CHAPTER-V

DIFFERENTIAL STATUS OF THE GIRL CHILD
ON THE CASTE BASIS

Social Structure

Moving on to establish a girl child's position in the social structure, a totally distinctive one in India, it is important first to study this social classification termed as the 'Caste System'. Therefore we first set out to study the origins, relevance, historical antiquity and its functional aspects in society before treating the girl child in the specific classification.

Like other places around the world, India was inhabited by palaeolithic men of old stone age, followed by neolithic men of the new stone age. The neolithic men were far more civilized than their forerunners. They tilled land, possessed domestic animals, used pottery and buried their dead. Then came the chalcolithic age, when copper and bronze were used side by side with those of stone implements. The Indus Valley civilization has been identified with this age. After the extinction of this civilization, Indian history become predominantly an admixture of the Dravadian and an Aryan culture. It is held that the Aryans subdued the Dravadians politically and socially and called them 'Dasyus' who offered a sturdy resistance to their progress. In course of time, the Aryans made peaceful penetration to the Dravadian land and conquered them geographically and spiritually and thus built up the vedic civilization which was the crowning achievement of the early inhabitants of India.

C.E.M. Joad gives a brief summary of the different races and their main characteristics which have contributed to the making of India.
(i) The Indo-Aryans: The Indo-Aryan stock is found chiefly in Punjab, Kashmir and Rajasthan. They are tall, slight and loose limbed people with a long prominent nose, having light brown complexion.

(ii) The Dravadians: The Dravadian stock is found mainly in the southern part of India. They are short, dark men with long black hair, a broad and wide nose with flat nostrils.

(iii) The Mongolians: The Mongolians are found among the tribal people inhabiting the border lands between India and Tibet, Assam and Burma. They are small men with broad heads, narrow slanting eyes, dark or yellow complexion having flat faces.

Summing up, Joad further says: 'The mixture of races has widened the outlook of Indians, made them receptive of new impressions and accustomed them to the impact of new ideas. As a result, they are cosmopolitan in outlook, tolerant in behaviour and open-minded in thought'.

The Aryans on account of their 'cosmopolitan outlook' and 'open mindness' could assimilate all the good virtues of others and thus gave a cultural unity to all who came to India. The fundamental principles which the founders of the early civilization maintained was the unity of India, not necessarily talking in terms of India of today, in spite of many differences that were found in the land. These assimilations were bound to result in categorizations in society as elsewhere but in India it evolved into a grouping which was to became distinct in character and defied changes of time and political ascendancies.

Human grouping on the basis of caste, with a specific name, which cuts across and affects other mode of grouping, making social differentiation among various groups, is a very widespread feature of Indian
society. Unfortunately, India has divided her inhabitants into watertight compartments and has been dividing them on this basis for endless centuries. This process of division through an elaborate, complex and subtle scheme of scriptures, mythology and rituals have been permanently assigned high or low ranks simply on the basis of birth and is now a deep-rooted, fundamental and accepted as 'divinely ordained' for both the upper castes and the lower castes.

There has been considerable controversy amongst the social anthropologists, sociologists and historians over the origin of caste system in India, but broadly speaking the caste system owes its origin to the four primary castes (varnas). The harsh reality is that castes are not all built on – the same model. The system has grown up slowly and gradually and castes which are of different origin are also of different nature. They all have as of restricting the intercourse of their members both with each other and with members of other castes.

According to some, this system could be traced to the distinction between the fair-skinned Aryan and the dark-skinned Dravadian population of the land. In the long struggle that followed between these two peoples, the Aryans became victorious and the native Dravadians were vanquished. From the Sanskrit word 'varṇa' which means colour, this broad division was subsequently made: the vanquished people becoming serfs or slaves and the victorious people were called Dvija or twice born. But other historians have opined that the fourfold divisions of the Indian population were made according to the occupation of the people (i) the learned or priestly class was the Brahmīṃ. (ii) the fighting and ruling class was the Kṣatriyas. (iii) the commercial and trading people were called Vaiṣyas and (iv) the common people were to serve their superiors and were termed
Sudra. Hence, the subdued race was reduced to the position of slaves to be always at the service of their masters. Never shall an Aryan be subjected to slavery was the fundamental and guiding principle of the charter of the Aryan race. The brāhmaṇs were considered to be superior to other classes owing to their leading pure and saintly lives. Their intellectual and moral superiority came as a result of considerable self restraint and self denial which dated back to the Rgvedic times. The standard of dharma which the brāhmaṇs followed was a separate one from that of those who were considered inferior in the society. The ascendancy of this class had been due to the concern of the Aryans for their personal salvation and this could be secured only through religious rites which the Brahmaṇs had the privilege of performing for all classes of people. No other class had the authority of enchanting or even handling the Vedas. Thus, in the Aryan society the brāhmaṇs were the head of the Aryas; the kṣatriyas-the warrior class were the rulers of the land; the vaiśyas-the mercantile community, had also an honourable position in the social hierarchy. The Śūdra were the dāsas, who were beyond the pale of the Aryan society, having been denied the study of sacred scriptures. Each of these four castes contributed its share within its own limitation, to the larger life of the whole community.

B.N. Lunia described the caste system of the Aryan society in the following words: 'The caste system enabled Hinduism to expand its ranks, led to the preservation of skilled labour and acted as the stabilizing force and preserved the hindu culture. On the other hand, it has broken the solidarity of the hindu society, suppressed the liberty of the individuals, became the instrument of oppression and in fostering disruptive social and political forces. It has been a milestone round the neck of the hindus and dragging them with a rapid speed towards political and social decline'.

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The brāhmaṇ class predominated throughout the vedic period until the kṣatriyas got equal rights when Upaniṣads began to preach higher knowledge for all classes of people. The Epics, in course of time, brought the sacred knowledge within reach of all, including the śūdras, thus the stronghold of the Brāhmaṇic hierarchy began to dwindle. About this development, Elphinstone writes: 'The Brahmin discipline has gradually declined. Their rules have been neglected in cases where the temptation was strong, or the risk of loss of influence not apparent, until the diminished sanctity of their character has weakened their power, and has thrown a considerable portion of it into the hands of men of other classes, who form the great body of the monastic order'.

The basic idea of caste system was not for the disintegration of society but to bring about a greater efficiency based on the principle of division of labour. According to C.E.M. Joad: 'At its best the system may be reckoned as one of the most successful attempts to maintain harmony between different races and creeds living together in geographical propinquity that the world has seen'.

Sir Edward Gait endeavours to define caste system as aggregations of various tribes or pre-existing castes who have been drawn together by the bond of common occupation. In other words people who happened to follow the same occupation, trade or profession, were impelled to combine for the purpose of defending their common interest and regulating their common affairs, in spite of the fact that they were of different blood. Constant intercourse in the course of business drew these divergent elements together, and also separated them from the communities of which they were formally part, till at least a new caste, occupational in nature was formed. He further opines that this process goes on. Community of
occupation still draws people of different castes together so closely that at
times it is not easy to decide whether a new functional caste has or has not
yet been formed.\footnote{7}

The functional theory of caste system, however, does not completely
fall in line with the theory contained in the Dharmashastras. Many Smṛtis
philosophise that the four varṇas proceeded from the limbs of the creator.\footnote{8}
The same theory also finds place in the Mahābhārata which states that the
brāhmaṇa originated from the mouth of Brahma, the kṣatriya from his arms,
the vaiṣya from his two thighs, the śūdra from his feet. This theory is more
or less based on the old vedic concept enunciated in the ‘Purūṣasūkta’ of
the Rgveda.\footnote{9} The main idea behind this theory is that the ‘varṇa’ system is
God’s creation. Manu positively asserts that the brāhmaṇa, the kṣatriya, the
vaiṣya and śūdra are the only four varṇas in existence, there is no fifth
varṇa. The four-fold division of hindu society is also mentioned in the
Milindapanho along with their usual functions.\footnote{10}

Prof. Kabir opines, ‘the strength and the weakness of Indian culture
in its social aspects can be best studied in the institution of caste. The
criticisms against caste are obvious. It has broken up the unity of Indian
life. It has prevented the growth of democracy. Among the higher castes, it
has engendered snobbishness and pride. Among the lower castes, it has
induced a spirit of inferiority and servility. Among all sections of the people,
it has hindered the development of a common humanity. In spite of these
and other valid criticisms against caste, it must nevertheless be conceded
that the institution owed its origin to a spirit of toleration and
accommodation’.

On the basis of this it can generally be held that the three castes are
of Aryan descent and were honoured by the name of twice-born castes.
They could all be present at the sacrifices and they worshipped the same bright gods. The südras were the slave bands of black descent. They could never rise out of their servile conditions, and to them was assigned the severest tool in the fields, and all the hard and dirty work of the village community. Though not originally intended, the system made life of the servile class one of segregation and servitude.

In spite of many drawbacks of the caste system, it had its merits also. This institution had obtained recognition in the country for many centuries holding against many onslaughts. In short, it contributed to the stability of the hindu society. In the words of Monier Williams, 'Caste has been useful in promoting self sacrifice, in securing subordination of the individual to an organized body, in restraining vice and in preventing pauperism'.

Commenting on the merits of this system Beni Prasad held, 'the theory of caste distributes the power, prestige, privileges and goods of this world according to functions. The idea of duty which lies behind the functional concept implies that the individual does not live for himself. He exists for a greater whole to which his own ambitions must be subordinated. Thus organized society becomes something more than the individuals who compose it'.

However, later on the system produced within itself inherent contradictions when its utility was felt no more. The tyranny of the brāhmanical class forced the other classes to rebel against the superiority of the brahmans. The effects of it were seen in the mighty reform movements of ‘Buddhism’ and ‘Jainism’ which swept over the land for centuries, breaking, down the caste barriers and clearing the atmosphere of superstition created by the priestly class.
Definition

Having considered its origins and relevance it is necessary to understand what the term implies. The word caste (from, Latin 'castus', pure) was loosely used by the Portuguese to denote the Indian social classification as they thought that the system was intended to preserve purity of blood. The system is such a peculiar and complex thing that no satisfactory definition is possible. Hence we find no unanimity among scholars on the subject. Senart states that 'a caste is a close corporation, exclusive and, in theory at any rate, rigorously hereditary. It is equipped with a certain traditional and independent organization, including a chief and a council; meeting on occasion in assemblies endowed with more or less full authority. Often united in the celebration of certain festivals, it is further bound together by common occupation and by the practice of common customs which relate more particularly to marriage, food and questions of ceremonial pollution. Finally, it rules its members by the exercise of a jurisdiction the extent of which is fairly wide and which by the sanction of certain penalties, especially of exclusion, either absolute or revocable, from the group, succeeds in enforcing the authority of the community'.

According to Sir H. Risley, 'a caste may be defined as a collection of families or groups of families bearing a common name; claiming common descent from a mythical ancestor, human or divine; professing to follow the same hereditary calling; and regarded by those who are competent to give opinion as forming a single homogeneous community. The name generally denotes or is associated with a specific occupation. A caste is almost invariably endogamous in the sense that a member of the large circle denoted by the common name may not marry outside that circle, but within
the circle there are usually a number of small circles each of which is also endogamous'.

Ketkar in his 'History of caste' defines a caste as 'a social group having two characteristics: (i) membership is confined to those who are born of members and includes all persons so born; (ii) the members are forbidden by an inexorable social law to marry outside the group. Each one of such groups has a special name by which it is called. Several of such small aggregates are grouped together under a common name, while these larger groups are but subdivisions of groups still larger which have independent names'.

Without attempting to make a comprehensive definition it may be stated that the most apparent features of the present day caste system are that the members of the different castes cannot have matrimonial connections with any but persons of their own caste; that there are restrictions, though not so rigid as in the matter of marriage, about a member of one caste eating and drinking with that of a different caste; that in many cases there are fixed occupations for different castes; that there is some hierarchical gradation among the castes, the most recognized position being that of the brahmans at the top, that birth alone decides a man's connection with his caste for life, unless expelled for violation of his caste to another, high or low is not possible. The prestige of the Brahma caste is the corner-stone of the whole organization. According to some estimates there are at present more than 3000 castes and sub-castes in India greatly varying in size-some castes confined to a few score men, while some others claiming millions of members.
Historicity of the Varna System

According to the most prevalent belief the brahmans, kṣatriyas, vaiśyas and śudras are said to have been separately created from the mouth, the arms, the thighs and the feet respectively of the creator. The oldest extent passage in which this idea occurs is the Purusha sūkta(already stated above) of the tenth mandala of the Rgveda, though the representation there is somewhat vague. The varnas are variously said to have sprung from the words 'Bhuh', 'Bhuvah', 'Svah', from the three Vedas, brahman from the Sāma, kṣatriya from the Yajur, and vaiśya from the Rgveda; from different classes of gods and asuras; from the imperishable, the perishable and other principles. The Brāhmaṇas mention four castes. Śatapatha Brāhmaṇa clearly states 'There are four castes Brāhmaṇa, Rājanya, Vaiśya and Śudras'. The caste-system in the Brāhmaṇical age was a transition between the laxity of the Saṁhitā period and the rigidity of the post vedic age. We hear of four castes not only among human beings but also among gods. Commenting on Aitareya Brāhmaṇa, Śāyanacārya observes 'There are four castes among gods as well. Among them Agni and Brhaspati are Brāhmaṇs, Indra, Varuṇa, Soma, Rudra, Parjanya, Yama, etc. are kṣatriyas. Vasus, Ādiyas, Vaiśya among the gods. Puṣana is śudra.

Again in various passages in the Brāhmaṇas, and the Epics the creation of man is described without the least allusion to any separate creation of the four varnas. Mankind is said to have been divided into four varnas according to qualities in the Treta age or according to complexion, white, red, yellow, and black.

The idea gains wide circulation in the Dharmaśāstra, and Manu accepts it without questioning it which is often cited as an authoritative
pronouncement on the subject. Yet it would be a mistake to suppose that this was the only theory about the origin of the varṇas among the writers of the sacred books of the Indians. Curiously, the verses in the book of Manu immediately succeeding the passage, which describes the creation of the different varṇas from the different parts of the body of the creator, contain another and more elaborate story of the creation of mankind without reference to castes by the ten primeval Rishis. It is thus seen that in spite of the popularity of the Purūṣa theory of the origin of varṇas in later times, the sacred books give different and often contradictory and fanciful accounts of the origin of varṇas and exhibit the greatest varieties of speculation on the subject.

The duties of the four varṇa have been recorded in the Brāhmaṇa texts. Aitareya Brāhmaṇa mentions ‘receipt of gifts, drinking of Soma, moving at will, smartness and optional submission to the king as the marks of a brāhmaṇa, kṣatriya has been described as the warrior and protector while, vaiśya has been described as one who pays tax to another, is lived on by another, and can be oppressed or enslaved at will’. The śūdras is the servant of another, to be evicted at will and to be slain at will, that means, the śūdras has no right to property or security of life against the king or the nobility in general. He is to serve the three higher castes. The vaiśya enjoyed the right to property or land on condition that he paid the taxes imposed by the ruling class in return of protection by the kṣatriya. The nobles or kṣatriyas were the owners of land and the vaiśya were the tenants. The position of a vaiśya was much lower in the social scale than that of a brāhmaṇa or kṣatriya. It seems that the four varṇas were four divisions of the people classified according to their callings or professions, and all the four classes taken together made up the organic whole of the
social structure; every varna of class was important and indispensable for the functioning of the social body.

Theory and Practice of the Caste System

We find that in the vedic times there were no restrictions as regards particular occupations for persons belonging to a particular varṇa. Thus, a person born as a brāhmaṇ could take to the occupation of a physician without thereby in any way degrading his social status: "With Soma as their sovereign lord, the plants hold colloquy and say; O King, we save from death the man whose cure a brāhmaṇ under takes."\textsuperscript{21} A brāhmaṇa rishi (sage) says: "I am a poet, my father is a physician, my mother a grinder of corn. With our different views, seeking after gain, we ran as after cattle".\textsuperscript{22} The Ribhus were skilled artisans; and yet they were given high divine honours.\textsuperscript{23} And, of the descendants of the Brāhmaṇa rishi Bhrigu, some were reported to be experts in the art of making chariots.\textsuperscript{24} There is no trace of heredity defining the occupation of an individual in this early literature.

The śūdras of the Rgvedic period seem to be no other than the non-Aryans, the Dāsas or the Dasyūs who differed from the fair-skinned Aryas on account of their black complexion, flat-nose, absence of sacrificing among them, absence of the worship of God amongst them, and the prevalence of foreign customs which they followed, all of which were obviously strange to the Aryas.\textsuperscript{25}

It has also been shown that there were no restrictions in the Rgvedic society in the matter of diet and drink between the different varṇas such as we find in the later society.\textsuperscript{26} Whatever food or drink was usual was common to all the varṇas. So too, there was no higher or lower varṇa for
matrimonial alliances. There were no definite restrictions on intermarriage between the different classes of the Aryan race; in fact there was no necessity, as the different groups in society, whatever might be their occupations, were by complexion, features, language and creed practically homogeneous. There are no instances recorded of mixed marriages in the Rgveda; but this happened, perhaps, as Dutt observes, due to the fact that the castes as separate communities prohibiting intermarriages did not exist in the Rgvedic period.27 Several instances, however, occurring in the Rgvedic period and recorded in later literature, of such mixed marriages, are in fact known to us, like those between 'Yayati, a kṣatriya king and Devayānī, the daughter of a Brāhmaṇa; of Duṣyanta, a kṣatriya king and Śakuntalā, supposed to be the daughter of a Brāhmaṇa sage. Similar are the cases, mentioned by the commentator, of a rishi Syāvāśva marrying the daughter of kṣatriya king Rathaviti; of the marriage of king Asanga with a woman of Aṅgirasa family;28 and of a rishi Kashivan marrying the daughters of king Svanaya.29 The Atharvaveda declares at one place that a Brāhmaṇa's claim to marry a vaiśya girl must be given priority to the claims of a vaiśya youth.30

Gradually, however, the varṇas came to be distinguished from each other. Each varṇa became more and more marked off and separated from the other. The four varṇas came to be addressed in four different ways, differing in degrees of politeness as indicated by the terms 'ehi, āgachchha, adrava and adhava' respectively to be used for welcoming persons of the four different varṇas.31 Different sizes of unreal cakes (pinda) were prescribed for different varṇas.32

When reciting the Gāyatrī Mantra the three varṇas were to start each with different ord: the brāhmaṇa with 'Bhuh' the kṣatriya with 'Bhuvah'
and the vaiśya with ‘Svah’. Indeed the Śat. Br. says that the varṇa are created from these words in their order, the brāhmaṇa being created from the word ‘Bhuh’ the kṣatriya from ‘Bhuvah’ and the vaiśya from ‘Svah’.

Further, the brāhmaṇa is asked to use Palāśa wood for sprinkling purposes at sacrifices, the kṣatriya to use ‘Nyagrodha’ wood, and the vaiśya to use ‘Āśvatiha’ wood. According to the Ait. Br., the brāhmaṇa varṇa must recite the ‘Gāyatrī Mantra’, the kṣatriya the Trishtubh mantra, and the vaiśya the Jagati mantra at the initiation rite. According to the Tait. Br., the brāhmaṇa varṇa should perform their sacrifice during the spring, the kṣatriya varṇa during summer, and the vaiśyas during autumn. Thus, a gradual increase in the distinction between the different varṇas in terms of different rights and privileges is noticeable as we pass on from the Rgvedic literature to the Brahmanic literature, viz., in the Saṁhitās, the Brāhmaṇas, and the Upaniṣads.

In the later period, the śūdra still held the position of a menial labourer or slave; and, he was still a non-Aryan. Even then, there was less restriction upon him; and, he was at times allowed the liberty of even taking part in sacrificial ceremonies. Instead of the three varṇas, mention is now usually made of the four varṇas together, the śūdra also finding a place along with the three other varṇas. The prayer goes, for instance: ‘Bestow splendour on our brāhmaṇas; bestow splendour on our kṣatriyas, bestow splendour on our vaiśyas and śūdras; bestow splendour upon me’. In the Śat. Br., a śūdra attends to a pitri-medha yajña.

There seem to be no restrictions during this periods of the Brāhmaṇas and Saṁhitās as regards marriages between the varṇas, excepting perhaps the restriction upon marriage with a śūdra male or female by a member of another varṇa. There are not, however, many
instances recorded specifically showing the absence of such restrictions; but that may be due to the fact that no particular attention was attracted by inter-varṇa marriages, as in all probability they must have been quite frequent and not exceptional. Of course, cases are pointed out where marriage of a man of a higher varṇa with a śūdra women was looked upon with disfavour.\textsuperscript{41}

There is a great deal of theorizing in the Epic and the Dharmaśāstra literature on the problem of the origin and development of varṇas. There were no distinct castes or classes of men in the ‘krita yuga’, according to the Mahābhārata.\textsuperscript{42} At another place, the sage Bhrigu says that only a few brāhmaṇas were first created by the great Brāhmaṇ. But later on, the four divisions of man kind brāhmaṇa, kṣatriya, vaiśya and śūdra developed.\textsuperscript{43}

However, theorizing about the origin and the distinction between the four varṇas does not end with these views only. King Janaka asks a pertinent question to the sage Parāśara on this subject: ‘The whole of mankind has sprung from brahmaṇ. Now, it is a law of nature, and the Śrūtis too say the same, that the offsprings share in common the nature of that from which they are created’. Therefore, all the men on earth must have been of one varṇa when they were created. Whence, then, did the distinction start? Parāśara replies thus: ‘It is true that the offsprings begotten by one is none else than the begetter himself; but if ‘the soil and the seed are inferior, the offspring born of these will be inferior’.\textsuperscript{44}

The theory that the four varṇas proceeded from the limbs of the creator is also held by Manu smṛti(cited above); “Now for the prosperity of the worlds, he from his mouth, arms, thighs, and feet created the brahmaṇ, kṣatriya, vaiśya and śūdra”.\textsuperscript{45} And, in order to protect this whole universe,
differential duties and occupations have been assigned to the different varnas by him: "Now, for the sake of preserving all this creation, the most glorious (Being) ordained separate duties for those who sprang from (his) mouth, arm, thigh and feet".\textsuperscript{46} He further positively asserts that the brāhmaṇa, kṣatriya, vaiśya and śūdra are the only varṇas in existence; there is no fifth varṇa; and with this, Yājñavalkya, Baudhāyana and Vaśiṣṭha also agree.\textsuperscript{47}

Manu's theory of the origin of mixed castes is, in certain respects, different from that of the Mahābhārata. The real mixture of varṇas arises with offsprings born of a woman two or three degrees lower. Thus the son born of a brāhmaṇa father and a vaiśya mother would be called an Ambashthā; that born of a brāhmaṇa father and a śūdra mother would be called Nishāda, and so on.\textsuperscript{48} The mixture of varṇas takes place in other ways also. Of a kṣatriya father and brāhmaṇa mother spring issues belonging to the Suta caste; children born of a vaiśya father and kṣatriya mother or a brāhmaṇa mother belong to Magadha and Videha castes respectively; and so on.\textsuperscript{49} And, intermarriages between these new castes give rise to newer and newer castes, so that the process goes on multiplying.\textsuperscript{50} All these references indicate that discrimination was evident on account of sons born of intermixed relationships. One can only surmise the treatment that would have been meted out to a girl born out of such relationship.

Dutt summarizes the most apparent features of the Indian caste-system of today by pointing out that 'the members of the different castes cannot have matrimonial connections with any but persons of their own caste; that there are restrictions, though not so rigid as in the matter of marriage, about a member of one caste eating and drinking with that of a
different caste; that in many cases there are fixed occupations for different castes; that there is some hierarchical gradation among the castes, the most recognized position being that of the brāhmaṇa at the top; that birth alone decides a man's connection with his caste for life, unless expelled for violation of his caste rules, and that transition from one caste to another, high or low, is not possible. The prestige of the brāhmaṇa caste is the corner-stone of the whole organization.\textsuperscript{51}

The writers of the law-books, many of the Buddhist writers before they had become monks, belonged like Buddha himself to the kṣatriya caste, and even in their manhood they could not divest themselves of the jealousy which a kṣatriya naturally felt at the pretensions of superiority of the brāhmaṇa. Thus it would be an error to think that the kṣatriya caste was higher than the brāhmaṇa in the social scale simply because the kṣatriya often finds precedence in the list of the four varṇas as mentioned by the Buddhist writers. These differences between Buddhist and Brāhmaṇa writers have led some scholars to erroneously believe that the society represented in the early Buddhist literature was earlier in age and hence less developed from the point of view of caste than that described by the authors of the ādīchas.

The first point to note in the Buddhist literature is that, however much Buddha and his disciple might try to belittle the importance of birth and exalt the importance of virtue as the means to salvation, the concept of the fourfold, or rather fivefold, division of society had become long and deeply ingrained in the minds of men, and was a real force which was little shaken by Buddha's appearance. Thus in spite of the teachings that 'Khattiya, Brahman, Vessa, Sudda, Chanḍala and Pukkasa can all be virtuous and self-restrained and attain Nirvāṇa; among them, when they
have attained peace of the soul, there is no one who is better and no one
who is worse’; that ‘a man does not become a Brahman by his plaited
hair, by his family, or by birth; in whom there is truth and righteousness, he
is blessed, he is a Brahman’; that ‘not by birth does one become an
outcast, not by birth does one become a Brahman’; by deeds one becomes
an outcast, by deeds one becomes a Brahman’.  

As in the vedic so in the Buddhist literature we find closer relations
between the two higher orders, who stood in sharp distinction from the
lower orders. Buddha is said to have stated that the four classes, Khattiya,
Brahman, Vessa and Sudda, the first two stand in the front rank in the
matter of receiving salutes, seats, respects and services.

The words Vessa and Sudda occur very seldom in the Jātaka
literature and are used only when a theoretical discussion of the caste
system is made, and not to mean existing social groups. They are not met
with as pure castes like brahman and kṣatriya. They do not even represent
groups of castes, as nowhere it is mentioned whether a member of a
particular professional caste belongs either to the vaiśya varṇa or śūdra
varṇa. The explanation is that real distinction between vaiśya Aryans and
śūdra non-Aryans existed only in the early vedic society. As early as the
period of the Brāhmaṇas, the distinction between the vaiśyas and the
Śūdras had become much less sharp. If this was so even in the Brāhmaṇa
period and in the Kuru-Pāṇchāla land, it is not strange that the distinction
between the two orders became in practice nominal in later times and more
so in the eastern areas, though it was always maintained in theory. Hence
though the words occur to mean two distinct orders, they do not apply to
any existing social groups. On the other hand, the names of different
existing castes are mentioned, but not in terms of the traditional fourfold
social system. Thus professional castes like the chariot-makers, carpenters, etc., who at one time must have belonged to the vaiśya order, are grouped together in this period with despised castes like the Čandaḷās, Pukkasas, etc., without any reference to racial distinction.\textsuperscript{56}

Kauṭilya is a staunch champion of the varṇāśramadharma. The society was vertically divided into four varṇas – Brāhmaṇa, Kṣatriya, Vaiśya and Śūdra, and the first three were horizontally divided into four āśramas-brahmacharya, gārhasthya, vānaprastha and saṅyāsa. As provided in the Brahmānic religious literatures, Kauṭilya lays down the specific duties of the four varṇas and āśramas, and according to him their unflexible adherence leads to heaven and endless bliss. In case of transgression people would be exterminated through mixture of duties and castes.\textsuperscript{57} Marriage outside the caste and change of caste were prohibited customs in Magasthenes' time.\textsuperscript{58} Kauṭilya prescribes, as a bounden duty, marriage in the same caste but outsides one's gotra.\textsuperscript{59}

The brāhmaṇas, main duties were studying, teaching, performing, sacrifices, officiating at other people sacrifices, making and receiving gifts. They were astrologers, diviners and experts in occult practices. To protect their interests and to have better bargaining position, the priests could form unions or partnerships.\textsuperscript{60} The purohita invariably of a brāhmaṇa caste, enjoyed political influence and was one of the of the mantrins, and a constant counselor of the king. The kṣatriya's in number were second only to the husbandmen, and they led a life of ease and freedom.\textsuperscript{61} Their main duties were studying, performing sacrifices, giving gifts to brāhmaṇas and protecting the people and wearing arms.\textsuperscript{62} Thus they constituted the army and the executive authority the ruling class in action. The vaśyas were engaged in studying, performing sacrifices, making gifts and above all in
producing wealth by taking to agriculture, cattle-rearing and trade (vārta). They were most populous class, and by far the majority of the cultivators. The śūdra, the lowest in the social ladder, were given a place in the Aryan fold and Kautilya prohibits the sale of a śūdra minor into slavery and though not stated it would have been applicable to śūdra girl as well. Their main duties were service to three upper varṇas. They could take to agriculture and army as profession. Many were artisans and workers. Work by hand has been by traditions considered unwelcome for the three higher varṇas, and it appears that arts and crafts were practiced exclusively by the śūtras.\textsuperscript{63}

With this background to the social divisions of the society in early India it is a little difficult to evaluate the position of the women in the different castes, leave alone that of the girl child. With patriarchy being predominant in society and family, evidence on inter and intra relationships in the caste categories is difficult to discern. The special rules of conduct, rules regarding dress, on recitation of mantras, on methods of salvation, names, on ritual and sacrifice for the different varṇas were mostly puerile and meaningless. These in fact created wide differences in the society and raised permanent barriers between them.

In the Rgveda we find some woman poets, the position of woman was certainly lower than man. It appears that among the dāsas, women occupied a position somewhat equal to men. They fought in the battlefield together with their menfolk. In Rgveda, Indra refers to dāsa Sāmbara with contempt, because his army consisted of woman soldiers: “Sāmbara, the dāsa has made women his instrument, what can his vigourless or Abalā army do to mine”.\textsuperscript{64} The word ‘Abalā’ became a synonym for woman, and this use of the word is still current in Indian languages.
Moreover, like all invaders, Āryans too did not probably have with them enough women. They forcibly took away the non-Āryan women. This is clear also from the fact that the word ‘Vadhū’ is used both for bride and female slaves. In the later Saṁhitās hypergamy is permissible. Thus, the Āryans or men of the upper varṇas could have śūdra wives. It has been in the Tait. Saṁ.; that the Āryans used to establish illicit relations with śūdra woman: "If a śūdra woman has an Āryan paramour she does not expect wealth for maintenance". A śūdra could never think of marrying an āryan woman legally. The later Saṁhitās and Brāhmaṇas give a number of justifications for the low status of śūdras. The śūdras could not participate in a sacrifice.

We find stories in the Brāhmaṇas where persons were turned out of sacrifices because their mothers were not Brāhmaṇ. However, some of them were later admitted to this community by proving themselves to be genuine seers. In the Ait. Br. we find the story of Kavasa Ailusa. He was accused of being the son of a female slave. He was left in a hot desert to die. There he perceived the hymns and the waters of Sarasvatī appeared before him. And he was established as a poet of Rgveda. We find a similar story in the Taṇḍya Brāhmaṇa also. People accused Vatsa that his mother was a śūdra. To clear himself he entered into fire. He came out unburnt and was declared a brāhmaṇ. This reflects the still unrestricted rules of caste system as being adopted. Therefore it was unlikely that children male and female would be treated differently on account of caste.

The caste variations also reflect the general mode of the time on the birth of a girl child. The mother of the sons continued to receive praises if she belonged to the upper three castes. It was believed that 'gods and
fathers came to witness the ceremonies at the birth of son at the house of the twice born'. Obviously, this evidences that a girl child was not the desired child to be born to these three varṇas. But what would be the reception extended to the girl child born in a śudra household? Was there a perceptible change in the attitude of the family? There is no evidence to project the same. It may however be argued that earlier the custom of taking bride price prevailed in the lower sections of the society. Therefore the birth of a daughter may have been a welcome event in the family. There is no direct reference to attest the same. Later though Manu lays down that even a śudra ought not to take a nuptial fee when he gives his daughter in marriage for he who takes a fee sells his daughter in a disguised manner. By this time possibly the birth of daughter in the śudra families may also not have been welcomed.

So also in the Upaniṣads, the knowledge of the Upaniṣads became the fashion of that era. Many persons of the brahmaṇa class approached kings and nobles for this transcendental knowledge. In one well known instance a king went to a mere cartman to have this knowledge. Raikva, the cartman parted with his knowledge only when the king presented to him his daughter together with other wealth. In the upaniṣads there is evidence of marriage between persons belonging to different varṇas. Racial purity of the priestly elites had been diluted so much that it had to be substituted by the scruples of ritual purity. The primary function of this assertion of ritual purity was to impress the superiority of the priestly elites over the masses and much distinction would ordinarily be maintained from a śudra family.

It is in the Grhya sūtras for the first time that a number of saṁskāras or sacraments were explicitly codified. All the individuals of the higher
varṇas who wanted to establish themselves as respectable members of the elite had to get these sacraments performed for their children inclusive of for the girl children. Any deviation or non-compliance could result even in ex-communication from the community. In the Gṛhya Sūtras various sacraments or Sarhskāras are prescribed for the Āryans. These sacraments should be performed from conception to death to mark the turning points in a man’s life (dealt with extensively in chapter II).

By the sixth century B.C. the society was rigidly stratified into four ‘Varṇas’. The duties of the varṇas were elaborately defined by the Dharmasūtras. The system became birth based; the occupations of the different castes were fixed, and in ordinary circumstances – there could be no interchange. Special rules of conduct, rules regarding dress, method of salvation, recitation of mantras, names, ritual and sacrifices were prescribed for different varṇas. Mostly puerile and meaningless, these rules were meant for creating wide differences between different castes and raised permanent barriers between them. The varṇa hierarchy which made for the division of society on the basis of birth was disturbed a little by the Buddhist influence. The racial factor which was the basis of varṇa hierarchy was now further diluted. Various foreign hordes which entered the Indian sub-continent and settled down here were racially far more pure than even the brāhmanas. Perceiving this, the priestly elites substituted the criterion of racial purity by that of ritual purity.

In the Manu Smṛti we find many provisions which are first ordained but in the very next verse rejected. These include niyoga, marrying a śūdra wife and meat-eating.71 It appears that this ancient custom of niyoga had become hateful to people. Prohibiting marriage with śūdra women was necessary for the restoration of varṇa hierarchy. On the other hand, the
social prestige depended on birth rather than on profession. Manu does state: “Though brāhmaṇs employ themselves in all sorts of mean occupations, they must be honoured in every way; for each of them is a very great deity.” However, it seems improbable that in actual practice a kṣatriya or a vaiśya following his varṇa duties would have accepted a Brahmaṇ hunter or carpenter as superior to him. A person who does not follow his own ‘dharma’ will be born again in a lower varṇa. While a person of a lower varṇa may attain the status of a higher varṇa in the next birth by following his own dharma in this birth. However, sometimes people were allowed to rise to the higher varṇa. Thus Viśvāmitra, a kṣatriya by birth, became a brāhmaṇ ultimately. Similarly princes Devāpi and Sindhudvīpa attained brāhmaṇhood; so also prince Vitahavya. It appears that sometimes śūdras and even outcastes are admitted to kṣatriya caste if they managed to rise to kingship. However, these seem to have been exceptions made in case of highly distinguished people, in the nature of giving only dejure recognition to their de facto status. As a rule change of varṇa was not allowed.

So far as the varṇa of the progeny is concerned. There seem to be two types of traditions which are divergent. According to one, the progeny belong to the varṇa of their father and not of the varṇa of the mother. This seems to be the earlier practice when the āryans had no option but to marry women from amongst the non-āryan people. The other set of norms, which is already in evidence in the śūdras, and is vigorously asserted in the Smṛtis, insists that both the parents should belong to the same varṇa.

The Dharma Sūtras introduced many new rules about not taking food from the house of persons of lower varṇas. In the early vedic texts, we do not find such rules. The Baudhāyana Dharma Sūtra, which because of
its archaic language seems to be the earliest among the Dharma Sūtras, does not contain any rules about taking food in the house of lower varṇas. Gautama introduced such restrictions in a liberal way. It is interesting to note that Gautama allows a Brāhmaṇ student to take food from the house of all the three higher varṇas, but after completing his studentship he should not take food from the house of kṣatriya and vaiśya varṇas. He was expected to take food only at the house of a brāhmaṇ householder. Apastamba further propounds that even among brāhmaṇ householders, he should eat only in the house of a true brāhmaṇ.

It appears that the society was not prepared for the imposition of such rigid norms and many among the elites took object to this. Apastamba refers to the opinions of ‘some’ who allow a brāhmaṇ to take food in the houses of kṣatriya and vaiśya householders. In times of distress a brāhmaṇ could eat the food prepared in the house of a Śūdra who was under his protection for the sake of spiritual merit. Gautama says that during distress a brāhmaṇ may take food from a Śūdra.

In the Buddhist texts, the supremacy of the brāhmaṇ was openly challenged. The Buddha declared that one cannot be considered superior just because of birth or lineage. He declares: “By mere birth no one becomes a brāhmaṇ, by mere birth no one becomes an outcaste. By deeds one becomes a brāhmaṇ, by deeds one becomes an outcaste.” And ritual purity itself became the hallmark of higher varṇa. It was all the more necessary because during the Buddhist era marriages in the lower varṇas were no more prohibited. In the Jātaka we find references to many such marriages.

Broadly speaking, those ethnic groups and lineages which were to be given a higher place in the social hierarchy were described to be offsprings
of hypergamous unions between two varṇas, and those that were to be assigned a low status were declared to be the progeny of hypogamous unions. The social entities of various kinds were assigned a high or low position in the social hierarchy in this way. Through the myths of the origin of various castes as a result of hypergamous and hypogamous unions between men and women of different varṇas a way was found to explain the existence of a multiplicity of castes and each was assigned specific status in the system of stratification.

In the sociological process of the child once the saṁskaras had been prescribed it is likely and evidenced that distinctions were ordained for the initial saṁskaras as well. The Chūḍākarṇa (cutting the hair of the child) were prescribed for the dvija born in the 1st or the 3rd year after birth. Although no distinction was made with regard to the three upper castes the same was denied to a śūdra child altogether.80

The upanayana, the next important saṁskara (detailed in chapter III) also witness caste variations both in the age at which to be performed as also at the procedural stage. While it could be performed for a brahmin child in the 8th year, it was 11th for a kṣatriya and in the 12th year for a vaiśya.81 Going still further if a brahmin child desired religious superiority it was to be performed in the 5th year for brahmin, for a kṣatriya desirous of power in the 6th, for a vaisya desiring wealth in the 8th year. It was of course not to be performed for a sudra at any age. Since Yājñavalkya forbade it for a girl child but can we accept that such distinctions prevailed when they were permitted to go through this ritual earlier in history.

Disparity and distinction in the performance of the sacrifice is also evidenced. The clothing to be worn by the brahmacharinah were to be selected on the basis of their caste. While a brahmin child could exercise a
choice, those from the kṣatriya and vaisya were made to wear clothes of hemp, flax or wool respectively. Categories were also upheld in the thread to be worn by each of them. For a brahmin student it would be made of cotton, for a kṣatriya of hemp and the vaisya was to be invested with the woollen thread. Sometimes this saṃskāra for the dvija girls (at least from the elite families) would have been performed at the stated time. However since both Manu and later smṛtikaras hold that this should be performed at the time of marriage the same rules must have been adhered to then.

In the Vivāha saṃskāra, varṇa hierarchy plays an important part in the choice of males. Pāraskara Gṛhyasutra allows marriages in direct order. He says: ‘Three (wives are allowed) to a brāhmaṇ in accordance with the order of the varṇa’. Thus, a brāhmaṇ can marry a kṣatriya and a vaiśya maiden apart from a brāhmaṇ maiden. ‘Two (wives are allowed) to a Rājanya or kṣatriya’. Thus, a kṣatriya can have a vaiśya wife apart from a kṣatriya wife. A vaiśya is allowed to have only a vaiśya wife. But Pāraskar quotes some teachers who allow one sudra wife also to persons of all varṇas. The marriage ceremonies with a sudra maiden should be performed without mantras.

From the way in which the Pāraskara Gṛhyasūtra allows a sudra wife it appears that marrying a sudra maiden was not permitted by all the lawgivers. Manu and Yājñavalkya follow the rules laid down in Pāraskara Gṛhyasutra. Gautama Dharmasūtra provides that the maiden should be of equal caste. The marriage with a sudra female was also vehemently condemned by Manu because he wanted to preserve the caste hierarchy. Since younger girls were being married or it was expected that fathers marry off their daughters at the pre-puberty stage or immediately
(discussed extensively in the ch. IV) thereafter these rules would have applied to them as well.

Manu propounds the theory of ‘Jatyutkarsa’ which provides that the status of the progeny of the mixed blood could be raised to higher levels after a few generations. But this could be possible only through a chain of daughters being born to the pairs. This course would naturally be disturbed by the birth of a male child. In no other way could it be possible to raise the status of the progeny of the mixed blood. Manu says, "If a female of the caste sprung from the brāhmaṇ male and a śūdra female bear children to one of the highest caste, the inferior attains the highest caste within the seventh generation. Thus a śūdra attains the rank of a brāhmaṇ and a brāhmaṇ sinks to the level of a śūdra." Kullūka has very clearly brought out the meaning of this verse. He says, "When a brāhmaṇ marries a śūdra woman the daughter born is pāraśava and if the pāraśava daughter marries a brāhmaṇ and the daughter of this latter union also marries a brāhmaṇ and this chain of such marriages continues for seven generations, then the progeny of the seventh generation will be a pure brāhmaṇ." If anywhere in this process the daughter is missing the chain will be broken. In that case the ‘jatyutkarsa’ would not be possible because if a lower caste man married a higher caste woman it would be a case of ‘pratiloma’ type of marriage which is very much condemned.

The liberal attitude of Manu towards the fair sex is at times clearly seen in the following case but it also shows a caste bias. If a lower caste man approaches a higher caste maiden he is to be put to death immediately but if a higher caste woman approaches a lower caste man she is only to be confined in her home. Kauṭilya says that if one violates a maiden of his own caste before she has attained puberty, his hands shall
be cut off or he shall be fined 400 panas.\textsuperscript{91} thus protecting a girl child but once again with caste considerations in mind.

Different meanings assigned by Manu and the commentators such as Medhatithi, Narayana, Gobinda, Kulluka, Råghava, Nandana and Râmachandra to the words ‘utkrṣṭa’ and ‘jaghanya’ deserved special consideration.\textsuperscript{92} Manu and his commentators, excepting Râmachandra and Medhatithi, take these words to mean persons belonging to higher and lower castes respectively. Râmachandra restricts their meaning to the brāhmaṇs and the śudras respectively. The former interpretation has got an advantage over the latter inasmuch as according to the former view if a maiden of the lower caste has connection with a man of the higher caste she is not to be blamed so much. In this way a śūdra woman could well keep company with a man belonging to any of the three higher castes. Similarly a vaiśya woman could live with a kṣatriya or a brāhmaṇ and so on and so forth. But the meaning given by Râmachandra to the word ‘utkrṣṭa’ makes the whole position extremely difficult, for according to him such maidens alone could be pardoned as limited their choice to the brāhmaṇ paramounts alone. Pressed further this will mean that a śūdra woman could not keep company with a vaiśya or a kṣatriya although she could be allowed to live with a brāhmaṇ likewise a vaiśya woman was not permitted to associate with a kṣatriya although there was no harm in her doing so if the man was a brāhmaṇ. This shows a clear bias of the commentator in favour of the brāhmaṇ.

Medhatithi says that the term ‘utkrṣṭa’ means superior in any respect and the ‘jaghaṇya’ means inferior in the same sense.\textsuperscript{93} hence if a maiden has connection with a man superior to her in status, wealth, intelligence or learning she should not be blamed for it, although the man belongs to any
of the castes different from her own. Even if a brāhman girl has connection with a kṣatriya, a vaiśya or even a śūdra who is superior to hr in any of these things, she is not to be blamed. On the contrary, if a kṣatriya girl lives with a brāhmaṇ who is inferior to her in every thing she is condemned. This is certainly a more rational and better view for, it gives all importance to the merit of a man and not to mere accident of his birth in a higher caste. There can be no two opinions on the point that a girl can lead a much happier life in the company of a meritorious person than in that of a man who is devoid of good qualities and has nothing to recommend him except his superior caste.

On the whole, one cannot get a very rigid picture of the caste system in the Buddhist texts. One gathers from it that the caste system had not entrusted itself into an ideology, which is evident in later period. Matrimonial alliance with communities is not condemned by the Buddhist texts. The brahmiṇ, kṣatriya and vaiśya seem to enjoy fair relation with one another. ‘Suddo’ class gives the impression of a non-entity.

Dr. Fick thinks, “in general and as a rule we can suppose that the jātis of this age were endogenous, marriage within one’s own jāti was a rule. Everywhere in the Jātakas there were seen efforts to keep the family pure through marriage; not to allow it to degenerate through mixture with lower elements. He further narrates, ‘marriage between one caste and another is prohibited’.

Intercaste anuloma marriages were permitted down to C. 500 B.C. What then was the religious status of a wife who belonged to a lower caste? Could she participate in sacrifices? Later writers like Manu no doubt ordain that only the wife of the same caste could be associated with the husband in the sacrifices. The view of the earlier age was different; it
allowed a ‘dvija’ wife of the lower caste also full religious privileges, if she were the only wife of the husband. A śūdra wife or a wife for whom a bride-price had been paid, was however not entitled to any religious rights and privileges.

The analysis and interpretation therefore shows that caste disparities affected the girl child as much as did the deprived class of sudra as a whole. She has certain privileges if belonging to the dvija class, otherwise the lot of the girls by the end of the study marks a period of denial.
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