Chapter - V

MARRIAGE AND POSITION OF WOMEN

I

MARRIAGE

The most important sacrament in the life of a person is marriage. In almost all communities of the world the institution of marriage is known since pre-historic times and it is difficult to precisely trace the origin of this custom. It is not for the fulfilment of sexual needs of a man that marriage is required but it is essential for the smooth functioning of a civilized society in an organized manner. Marriage is as important in one's personal life as it is for the social life of a community because beyond the physical needs and procreation it involves stable and happy family life. The latter forms the basic unit of society. From the beginning marriage is considered to be an essential part of life. Though the Rgveda does not contain any detailed discourse on it, yet the description contained in the Marriage Hymn that describes the wedding of Surya we get an account of the significant attached to it. It says that marriage opens a new period in the holy life at the altar for performance of good deeds. The fourteenth kanda of the Atharvaveda is entirely devoted to the hymns connected with marriage. The Taitirīya Brāhmaṇa clearly lays down that a man without a wife is unholy and unworthy of performance of sacrifices. Even Zend Avesta says that the oblations offered by a maiden or by a bachelor are unacceptable to gods. The Pañchavimśa Brāhmaṇa says, “Heaven and earth were once together; when they were separated; they said, ‘let us bring about a marriage, let there be co-operation between us’.” The Śatapatha Brāhmaṇa also says that wife is better half of man (ardhāṅgini) and till a man marries and has children he is incomplete. The Brhadāraṇyaka Upanishad says that the man was alone in the beginning. He was divided into two parts to create man and wife for the continuation of the world. The Mahābhārata unequivocally says that since wife is the root of three Purushārthas – dharma, artha and kāma, she is the best friend of man; therefore, a home is not a home without wife. The later literature is full of such references. Even Kālidāsa has said Gṛhini gṛhatma uchayate i.e. a home is home only with wife. Mahānu, the most famous of the lawgivers, has put the Grhasthārāma above all other stages of life and says that one may forego either or...
all the three stages of life but must enter into the householder’s life because householder is as essential for the society as air is for life\textsuperscript{10}. The very concept of the three debts (trīṛṇa- deva, yajña and pītṛ) that a man had to repay in his lifetime was not possible without one getting married and leading householder’s life. Wife’s participation in all the sacrifices along with her husband was a prerequisite. In the Dharmaśāstras due importance has been laid upon the married life. Thus Gautama\textsuperscript{11} and Baudhāyana\textsuperscript{12} hold Gṛhastha as the foundation of the other three āśramas. The Viśiṣṭha Dharmasūtra says that like all small rivulets join the main river so does all other āśramas merge into the Gṛhastha\textsuperscript{13}. The Gṛhyasūtras also hold the same view about the significance of marriage and the life of a householder\textsuperscript{14}. Thus marriage was recognized as one of the most important part of life from a very early stage in Indian history. Kauṭilya starts his description of āśramas or the stages of life with marriage when he says ‘all transactions begin with marriage’\textsuperscript{15}.

It is difficult to say as to how and when the custom of marriage came into existence. Our sources do not throw any light on the point. A. S. Altekar when tracing the evolution of marriage has relied heavily on certain passages contained in the Mahābhārata. Accordingly it is said that promiscuity existed in the prehistoric times till the institution of marriage was consciously developed\textsuperscript{16}. He quotes the cases of the women of Uttarakuru\textsuperscript{17} and Māhishamatī\textsuperscript{18} from the Epic. In the first case it is said that women were free to choose their partners and in the second freedom to select their husbands is mentioned. Though Altekar admits that the evidence is not conclusive as he reasons that Uttarakuru is a mythical land and Māhishamatī is mentioned with reference to the Pāṇḍava hero Sahadeva’s brief visit to the place. But what has not been pointed out by the great savant is that the description of Uttarakuru\textsuperscript{19} is that of a heavenly bliss where there is no bonding of any type and everyone enjoys complete freedom. The second with reference to Māhishamatī is where the god Agni had given a boon to the maidens of the place that nobody could force them to marry against their will and they were free to select their own husbands. In neither of the cases there is any reference to the absence of the institution of marriage as such. Altekar again quotes from the same source which attributes the supplanting of promiscuity by regular marriage to Śvetaketu\textsuperscript{20}. Here, again the reference is in the form of a sermon in context of remote past and probably to a conceived notion that is not applicable to social norms in any known period. This is
admitted by the learned scholar$^{21}$ himself and hence of no practical value. It is anybody’s guess as to what must have been the situation in primitive period before the dawn of civilization when the physical strength alone must have prevailed. It is possible that long period of companionship between a male and a female must have led to their becoming friends and the others preferred not to interfere and infringe upon their privacy. With the passage of time it might have become an accepted norm that got converted into the custom of marriage. Ram Gopal has very aptly pointed out that marriage was a highly developed institution in the remote past amongst Aryans as well as other peoples$^{22}$. In any case it is an admitted fact that the institution of marriage was well established in Punjab by the time of the *Rgveda*.

Talking of the meaning of ‘marriage’ it has been said on the authority of lexicons like *Sabdakalpadruma*$^{23}$ that it means ‘to bear or carry a special burden’$^{24}$. However, *vivāhaḥ viśiṣṭam vahanam* should not be taken in the sense of a ‘burden to carry’. The very adjective *viśiṣṭam* used with it, renders it as a ‘very pleasant duty to bear’. Raghunandan has given a very simple meaning to marriage when he says that ‘the ritual by which a maiden becomes a wife is marriage’$^{25}$. There is no further need to stretch it.

**Forms of Marriage**

Social sanction for marriage was essential in a civilized society. It is therefore natural that in Indian society that had a complex system of *varṇa* and *jāti*, marriage too became a complicated affair and not a simple union between two individuals of opposite sex according to their personal liking. This is not to suggest that love and personal liking played no role in Indian marriages or love marriages never took place. They were very much known to society from the beginning but it made the social injunctions all the more complicated as such cases had to be accommodated. In addition to these there were some time contracted marriages where brides were purchased for a price and even forced marriages where brides were forcibly carried away. They were vehemently condemned but none the less accommodated within the known forms of marriage.

Caste and *gotra* seem to have played no role in marriage in the early Vedic age. The word *gotra* occurs in the *Rgveda* but not in the sense of a group of persons
having a common preceptor or ancestor. Here it is taken in the sense of a cow-pen. Since the caste system had not developed as yet, there was no question of any prohibition on inter-caste marriages or more properly on inter-varṇa marriages. However, marriage between sister and brother was prohibited. There is famous hymn containing a dialogue between Yama and Yamī which clears all doubts in this matter. Slightly later the Śatapatha Brāhmaṇa prohibits marriage up to third and fourth generation that was increased to sixth or seventh generation from mother’s and father’s side respectively at a later stage of Dharmaśūtra. If a younger brother or sister married before the marriage of elder brother or sister they were censured. We have several references to such situations in the later Sanhitās. By the time of the Śūtras caste system had considerably hardened and so did the rule about marriage. Now marriage within the caste was considered ideal but was not allowed with a spṛṇḍa or saγotra. The Dharmaśūtras and the Grhasūtras lay elaborate rules for the same where only endogamy was allowed and exogamy was prohibited. However, we find that hypergamy was permitted wherein a man of higher caste could marry a woman of lower caste but not vice versa. Thus a Brāhmaṇa was permitted to marry a Kshatriya, Vaiśya or Śūdra lady, a Kshatriya could have a wife of Vaiśya and Śūdra caste and a Vaiśya could have a wife from Śūdra caste besides the one from their own caste. They were all considered anuloma form of marriage but marriage within one’s own caste was considered as best. If a girl of higher caste married a boy of lower caste it was called pratiloma form of marriage and was prohibited by law. But the very fact that the term existed and was explained shows that such marriages were not unknown if not common practice.

By the time of the later Vedic period the law givers had expounded eight forms of marriage, which seems to be based on the social reality of the time. They are Brāhma, Daiva, Ārsha, Prājāpatya, Gāndharva, Āsura, Rākṣasa and Paiśācha. Only the first four of these were recognized as solemn and dignified. The rest were condemned though law givers remained divided and uncertain about the fifth i.e. Gāndharva form of marriage. The details of these forms with some variations in their numbers and order are found first in the Śūtras and then in the Smṛtis and the Mahābhārata. Kautilya also refers to eight forms of marriage. The description given in the Śūtras may be summarized as follows:
1. **Brāhma:** When the father of the bride, pouring a libation of water, gives away his daughter decked with ornaments to a suitable man of learning and virtuous conduct, invited and honourably received by him, it is called Brāhma form of marriage.

2. **Daiva:** When the father gives his daughter decked with ornaments to officiating priest at his sacrifice, during the performance, it is Daiva form of marriage.

3. **Prājāpatya:** When the father gives away his daughter addressing the bride and bridegroom as ‘may both of you perform your duties’ having shown due honour to the bridegroom, it is known as Prājāpatya form of marriage.

4. **Ārsha:** When the father gives away daughter according to sacred law after having received a bull and a cow or a pair of oxen from the bridegroom, it is called the Ārsha type of marriage.

5. **Gāndharva:** When a maiden and her lover unite together out of love, it is called the Gāndharva form of marriage.

6. **Āsura:** When a man obtains wife after having paid a bride-price to her kinsmen, it is called Āsura or Mānusha form of marriage.

7. **Rākshasa:** When a maiden is forcibly abducted by the bridegroom or his companions after killing or wounding her relatives, it is called Rākshasa form. Sometimes it is also called Kshātra type of marriage.

8. **Paśācha:** When a maiden is seduced against her will while asleep, intoxicated or unconscious, it is called Paśācha form of marriage.

Though there is no specific mention of these forms in the early Vedic literature, some of them are reflected even in the Rgveda. Thus the marriage of Sūryā described in the marriage hymn can be termed as Brāhma form of marriage34. There is an allusion to the Āsura form in the marriage of Brahmā’s wife35. There are several instances of maidens selecting their own husbands. The reference to Gāndharva form thus may be noticed in hymn twenty seven of the tenth Maṇḍala16. The giving of a daughter to officiating priest also finds mention in the Rgveda17. The epics also contain references to various forms of marriage. In the Rāmāyaṇa, Kaikeyī, the wife of Daśaratha and mother of Bharata, was married according to the āsura form of marriage. She belonged to Kekaya or the Central Punjab. In the Mahābhārata also we find specific mention of Mādrī being married through the same practice. When
Bhīṣma went to ask her hand for Pāṇḍu, Mādri’s brother Śalya, who was a king of Central Punjab, hesitantly laid down the condition of the bride price. He further called it as an old custom of his tribe38. It shows the prevalence of the āsura type of marriage in Punjab for a long period though people were aware of the stigma attached to it. It is interesting to note that Kautilya refers to śulka or bride price even in the case of dharmavivāha or the first three forms of marriage also39. Since Kautilya puts marriage in the section on revocation of sale and purchase and states that it can be revoked till the ritual of Pāṇigrahana40 for the upper castes and consummation for the Śūtras41 Therefore, the possibility of the prevalence of the custom of bride-price in all types of marriages in Punjab cannot be completely ruled out. On the other hand Gāndhārī, the daughter of king Subala of Gandhāra and sister of Śakuni, was married to Dhṛtarāṣṭra apparently through brahma form of marriage because we are told that Śakuni went to Hastināpura to perform the ceremony of her sister’s nuptials and gave her decked with ornaments42. A very interesting reference to the forms of marriage is found in the episode of Subhadrā’s marriage to Arjuna. The latter had fallen in love with the princess and wanted to marry her. Her brother Kṛṣṇa advised Arjuna to carry off Subhadrā by force as per the Kṣatriya tradition of rākṣasa type of marriage. He calls it Kṣatriya form. Justifying this form of marriage he says that though svayamvara form of marriage is known amongst Kṣatriyas, there is always some uncertainty involved in it43. Again talking to his elder brother Balarāma, Kṛṣṇa justifies it as better than āsura form. He says that no bride price would be sufficient for Subhadrā; therefore she was taken away in a befitting manner for a Kṣatriya44.

There are several other references in the epics to the same effect but the piśācha form of marriage has always been condemned. Some of the law givers do not even recognize it as a form of marriage.

There is no dispute about the first four forms of marriage as they recommended by all. Amongst them too each preceding one is superior to the next. Gāndhārva form is recommended by some authorities like Baudhayana because it is based on mutual love45. Āpastamba and Bhāradvāja also recommend it on the authority of some earlier writers46. Āsura form of course is accepted and recommended for Kṣatriyas as already noted above. The last two forms are always condemned forms without failure. However, Ram Gopal rightly contradicts the view that it is a ‘fraud legalize under Hindu law’ as held by scholars like Macnaghten47.
The wisdom of ancient seers seems to have prevailed on the issue. Had the girl with whom the crime was committed not provided the shelter of marriage, her social position would have been like that of an outcast. Her status would have been reduced to that of a concubine and she would have nowhere to go. Under the circumstances the best solution was to grant her protection under marriage to the wrongdoer.

The Age of Marriage

The famous marriage hymn of the *Rgveda* provides some good glimpses of the custom as it prevailed in the early Vedic age. It shows that the bride was fully grown up at the time of marriage. At one place in the hymn the bride is described as blooming with youth and pining for a husband. We get numerous references to build a fair picture of marriage and various issues connected with it in the early society of Punjab where the early Vedic literature was composed. It is evident from literary data that child marriage was unknown in the early Vedic age. Girls were married at fairly advanced age and had a great say in the selection of their life partners. We get references to girls growing old in the house of their parents (anā-jur). The example of Ghoshā as one such case is well-known. She grew old in the house of her father as she could not get a husband because of a disease till it was cured by Āśvins. The *Atharvaveda* contains references to maidens adorning themselves with ornaments in desire of marriage. There is a reference to this effect even in the *Rgveda*. Interesting the same hymn is entirely devoted to the removal of a rival wife of the husband which means that ladies often had to devise ways to win over the desired partner. An interesting reference is contained in the *Rgveda* itself where a lover seeks to use a spell to put the entire household to sleep when he visits his beloved. There are also references to recall the wandering affections of beloved as well as to jealousy in the matter of love. Lover giving gifts to beloved also finds mention in the *Rgveda*. In the marriage hymn when the bride enters the home of her in-laws she is blessed with the wishes that she may rule over her father-in-law, mother-in-law, husband’s sister and husband’s brother with her affectionate behaviour. This would have been possible only if the bride was mature enough to take over the household responsibilities immediately after her marriage. These examples clearly establish that child marriage was not practiced in Punjab in early times. The child marriage seems to have been introduced at a much later date in the time of the Sūtras because even the
Brahmana literature refers to active participation of wife in all the secular and sacred rituals of daily life. Panini gives the words *kanyā* and *kumārī* for unmarried maidens but does not shed any light on the issue of their marriageable age. Patanjali has used the word *apūrvapati* for the same. The maiden of marriageable age was known as *varyā*. References to maidens growing old in father’s house are also mentioned by Pāṇini. At one place he gives the term for the son of an unmarried maiden as *kanyāyāḥ kanīṇa cha*. To this Patañjali has raised an objection that a maiden loses the status of *kanyā* after having a son. These references indicate that child marriage was not a practice at the time of Pāṇini. However, it seems that it did not become very popular in Punjab down to the Mauryan period, as revealed by the Buddhist works like *Therigāthā*, *Dhammapada* and the *Jātakas*. The first was composed by Buddhist nuns who preferred to remain celibate of their own choice rather than getting married and leading a householder’s life. Here we find that nuns like Viśākhā and Kuṇḍalakesā were more than sixteen when their marriage was being contemplated but they took to the life of celibacy. The commentary on *Dhammapada* refers to the beautiful daughter of a rich merchant who turned sixteen and was eagerly pining to be united with her husband. Altekar has rightly pointed out that down to c. BCE 400 brides in cultured families used to be about sixteen at the time of their marriage. Brides in the Jātakas were generally portrayed as grown up maidens. We have a reference where a girl named Paṭacharā eloped with her lover because her parents would not sanction her marriage. The *Arthaśāstra* of Kautilya has references to single women who adopted various professional occupations for a living but he also recommends the age of twelve for marriage of a girl. However, the details given by Kautilya regarding marriage and women indicate that the child marriage was not in vogue in his time. All this would not have been possible had the child marriage been a practice in the society.

**Qualities of bride and bridegroom:**

The qualifications of an ideal bride and groom were given a great importance as also the families to which they belonged. The groom’s family must be of high social standing and the bride should be beautiful, well-versed in studies, fine-arts, household chores and should be of high character. Since the marriage was considered
to be relationship between two families the position of the family was of prime importance. According to one injunction daughter is given to a family.

The marriage hymn of the *Rgveda* throws some accidental light on the qualities of an ideal bride who goes to the house of her husband decked in lovely dress and ornaments with companion and maidservant. Her physical beauty is described in glowing terms. The Sūtras lay down a number of qualifications for an ideal bride regarding her age, family, special characteristics and other qualities. Since most of the Gṛhyasūtras recommend the consummation of marriage on the fourth night of the wedding, it may be concluded that post-puberty marriages were generally performed. However, some say that the bride should be *nagnikā*. The meaning of the term is controversial and has been taken to mean beautiful, pre-puberty maiden, etc.

It is further said that a bride should be beautiful with smooth hair and proportionate limbs; she should be intelligent, of moral conduct, free from disease and should have relatives and should be a virgin. Bhāradvāja says that a marriage should be considered on four things – wealth, beauty, intelligence and family. Each of these is superior to the preceding quality and should be given up in that order from the first onwards if all the four qualities are not available. According to Āpastamba a girl who sleeps excessively or cries, who leaves home when wooers arrive, who is betrothed to another, who has a squint eye, who is hunchbacked, who is like a bull, who has bald head, who is fond of games, who has a beard, who is older than bridegroom should not be chosen.

The qualities of a worthy bridegroom were equally important. In the very first form of marriage that is *brāhma*, it is said that a father may give his daughter to a worthy person who has virtuous conduct and is learned. The sūtras specifically lay down that a man should give his daughter to a worthy bridegroom who belongs to a good family, possesses intelligence, good character, learning, auspicious characteristics and sound health. It is further said that he should have completed his education.

How much role these injunctions played in practice is difficult to say, but some references in the texts point towards selection of virtuous wives. Thus Ghosha in the *Rgveda* could not find a husband till she was cured of a disease by the divine physicians Aśvins. Sāvitri was a virtuous princess of Kekaya who married Satyavāna.
Gāndhārī was married to the blind Dhr̄tarāṣṭra on the consideration of family and wealth alone⁷⁵. It appears that the situation in Punjab was not different from the other parts of the country in this respect from the later Vedic age onwards.

Marriage rituals

Once the girl was selected, learned brāhmaṇas or friends of the groom were sent to the house of the girl as wooers. They carried flowers, fruits, barley and a pot of water. On arrival they sat opposite to the girl’s family and proposed by reciting mantras. If the proposal was accepted the pot of water was placed on the head of the girl for auspicious future⁷⁶. Thereafter the auspicious time for the marriage was fixed.

A number of pre-wedding rituals are prescribed by the Sūtras to be performed at the respective houses of the bride and groom. On the fixed day the groom with his family and friends left in procession for the house of the bride and was to be received with due honours by the relatives of the bride. Next the bridal couple is made to behold each other after the bride has been duly given away (Kanyā pradāna). There is some difference of opinion on this ritual. Some texts hold that the giving of bride to the groom by father of the bride is to take place at the time of the main wedding ceremony. The groom presents a gift to the bride at this time with the permission of the woman escorting him. It includes a fine bridal garment, a mirror, an ornamental string of threads with three pendants of gold to be worn around the neck of the bride and other articles. It is followed by some minor rites like sprinkling, anointing and girdling of the bride. Thereafter commence the essential nuptial rites that include Vaivāhika homa (nuptial sacrifice), Pāṇigrahaṇa (grasping of hand), aṣmārohaṇa (treading on a millstone by bride), Lajahoma (sacrifice of fried grains), Pariṇāyana and Agni-pradakṣiṇā⁷⁷ (going around the sacred fire) and Saptapadi (walking seven steps together). Each of these rites has its own significance but it is the last one, that is, Saptapadi which is the most important one. Most of the texts lay down that the marriage is revocable till this rite is performed but it becomes irrevocable after Saptapadi. It is said that after this rite the wife becomes one with her husband in respect of pinda, gotra and sūtaka and she loses the gotra of her parents⁷⁸. However, as noted above, Kautilya lays down that a marriage becomes irrevocable after the ritual of Pāṇigrahaṇa is completed for the three upper castes but only after the consummation of the marriage for the Śūdras⁷⁹. There are some more minor rituals
described by the texts prior to the couple departures for the house of the bridegroom. On arrival the bride is received with further rituals and prayers at the groom’s house. She is blessed by mantras wishing her to be the queen of the household and to rule over her in-laws by her affectionate behaviour. This is explicitly described in the marriage hymn of the Rgveda. The marriage is to be consummated on the fourth night of the wedding which is called Chaturthi karmāṇi.

**Dowry**

We do not find any reference to dowry at the time of a girl’s marriage in ancient India as such. Since women were considered as valuable in prehistoric society, their marriage and consequent departure for husband’s house was an economic loss to their parents. Therefore, the question of any dowry to be given by parents did not arise at all. Rather we find a father or kinsmen demanding a compensation for their loss as is reflected in the Ārsha and Āsura forms of marriage even in the historic times. However, there are references when in rich and well to do families gifts were given to brides. In the Rgveda there is a reference to a brother giving gifts to his sister at the time of her marriage. The Atharvaveda also mentions at one place about royal brides bringing with them a dowry of hundred cows. During the epic period we find several of the royal princesses were given a rich dowry at the time of their wedding. The case of Draupadī and Gândhārī may be cited in this context. The Jātakas also refer to the story of Viśākhā, the daughter of a rich merchant, being given a dowry of valuable gifts when she went to her husband’s house. But all these were purely out of affection of the parents for their daughters and not due to any compulsion or tradition. Any gifts given to a lady at the time of her marriage was considered to be her personal property and her husband or in-laws had no right over them. At a later age it formed part of stridhana. Kautilya on the other hand prescribes a śūlka to be given by the bridegroom in all forms of marriages as already referred to above. The present form of dowry is a much later development perhaps of early medieval period when child marriage had been introduced and wives had become an economic liability on their husbands and in-laws. That is beyond the scope of the present study.
Polygamy and Polyandry

Contrary to the general belief, monogamy was the practice in ancient times, though we find references of polygamy only amongst the rich and ruling classes. The ideal of a Hindu marriage was the union of a man and woman till eternity. There are several references to it in the *Rgveda* itself. In the marriage hymn the husband prays that he grasps the hand of the bride till the time that she may attain old age with him\(^{84}\) and also that she may govern his household for all time to come\(^{85}\). There are several other references to conjugal bliss that indicate monogamy as an ideal practice\(^{86}\). It may be noted that all early Vedic gods were monogamous. It indicates that the concept of more than one wife was not an ideal one in the society.

Despite of this polygamy was not forbidden. There are well known examples of the practice of polygamy throughout the period of our study. It seems it was prevalent amongst the ruling classes and nobility of the time and not amongst commoners. In the *Rgveda* there are several references to this effect. At one place a wife tries to get rid of the rival wives of her husband by some charms or by the use of a creeper that has been identified as *Pātha*\(^{87}\). In another hymn attributed to Śachī, there is again reference to winning over the rival wives of the husband\(^{88}\). At another place a man surrounded by enemies has been equated with the one tormented by several jealous wives\(^{89}\). In the *Śatapatha Brāhmaṇa* also there is mention of four wives of the king – *mahishi, vāvātā, parivrktā* and *pālāgali*\(^{90}\). At the time of the coronation during the performance of the *Ratnāhavimsi* ceremony the king was expected to visit all the four wives. The *Maitrāyaṇī Saṃhitā* refers to ten wives of Manu\(^{91}\). The *Aitareya Brāhmaṇa* talks of hundred wives of Hariśachandra\(^{92}\). The *Brhadāranyaka Upanishad*\(^{93}\) refers to the famous sage Yājñavalkya having two wives *Kātyāyanī* and *Maitrayī*. Even if we take the instances of polygamy to be factual, the number of wives in several cases appears to be highly exaggerated. In the *Rāmāyaṇa* too we find Daśaratha had three wives\(^{94}\) but Rāma and his three brothers were all monogamous. Even king Janaka of Mithila and father of Sitā, had only one wife. Pāṇḍu in the *Mahābhārata* had two wives\(^{95}\) one of whom belonged to Punjab. Arjuna also had several wives. In the Buddhist literature also we get several examples of polygamy. The *Mahāvagga*\(^{96}\), the *Majjhimanikāya*\(^{77}\), the *Jātakas*\(^{98}\), the *Therīgāthā*\(^{99}\), the *Aṅguttaranikāya*\(^{100}\), etc. contain several references to polygamy. Almost all the
kings during the period of the Sixteen Mahājanapadas are described as having a number of wives each. Punjab of course was no exception, where we find the practice of polygamy till very recent past. However, in such cases, a husband had to look after and provide for each of his wives under the law.

Polyandry on the other hand was not popular. In the Rgveda, Sūryā is married to Aśvins\textsuperscript{101}. But they are not two persons but a twin deity. Likewise, Maruts who married Rodast are gods of storm and the speech is only figurative\textsuperscript{102}. The Taittirīya Sanhitā\textsuperscript{103} holds that polyandry is not permissible. We do not have any other cases of polyandry from Punjab of the Vedic period. The often cited case of Draupadī as wife of five Pāṇḍava brothers in the Mahābhārata is an exception under extraordinary circumstances and is condemned and looked down upon in the Epic itself. The custom it is said may have been prevalent amongst some aborigine tribes but we do not have any evidence of the same in ancient Punjab. Draupadī, it may be pointed out, belonged to Pañcāla. The Kuṇālaka Jātaka\textsuperscript{104} refers to a lady Kañhā (Kṛṣṇā) who had five husbands. It has been rightly pointed out that they are the same as five Pāṇḍava brothers and Kṛṣṇā is a well-known name of Draupadī\textsuperscript{105}.

**Marital Relationship and Duties of Husband and Wife**

We have dwelt upon this point in detail in the third chapter above when dealing with the duties of a Grhastha in the āśrama system. It requires some more elucidation in the present context. Perhaps no other civilization and religion provides for the equality of husband and wife other than Hinduism. Wife has always been enjoined to obey her husband and the latter is free to treat her as per the contractual vows. No punishment was ever stipulated for the erring husbands in those civilizations. However, the case is quite different in Indian context. The Vedic society provided equal rights to wife along with her husband. In the rite of saptapadi\textsuperscript{106} the vows taken by the bridal couple always ends in sakhāḥ bhava i. e. ‘let us be friends’. In the marriage hymn contained in the Rgveda a wife is blessed to rule over the household of her husband\textsuperscript{106}. Though the husband is called the master of the house\textsuperscript{107} in the same hymn yet it is clear from the description that the wife was given a lot of importance in her husband’s family and enjoyed equal rights. It is clear from references at other places in the same text that wife was to be treated with utmost courtesy and was considered the ornament of the house\textsuperscript{108}. At one place it is said that
she herself is the home. She was the in charge of the household and was to assign the task to the servants. In the *Atharvaveda* also wife is assigned the charge of house management and her views prevailed in the matter. The principle of mutual respect, love and cooperation was the basis of marital bliss of the husband and wife throughout the Vedic period. The *Śatapatha Brāhmaṇa* is of the opinion that ‘man is only one half, he is not complete till he is united with a wife’. The *Aitareya Brāhmaṇa* calls the wife as the only companion friend. The same view is taken by the Buddhist writers also. The *Samyutta Nikāya* calls a wife as the best friend. Even at a later stage Manu has said that the husband is identical with wife and vice versa.

The *Mahābhārata* at more than one place dwells upon the marital bliss of husband and wife staying together. At one place it says that the house may be full of sons, daughters and daughters-in-law but it is quite empty without a wife. She is the surest solace to the husband, however trying his miseries may be. It was not only the bounden duty of the husband to support and maintain his wife under all circumstances but he was also bound by conjugal fidelity. Specific laws were framed from time to time for the same. Kautilya specifically lays down the rules concerning the duties of husband and wife. He not only dwells upon them in detail but also lays down punishment on each for failure to carry them out. He deals with the harassment of wife by husband and the possibility of her deserting the home. He also dwells upon the rule for maintenance of wife, possible discord leading to separation and dissolution of marriage. It has been rightly pointed out that he is more detailed in prescribing the laws than any of the writers of Smṛtis. It is such a picture of marital relations in Punjab that perhaps led king Aśvapati of Kekaya to claim that there was no adulteress in his kingdom.

**Dissolution of Marriage and Divorce:**

The idea of separation or dissolution of marriage was quite alien to Indian mind and never favoured much. But the wise law givers, who thought of every possible situation in life, did dwell upon the topic and made rules for it. The earliest reference to marriage in the *Ṛgveda* has prayer for the husband and wife living together till their old age. There are no references in the early Vedic literature to divorce or dissolution of marriage under any circumstances. However, the later writers of the Sūtra period do refer to it. Thus Baudhāyana lays down that a barren...
woman in the tenth year of marriage, one having only daughters in the twelfth, those
whose children die after birth in the fifteenth year of marriage and a quarrelsome wife
should be divorced immediately\textsuperscript{122}. Vāśisṭha opines that an unchaste wife who has
sexual relations with husband’s pupil, teacher or Śūdra, or the one who plots to kill
her husband should be divorced\textsuperscript{123}. Hārīta says that a wife who is drunkard, one who
does foeticide and the one who wastes away the wealth should be given up\textsuperscript{124}. The
Mahābhārata also says that renouncing a characterless wife is not sinful\textsuperscript{125}. Kauṭilya
is more elaborate on the issue. He does not allow dissolution of marriage under the
first four forms of marriage\textsuperscript{126}. He also makes the mutual consent of both husband
and wife for separation compulsory\textsuperscript{127} and makes the process quite difficult.

Though men were given more rights some which appear to be flimsy or
archaic from the perspective of the present, women were also allowed separation from
husband and even remarriage under certain circumstances. Thus Vāśisṭha lays down
that a wife can give up her husband if he has gone away for a long time\textsuperscript{128}. Some other
writers even specify the period of husband’s absence after which a wife is entitled to
remarry. Besides this on the grounds of impotence, chronic sickness, characterless
behaviour and madness also a wife can seek dissolution of marriage\textsuperscript{129}. This is
supported by Manu\textsuperscript{130} and Parāśara\textsuperscript{131} also who add that if a husband becomes ascetic
or perishes he can be given up. Kauṭilya categorically says that, “A husband, who has
become degraded or gone to a foreign land or has committed an offence against the
king or is dangerous to her life or has become an outcast or even an impotent may be
abandoned\textsuperscript{132}. Thus it is clear that dissolution of marriage was permitted if either of
the parties had sufficient grounds for the same. However, some texts advocate that
marriage should not be dissolved under any circumstances as according to them it was
divine and forever. They recommend penance (prāyaśchīta) of various types for both
husband and wife to make amends. Thus Gautama\textsuperscript{133} and Āpastamba\textsuperscript{134} do not
recommend dissolution of marriage. Even Vāśisṭha, who has allowed dissolution of
marriage, talks of penance of various types for different types of offence to keep the
marriage intact\textsuperscript{135}. Pāraskara Gṛhyaśūtra\textsuperscript{136} is also of the same view\textsuperscript{137}.

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II

POSITION OF WOMEN

No study of the social and cultural past of a people can ever be complete without an in depth view of the position of women in that particular culture. It was almost seventy five years back when A. S. Altekar remarked that ‘one of the best ways to understand the spirit of a civilization and to appreciate its excellences and realize its limitation is to study the history of the position and status of women in it’\(^\text{138}\). The dictum stands true even today when the perceptions have changed drastically. Scholars may differ on various issues of gender studies in ancient India and see the things their own way but all of them agree that there is no better way to understand a civilization than to study and analyze the position it accords to its women. Punjab is traditionally known as a land of brave women who withstood all impediments and emerged tall in all crises. They worked by joining shoulder to shoulder with men folk and were in no way behind anybody at any stage. Yet it has become almost a fashion to portray them as the most suppressed lot deprived of all rights and given a status of the third rate citizens. The idea is not new and many a time it has emanated from pre-conceived notions. For instance, as early as 1930 I. B. Horner started his work with the remark “In the pre-Buddhist days the status of women in India was on the whole low and without honour”\(^\text{139}\). He goes on to say, “During the Buddhist epoch there was a change. Women came to enjoy more equality, and greater respect and authority than ever hitherto accorded to them”\(^\text{140}\). A close perusal would show that the order was just the reverse. In the pre-Buddhist and pre-Sūtra period women enjoyed much greater freedom, authority and respect than they ever did in all the times to come. The Buddha himself did not think much in favour of women and was very reluctant to admit them to the Saṅgha. Even after they were admitted to the Saṅgha, the senior most nuns continued to occupy a position lower than to even the junior most monk. On the other hand women during the early Vedic period were granted an equal status with men and several of them were learned seers who composed hymns for the Ṛgveda. Some names like those of Apālā, Viśvaarā, Lopānudrā, Maitreyī, Gārgī Vāchakāṇvī, etc. are too well-known in this connection. It is specifically said with reference to Lopānudrā and Kuntī that they were a source of happiness for their parents. Even the most orthodox Hindu writer
like Manu firmly lays down that ‘where women are honoured gods rejoice there but where they are not honoured no work yields desired results’\(^{141}\). The similar view is expressed by Yājñavalkya also\(^{142}\). Despite of the fact that such view are found in abundance in ancient texts, many of the recent studies on the gender issues have developed out of the fixed notions about the status of women in India during the medieval and pre-modern periods of history, when the position of women had deteriorated due to several complex reasons. As such it becomes pertinent to dwell upon the subject in detail to see the position of women in ancient Punjab.

From the birth of a child there are several stages that a person, in this case a female, passes through in one’s life and at each stage several issues are attached to it. For instance, whether a male or female child is welcome at the time of birth, what type of treatment is meted out to them during childhood, what rights to education they enjoy, when they are mature what rights are given to them in the matter of the selection of their life-partners, whether they are treated on equal footing with men in public life and at home, do they have the right to own property and use it according to their own wishes, what is their position in case of widowhood and scores of other such issues. Let us examine them one by one from the time of conception itself.

**Birth and Childhood**

It is but natural that in the patriarchal form of society that prevailed in Punjab during the early Vedic age sons were more desired than daughters. The *Atharvaveda* contains a rite for the birth of a son in preference to daughter\(^{143}\). The *Aitareya Brāhmaṇa* says that whereas a son is the hope of the family, a daughter is a source of trouble for it\(^{144}\). But it does not mean that daughters were unwelcome. We do not come across instances of foeticide or infanticide in the Punjab of Vedic times. Weber had concluded on the basis of a passage in the *Yajurveda* that new-born daughters were exposed in the open and kept aside leading to their abandonment at the time of birth. But it has been pointed out by several scholars that Weber was wrong and misinterpreted the passage\(^{145}\). Actually Kautilya lays down a punishment for foeticide\(^{146}\). Manu has equated foeticide with *brahmahatya* and *gohatya*\(^{147}\) or killing of a cow and has held it as a heinous crime. The *Brhadāranyaka Upanishad* prescribes a ritual for the birth of a scholarly daughter\(^{148}\). Even *Sīnayutta Nikāya* says that a talented daughter was better than a son\(^{149}\). As late as the time of Kālidāsa it was...
maintained that family prospers with daughters\textsuperscript{150}. It is seen sometimes references are stretched out of context to derive meanings. For instance, Altekar has cited an example from the \textit{Rāmāyaṇa} where the position of king Janaka is said to be have become intense due to great anxiety like that of a poor man who has lost all his little money\textsuperscript{151}. It is further said here that the father of a girl, even if he is an exalted king, has to put up with insults not only from his equals but even from his inferiors. It seems Vālmīki has made these remarks out of a natural concern that a father has for the wellbeing of her daughter when looking for a suitable match for her marriage and not with a view to comment on the social status of daughters as such. For all we know, Sītā was a highly accomplished princess and all the princes and kings were vying for her hand. In the \textit{svayamvara} organised to select her husband some undesirable men were also present and the remark may have been made keeping such element in mind. This is borne out by the next quotation given by the learned scholar that even after a father has found a good son-in-law for his daughter; he has to anxiously await whether the marriage shall eventually be a happy one\textsuperscript{152}. This is simply the concern of a doting father for the wellbeing of his daughter as conceded by the learned scholar at a later place. There are plenty of references in ancient texts on either side. In cultured families no distinction was done between daughters and sons and for the rest, for whom we do not have any literary data, it is presumed that daughters cannot be a source of misery because they were economically profitable. They helped the family in economic pursuits and brought bride-price at the time of marriage\textsuperscript{153}. The daughters received from their parents the same affection and care as did sons is clear from references to them in the later literature like dramas. Sometimes they were quite spoilt by the parental love like we have the case of Devāyanī. Āpastamba\textsuperscript{154} says that when a father returned from a journey he recited a mantra for the welfare of his daughter in the same way as he did for the happiness of his sons. An interesting reference is contained in the \textit{Ṛgveda} where Śachī says that her sons are destroyers of her enemy and her daughter is an empress\textsuperscript{155}. It reflects the social thinking of the time when both daughter and sons are given equal importance.

**Education**

The status of a women depended on the training she had received in her childhood. Education was the best parameter for the competence of a lady and it was
solely because of this reason that we see the position of women in Indian society gradually declined from the post-Vedic times onwards. When the child marriage became the practice, girls never got a time to receive education and hence their economic utility also decreased considerably. Rather they became a burden on their in-laws due to their incompetence and hence lost respect. But it was not so in the beginning. The picture of female education during the Vedic period appears to be very bright and it seems that women continued to shine in this field throughout the period of our study.

As already pointed out in chapter IV while discussing general features of education in ancient Punjab, we do not get a clear picture of the education system in the early Vedic age. Except for the well-known Frog hymn of the Rgveda, there is no reference to the methods of teaching at that time. However, the Rgveda contains numerous references to highly educated female seers who composed hymns for the Veda and were figure prominently throughout. In the Sarvāṇaṇa Keamanikā there are as many as twenty names of female seers to whom respects were to be paid during daily prayers at the time of Brahmyajña. The later texts up to the time of the Upanishads and even some of the Sūtras provide for the performance of upanayana or the initiation ceremony for girls and boys alike. The Atharvaveda clearly says that a woman can succeed in his married life only if she has been properly trained during her student life or brahmachārya.

The prominent names of female seers that occur in the Rgveda include those of Lopāmudra, Ghoshā, Viśvavārā, Sikta, Nīvārī, etc. Of these Ghoshā who was suffering from a disease and grew up unmarried in the house of her father is found to be composing two hymns dedicated to Āśvins in the Rgveda. Lopāmudrā, who was the wife of sage Agastya was a scholar of high degree. Further we find two other female scholars composing hymns in the Rgveda. To Śacī is attributed hymn X.145 and to Indrāṇī hymn X. 159. All these ladies of the early Vedic age naturally belonged to the Saptasindhu region. The Brhadāraṇyaka Upanishad contains an interesting episode of the learned assembly in the court of the philosopher king Janaka where several great sages had assembled for discussion. Yājñavalkya was one of them who got into a discussion with Gārgī Vācakāṇvī. The lady philosopher put him such searching questions that led the sage to withdraw. Likewise Ātreyī was a
student of Vedānta under Vālmīki and Agastya. The list of scholars of the Vedic age is too long and there is no reason for us to believe that all these names are without any basis. It simply shows that the education for women was as popular as for men.

We get references to two types of female students. The first were known as sadyovadhus, who studied up to their marriage and then took over the responsibility of the household. Others, like those mentioned above were called brahmavādinīs who remained lifelong students of philosophy and theology. Besides these subjects there must have been a number of women who were given education in more practical subjects, though the data available about them is very meagre. We get to know a number of women warriors right from the time of the Rgveda, which mentions a lady named Viśpalā164 who had lost her leg in war and were given a metallic limb by Aśvins. She must have been given complete military training.

The tradition of female education in Punjab continued till the time of Pāṇini is evident from numerous references to the same by the great grammarian. He says that the same rules applied for the formation of terms connected with male and female students165. Thus a female learning Āpiśali grammar was called āpiśalī166. Likewise a female studying Pāṇini’s grammar was called pāṇiniyā. There was a distinction between the female teachers and wives of male teachers. A wife of an āchārya was called āchāryāṇī whereas a female teacher was called āchāryā167. Patañjali168 in his commentary has indicated that both male and female students were taught by female teachers. Coeducation was also prevalent as already pointed out above169. However, Pāṇini tells us that there were separate hostels or living quarters for female students that were called chhātrīsālas170. Kauṭilya though himself a professor of polity does not include education in the state subjects171. However, as already pointed out, this does not mean that education was a neglected subject. It only indicates the complete autonomy given to this sector by the state despite the fact that liberal royal grants were made to all educational institutions and even individual teachers who commanded immense respect in the society. We know that the famous university of Taxila was an international centre of learning in the pre-Mauryan and Mauryan periods but unfortunately we do not have any data about its female students or issues related to female education over there. It may be pointed out that some of the queens of Aśoka were highly educated ladies and his daughter Sārīghamitārā even went
abroad to preach Buddhism. From the fact that we get references to educated ladies right up to the end of the period of our study, it is obvious that female education continued from the Vedic to the Mauryan period in Punjab.

Marriage and Position of Widows

We have already discussed in detail several aspects of marriage and married life in section I of this chapter that pertain to women and their status in society. They need not be repeated here. Hence we shall concentrate on the aspects that have not been taken up as yet. These aspects may be broadly divided into two sections viz. the position of widows and the women’s right to property.

As long as husband was alive, the wife enjoyed all the privileges and ruled over her household. This is made clear in the Marriage hymn of the Rgveda itself172 and repeated by the later writers like Manu and Yājñavalkya. Kautilya dwells upon the topic in detail and enumerates the legal sanctions for married life and punishments for breaching the marital obligations173.

One of the most important aspects of women and society is the status of widow the latter grants the former. It has been very aptly observed about widows that “The treatment which she receives is often an index to the attitude of society towards women as a class”174. In case of a husband’s death the widow normally had four options – to live a simple, pious life for the rest of her life; to remarry; to have an offspring (preferably a son) from another man who may be the younger brother or a close relative of the dead husband or to end her life along with that of the husband by burning herself on the funeral pyre, a custom known as sati. Each of these had several issues attached to them and varied from time to time getting social sanction or censure. We shall briefly dwell upon each of them.

Living a simple and pious life in the memory of her dead husband was considered to be the best option for a widow till the custom of sati came into existence. The latter was no: prevalent at any stage during the period of our study. We shall examine that shortly. However, it is difficult to say if a widow was left to her fate undisturbed without being harassed by the male relatives of her husband. We do not get any specific references to the treatment meted out to such ladies during the period of our study. The Rgveda contains several references to widows175 but does not
throw much light on their condition. In one of the hymns it describes the ladies whose husbands are alive as “Let these women who are not widows, who have good husbands, enter (anointed) with unguent and butter. Let women without tears, without sorrow, and decorated with jewels, first proceed to the house”\textsuperscript{176}. Here we can easily form the idea of the condition of widows as contrast to these ladies. It seems they were sorrowful with tears in their eyes and devoid of all ornaments and make up. But it is a natural condition of a lady at the time of the death of her husband and we cannot say if they were expected to live like that ever after. The Sutras do provide some glimpses on the point. According to Baudhāyana widows should abstain from meats, liquors, honey and salt and should sleep on ground for a year after the death of her husband\textsuperscript{177}. Similar views are held by Viśistha\textsuperscript{178} and Viṣṇu\textsuperscript{179}. The latter is of the view that by leading the life of a celibate a widow shall attain heaven. This is marked change from the time of the Rgveda. This condition continued in theory till the end of the Mauryan period but we do not have any specific examples from Punjab.

Though the Rgveda talks of widow returning to the world of living from the funeral of her husband, it does not specifically tell us about the remarriage. The custom of remarriage of widows prevailed in the Vedic age is clearly mentioned in the Atharvaveda which contains a ritual to secure union of the new couple in heaven\textsuperscript{180}. Had this been a condemned custom the text would not have prescribed this ritual. Further it has been rightly pointed out that the reference does not suggest that the remarriage should be with the younger brother of husband. It means a woman was free to remarry a man of her own choice. We do get some references to remarriage in the Jātakas also. In the Uchchanga Jātaka, when a choice between a new husband, son and brother is given to a widow she says that she can easily get a new husband or another son but cannot have another brother thus implying that remarriage was permissible. In the Vessantara Jātaka a dying husband tells her youthful wife to remarry after his death. Kauṭilya gives several references to widows and even to the one living independently\textsuperscript{181} but does not talk of their remarriage. On the other hand he lays down specific rules as responsibility of the state to look after the welfare of such ladies and even to provide them with livelihood without compromising with their dignity. Later on the Smṛtis do not recommend widow remarriage at all. It indicates that the customary freedom granted to widows gradually fell in disrepute probably because of some extraneous reasons.
The same thing happened with the custom of levirate or *Niyoga*. There was provision that a sonless widow could have a son or sons by the younger brother or in the absence of the latter by a close relative of her husband. The custom was widely prevalent in several civilizations around the world till recent past. Altekar has argued that it was because women were considered personal property of husband and his family. On the death of husband she automatically passed on to his brother or another relative. He cites a reference from the *Gautama Dharmasūtra* to support it. However, it is not a very strong argument as we find women in early Indian society as occupying an equal place with men. They could hardly be considered as personal property of the husband. The reason for the same is not far to seek. If a woman remarried outside family, she would take her share of property to another family and thus cause a loss to the family of her previous husband. It is supported by the fact that no such rules were framed for the widows who had sons because the latter would be natural heir to their father’s property. The idea is supported by the fact that Vasishṭha specifically says that greed of property should not be the cause of levirate. It simply means that greed of property used to be there behind this practice that led the sage to warn against it. In the *Rgveda* there is a reference to widow sleeping with the younger brother of her dead husband. But the description here is not of a lady willingly entering into such an arrangement. It is quite possible that the custom of levirate was followed to have male progeny in the family. The idea was that a son born of such a union would at least have the blood of his mother and also that of a near relative of his late father. However, this custom also fell out of favour gradually and vanished altogether by the beginning of the Common Era.

The most talked about custom is that of widow burning known as *sati*. Accordingly a widow was burnt alive along with her dead husband on the funeral pyre. The *Atharvaveda* has called it an archaic custom of bygone times. The *Rgveda* contains a single reference that has been pressed in to service by those who support the existence of this custom during the early Vedic period. However, here the scene is that of a widow lying on the funeral pyre of her dead husband out of grief and she is persuaded by those present there to get up and come back to the world of living as her relationship with the dead husband has come to an end. There is not even a remote reference to her burning on the pyre. The archaeological evidence has also not yielded any remains to warrant such a conclusion. Though some burials found from
Inamgaon in Maharashtra by M. K. Dhavalikar have sometimes been used as evidence for the same. Yet they neither belong to Punjab nor have any conclusive evidence on the point. The remains from the Harappan sites have yielded no such evidence. In literature of the later Vedic period including the Brāhmaṇaś, Upanishads and even the Sūtras evince not remotest evidence on the point. Pāṇini as well as Kauṭilya are absolutely silent on the issue and so are the inscriptions of the Maurya-Śuṅga period. Even the reformers like Aśoka are unaware of the existence of any such practice. The vast ocean of the Buddhist literature including the Jātakas that depict the social life of the period in detail are silent on the point. There are some references in the Mahābhārata to the custom of Sati but they are clearly later interpolations and do not go well with the main story of the epic. A single episode to the existence of sati at the time of Alexander’s invasion in 326 BCE has been quoted by the Greek writers like Strabo and Diodorus Siculus ad nauseam on the authority of Onesicritus and Aristobulus. It has been convincingly shown by Ashvini Agrawal188 that it has no bearing on the society and culture of Punjab. At the best it can be taken as some archaic practice amongst some primitive tribe on the north-western frontiers of the Indian subcontinent that had not entered India as yet.

**Inheritance and Right to Property**

Whereas women themselves were considered the movable property of their male relatives, that is father, husband, etc. in early civilizations around the world, there was no question of their owning any property. Inheritance was naturally considered a right of male heirs only. Even in India, where women enjoyed a highly respectable position in society and had complete freedom of sorts from very early days, there is no evidence that they had any proprietary rights in the property of their fathers or husbands. They did not own any individual immovable property either. They seem to be completely dependent upon their father or husband in this case. Though it may be argued that such a situation is normal in a patriarchal society but it raises several issues regarding the position of women as such. Numerous examples have been quoted by scholars to show that women were like chattel in early Indian society and husbands had complete right over them through the ages189. The case of Draupadī being staked during the game of dice by her husband in the Mahābhārata is too well-known to be enumerated. We have a similar reference in the Rgveda also.
where a gambler stakes his wife in a game of dice. But at both the places the husbands are severely condemned for their actions. The first ultimately led to the Great War fought in the Kuru fields of Punjab. In the latter case the husband’s act was perhaps under the influence of intoxication due to drinking. He is not only despised by his mother-in-law but also disowned by parents and siblings. Thus the right of husband over his wife was not an unquestioned one in those times. There are an equally large number of references to show that husbands were expected to show full respect to their wives and honour their wishes. Even the fathers were expected to marry off their daughters in a proper manner to suitable bridegrooms and not just to anyone. Moreover, if fathers had complete right over their daughters then Gāndharva and Prājāpatya type of marriages would not have come into existence at all. This would lead any right thinking person to desist from looking at women as chattel in ancient India.

Coming to women’s right to property it must be admitted that it appears to be absent in early times as there are no references to support such a view. There is a single reference in the Rgveda where a lady who did not have any brother goes to the court to claim inheritance to her father’s property. What happened to her petition is uncertain. But at another place in the same text a brotherless daughter is given share in the patrimony. In another reference in the Rgveda, it appears that even those unmarried girls who had brothers but grew old in the house of the parents had some right in their parental property. Normally they did not get any share in the property of their fathers. Normally the father of a brotherless daughter would try to adopt her as putrikā. In this arrangement, it was stipulated at the time of marriage that the son born to the daughter shall be considered as son of maternal grandfather and shall also inherit his property. Such an offspring was called putrikā-putra. In the Punjab of the Vedic age, it seems, the greed of property was not able to lure men to marry such brotherless girls and it was very difficult for a father to arrange marriage of such daughters. We find references to this effect in the Atharvaveda and also in the Nirukta of Yāska. Even if the father of a brotherless daughter gave assurance to the future son-in-law against her son reverting back to maternal grandfather, a doubt remained in their minds and they were hesitant in taking the hand of such girls. A girl who had brothers also seems to have staked claim to patrimony sometimes. But at another place in the Rgveda it is specifically said that a brother should not give a
share to his sister as she is to migrate to another family. There is some controversy based on a verse contained in the Šatapatha Brāhmaṇa that girls having brothers were also given a share in the property. Altekar has rightly pointed out that the verse in all probability is an interpolation and there is no evidence till the 6th century BCE of sisters inheriting patrimony along with brothers. This is clearly indicated by Kauṭilya who lays down that sisters do not inherit any property except for utensils and ornaments from their mother’s share.

Even a wife did not have a right to the immovable property of her husband and was generally entitled to maintenance only. However, there are references where husband and wife are considered to be joint owners of the property. The Šatapatha Brāhmaṇa recognizes wife as inheritor of husband’s property. The Taittirīya Saṃhitā on the other hand recognizes a wife as owner of the household goods only. But most of the authors of the Sūtras deprive them of any right in the property of the husband.

Even Kauṭilya provides only for maintenance for a wife. He limits even that to a maximum of two thousand paṇas but puts no limit on ornaments. It is interesting that Kauṭilya says that the amount of maintenance can be used by wife for maintenance of sons and their wives or if husband is away on journey without making any provisions for the wife or by the couple together in time of need under certain circumstances. If used for three years continuously by husband, in case of a pious marriage the wife shall not question it. That means after a period of three years husband did not have a right to use it. In case of Gāndharva and Āsura forms of marriage a husband was bound to return the amount with interest and in case of the last two forms of marriage such use of maintenance amount by husband was considered to be equivalent of theft. In case of a widow, Kauṭilya provides detailed rules for her inheritance. She is to continue to get her maintenance in addition to her ornaments and remainder of her dowry but if she remarries after receiving these she has to return it with interest. A sonless widow desirous of having a family or the one who marries with the consent of her elders is allowed to keep her śrīdhana given to her by her late husband and father-in-law. If she is snatched away from her kinsmen by way of a new marriage, her new kinsmen shall return the property to her kinsmen of the previous marriage by if she remarries in a legitimate way the new husband shall
protect her property of the previous marriage. He also lays down that the property of a woman who has had more than one husband, shall be inherited by her children according to the share given by their respective fathers. After the death of a woman whose husband is alive her sons and daughters shall be inherit her property. The husband becomes an heir only in the absence of sons and daughters. Kautilya further says that in case a husband remarries he has to provide for the first wife and give her property and maintenance in addition to compensation and as fine of twenty-four paṇas. It is clear that Kautilya provides for almost every eventuality and justly protects the rights of women but without letting them misuse the same to their undue advantage. On the other hand it has also to be admitted that there were always riders to the rights of women in the case of property and the male relatives would not provide an opportunity to alienate the same from their family. We do not have any specific examples from Punjab in the post Vedic period to assess the actual position at that time.

**Women in Professional and Public Life**

It has already been pointed out that the general impression about the position of women in ancient India held by the modern scholars is that of an oppressed lot confined to the four walls of the house and deprived of all rights and privileges. However, the picture of women in Punjab during the period of our study was entirely different. There is no evidence at all to indicate that either women were confined to the four walls of the house or there were customs like purdah prevailing in the society to curtail their free movement and participation in the day to day life in any sphere of life. Actually we find that women not only enjoyed complete freedom from the early Vedic age down to the end of the Mauryan period but also freely participated in public life and adopted professions of their choice as frequently as in the modern times.

Of the various professions adopted by women, studying and teaching formed a well-known occupation right from the early Vedic times. We have already given above the names of several female rṣis like Lopāmudrā, Śāchī, Ghosā, Viśavārā, Śiktā, Nivāvarī, Indrāṇī, etc. The examples of Maitreyī and Gārgī Vāchakāṇvī are too well-known. We have also referred to female teachers called upādhyāyās and āchāryās as mentioned by Pāṇini. Even the female teachers having co-educational
institutions are known from the Vedic age and speak for the active participation of women without any inhibition. The Buddhist literature also refers to several nuns who were scholars of high degree. Therīs mentioned in the Therīgāthā were all scholars of repute.

The women were active in political participation. There are several references to the ruling queens well-known to be repeated here. In the Ratnāhavīṁśi ceremony at the time of the coronation of the new king, both mahīṣī, the chief queen and the parīvrktī, the neglected queen (the one fallen out of favour or the one superseded) play an important role and occupy a significant position. Even Kauṭilya provides a salary equal to that of the highest officials to the chief queen. But what is of greater interest is the fact that women actively participated in political assemblies and were great orators also. V. Rehani has referred to the Marriage Hymn of the Rgveda where in the bride is blessed that “she would be able to speak with composure and success in these public assemblies down to her old age”. Another verse of the Rgveda depicts a woman as an excellent orator. They are seen as participating in the assemblies like the Vidatha.

What is of greater interest is the fact that military profession, which is primarily known as a male domain even in modern times, was also adopted by women in the Rgvedic period. We have examples of women like Viśpalā and Mudgalānī who fought against enemies shoulder to shoulder with their husbands. Viśpalā is described as a warrior who lost a leg in a contest. The divine physicians Aśvins are said to have provided her with an iron leg. In another example the Goddess of Speech, Vāk, is described as drawing the bow of Rūdra or taking part with Indra in his fight against Vṛtra and soon emerging as Vṛtragnī. The Atharvaveda also refers to an army brigade under the command of Indrānī. In another verse she is described as a terror for her enemies. She is taken to be the goddess of army in the Taittirīya Sanhitā.

In the epic times in the Rāmāyaṇa, we find Kaikeyī accompanying her husband Daśaratha to the battlefield and helping him in the difficult time when a wheel of his chariot was broken even at the risk of an injury to her own self. Patañjali in his Mahābhūṣhya has given a term Śāktikī for a woman who was an expert in wielding a lance. Even the Greek writers have account of queen Tonyris of...
the Massagatae (Mašakas) repulsing an attack of the Achaemenian king Cyrus (559-530 BCE) with heavy losses. Likewise Kleophis, the queen of Assakenoi (Aśmakas or Aśvakas) is known to have fought against the Macedonian invader Alexander in 326 BCE. After she suffered a defeat her kingdom was restored to her by the Greek invader. It clearly points to the existence of professional warrior women in ancient Punjab. The Rgveda refers to a term purandhī. It has been taken to mean a woman in charge of fort or pura.

Kauṭilya gives a detailed picture of professional women. He specifically refers to female bodyguards of the king when he says that the king should be risen in his sleeping chambers by the female guards bearing bows. This is attested by the Greek ambassador to the court of Chandragupta Maurya, namely Megasthenes. The latter states that the king was always surrounded by female bodyguards. When he went for the game he was always surrounded by females laced with various types of weapons. On hunting trips the women guards ride partly on chariots, partly on horses and partly of elephants, and they are equipped with all kinds of weapons, as they are when they go on military expeditions. There cannot be a more realistic picture of women in military service occupying position of authority, trust and responsibility that required immense courage.

Women spies are also referred to in the Arthaśāstra as also elsewhere. They seem to have been employed for espionage by the kings in various capacities. Several examples of the same have been given where women spies are recommended to be sent around as prostitutes, ascetics, nuns, dancers, servants in various positions, poison-girls, etc.

Women from the very beginning have been engaged in several types of industrial crafts as well as professions required for the daily needs of the society. The Rgveda refers at more than one place to the women weavers. At one place we are told that day and night are like two young sisters engaged in weaving. At another place there is allusion to a young lady resuming the work of weaving that was left unfinished by her the previous evening. Thus we find reference to Vidalakārī (female basket-maker), Kaṇṭakikārī (lady dacoit who throws thorns on the way to stop passengers), Peśaskārī (female embroiderer), Smarkārī (female messenger who provokes men), Vasah-palpūli (Washer-woman), Rajayitr (female dyer), Kośakārī
Kauṭilya specifically recommends that widowed ladies, crippled and female orphans be provided work by the state like spinning and weaving. He lays down detailed rules for their employment, protection, wages and work schedule. Such details indicate that there must have been a large number of women involved in this work. The work of a Peśaskārī or female embroiderer is referred to in the Aitareya Brāhmaṇa also. Sewing and knitting have been described as duties of women in the Śatapatha Brāhmaṇa. Abha Malhotra has dealt with the question whether it was meant only for the domestic purpose or as professionals for commercial purpose arriving at the conclusion that all these activities were commercial in nature. The examples of women engaged in industrial crafts can easily be multiplied and we see the continuation of the tradition through the ages as several of these professions are still adopted by women to this day.

Another category of women in public life was that of courtesans and prostitutes. Their existence throughout the history cannot be denied. We have several terms denoting these ladies right from the time of the Rgveda. Thus atītvārī was apparently a courtesan. Likewise atishkadvarī was a ‘procuress of abortion’ in the Vājasaneyī Sanhitā. The Taṅtirīya Brāhmaṇa uses the term apaskadvarī for the same. A dancer is mentioned as nṛtā in the Rgveda. At one place it is said that the Maruts were joined with the lightening in the same way as men are joined with prostitute. Several other examples are given by scholars from the Vedic literature. The famous bronze figure of a dancing girl from Mohen-jo-daro may be that of a courtesan for all we know. However, in certain cases women called heṭairā by some European scholars seems unjustified. For instance, even the brotherless maidens, unmarried girls having a son and some cases of incest have all been clubbed in the category of courtesans or prostitutes. It was not so. These cases were social exceptions but the ladies involved were not prostitutes or public women. On the other hand we have the story of Jabālā and her son Satyakāma in the Chhāndogya Upanishad. The latter was an illegitimate son who admitted that his mother used to sleep with several men hence he did not know the name of his father. This is a clear example of the practice of prostitution in Vedic times. In the later period we find references to ganikā and rūpajīvās. The epics also refer to them. The Mahābhārata has copious references to prostitutes who were considered useful and not looked down upon. The epic tells us that during the pregnancy of Gāndhārī a courtesan was involved...
appointed to look after her. Even when Kṛṣṇa went for peace talks to Kaurava camp he was greeted by courtesans. They were called vāramukhyās who were experts in attracting people towards them. The Buddhist and Jain literature also refers to several ganikās but most of the references in the Jātakas and elsewhere belong to Gangetic plains rather than to Punjab. However, it may be surmised that the region under consideration was no exception and courtesans must have existed here in large numbers as elsewhere. Kautilya provides detailed references to ganikās and devotes a full chapter to the superintendent of courtesans. He lays detailed rules for their conduct, salary, etc. A courtesan of high order was to be appointed as the superintendent of courtesans with a salary of one thousand panas and a deputy with half that of the superintendent. He goes on to tell that it was a punishable offence to force a maiden against her will. But if a courtesan refused to oblige a man after receiving her fee, she was to be fined double the amount of payment. A courtesan was not permitted to refuse to approach a man if she was ordered to do so by the king. If she did so she was to receive one thousand lashes or pay four thousand panas as fine. A man who wounded, disfigured or inflicted any other injury on the person of a courtesan was to be punished. The courtesans were to report their income to the superintendent and pay a fixed tax on it to the state. Even if they imported some musical instruments they had to pay a tax on it. Actors, dancers, singers, musicians, story-tellers etc. were covered in this category. The prostitutes had to pay double the tax as that of the others mentioned above. Courtesans were also employed by the state for the purpose of espionage. Such detailed description clearly shows that it was not only legally recognised profession by the state but also popularly practiced. There were social censure attached to this profession but none the less its members were not looked down upon. Rather they were respected for their talent. There are numerous examples to courtesans in the Sanskrit dramas of the later period as also in other literary works, but they are beyond the scope of the present work.

The above discussion shows that women in Punjab during the period under discussion enjoyed a high status, commanded respect in society and were given a great freedom. This made them progressive and broadminded, which resulted in the creation of a healthy society from the Vedic down to the Mauryan period.
Notes and References:

1. X.85.
2. X.85.24.
4. II.2.2.6 and III.3.3.1.
6. VII.10.1.
7. V.1.6.10.
8. I.4.3.
9. I.74.41.
10. 3.77, 79.
11. I.3.35.
12. II.6.11.29.
13. VIII.15.
15. *Arthaśāstra*, 3.2.1.
19. Uttarakuru is no doubt a mythical land but it is generally traced in the north or north-west of the Indian subcontinent. However, it should not be confused with Uttarāpatha.
23. 4.427.
Vedic Index, I, 475. There were some exceptions. For example, marriage of a Daughter with mother’s brother was permitted. Ibid.

Cf. Vedic Index, I, 476.

Cf. Ram Gopal, op. cit. 206 ff.

Ibid., 205-208.

3. 2. 2-9.

Ram Gopal, op. cit., 205-207.

X. 85.

X. 109. 2.

X. 27. 12.

V. 61.

Ādī Parva, 112, 1-17.

3. 4. 31-34.

According to Grhyasūtras marriage becomes irrevocable only after the rite of Saṃtapadī.

3. 15. 11. Also see Kangle, R.P., The Kautiliya Arthasastra, III, 152.

Ibid., 109, 9-18.

Ibid., 218, 14-23.

Ibid., 220, 3-6.

Baudhāyana Dharmasūtra, I, 11, 20, 16.

Ram Gopal, op. cit., 207.

Ibid.

X. 85.

X. 85. 22.

RV., I.117.7; II.17.7; X.39.3.

Ibid.

III.18; VI.89; 102; 130.

X.145.

Ibid.

IX.32.5.

AV, VI.18; 42; 43 and VII.45.

I.117.18.

RV, X.85. 46.
Ashtadhyayi, 4.1.20; 4.2.13.

6.2.95.

4.1.116.


Therigāthā, No. 47, commentary.


3.3.6.

Kanyā kule pradānam.

X.85. 35; 38.

X.85.6; 35.

See Ram Gopal. op. cit., 212.

Ibid.

Bhāradvāja Gr. S., I. 11.


Ibid., I. 3. 19; Baudhāyana Dharma Śūtra, 1. 1. 12; Mbh., Anuśāsana Parva, 44, 3-4.

Mbh., Ādi Parva, 109, 9-18.

Ram Gopal, op. cit., 215.

Normally it is believed in present times that the couple goes around the fire seven times which is a fallacious view. The Sūtras enjoin going around the fire only four times. Cf. Mānava Grhyasūtra, I. 10. 18-19.

Ekatvam sa gatā bhartuḥ piṇḍe, gotre cha sūtate I
Svagotrād bhrasyate nārī vivāhāt saptame pade II
Parāśaradharma Sāṁhitā, 1, 63.

3. 15. 11.

For the details of marriage rituals see Ram Gopal, op. cit., Chapters XI and XII.

X. 85. 46.

I. 109. 2.

V. 17. 12.

X. 85. 36.

X. 85. 26.
RV, X. 71. 4; X. 95. 12; I. 124. 7; IV. 3. 2 and AV, 13. 3. 14; 14. 2. 9.

X. 145. 1-6; See Wilson, H. H., *the Rgveda Samhita*, vol. VII, 376, n. 1; also AV, 3. 18.

RV, X. 159.

I, 105. 8.

13. 4. 1. 8.

1. 5. 8.

33. 7.

2. 4. 1.

Ayodhyākāṇḍa, 20.

Ādi Parva, 111-112.

8. 1. 4; 8. 1. 15.

2. 125.

1. 231; 2. 138.

446.

4. 57.

X. 85.


VI. 6. 4, 3.

No. 536.

Altekar, A. S., *op. cit.*, 112.

X. 85. 46.

X. 85. 24.

I. 66. 3.

III. 52. 4.

RV., I. 124. 4.

AV., XIV. I. 43.

V. 1. 6. 10.

VII. 3. 13.

I. 6. 4.

IX. 45.

Śānti Parva, XII. 4. 4.

Vana Parva, 58. 29.
Arthasastra, 3. 3. 1-30.
*Ch. Up.*, 5. 11.
II. 2. 4. 6. Also see *Arth.*, 3. 2. 38.
VDS., 21. 10.
Vyavhārakāṇḍa, p. 132, 146.
Śānti Parva, 34. 30.
*Arth.*, 3. 3. 19.
Ibid., 3. 3.
VDS., 17.78.
Ibid., 17. 20.
IX., 79.
IV., 30.
*Arth.*, 3. 2. 48.
III. 4. 35.
II. 6. 14. 16-17; II. 10. 27. 1.
VDS., 28. 2-3.

We have not dealt with the topics of widowhood and Niyoga in this section as they more appropriately deal with the position of women. For these two see below.

Ibid., 2.
Manu, III. 56.
I. 82.
III. 23 and VI. 11.
VII.18.
Cf. Altekar, A. S., *op. cit.*, 7. m
3. 3.
IV. 208.
VI. 4. 27.
III. 2. 6.

*Kumārasambhava*, VI. 63.


X. 159. 3.

Āśvalāyana *Grhyasūtra*, III. 4. 4.

XI. 5. 18.

V. 28.

VIII. 91.

IX. 81. 11-20.

X. 39-40.

RV., I. 179. 4.

III. 6 and 8.

I. 112. 10; I. 116. 15.

Agrawala, V. S., *op. cit.*, 281-82

4. 1. 14.


4. 1. 78.

*Cf.* Chapter IV.

6. 2. 86.


X. 85. 46.

*Arth.*, 3. 2-3.


IV. 18. 12; X. 40. 2, 8; X. 18. 7.

X. 18. 7.

*BDS.*, 2. 2. 66-68.

VDS., 17. 55-56.

Vishṇu Dharmasūtra, 25. 17.

IX. 5. 27-28.

*Arth.*, 3. 20. 16.

*Ibid.*, 143-44.

*VDS.*, XVII. 57.

X. 40. 8.

XVIII. 3. 1.

X. 18. 7-8.

*HSAJIS*, III. 91-98.


X. 34.

X. 34. 3-4.


I. 124. 7.

II. 17. 7.

*RV.*, 3. 31. 2.

I. 17. 1.

III. 5.

*GDS*, XXIX. 17. Also *VDS*, XV. 5.

*RV.*, II. 17. 7.


*Arth.*, 3. 6. 8.

XIV. 7. 3. 1-2; XIV. 5. 4.1.

VI. 2. 1. 1.

Cf. *BDS*, II. 2. 53.

*Arth.*, 3. 2. 14-15.

*Ibid*.


For details see R. S. Sharma, Some Aspects of Political Ideas and Institutions in Ancient India.


*RV.*, VI. 8. 1; I. 56. 2.


*RV.*, I. 112. 10; I. 116.15. Ram Gopal has taken it to be a name of the river Sarasvatī. He thinks that the reference has a metaphor in it. *Op. cit.*, Vol. I, 283. However, we prefer to stick to the old interpretation taking it to be the name of a lady warrior.

*RV.* X. 125.

I. 27. 4.

*AV*, I. 27. 2.

2. 28. 1.

Bharadwaj, O. P., *op. cit.*


I. 5.3; I. 134. 3.


*Arth.*, 1. 21. 1.

*Indica*, 15. 1. 55.


*Arth.*, 1. 11 and 12.

II. 3. 6.

II. 38. 4.

*Yajuraveda*, 30. 8-9, 12, 14, 19.

*Arth.*, 2. 23.

2. 11. 10.

12. 7. 2. 11.


XXX. 15.

III. 4. 11. 1. Also see *Vedic Index*, I, 481.
I. 92. 4.

I. 167. 4.

Cf. Vedic Index, I, 395-96; 481-882; Vedische Studien, I.

Ibid.

IV. 4, 1. 2. 4.

Mbh., Ādiparva, 115. 39.

Ibid., Udyogaparva, 86. 15.

Mbh., Vanaparva, 110, 52-53.

Arth., II. 27.

Ibid., II. 27. 1.