
Kathiyandemad

Koyamburam  
Achanthuruthi

Nellikkal  
Nileshwar
The above places belong to Cheruvathur, Padanna, Valiyaparamba, Nileshwar (Panchayaths) and Kanhangad Municipality.

Palakunnu Kalakam comprises 10 ½ villages in Kasaragod Taluk of Kasargod District.

Boundaries:

North : Kizhur South : Chittar
West : Arabian sea East : Kalladakutti

3.4 Democratic system in the Kalakam Administration

There are two types of administration prevailing in the Kalakams. One is traditional office and the other is elected body. Traditional officiants are chosen traditionally from the concerned houses or harwads. Sometimes these offices are open to all members of the Kalakam members. These traditional offices are meant for conducting rituals and festivals. Each Kalakam is ruled by the officials elected democratically in pursuance of their Bye-law framed by each Kalagam.
Ramavilyam Kalakam Administrative Committee was set up in the year 1967. President, Vice Presidents (2) Office Secretary (1) General Council Members (125) and the executive members (25). Constitute the Administrative Committee.

All the members Committee of Tiya community, males after getting a job or married women, are considered as the members. Total number of members belonging are as follows to local committees.

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kuleri mundya</td>
<td>487</td>
<td>379</td>
</tr>
<tr>
<td>Kuruvappalli Arai</td>
<td>584</td>
<td>520</td>
</tr>
<tr>
<td>Tadiyan kovval mundya</td>
<td>581</td>
<td>481</td>
</tr>
<tr>
<td>Padanna Mundya</td>
<td>1167</td>
<td>1132</td>
</tr>
<tr>
<td>Olavera MUNDYA</td>
<td>1168</td>
<td>1206</td>
</tr>
</tbody>
</table>

They elect 125 General Council Members (one general council member for every 20 members) and from the General Council Members and from the general council members they elect 25 members as executive committee members and the office bearers are elected among them. By virtue of this system each member has right to represent the Kalakam administration held once in two years. Every year the committee places the income and expenditure statements before the General Council Members.

Kuruvanthatta Kalakam administrative committee was formed during 1995. President, Vice- Presidents, General Secretary, Secretary and Treasurer
and elected by the committee. Apart from that there are two committees constituted for the administration of two sides (south and north), 18 member Executive Committee is to be formed for North side and 17 member Executive committee is to be formed for southern side. Office bearers are elected annually. Total Tiya houses coming under Kuruwanthatta Kalakamis 415, out of which 150 belong to northern side and 265, belonging to the southern side.

The shrines under Kuruwanthatta are (1) Kuruwanthatta Mundya (North) and Ettikulam Kshetram (South).

Administrative committee was formed in 1964 in pursuance of the Registered Deed vide the Registration No.198/1964 of Trikaripur SRO. Adult male members of all the families are electing the President, Vice Presidents, Gen. Secretary and Secretary. Thus are 19 local committees under the Kalakam.

Palakkunnu Kalakam Administrative Committee was formed and under the name and style of Palakkunnu Bhagavathi Kshetra Bharana Samithi (Palakkunnu Temple Administrative Committee was formed on 5.6.1956 in a General body meeting of the members held at Bhandara Veedu (Treasure House) and got it registered on 15th November 1957 at Hosdurg (SRO vide N.591/57) The office bearers are President, Vice Presidents (3) Treasurer and 42 General body members who are elected by the Tiya community under the jurisdiction of Kalakam. Three Taras such as Perumuditara, Meltara, Keeltara consists 10 ½ villages in the present Kasaragod District. Election is held once in two years.
Out of the four Kalakams Nilamangalam and Palakunnu publish the Income and Expenditure by printing the statement and place before the general council. Whereas Ramavilyam Kalakam keeps it in writing in the Account books after passing it before the Annual General Body Meeting. Kuruvanthatta Kalakam has two committees like north and south.

Democratic system is seen in all the four Kalakams. But women are not allowed to vote and they cannot hold the office. There is no restriction in holding the office for more than one time. All the above Kalakams were under the control of one or two families belonging to that area. They were supposed to be the custodians of the Kalakam property until the Administrative committee was formed by democratic system. Education among the Tiya community people and the freedom movement of North Kerala paved the way for democratic thinking among the Tiya community. The Independence of India had also helped to the liberation of Kalakam from the Tiya harwads (Ancestor houses). Deterioration of agricultural land holdings due to the increase in population, forced the traditional custodians to give up the Kalakam administration due to the dearth of funds. Education system and the spread of democratic ideals etc also paved the way for bestowing the powers to the people. Disappearance of feudalism is another cause for the emergence of administrative committee as the feudal heads like Koyma and Madambi became landless and they were unable to meet the expenditure of the Kalakam festivals and ceremonies.
3.5 Kalakam as a Socio-religious institution

Kalakam serves as a socio-religious institution of Tiya community. Palakunnu Sree Bhagavathi Temple Administration committee was registered on 29.10.1957 (vide No. 591/57) and by the virtue of the Bye-law the powers had transferred from Appudu Pujari to the Tiyas of three Taras. In the year 1968 Temple education society was also founded to encourage and support education among Tiyas of Palakkunnur Kalakam. It has chapters in U.A.E. They have contributed in constructing shopping centres and Nursery school Building.

Educational Association of Palakunnu is supported by Kalakam Administration Committee. They had started a Tutorial College and elevated it as parallel college after one year. A new Nursery school building was inaugurated in the year 1982.

Library with three branches is another achievement of the Administration Committee. The main library functions in the Kalakam compound and the branches are housed at Chettukundu, Alacode and Thanneerpuxha Madom.

Members can avail loans from the Administrative committee against small interests. This has helped hundreds of members to meet their financial requirement, especially marriage and school admissions. The library facilities are provided to all persons belonging to this area. But Muslims, who equal the Tiya population in this area never availed the library facilities. Kazhcha committees are cultural organisations working under the Administrative
Committees to conduct Kazhcha – Procession from different places during the festivals.

The socio-religious function of Palakkunnu kalakam can be summarised as follows:

1. Library with three branches.
2. Parallel college to teach the students in college level.
3. Ambika ALP school.
4. Reading Rooms
5. Loan scholarship to the Poor students.
6. Awards and prizes to the meritorious students.
7. Bajans on Saturdays.
8. Cultural programmes on Sreenarayana Guru Birthdays.
9. Vidyarambam⁵ on Vijayadasami day.
10. Shopping complex.

Sri Rama Vilyam Kalakam Perumkaliyattam which concluded in the year 1949 initiated to start a co-operative society under the name and style of Kulari Service Co-operative Bank at Trikaripur with more than 7000 membership. The society was formed immediately after the success of the Perumkaliyattam and the organising committee turned as the promoters of the society.
Kuruvappalli, the subshrine of Ramavilyam Kalakam is conducting a tuition centre to help the educationally backward students. They have also started a nursery school. It has 43 students studying in LKG and UKG classes. Screen Printing unit is another establishment started by Kuruvappalli sub shrine of Ramavilyam Kalakam to extend vocational training to the unemployed youths of this area. Disbursement of school books worth Rs. 250 to 100 poor students is another activity done by Kuruvappalli committee. Free tuitions are also given to the students of this area by the shrine.

Kulerimundya, another sub shrine, under Ramavilyam Kalakam distributes cash awards to the I class holders of SSLC examination. Study materials are also given to the 1st standard students coming under their jurisdiction.

Another activity sponsored by Kuleri mundya is that the cremation expenditure is met by them at the time of death of their members.

Educational assistance are also given by Olavara Mundya committee to the poor students.

Kuruwanthatta Kalakam has been granting scholarship to the successful students of three classes, starting from VIII standard. During 2001-2002 Nine students were given scholarships.

Financial assistance for treatment of diseases is another activity undertaken by the Kalakam. Rs.35999/- was disbursed during 2001-2002 under this head. Vessels, lights, glass and plates for marriage functions are given...
rent free to the members of Kuruvanthatta Kalakam. Funeral charge is exempted to the Tiya community members.

An educational society was formed in the year 1983 and it has conducted the following classes

1. Bhagavad Gita Class
2. Tailoring class
3. Embroidery class
4. Computer awareness Class
5. Legal education class.

Scholarships were given to the students studying in IV, VIII and SSLC standards. They have constructed an auditorium and it was opened for cultural programmes and marriage functions. There is a Purukkali troupe for performing Poorakkali (a folk art form) in and out side of Kerala.

All the above activities show that the Kalakams have been instrumental for the socio-cultural, educational, and economic development of Tiya community of Northern Kerala.

The major activities of the Kalakams can be summarised as follows:

<table>
<thead>
<tr>
<th>Economic</th>
<th>Educational</th>
<th>Cultural</th>
<th>Social</th>
<th>Religious</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4. Legal literacy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Library</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. Schools</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.6 Administration of Justice in Kalakams

Out of the four Kalakams two Kalakams such as Nilamangalam Kalakams at Thuruthi and Palakunnu Kalakams at Kottikulam settle the disputes within the Kalakams. The disputes between the members belonging to the particular kalakam, and the disputes between the shrines under that particular Kalakams are also settled in the Kalakams. Kuruvanthatta and Ramavilyam Kalakamdo not have these functions. This may be due to the non existence of community life under their jurisdiction. The place Thuruthi where Nilamangalam Kalakam is situated is an Island with 98% of the family belonging to Tiya community. But in the Palakunnu Kalakam whose adjoining shrine belonging to Mukkuvan (Fisherman) also follow the principles of divine justice. They call it Kadal Kodathi. Kodathi in Malayalam means Court and Kadal means sea. The disputes pertaining to the sea is important among the Mukkuvan community. The theft of fish from the wooden boats, breaking the taboos and entering sea for fishing, inter-caste marriage etc. are dealt here. This Kadal Kodathi is an assembly of the total community members because all the community members live together in the sea shore. There is another shrine in Muliyar, namely, Kanathur Sree Nalvar Bhoothasthanam, a shrine devoted for four gods. There the Trustee of that particular temple settle the dispute. People from out side Kerala are also visiting this temple for getting their disputes redressed. Civil cases such as not returning the loan amount, boundary disputes of the neighbouring people, taking into the custody of others cattle, killing the cocks etc. are the disputes usually come for settlement.
In Nilamangalam Kalagam, a dispute arises when one member of that Kalakam or a non-member complains about an injustice done by another. After receiving the complaint, the authorities send a messenger, who is called Kaliyan (cowboy) whose main duty is to maintain the cattle (buffaloes) of the Kalakam. Here the buffalo milk is used to prepare the Nivedyam – divine food. Kaliyan’s additional job is to issue summons to the wrong doers. The respondent usually appears before the Kalakam on the particular day to which he is called for. The summon is given orally. It says that he is called upon to answer the charges leveled against him by so and so. On a particular day which was already fixed on the Kalakam authorities, the Kshetresanmar arrive early in the morning at the Kalakam. All the Achanmar and Kootayikkar go for taking bath from the Kalakam tank. After this bath they salute the deities and prepare to hear the disputes. Sometimes the disputes will be settled even before it is taken up by the divine court. Bandarapura – the house where the treasure is kept is the dwelling house of the temple authority and it is considered to be a sacred house. The brass lamps, umbrellas, swords, stick etc. are also kept in that house. Preliminary hearing takes place in that house before it is taken to the Kalakam. If the dispute is not settled from there the matter will be taken to the ‘Padippura’ (threshold). There are two Padippuras in the front side of the Nilamangalam Bagavathi’s sanctum sanctorum. In the right side Achanmar sits and on the left side Kuttayikkar sits.

Kuttayikkar presents the cases before the Achanmar. The complainant and the accused persons can put forward their arguments with the help of
evidences. Evidence is to be corroborated by documents or oral testimony. After hearing the case judgement is pronounced immediately or can be deferred for seeking more evidence. Usually the judgements are not deferred but in exceptional cases it is also allowed for want of time for finding a solution.

Achanmar discuss the matter between them in front of the complainants and the accused persons and arrive at a judgement.

Eldest man pronounces the judgement with the concurrence of others. If there is difference of opinion among the verdict, majority decision is binding.

The disputes may be broadly classified as follows:

1. Dispute between two members/families.
2. Dispute between a member of a family and the community/Kalakam.
3. The dispute between two shrines falling under the Kalakam.
4. The dispute between two Kalakams.
5. Disputes between a number and a non-member.
6. Disputes between two non-members.

The disputes between two members or two families are common. Financial matters, property disputes related to cattle are fall under the first category.

Dispute between one family or a member and the community at large or Kalakam is the other one. Inter caste marriages, marriage between prohibited
categories of kinsmen are also common. Non-payment of subscription to the Kalakam etc. are coming under this category.

There are many cases of disputes between two such disputes are also settled by the Kalakams.

Dispute between two Kalakams in respect of jurisdiction will come under this category. Disputes between one member belonging to one Kalakam and non-member/non-Tiya /non-Hindu is also dealt in Kalakam if the other agrees to do so.

The last category is a dispute between two non-members. In this case also both parties have to agree for adjudication. An account of the disputes recorded at Kalakam offices of the four Kalakams are given below. It may be noted that most of the disputes reported to the Kalakams, expect the one reported to Kuruwanthalta Kalakam, are settled by the Kalakam authorities.

**Ramavilyam Kalakam**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of disputes in each category</th>
<th>Whether settled or not</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>1961-70</td>
<td>35</td>
<td>3</td>
</tr>
<tr>
<td>1971-80</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>1981-90</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>1991-2000</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
2 Nilamangalam Kalagam

<table>
<thead>
<tr>
<th>Year</th>
<th>Category</th>
<th>Whether settled or not</th>
</tr>
</thead>
<tbody>
<tr>
<td>1961-70</td>
<td>1712</td>
<td>314</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>1971-80</td>
<td>913</td>
<td>810</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>1981-90</td>
<td>710</td>
<td>340</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>1991-2000</td>
<td>640</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

3. Kuruvanthatta Kalakam

No dispute was settled for the last 40 years

4. Palakkunnu Kalagam

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>1976-70</td>
<td>3114</td>
<td>212</td>
<td>14</td>
<td>0</td>
<td>14</td>
<td>17</td>
</tr>
<tr>
<td>1971-80</td>
<td>2112</td>
<td>19</td>
<td>8</td>
<td>0</td>
<td>4</td>
<td>23</td>
</tr>
<tr>
<td>1981-90</td>
<td>1138</td>
<td>36</td>
<td>17</td>
<td>0</td>
<td>0</td>
<td>14</td>
</tr>
</tbody>
</table>

3.7 Basic Legal theories followed by the Kalakams

While considering the legal theories to followed administer the justice in Kalakam we find that it is customary in nature. The term ‘custom’ is used in a variety of senses: local custom, usage (some times known as conventional custom) general custom and the custom of the courts. Customs are always the result of slow growth when a group has been doing a thing regularly over a substantial period of time. It is usual to say that they are accustomed to doing it. Their habit may not concern anyone but themselves or at most their those
within his immediate circle. Customary law is practical by Kalakams over a period of time. Almost all disputes are settled by the Kalakams without taking it to the court of law. But the cases of criminal nature are not dealt with by themselves.

Every law has a ‘directive’ and a ‘sanctional’ or ‘indicative’ part. The former concerns the aspects of the sovereign’s will towards an act-situation; the latter concerns the force of a law. Command is only one of four aspects of the sovereign’s will, permutations of which comprehend the whole range of laws.

1. Not giving subscription to Kalagam
2. Inter caste marriages
3. Marriage with prohibited relatives
4. Domestic disputes
5. Property disputes
6. Cheating
7. Non-cooperation in Kalakam activities
8. Misbehaviour
10. Desertion
11. Illicit relationship
The wrongs are punished with fine, refraining the Vannathi from the
supplying the washed cloths (Vannathi mattu), segregation, ex-communication
eetc.

All the above punishments are in accordance with the theories of
punishment practiced by modern society.

Theories of punishments are as follows

(a) Deterrent theory (Deterrent Punishment):

Salmond considers the deterrent aspect of punishment to be the most
important. To quote him: “Punishment is before all things deterrent and the
chief end of the law of crime is to make the evil doer an example and a warning
to all that are like-minded with him. “ A similar view was expressed by Locke
when he stated that the commission of every offence should be made “a bad
bargain for the offender”. According to the deterrent theory of punishment, the
object of punishment is not only to prevent the wrongdoer from doing a wrong
a second time but also to make him an example to other persons who have
tendencies. The aim of punishment is not revenge but terror. An exemplary
punishment should be given to the criminal so that others may learn a lesson
from him. The view of Manu was that “penalty keeps the people under control,
penalty protects them, penalty remains awake when people are asleep, so the
wise have regarded punishment (danda) as a source of righteousness”. Again,
“people are in check by punishment, for it is difficult to find a man who by
nature sticks to the path of virtue and this world is unable to afford sources of
enjoyment through fear of punishment”. Paton writes: “The deterrent theory emphasizes the necessity of protecting society, by so treating the prisoners that others will be deterred from breaking the law.”

(b) Preventive Theory (Preventive Punishment)

Another object of punishment is preventive or disabling. The offenders are disabled from repeating the offences by such punishments as imprisonment, death, exile, forfeiture of office etc. By putting the criminal in jail, he is prevented from committing another crime. By dismissing a person from his office, he is deprived of an opportunity to commit a crime again. Paton writes: “The preventive theory concentrates on the prisoner but seeks to prevent him from offending again in the future. Death penalty and exile serve the same purpose of disabling the offender.” Justice Holmes writes: “There can be no case in which the law-maker makes certain conduct criminal without his thereby showing a wish and purpose to prevent that conduct. Prevention would accordingly seem to be the chief and only universal purpose of punishment. The law threatens certain pains if you do certain things, intending thereby to give you a new motive for not doing them. If you persist in doing them, it has to inflict the pains in order that its threatens may continue to be believed.”

(c) Reformative Theory:

According to this theory, the object of punishment should be reform of the criminal. Even if an offender commits a crime, he does not cease to be a human being. He may have committed a crime under circumstances which
might never occur again. The object of punishment should be to bring about the moral reform of the offender. He must be educated and taught some art or industry during the period of his imprisonment so that he may be able to start his life again after his release from jail. While warding punishment, the judge should study the character and age of the offender, his early breeding, his education and environment, the circumstances under which he committed the offence, the object with which he committed the offence and other factors. The object of doing so is to acquaint the judge with the exact nature of the circumstances so that he may give a punishment which suits the circumstances.

(d) Retributive Theory:

In ‘primitive society’, punishment was mainly retributive. The person wronged was allowed to have his revenge against wrongdoer. The principle of “an eye for an eye”, “a tooth for a tooth” was recognized and followed. Justice Holmes writes: “It is commonly known that the early forms of legal procedure were grounded in vengeance.”

(e) Theory of Compensation

According to this theory, the object of punishment must be not merely to prevent further crimes but also to compensate the victim of the crime. The contention is that the mainspring of criminality is greed and if the offender is made to return the ill-gotten benefits of the crime, the spring of criminality would dry up.

Viewing the above theories, segregation and communication punishments fall under the different theory as it is a warning to others.
Imposing fine is the preventive punishment and refraining the washer woman from giving the washed clothes is a reformative punishment. Retributive theory has no application in the Kalakam jurisprudence.

This system is based on the customary law prevailing in the community. Punishments are mostly reformative in character in which the wrongdoers can come back to the community fold after paying the fines. These sort of punishments show the unquestionable powers of the Kalakam.

There are several instances in which the other castes follow the Kalakam verdict. This is the classical example of the might of Tiya community in this area.

Administration of justice of Kalakam follow the principle of natural justice while giving the opportunity for hearing the opposite side. Unilateral decisions are not common and hence the judgement is binding to both parties.

The disputes are civil in nature and criminal offences are not considered for redressal.

3.8 Structure of a Kalakam shrine

Astrologically the Kalakam shrine and the premises is divided into 12 Rasis. This division is in accordance with the vastushastra. The temple premises are divided into 12 parts that is in accordance with the Rasi chakram. The twelve months are:
<table>
<thead>
<tr>
<th>Sanskrit</th>
<th>Malayalam</th>
<th>Zodiac</th>
<th>English</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mesha</td>
<td>Medam</td>
<td>Aries</td>
<td>April-May</td>
</tr>
<tr>
<td>Vrishaba</td>
<td>Edavam</td>
<td>Taurus</td>
<td>May-June</td>
</tr>
<tr>
<td>Mithuna</td>
<td>Mithunam</td>
<td>Gemini</td>
<td>June-July</td>
</tr>
<tr>
<td>Kadaka</td>
<td>Karkadakam</td>
<td>Cancer</td>
<td>July-August</td>
</tr>
<tr>
<td>Simha</td>
<td>Chingam</td>
<td>Leo</td>
<td>August-September</td>
</tr>
<tr>
<td>Kanya</td>
<td>Kanni</td>
<td>Virgo</td>
<td>September-October</td>
</tr>
<tr>
<td>Tula</td>
<td>Tulavam</td>
<td>Libra</td>
<td>October-November</td>
</tr>
<tr>
<td>Vrischika</td>
<td>Vrischikam</td>
<td>Scorpio</td>
<td>November-December</td>
</tr>
<tr>
<td>Dhanu</td>
<td>Dhanu</td>
<td>Sagittarius</td>
<td>December-January</td>
</tr>
<tr>
<td>Makara</td>
<td>Makaram</td>
<td>Capricorn</td>
<td>January-February</td>
</tr>
<tr>
<td>Kumba</td>
<td>Kumbham</td>
<td>Aquarius</td>
<td>February-March</td>
</tr>
<tr>
<td>Meena</td>
<td>Meenam</td>
<td>Pisces</td>
<td>March-April</td>
</tr>
</tbody>
</table>

Again the 12 Rasi Chakra has its own planets.

Medam - Chovva (Mars)

Edavam - Shukran (Venus)

Mithunam - Budhan (Mercury)

Karkatakam - Chandran (Jupiter)

Chingam - Adithyan (Sun)
Kanni - Budhan (Mercury)
Tulavam - Shukran (Venus)
Vrischikam - Chovva (Mars)
Dhanu - Vyazham (Jupiter)
Makaram - Shani (Saturn)
Kumbham - Shani (Saturn)
Meenam - Vyazham (Jupiter)

There are two more planets used in astrology which are Rahu and Ketu.

Ketu is the ninth constellation and is dragon’s tail.

Each planet has its own presiding deities such as:

<table>
<thead>
<tr>
<th>Planets</th>
<th>Presiding deities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chovva</td>
<td>Kali</td>
</tr>
<tr>
<td>Shukran</td>
<td>Female gods (Annapoorneshwari)</td>
</tr>
<tr>
<td>Budhan</td>
<td>Vishnumoorthi</td>
</tr>
<tr>
<td>Vyazham</td>
<td>Lord Vishnu</td>
</tr>
<tr>
<td>Shani</td>
<td>Shasthav, Chamundi, Ayyappan</td>
</tr>
<tr>
<td>Chandran</td>
<td>Female Goddesses (Saraswathi)</td>
</tr>
<tr>
<td>Adithyan</td>
<td>Shivan</td>
</tr>
<tr>
<td>Kethu</td>
<td>Pottan Theyyam, Devil worship</td>
</tr>
<tr>
<td>Rahu</td>
<td>Snake gods</td>
</tr>
</tbody>
</table>
Rashi chakra can be drawn as follows

<table>
<thead>
<tr>
<th>Meenam</th>
<th>Medam</th>
<th>Edavam</th>
<th>Mithunam</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kumbham</td>
<td></td>
<td></td>
<td>Karkidakam</td>
</tr>
<tr>
<td>Makaram</td>
<td></td>
<td></td>
<td>Chingam</td>
</tr>
<tr>
<td>Dhanu</td>
<td>Vrischikam</td>
<td>Thulavam</td>
<td>Kanni</td>
</tr>
</tbody>
</table>

In the above table it is clear that the idol or the seat of the deities are decided in accordance with the Rasichakra (Zodiac). Each deity has its own Zodiac.

The deities and their Zodiac and its corresponding presiding deities are as follows.

The great and little traditions in the customs of Tiyas can be summarised as under:

**Palakunnu Kalakam**

<table>
<thead>
<tr>
<th>Planet</th>
<th>Little tradition</th>
<th>Great tradition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chovva</td>
<td>Mooth Bhagavathi</td>
<td>Kali</td>
</tr>
<tr>
<td>Chandran</td>
<td>Ilaya Bhagavathi</td>
<td>Saraswathi</td>
</tr>
<tr>
<td>Adityan</td>
<td>Dandan</td>
<td>Sivan</td>
</tr>
<tr>
<td>Shani</td>
<td>Gantakarnan</td>
<td>Sivan</td>
</tr>
<tr>
<td>Vyazham</td>
<td>Sreekurumba</td>
<td>Vishnu</td>
</tr>
</tbody>
</table>
### Ramavilyam Kalakam

<table>
<thead>
<tr>
<th>Planet</th>
<th>Little tradition</th>
<th>Great tradition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chovva</td>
<td>Padakkathi Bhagavathi</td>
<td>Kali</td>
</tr>
<tr>
<td>Chandran</td>
<td>Poomala Bhagavathi</td>
<td>Saraswathi</td>
</tr>
<tr>
<td>Adityan</td>
<td>Poomaruthan</td>
<td>Sivan</td>
</tr>
<tr>
<td>Budhan</td>
<td>Vishnumoorthi</td>
<td>Vishnu</td>
</tr>
<tr>
<td>Shani</td>
<td>Chamundi</td>
<td>Parvathi</td>
</tr>
</tbody>
</table>

### Nilamangalam Kalakam

<table>
<thead>
<tr>
<th>Planet</th>
<th>Little tradition</th>
<th>Great tradition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chovva</td>
<td>Nilamangalam Bhagavathi</td>
<td>Kali</td>
</tr>
<tr>
<td>Chandran</td>
<td>Poomala Bhagavathi</td>
<td>Saraswathi</td>
</tr>
<tr>
<td>Budhan</td>
<td>Vishnumoorthi</td>
<td>Vishnu</td>
</tr>
</tbody>
</table>

### Kuruvanthatta Kalakam

<table>
<thead>
<tr>
<th>Planet</th>
<th>Little tradition</th>
<th>Great tradition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chandran</td>
<td>Poomala Bhagavathi</td>
<td>Saraswathi</td>
</tr>
<tr>
<td>Chovva</td>
<td>Sri Kurumba Bhagavathi</td>
<td>Kali</td>
</tr>
<tr>
<td>Adityan</td>
<td>Poomaruthu</td>
<td>Shiva</td>
</tr>
<tr>
<td>Budhan</td>
<td>Vishnumoorthi</td>
<td>Vishnu</td>
</tr>
</tbody>
</table>
There is no separate shrine for the deities Poomala and Sri Kurumba in Kuruvanthatta. But two pedestals are fixed in the sanctum sanctorum for worshipping Poomala and Sri Kurumba. There are two types of Poojas prevalent in the shrines of north Kerala. One is Sathwikam ie only vegetarian food is offered and the other is Thamogunam (Dispersing the darkness) where offering of chicken, toddy etc. are common. Sathwika pooja is extended to Poomala and Thamogunam pooja is extended to other deities. But in the compound wall of Poomala only satwika pooja is extended to other deities also.

The structure of the Kalakams are in accordance with the vasthu sastrha which had no application in the shrines of olden age. When following the principles of vasthu sastra, they have to depend upon the Tantris and other Bhramins for re-installation of deities and purificatory ceremonies in the Kalakams. It is also clear that all the folk deities are compared with the deities of high tradition. Hence it may amount to sanskritisation.

3.9 POOMALAKKAVU AND POOMALA KSHETRAM

Among the four Kalakams, members of three Kalakams worship a female deity called Poomala Bhagavathy. The Kalakams worshiping the deity are Kuruvanthatta, Romavilyan and Nilamangalam. Further, Kuruvantha Kalakam is considered as the first abode of the deity. It is believed that she traveled to the places of other two Kalkams at a later date.
The Tiya community of North Kerala has ‘Poomala Bhagavathy Kavu’ sacred grove and ‘Poomala Bhagavathy Kshetram’ (temple), where the 'Poomal Bhagavathi' is the main deity. But there are very few exceptions like Maniyara Poomalakkavu near Payyanur which belongs to ‘Asari’ (Carpenter) community. The 'Poomalabhagavathy' does not have ‘Teyyam Performance’. The idol of Bhagavathy is also not worshipped, on the other hand the insignia of Bhagavathy on the pedestal, and devine lamps are worshipped. In some shrines 'Veerallippattu' is also seen in the sanctum sanctorium. The myth of the Poomalabhagavathy has it that, 'Poomalika (also known as Mantrakanni), daughter of Aryarajan, the King of 'Aryanandu', undergoes the penance in the auspicious mouth of 'chaitram' (month during which she collects flowers with thousand friends of her’s.) After collecting the flowers she takes a holy dip in 'Aryaponkulam' and returns. While returning, she faints. An astrologer was summoned by the king who predicts that it is the time for 'Poomalika to make voyage towards 'malanadu' by 'marakkalam'. The king also summoned the carpenters to build a wooden ship containing 49 cabins for her and friends to sail down to 'malanadu' crossing 108 'ashimukham', to reach the land ruled over by Ezhimannan, the king of Ezhimala. However, she landed near Ramathali, which lies in the north and adjacent to Ezhimala, and made Ramanthali her domain. The myth goes like this. After crossing 107 'azhimukham' the ship crossed 'edathur azhi’ from where the ship touched land and it became stone. The place of her arrival has become a shrine and is called ‘Kuruvanthatta kalakam’, which obviously is the first seat of
Poomalabhagavathy. Diverse stories are found about this deity. One of the songs in markkalapattu says that Ramavilyam kalakam' was the first seat of Poomalabhagavathy. Then she visited other places like Maniyara, Thaleneri, Ramavilyam, Vayalapra, Vadakkankovil, Aneekkara, Kanakam, Kunnacherry, Koyonkara, Kuttamath, Palayi, Pothavoor, Vellur, Kollampara, Pacheni etc. All other places became Poomalakkavus and Poomalabhagavathy is worshipped. The story of Poomalabhagavathy, her voyage and visit is sung in the form of 'Marakkalappattu' and saluting songs of Poorakkali by Panikkers. It is also seen in the Marakkalappattu that 'Poomaruthan', a warrior who was also worshipped along with Poomalabhagavathy in Teyyam form, escorted her from Aryanadu. There are different notions about the accompaniment of Poomaruthan along with Poomalika. One says that Poomaruthan influenced her with the form of a wind while plucking flowers from 'Devalokam', and he accompanied her upto Aryanadu and lived together as brother and sister. According to another version Poomalika met Poomaruthan while her voyage was going towards Malanadu in 'Markkalam' (wooden ship) from Poomaran Kotta. Others who joined the voyage were 'Boothaganas' and 'Cheerma'. Aryanadu or Aryapuram is identified as the Aihole which belongs to Badami Taluk of Bijapur District. (Kurp,1980:331). It was the capital of Chalukya kings during 7th and 8th centuries. Ayihole was one of the Brahmina centres in India. Poomala is also considered to be a Brahmin devi. Animal sacrifice is strictly prohibited to Poomalabhagavathy. It is also seen that Teyyakkolam of Aryakkara Bhagavathy (another form of Poomalabhagavathy) turns her face.
while sacrifice is done to the other deities during the 'Kaliyattam'. Poomala is also considered as the goddess of disease – 'Vasoori' (smallpox). Both of these deities have no Teiyyakkolam. It is also believed that even prior to their visit to North Kerala, Teyyam was prevalent. Sreevaravilyam Kalakam also endorses this fact, as 'Padakkathi Bhagavathy', the principal deity granted a seat to Poomala and also ordered the devotees to worship her. The cults of Dravida and Arya elements are involved in the of Poomalabhagavathy.

The visit from one place to another by the goddess is usually done using the medium the palm leaf umbrella made of palm leaves. When one elderly man or 'Karnavar' returns after his worship, the goddess pleased with his devotions goes with him under his umbrella. Understanding the influence of the goddess, he places the umbrella at her feet and starts worshiping her.

The important festivities of Poomalabhagavathy temple are 'Kalathilariyum pattum' and Pooram. In the former the 'ganakan' (Kanishan) sings 'marakkalappatu' in all the seven days and on the eight day he puts rice around the shrine. It is an eight days' festivity ending with 'thengayeru', While singing the marakkalaoattu the singer holds a wooden instrument called 'Javu' (a folk instrument similar to Veena). 'Kalathilariyum pattum' is done during the month of either 'Vrischikam' or 'Dhanu'. It also starts from the Karthika month like Pooram festival. As well decorated 'pandal' is erected in front of the shrine and the singer sits under it and sings the 'marakkalappattu.' during the whole night. Pure vegetarianism is observed during the 'Pattu' season.
Daily poojas are not common in Poomalakkavu. Instead, pouring of rice inside the sanctum sanctorium is done on all 'Sankrama' days and first Tuesdays. Lighting lamps in the twilight on the outer walls of the shrines is also done daily by 'Anthithiriyar'. In Kalakams and big shrines there is a separate dwelling place for him called 'Vannarappura'. All these rituals have some connections with Jainism. Vegetarianism, the symbol of umbrella using leaves of palmirah tree, singing of songs and Poorakkali had its roots in Jainism. The shrines of North Kerala are also known as 'palliyyaras'. It is traced to the word 'Palli', which were the worshipping centres of Jains. The ' Thalappoli' festivals performed in the Southern side of Malabar is also considered as the contribution of Jains. Like the Pooram festival of North Kerala, the protagonist of 'thalappoli' are also virgin girls. Another thing is the relevance of umbrellas in the festivities of Jains. One of the customs in these shrines is the carrying of umbrellas in a procession around the shrine. It is called 'Kudayzhunnallippu'. 'Kudayilakkam' is also a major event pertaining to the festivities. Here the umbrella is carried with its long pole and taken round the shrine and when the carrier gets possessed the umbrella trembles. The 'Kudakkar' (umbrella carrier) starts the procession very slowly and becomes very speedy when he gets possessed. In some shrines brazen umbrellas with paraphernalia are used.

In 'Velichappads' are the representatives of the god. They usually do not grow their hairs and they also wear ear studs like 'anthithiriyanmars.'
The other festivity of Poomalakkavu is Pooram which falls in the month of 'Meenam'. In some Poomalakkavus, teyyams are performed.

The administration of Poomalakkavu is looked after by a set of people consisting of 'vilichappadu', 'anthithiriyanmar' 'Koottuvayikkar' and 'samudayis'.

Poomalabhadagavathy is considered as a 'gramadevatha' (village godess). The worship of village godesses is the part of mother godess worship prevalent in olden days. There were about 140 rural godess in Gujarat and named as Matha, Amma, Amba, Ambama etc. The voyage of Poomalabhadagavathy also discloses that the Devi had come from a long distance through sea by a wooden ship.

Poomalabhadagavathy is considered to be a deity came to north Kerala through voyage. The migration of Tiya is also through a voyage from other parts of the world. Poomala bgagavathi is a bhramin deity and while worshipping her Tiya follows the tradition of Bhramins and this is the result of sanskritisation among the tiyas. Elements of Buddhism and Jainism are also seen in the Poomala Bhagavathi cult. Rituals and symbols leads us to the sanskritisation of Tiya rituals.

3.10 Role of Kalakam in Teyyam performance

Kalakam has an important role in performing Teyyams under their locality. Among the total Teyyam shrines and Kavus under a Kalakam majority occupied by Tiyas. More over all Teyyam performances, the Kalasam (Toddy)
and the palm leaves (dry leaves for torch and tender leaves for costumes) are supplied by Tiyas. Kalakam heads (oracles) are also visited the Teyyam performing places to including the houses to overlook the performance. Sometimes they became trance at the time of Teyyam. “Tiyan moothal Teyyam” (when Tiyyan gets older he will become Teyyam) is an old saying prevalent in this area will support their roll in Teyyam. Teyyam performance is prohibited in other places at the time of festivals in Kalakam. No Teyyam is performed at the time Patulsavam (song festival). Like wise Teyyam performance is a taboo during the Pooram festival, as Kalakam place in major role in the festival. Kalgams restriction or prohibition on Teyyam performance is another example of supremacy of Kalakam in Teyyam performance. An example can be cited from the Ramavilyam Kalakam. During 1980 two Vattalams (a large cooking vessel made of brass) were stolen by a nearby Teyyam performer belonged to Malayan community, whose performance was prohibited by the Kalakam. After that the whole Teyyam by the Malayan community were ordered to be prohibited Ramavilyam Kalakam. Almost all shrines ocntrolled by them and even the other communities were also followed the dictum. Some shrines even thought of bringing the performers from distance places. A shrine situates outside the Kalakam territory had also followed the dictum. This prohibition lifted only after 5 months after tendering an apology by the Malayan community organisations.

Kalakam has a dicisive role in conducting Teyyam in their jurisdiction. Since Tiya community has an upperhand in the Teyyam festivals,
Kalakam being their socio religious institution it has a leading role in the performance. Kalakam's decision is binding to all people who worship teyyams. The performers cannot ignore the dictum opassed by a Kalakam.