Chapter II

GENDER, CASTE AND MARRIAGE:

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Introduction

The debates around the Widow Remarriage Act were, to a great extent, an extension of the conflicts and negotiations about the ideas and practices of marriage. The issue of marriage continued to preoccupy the indigenous elite throughout the nineteenth century. Marriage, a samaskara or a life-cycle ritual, was marked as the most important and universal one in Hindu society. Its ritual and social importance was elevated as a sacramental space and a mark of Hindu culture and identity.

This chapter attempts to bring together some of the scriptural, ethnographic and historical discussions on Hindu marriage in nineteenth-century Bengal. Such discussions contributed towards the construction of a singular notion of a ‘Hindu marriage’ through a selective appropriation of scriptures and customs. The process involved a complex negotiation with class, caste and regional variations in marriage patterns.

The dominant trend within nineteenth century writings focussed on social, institutional and cultural aspects of the Hindu marriage system, its social origins and rituals mandated by scriptures. Throughout the period, discussions about marriage revolved round a twin, often dichotomous, axis, of the social and the scriptural, the ‘shastra’ and the ‘achara’. Achara involved both desachara (customs of the land) and lokachara (customs of the people). This dichotomous axis overlapped, at times, with that of ‘vyavastha’ or scriptural mandate vis a vis ‘vyavahara’ or actual practice. The relative weight given to the conflict between scripture and custom/practice varied between the early and late nineteenth century, with ‘achara’ receiving greater attention in the mid-nineteenth century.

The focus on custom and practice led to an examination of the protean origins of ‘Hindu’ marriage arrangements. In the eighteenth century, English East India Company officers were engaged in an effort to disentangle law from custom to identify ‘Hindu’ and ‘Muslim’ practices for the specific purpose of revenue administration. Central were
issues of proprietary rights, and therefore, inheritance, family structures and marriage. The English, preoccupied with the question of legitimacy, suggested that the origin of all progeny was a ritual form of marriage, which again had to be ranked in a hierarchy of marriage forms. Indrani Chatterjee, in her study of slavery in early colonial Bengal, suggests that the colonial intervention went deeper than has previously been supposed. Much of the colonial preoccupation with legitimacy, she argues, was part of their endeavour to negotiate the wide existence of slavery and forms of transactions in persons, inextricably linked with ritual status, lineage and kin-formation in medieval Bengal. Colonial ideologies of ‘elite’ formation were aimed at separating elites from non-elites, genealogical kin from the non-kin or illegitimate kin. Standards of genealogical legitimacy led to the ‘bowdlerized’ Hindu and Muslim laws, which assumed ‘substantive and reified proportions in the courts’. Chatterjee stresses four major ways in which colonial interventions misinformed and misled the understanding of social processes in Bengal. The first was the privileging of marriage as the origin of progeny, second, was the attempt to insert all women and children into ‘caste’-ranked systems of marriage and birth, third, was the propensity to infer social rank from the ritual undergone in the course of incorporating women, and last, through attempts at classification of various local terms to fit them into a corpus of textual law.¹

To what extent did these colonial interventions influence nineteenth century Bengali writings on Hindu marriage? Such a question harks back to earlier discussions about the development of colonial ethnology and the significance of the ‘native informant’. The material suggests a dynamic interplay between colonial ethnology and nineteenth century Bengali intellectual endeavours, rather than a unilateral derivation. British and Bengali writers had taken up, almost in a simultaneous and parallel fashion, the task of uncovering of the history of castes and tribes. Both agreed that marriage was the pivot around which constructions of Hindu caste (jati), family (kula), religion (dharma) and womanhood (naritva) revolved. For the Bengali elite, a combination of English convictions and shastric textual prescriptions outweighed historical evidence and

¹ Indrani Chatterjee, Gender, Slavery and Law in Colonial India, Oxford University Press, New Delhi, 1999, 4-17.
recent memories of social realities to produce an overwhelming concern with marriage and its role in kin-formation, caste ranking and ritual status.

Bengali historians as well as Western ethnographers assumed that the Hindu marriage remained fundamentally unchanged through the ages. Rules governing the ‘exchange of daughters’, presumed to be the bedrock of the marriage system, however, did change in response to challenges from reform or invasion. Adaptations of marriage norms were aimed at the preservation of the social order, sustained by periodic indigenous reforms and reinforced by Hindu rulers whenever they were able to command a political mandate. In the case of Bengal, two such major challenges have been identified—the Buddhist challenge of the eighth century and the Muslim invasions of the thirteenth century.

During the Pala period, the Buddhist Protestant order defied brahminic dominance, both in terms of ritual ordering and caste-hierarchy. The decline of the Palas provided an opportunity for Hindu potentates to reassert their political power and patronage. According to many nineteenth-century accounts, the Palas were succeeded by king Adisura who reinstated the caste-based brahminic marriage. Despite many references to Adisura in these accounts, the historical validity of this king and his reign is yet to be established. The thirteenth century Muslim invasions came at the end of the Sena dynasty in Bengal, which is said to have ‘introduced’ the kulina system of ranked grades in Hindu caste arrangements. Kulinism initiated a new process of elite formation within the brahminic caste hierarchy by refashioning marriage norms on stricter rules of castes and ranks. Marriage and its disciplines were given considerable importance during the Sena and early Muslim regimes. In nineteenth century Bengal, male elite accorded to the Hindu marriage, based upon kulinism, an unprecedented centrality. The new defenders of Hinduism constructed a history of Bengal centring upon family and clan-formation with a focus on kulinism. Even reformists participated in this construction.

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If marriage was one major plank of this intellectual project, the other was caste. It is now generally agreed that the early European readings of caste led to a profound misconception of *jati*-formation and identity. The idea was that caste revolved around the twin axes of menialisation of labour, and the inheritance of rank and disabilities by blood. It posited a fixity to caste, which had not been part of historical experience in pre-colonial India. On the contrary, mobility, migration, porous boundaries of kin, lineage and community, informed continuous processes of *jati*-formation. Rewriting the social ‘history’ of castes became an important project in the nineteenth century. Such caste histories were informed by a peculiar inwardness and a preoccupation with formal categories and taxonomy of castes and ranks. Some of these preoccupations, it has been suggested, were the result of colonial policies, which linked caste with status and access to resources.

The nineteenth century project of reconstituting Hindu marriage patterns became articulated in all major social projects of nineteenth century Bengal, including nationalism. Histories of genealogy, centred upon marriage, afforded the entry-point into the social and cultural history of the ‘nation’. The caste community (*jati*) was extended to the race (*jati*) in which ethnic, regional and caste identities were fixed with the identity of the nation. Idealization of Hindu marriage informed conceptions of early nationalism. In the cusp of the conflict between the colonizer and the colonized, marriage became a focus of attention, bearing, by the end of the century, the mark of a nationalist re-assertion of a subjugated people.

**Forms of Marriage in Ancient Texts—Ascendance of Manu**

‘Are marriages made in heaven?’ As far as Hindu marriages were concerned, the answer was an emphatic ‘yes’. The distinctive feature of Hindu marriage, agreed most commentators, was that it was neither a contract (as in Islam), nor did it have any civil ramifications (as in Roman law/British law). It was a spiritual union between two souls, a sacrament. Revealed laws, dating back to the *Srutis* and *Smritis*, governed marriage, which was part of an ancient and unchangeable tradition. It derived its irrevocable

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3 Marriage was also considered the seventh sacrament of the Roman Catholics, Paul Thomas, *Women and Marriage in India*, George, Allen and Unwin Limited London, 1939, 9.
character from scriptural sanctions whose effects were indelible. Hence, in deciding disputes or debates over marriage, the dharmashastra prevailed over juridical preferences.

However, there was no single scriptural sanction on marriage, as shastras were many and varied, each containing conflicting provisions. What facilitated the construction of a singular scriptural tradition in nineteenth century Bengal was the focus on a single text—the Manu Samhita. Manu was hailed as the father of Hindu law, his prescriptions came to be regarded as sacred. His laws were considered as a set of revealed codes settling the order on marriage. European Orientalists hailed Manu as the ‘parent of Hindoo jurisprudence’ and Rammohan Roy placed (Manu) Smriti next only to the Vedas. The later Vedic hymns and most of the Brahmans, like the Satapatha and the Aitareya also evinced tendencies that led up to the code of Manu. In the nineteenth century, both in indigenous and official scholarly treatises, the text of Manu received overriding importance, while others, especially those in conflict with Manu, were dubbed as ‘aberrant’ and ‘devious’.

Rules of marriage evolved through political and demographic compulsions. In the early Vedic era, according to most commentators, there was ‘freedom in marriage’ and even women enjoyed a plurality of husbands. In the Vedic nuptial texts, marriage was not always considered irrevocable for women, nor hailed as a sacrament. The Rig-Veda even allowed the performance of marriage as a temporary contract, terminable on the violation of certain terms. An inclusive definition of marriage might have been linked to the exigency of settling and populating new territories. This probably accounted for the range of marital forms socially sanctioned and accepted—polyandry, polygyny and female descendence. In view of the eastward and southward thrusts of expansion, the Vedic Aryans raised marriage to the level of a samaskara, sanctified in various ways. The emphasis was on procreation, on ‘begetting a son’. ‘By begetting a virtuous son’, said Baudhayana, ‘a man saves himself as well as the seven preceding and the seven following generations’. There emerged the doctrine of the three debts. A man was a

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4 Ibid, 12.
5 Mani, Contentious Traditions, 27, 50.
6 Thomas, Women and Marriage, 62-65.
7 Mani, ibid.
three-fold debtor—a debtor to the gods, to the sages, and to the ancestors. He redeemed them by offering sacrifices, by the study of the Vedas and by begetting sons, respectively.8

Marriage came to be considered a religious necessity for the removal of ‘the taint of seed and womb’ for complete regeneration. The notion of ‘legitimacy’ emerged as a strategy of exclusion, perhaps in the context of rival political claims or from the logic of property inheritance. Marriage became linked to legitimacy, to the son as the inheritor ‘who will, by performing the funeral rites, save their father from hell’. Pressures of narrowing definitions of legitimacy dictated stricter control over women and ‘the gift of the daughter’ assumed key significance. Manu carried these imperatives to their logical, and extreme, consequence. A Hindu girl had to be married before puberty and gauridan (gift of the daughter at the age of eight) acquired the highest merit the father of a daughter could earn. A daughter, still unmarried at puberty, resulted in social disgrace for her family in this world, and damnation for her parents in the next. The exigency of legitimacy also required curtailing polygamy—on the side of women. An increasing insistence on fidelity and wifely subjection led to the erosion of freedom of women. So, while male polygamy was sanctioned, even encouraged for the ‘begetting of sons’, for a woman marriage was a rite that she could undergo only once.9

Ancient Indian texts undertook elaborate classification of marriages, which included the entire gamut of heterosexual arrangements from celibacy to the grossest polygamy, both male and female. These classifications sought to separate a few approved forms of marriage from the existing plethora of sexual arrangements. The ancient Hindu lawyers referred to as many as eight forms of marriage, which were typical of different stages of social progress. Though Manusmriti and Kautilya’s Arthashastra were not in accord with each other in ordering the marriage arrangements, both agreed in describing the different ways, in which the eight forms were performed. There were four forms, which were ‘approved’ or regarded with favour. The first was the Brahma where the father made the gift of his daughter with a single robe to a man learned in the Vedas (Manu III-27). The rites, which the sages called Daiva was the gift of a daughter, whom

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9 Blunt, Census of India, 1911, XV, 207.
her father decked in gay attire (Manu III-28). In the Arsha form, the father gave away his
daughter having received from the bridegroom one pair of cow or two (Manu III-29).
Where the father gave away the daughter with due honour to the bridegroom, saying,
‘may both of you perform together your civil and religious duties’, the rite was called
Prajapatiya (Manu III –30).10

Among the disapproved forms of marriage, the first one was the Asura. Here, the
bridegroom having given as much wealth to the father, kinsmen, and to the damsel
herself, took her voluntarily as his bride (Manu III –31). In the Gandharva manner, the
mutual desire and love of a man and a woman led to the bond of marriage as Manu said
that they had ‘sexual intercourse for its purpose’ (Manu III-32). The seizure of a maiden
by force while she wept and called for assistance after her kinsmen and friends had been
slain in battle and wounded, and their houses broken open, was dubbed as the Rakshasa
marriage (Manu III-33). The ‘barest’ and the most sinful of all was the Paisacha
marriage where the man secretly embraced the maiden while sleeping, or flushed her in
liquor and unbalanced her senses (Manu III-34). These various forms were referred to as
various ways of selecting the wife. All of them were not recommended for adoption but
they were analysed as part of the process of systematizing Hindu marriages. The very
names given to the marriage patterns showed the approved or acceptable and non-
approved or transgressive forms of marriage. The four later forms of marriages were
regarded as illicit and the Paisacha was condemned as being criminal.11

Kautilya designated the first four forms as dharma marriages and the last four as
sulka (or adharma) marriages. The word dharma signified the socially approved norms,
which were inviolable, and the last four forms implied the element of adharma, i.e.
immorality and were thereby as socially unapproved. While the dharma marriages
depended on the authority of the father of the bride, Prabhati Mukherjee argues, the
adharmas depended upon the authority of both the parents and they, or one of them in the
absence of the other, received the sulka (tax) for their daughter.12 Similarly, ‘virgin
brides’ were classified into two categories: one married in accordance with dharma and

10 Gopalkrishnan, Hindu Marriage Law, 42; Mukherjee, Hindu Women, 52-54.
11 Mukherjee, ibid.
12 Arthashastra, III, 2,13, cited in Mukherjee, ibid, 54.
the other with the payment of *sulka*. Correspondingly, the two forms were also identified with spiritual and secular types of marriage. The post-marital payment of *sulka* played a role in the social sanction of the *Gandharva, Rakshasa* and *Paisacha* forms of marriage.

In the socially disapproved marital arrangements, underlines Mukherjee, the girl was not ‘given away’ as a ‘gift’ to the bridegroom. The permission to marry her was obtained by paying a tax or tribute to her guardians, in addition to the *stridhan* (bride-wealth). The payment was probably a compensation to her parents for the loss of her services, which indicated her economic value in society. She exercised greater control over her personal property while her husband had limited hold over it. In these ‘inferior’ marriages, the role of the woman was partially recognized. The girl was probably mature at the time of marriage and her consent to the union (especially in *Gandharva*) played a direct role. These marriages were contractual in nature and their dissolution was allowed on the ground of *dvesa* (aversion). In these disapproved forms, rights of women with regard to property were clearly emphasized. On the question of social and economic rights, the approved (*dharma*) marriages emphasized male interests, which was evident from the absence of rights of women and the discriminatory privileges enjoyed by men.\(^\text{13}\)

It is notable that the notion of transaction was embedded in Hindu marriage systems, even in classical texts. The ‘gift of the daughter’ was valorised in the context of the *dharma* or approved forms of marriages, many of which involved an exchange price (later termed *pana*).

Indrani Chatterjee poses searching questions about colonial characterizations of marriage as ‘gift’ of the daughter. She points to two major features of slavery in Bengal. First, the predominance of young children, both female and male in slave transactions, she suggests, was aimed at creating greater loyalty and dependence providing potent strategies of inclusion. Second, kinship terms were used for slaves, who were part of market and non-market transfer. The ‘gift of the daughter’ needs to be problematised, in view of the wholesale confusion about marriage forms in eighteenth and nineteenth centuries. ‘Unfortunately’, Chatterjee writes, ‘both the pundits and the officials of the East India Company have been responsible for the representation of the “gifts” of metaphoric daughters as the highest form of “marriage” where females were subject to

\(^{13}\) Mukherjee, ibid, 54-57.
transfer’. N.B. Halhead’s *Code of Gentoo Law* mentioned among the five forms of marriage, the Deeyb (*daiva*) described as the Duchneh (*Dakshina*) given to the *Brahman*, ‘procured to pray’ to the household deities. In return, they ‘adorn their daughters with fine ornaments and handsome clothes, and give her’ to the Brahmin ‘in lieu of the present’. Is the ‘gift’ of the daughter, in this case, a *Daiva* marriage? Does such a marriage fit into the regular and higher forms? After all, the priest is in the position of a servant and the ‘daughter’ is being given away as ‘payment for services rendered’. Chatterjee suggests that the real answer lies in the nature of ‘daughterhood’. The assumption that all daughters were biological and part of closed lineage and kin groups had been encouraged by the fact that, unlike sons for whom there is a varied language of description at least in adoptive/biological terms, ‘daughters’ bear a more homogenous mark of description. Chatterjee’s arguments provoke another series of questions about marriage as transaction (neither sacrament nor unilateral gift), in which the central feature was the *pana*, the price or the value of the exchange. Have we paid insufficient attention to the ubiquitous use of terms like *kanyapana* and *barapana*, which provide basic categories of classification of marriages?

**Marriage in India: The Anthropological Exploration**

A profound and fundamental elision of Hindu marriage occurred in English representations. English interpretation of cohabitational unions of men and women from different *jatis* as forms of miscegenation contributed to the notion of ‘closed’ endogamous castes and groups. The process rendered refinement of jural status within same-*jati* unions redundant. The assumption was that low-ranking women were married in accordance with low-ranking forms of marriage. The irregular or inter-caste ‘low’ forms of marriage began to embrace several textual forms like *Gandharva* and local forms like *phoolbibahi* (found in some districts of Orissa). Irregularities in such marriages were flattened to enable their entry into ‘Hindu Law’. The language of inter-caste marriages was fraught with tension and could have had multiple implications in the

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15 Chatterjee, ibid, 25.
pre-colonial social order. The British erased these multiple meanings in favour of regular/irregular and high/low distinctions. This led to a wife/concubine distinction, which had the merit of enabling them to deny a range of claims and rights.

These concerns were written into taxonomic exercises towards the close of the nineteenth century. British official surveyors of the Imperial Census directed a simple question with regard to the civil condition of the people in India—‘Are you married?’ Marriage or *biyah* did not, however, become fully legal without other modalities pertaining to the ceremonial. In order to resolve any such doubts, instructions given to enumerators were as follows:

Enter each person, whether infant, child, grown-up, as either unmarried, married or widowed. Divorced persons, who have not remarried, should be entered as widowed. If a woman is generally considered a married woman by the custom of her caste, enter her as married even if the marriage is not recognized as valid by high-caste Hindus.17

Moreover, ‘prostitutes, concubines and any other woman who has never been married by proper form, should be entered as unmarried, whether they are living with a man or not’. Remarried widows were also entered as married.18

This universality of marriage constituted one of the most striking differences between the social practices of India and those of Western Europe. Marriage in India was the usual condition for both men and women. Celibacy and late marriages were rare in India. The British observed that ‘of Hindus over 15 years of age amongst males some 85 per cent are or have been married; amongst females the ratio reaches 98 per cent’. The age 15 was taken as a stage after which the proper cohabitation between husband and wife began, though many got married even before that age. But such marriage, according to the officials, ‘implies nothing more than irrevocable betrothal’.19 Among Hindus, marriage ‘is as universal as it can be: the only classes that remains generally unwed are

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16 Ibid, 80.
those who do not want to marry, such as faqirs, prostitutes and so on, and in the case of men, those who cannot get wives because of the shortage of women'.

The universality of marriage, led the British to speculate on the importance of religious injunctions about begetting sons. While it was imperative for a Hindu to marry, social rules of marriage, they observed, placed impediments in the way of finding suitable mates. In the West, 'a bachelor can marry any woman in the world save relatives of 15 kinds (there are a total of 30 prohibited degrees)'. But Hindus 'cannot marry outside their endogamous groups or within their exogamous groups while the prohibited degrees are much wider than the West'. Widows were forbidden to remarry among high caste Hindus. In compensation, a man had the privilege of marrying more wives than one at a time, if he wanted. Thus, in spite of many restrictions, Hindus appeared very much married as a community.

In an attempt to decode the complex rules of marriage within the caste and lineage structures, the India Report wrote, 'In India ... one set of rules contracts the circle within which a man must marry; another set artificially expands the circle within which he may not marry, and the third series of conventions imposes special disabilities on the marriage of a woman'. The first restriction was dependent on the law of endogamy; the second on that of exogamy; and the third, in one form, on the law of hypergamy, while in another, it prevented widow remarriage.

Endogamy was believed to be integral to the Hindu caste system. Despite the growing historical evidence of continuous caste formations through inter-caste marriages, the colonial government insisted that such marriages were irregular, if not illegal, and that caste enjoined strict endogamy. The exogamous groups in Hindu society formed a circle within which a man may not marry. Varnas, they argued, had nothing to do with exogamy. A Brahman man could marry a Kshastriya woman. There were complications because a man may belong to several such circles, which were by no means concentric. There were totemistic groups, eponymous groups, territorial or local groups and caste

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20 Ibid.
21 Ibid, 217.
22 India Report, 1901, 421, cited in Blunt, Census of India, 207.
23 Ibid.
groups. What really determined the exogamous pattern of marriage was the **Gotra** or the ‘group of agnates’ meaning the descendants of a common ancestor.\(^{24}\)

The brahminic legends named eight original **Gotras** and later ten other **Kshatriya Gotras**; and from those original **Gotrakara Rishis** or ancestral saints descended several thousands other **Gotras**. A man was forbidden to marry a woman of his **sagotra** or the same group. Colonial officials believed that the **Gotra** like every other exogamous group fulfilled the purpose of preventing incest and marriage within it was considered incestuous. The British administration also discovered ‘hypergamy’ or ‘marrying up’ as a distinctive feature of the Indian marriage system. Hypergamy forbade a woman to marry a man of a lower social/caste standing than her. It was found fully developed among the Bengali Kulinas, Rajputs and Nayyars in varied forms.\(^{25}\)

British ethnographer, Denzil Ibbetson, first coined the term ‘isogamy’ and ‘hypergamy’.\(^{26}\) Ibbetson defined the rule that arranged local tribes in a scale of social standing and forbade the parents to give their daughter to a man of lower rank as isogamy. By hypergamy he meant the law of superior marriage, the rule that compelled a father to marry his daughter to a member of a tribe superior in rank to his own. In both cases, a man did not scruple to take his wife or at any rate his second wife from a tribe of inferior standing.\(^{27}\)

Ibbetson’s definition of Hindu ‘caste’ marriages was reproduced by Risley and Wise who correlated marriage and clan ranks among **Brahmans** and **Kavyasthas** in Bengal in their ethnographic glossaries.\(^{28}\) Hutton, in 1961, suggested that the marriage of the **Rahri Brahmans** was a classic example of how hypergamy worked in India.\(^{29}\) In contrast, W.H.R. Rivers argued that clan ranking among castes was based essentially on political power. In his view, higher ranked clans represented the conquering invaders who imposed their authority on indigenous low ranked clans. Hypergamy arose in a situation

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\(^{24}\) Ibid, 209.

\(^{25}\) Ibid.


\(^{27}\) Ibid.


where the invading superior community did not object to taking daughters from the indigenous clans, but refused to give daughters to lower ranks and used their military strength to prevent deviance. The Hindu invaders' cultural concept of blood purity and its preservation through their women reinforced the idea of hypergamy that was entwined with ritual purity and religious status.\textsuperscript{30}

In recent years, anthropologists have further explored the importance of marriage in family and caste formation. The sacrament called marriage, argued Louis Dumont, 'dominates the Hindu's social life, and plays a large part in his religion'.\textsuperscript{31} According to Dumont, ranks were acquired by birth on the one hand and created by marriage on the other. Hypergamy represented the latter phenomenon. He referred to the 'higher houses' as a small aristocracy and speculated that ranks of the lineages 'might be the result of a codification by some sovereign or court intending to establish a clear order of precedence'.\textsuperscript{32} Recent ethnographers have also observed that the pattern of marriage exchanges among the clans was closely connected with creation of ranks.

Ronald Inden, in his study of marriage and kinship, pointed out that marriage, whether impregnable or assailable, was considered a universal liturgy of Indian tradition. For the Hindus, marriage upheld the Vedic code (\textit{Dharma}), the purity of clan (\textit{Gotra}), and above all, the coded bodily substance (\textit{Kula}). Classical anecdotes and Brahminic scriptures were replete with references to marriage as a solemn ritual, deathless and, at times, irrevocable. Hindus generally adhered to the idea that marriage (\textit{Bibaha}) was the first of the symbolic actions in the series of the ten life-cycle-rites (\textit{dasakarma}) referred to in Hindu society as \textit{samaskaras}. The word \textit{samaskara} was accordingly defined by Inden and Ias as the act to 'complete', 'prepare', 'make over', 'fully form', and above all, to 'purify' (\textit{suddhi}). Every \textit{samaskara} was regarded as a transformative action that purified the living body, initiating it into new status and relationship by giving it a new birth. The cycle of life hence began with marriage leading directly to the impregnation rite (\textit{garbadhan}), 'causing birth to a male child' (\textit{pum-savana}), with the penultimate goal

of attaining heaven (moksha). Marriage was the only one samaskara, which was necessary for everyone. The total symbolic action of marriage, more complex than the other sacraments in life, created a new family by uniting the separate and previously unrelated bodies of a man and woman into a single body. Marriage, as a samaskara, removed defects (dosas) from the body such as those inherited 'from the seed' (baijika) and ‘from the womb’ (garbhika) and infused quality (guna) into it. 33

According to Inden and Ias, there was no single or rigid body of authoritative rules, nor any general pattern governing the samaskaras for all Bengali Hindus.34 Lina Eruzzetti, in her study of marriage in Bengali society, however, argued that within a broader framework ‘there is an all India model for marriage’. It was a civilizational construct, she said, shared by all Indians and all regional Indians societies despite variations of caste and language. This model was based on the brahminic ritual and elaborated to varying degrees of complexity in the sacred texts. This shared ritual was not a sacred element separate from social relations; rather it entered into the cultural, symbolic and ideological constructions of different marriage systems and practices in India.35

Reinventing Hindu Marriage: A Nineteenth Century Agenda

In nineteenth century Bengal, the history of Hindu marriage was perceived as the beginning of a ‘history of the nation’. The quest for a history may be attributed to three factors. First, in this period, ‘history’ as a ‘novel subject’ emerged. To the colonized Bengali literati, the search for a past was part of the search for a ‘self and identity’.36 Writing in 1880, Bankim Chandra Chattopadhyay expressed a desire for a history of Bengal. He said, ‘Bengal has no history; what it has, is...only fiction, biographies of foreign, heretic extortionists. Bengal direly needs a history. Otherwise, there is no way to

34 Ibid, 37-38.
36 For a more detailed discussion on the emergence of modern history-writing in Bengal, see Partha Chatterjee, The Nation and its Fragments, Colonial and Post-Colonial Histories, Oxford University Press, New Delhi, 1994, 76-115.
uphold our dignity’.37 He lamented, ‘When Europeans go hunting birds it is recorded as history. But a country, which produced Udayanacharya, Raghunath and Chaitanya, has no history!’38 History, according to Bankim, was to recover the memory of Bengal’s great ancestors, with a chronology of its political glories and cultural landmarks.39

Second, in the second half of the nineteenth century, the British administration was planning the first Census of India. The Census aimed to enumerate and classify the people of India, with reference to their castes, creeds, religion, etc. Marriage, as a major determinant in the Hindu caste-hierarchy, came to receive enormous importance in recreating caste patterns. Officials like Gait and Risley were commissioned to classify and record caste and tribes on the basis of ranks and status.

Third, debates around widow remarriage hinged on the characterisation of marriage. While both proponents and opponents shared the understanding of Hindu marriage as a sacrament, there were disagreements regarding its origin, form and classification. While Ishwarchandra Vidyasagar, in promoting the reform, traced the history of Hindu marriage in Bengal, many others garnered an array of classical sources to produce multiple versions of origin and patterns of Hindu marriage.

From the 1870s, a group of Bengalis focussed on writing the history of the Hindu (Bengali) ‘nation’ formulating new contours around caste, marriage and family. In their writings, the Brahminic caste-network that turned on the kulina social-marital order appeared as a major determinant. Their histories fed into the emerging caste competitions among Brahmans, Kayasthas and the rising merchant class of Subarnabaniks (traditional Sudras) of the colonial metropolis. In the nineteenth century, Bengal witnessed the emergence of a dominant merchant community, challenging the social and economic superiority of Brahmans and Kayasthas. As marriage alone could preserve the purity of caste ranks among the traditional superiors, marriage transactions through a proper ‘exchange of daughters’ became crucial. The writing of history became a direct

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37 Bankim Chandra Chattopadhyay, ‘Bangalar Ithas Sambandhe Kaekti Katha’ (A few words on the history of the Bengalis), First Published in Bangadarshan, Calcutta, 1880, Bankim Rachanabali, 2, 336-340, translation mine.

38 Bankim Chandra Chattopadhyay, ‘Bangalar Ithas’ (History of the Bengalis), First published, Bangadarshan, 1874, reprint, Bankim Rachanabali, ibid, 330-333, translation mine.

39 Rabindranath Tagore was, however, critical of nineteenth century Bengali historians, dedicated to such genealogical elaborations. He criticized the lingering chronicles of different gain-gotra-prabar being
instrument of new caste claims. Authors like Lalmohan Bhattacharyya (Vidyanidhi), Nagendranath Vasu and Durgachandra Sanyal laid out explicit historical grounds to justify the proper ‘exchange of daughters’. Their histories asserted superior caste claims by the three traditional upper castes. By the twentieth century, however, similar processes were at work within Subarnabaniks and Gandhabaniks, especially those who led Calcutta’s trading castes and merchant communities. Their chief aim was to be counted among the upper castes of Bengal, countering the ‘stories’ of their caste-degradation documented by Vidyanidhi and Vasu. They drew on historical evidence to demonstrate the existence of Chaturashram (four stages of life)—Desh, Sankha, Abat and Satrish compared with the Vedic Varnashram. The Subarnabaniks, who were considered to be especially degraded even in the mid-nineteenth century, drew not only from Vedic and Puranic texts but also from medieval literary texts like Chaitanya-Charitamrita and Manashamangal to show the existence of rank-formations among their castes commensurate with kulina ranking.40

Historians who focussed on caste and family genealogy were neither without influence nor removed from the concerns of the more modern/western school of history writing. In his introduction to ‘Sambandha Nirnay (the Social and National History of Bengal)’, Lalmohan Vidyanidhi sought to ‘make the present and the future generations of my country acquainted with the past glories of our ancestors’. In the preface to the fourth edition, he cited from Professor Max Muller, ‘a people that feel no pride in the past, in the history or literature, has lost the mainstay of its national character’.41 Vidyanidhi reiterated that materials used in his account ‘have not been drawn from any foreign source and information, but are almost entirely founded upon the ancient literature of our own country supplemented by local traditions’. While writing the history of ‘Indian Aryans’, Vidyanidhi assiduously dug into the ‘local peculiarities’ and ‘social divisions’ of Bengali Hindus. The scope of ‘Sambandha Nirnay’ finally narrowed down to a compilation of the ‘historical origin’ of various caste-ranks of Hindus. The book, as

dragged through the flimsy thread of caste and clan ranks. Rabindranath Tagore, ‘Aithhasik Chitra’ (A Historical Account), Rabindra Rachanabali, 13, 479.

indicated by its title, became an extensive analysis of kulinism, examining the interrelations of different castes of Bengali Hindus.

According to Vidyanidhi, these historical exercises, involving discourses on genealogy and caste, dwelt on a particular body of ‘indigenous’ sources, called kulashastras. Variedly termed as kulaj, kula-karika, kula-panjika, these kulashastras, were the genealogical records of different caste-groups. These lineal records of different ancestries, authored by ghataks or matchmakers, codified old as well as new rules regarding gift and acceptance of daughters in marriage (avritti). There were also the codes of clan (kula-karya, kula-karma, kula-kriya, kula-dharma), which were supposed to help preserve the coded bodily substance. According to Inden, the writing of these genealogical histories was undertaken in the fourteenth and fifteenth centuries. The Islamic conquest had eroded state regulation of social order, which had to be replaced by other agencies like the caste councils and maintenance of genealogies by specialists.

Drawing extensively from kulashastras, some nineteenth century historians were aiming at an encyclopaedic account of Bengal. Vidyanidhi’s ‘Sambandha Nirnay’ (Determining Relations), and Vasu’s ‘Banger Jatiya Itihaas’ (The National History of Bengal) and ‘Viswakosh’ (World Encyclopaedia), were the major studies based on many recondite and little known kulashastras. In 1885, Mahimchandra Majumdar first enumerated the genealogical texts in the bibliographical outline of his book, Gaude Brahman (Brahmans in Gauda). He listed two types of kulagranthas compiled by the Rahris and Varendra ghataks. Among the Rahris, Dhrubananda Mishra, Mishracharya, Phulia Kulabarnan, Vachaspati Mishra Ghatak and Ramhari Tarkalankar composed the leading texts. Varendras had the Kulapanjika, Gainmala, Bhaduri Kulabyakhya, Dhakur Ba Karanadir Byakhya and Nigura Grantha. There were also references to Devivara’s Mel-Parjai Ganana, Dhananjay’s Kulapradip and Kularnab, Ramananda Sharma’s Kuladeepika, Kulachandrika and Sagarprakash, as important sources of genealogical

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41 Max Muller’s Address at the International Congress of Orientalists, in Vidyanidhi, Samabandha Nirnay, Introduction, no page number.
42 Ibid, 2.
43 Ronald Inden, Marriage and Rank, 73-75.
45 Mahimchandra Majumdar, Gaude Brahman (Brahmans in Gauda), 1885, cited in R.C. Majumdar, Bangiya Kulashastra (The genealogical texts of Bengal), first published serially in Bharatbarsha, Kartic-Phalgun, 1939, reprint 1973, Bharati Book Stall, Calcutta.
history. Though not of the same category, Ananda Bhatta’s *Vallacharit* was one of the most ancient texts to be used as a historical source. The sources also included the *Kshittish Vamsabalicharit*, written by Dewan Kartikeya Chandra Roy of Navadwip.\(^{46}\)

Historians, committed to ‘modern’ empirical history writing, contested the use of such sources to write ‘history’. While Haraprasad Sastry\(^{47}\) and Dinesh Chandra Sen\(^{48}\) endorsed the use of *kulashastras*, Akshaya Kumar Maitra, Rakhaladas Bandyopadhyay\(^{49}\) and Ramaprasad Chanda\(^{50}\) ruled out genealogical records in constructing any serious history. Ramesh Chandra Majumdar, the most prominent of the ‘modern’ school, was, however, ambiguous about genealogy-based history. In *Bangiya Kulashastra*, he pointed out that genealogical records primarily dealt with the ancestral history of the major territorial sub-castes of *Brahmans* and *Kayasthas*.\(^{51}\) According to Majumdar, the two *kulashastras* named *Edumishra Karika* and *Harimishra Karika*\(^{52}\) stood out significantly as the most ancient and authentic. Nulo Panchanan’s early sixteenth century chronicle, *Gosthi Katha*, recorded that Edumishra was a contemporary of Laksmana Sena. Nagendranath Vasu, writing much later, placed him a little later in history as a contemporary of Keshab Sena, one of the later kings of the Sena dynasty. While Majumdar endorsed Vidyanidhi as the most authentic and earliest of the nineteenth century writings on marriage, Vidyanidhi as well as Vasu drew heavily from Edumishra.

During the fifteenth century, Majumdar argued, Bengal witnessed a kind of a Renaissance, a revival of Hindu scriptures, language, and literature. Religious discussions were revived as Raghunandan reinterpreted Hindu scriptures drawing from classical Vedic literature and *Manusmriti*. Hindus found a new social-religious leader in Shri Chaitanya whose *bhakti* (devotion) gave birth to new social mores. A stagnant and inert *jati*, after two hundred years of alien ravages, witnessed a sudden resurgence of culture.\(^{53}\)

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\(^{47}\) Haraprasad Shastri, *Bharatharsher Itihaas* (History of India), Calcutta, 1895.

\(^{48}\) Dinesh Chandra Sen, *Brhat Banga* (Greater Bengal), University of Calcutta, Calcutta, 1934.

\(^{49}\) Rakhaladas Bandyopadhyay, *Vangalar Itihaas* (History of Bengal), Gurudas Chattopadhyay and Sons, Calcutta, 1917 and 1923.

\(^{50}\) Ramaprasad Chanda, *Gaudarajamala*, (A royal history of Gauda), VI, PI, Varendra Anusandhan Samiti, Rajshahi, 1912.

\(^{51}\) Majumdar, *Bangiya Kulashastra*.

\(^{52}\) *Harimishra Karika* was first published as an article by Ramesh Chandra Majumdar in *Bharatharsha, Jaisthya*, 1941.

\(^{53}\) Majumdar, *Bangiya Kulashastra*, 104-105.
According to Majumdar, some of the Hindu royal houses, like Varma, Sur and Sena sponsored this cultural resurgence, promoting the court kulajnas and kulashastrakars (genealogical experts) to author the history of the royal houses. In the absence of any source, ghataks or genealogical registrars depended largely on imagination, hearsay and anecdotes. Thus started, argued Majumdar, the semi-fictional account of Bengal’s four-fold caste system of Brahmans, Vaidyas, Kayasthas and Sudras.

In the course of the twentieth century, the more ‘modern’ school overtook the genealogical style of history writing. Subsequently, the use of kulashastras in the writing of history fell into relative disuse. However, these histories of caste and lineage continued to be influential within social, especially caste, movements. They contributed towards an understanding of caste and rank formation through family and marriage systems and were the chief source of historical accounts of kulinism.

The Origin of Kulinism—Myth and History

The origin of kulinism in Bengal is shrouded in mythology. Almost all historians and scholars provide the same account of the origin of kulinism, but the historicity of this account remains questionable. The story, similar in its chief elements, is as follows. After the fall of the ‘evil’ king Vena, came the ‘good’ king Adisura. During Vena, marriage was unregulated; no rules were followed in the exchange of daughters. Adisura restored ‘order’ by re-instituting caste ranks, now termed kulinism. Vallala Sena, the first historical Hindu king after the Pala interregnum, was credited with the systematic regulation of kulina ranks, by restoring brahminism in Bengal. A final codification came at the close of Laksmana Sena’s rule, which was seen as a response to the arrival of the Muslims. But the process of codification was never quite complete; it continued in fits and starts throughout the next few centuries and up to the nineteenth century.

The story of kulinism begins with Vena who unleashed chaos upon Bengali society by forcing men and women of the four Varnas—Brahman, Kshatriya, Vaishya and Sudra to inter-marry in order to create occupational rather than inherited castes.
Although Vena's 'virtuous' son Prathu later broke down jatis into Brahmans and Sudras, norms of marriage exchanges were not restored.\textsuperscript{57}

Traditional as well as nineteenth-century sources agreed that the real breakthrough took place when Adisura brought in five Brahmans from Kanauj. This momentous event, however, cannot be historically validated. There is no historical corroboration of a king named Adisura, and no certainty about his identity and lineage. Kalhan's \textit{Rajtarangini} addressed Adisura as the eighth century king of Bengal, 'Jayantaraj'.\textsuperscript{58} According to \textit{Rajtarangini}, Gaudaraj Jayanta was overthrown by the great and gallant king of Kashmir, Jayapirh or Jayaditya (745 A.D.-776 A.D.).\textsuperscript{59} \textit{Ain-i-Akbari}, however, differed from \textit{Rajtarangini} and placed Jayantaraj ahead of Adisura.\textsuperscript{60} It was also believed that Jayaditya routed the Buddhists from Bengal and assumed the title Rajachakrabarty. In the analysis of Rajendralal Mitra, Adisura was none other than the Hindu king of Kanauj, variedly called Virsena or Virsingha. According to another source, Vatsaraaja, a Hindu chieftain, vanquished the Buddhist dynasty in Gauda and established his Hindu general, Adisura, on the throne of Bengal.\textsuperscript{61} Laksmana Sena's (Dinajpur) copper plaques indicated that during this time Bengal was under the Sena regime.\textsuperscript{62}

According to the fifteenth century \textit{kulacharayas}, the political encounter between two kings of Kashmir and Bengal represented a religious confrontation between Buddhism (in Bengal) and Hinduism (from Kashmir).\textsuperscript{63} In nineteenth century, Durgachandra Sanyal described how the victory of the Hindu king led to an attack on the vanquished Buddhists, resulting in the destruction of the heretics (\textit{pasanda dalan}).\textsuperscript{64} Under the Buddhist Palas the social regulation of marriage had been eroded, leading to caste miscegenation. Brahminic rituals had fallen into disuse, and indigenous Brahmans had forgotten proper modes of Vedic sacrifice. Adisura desiring to perform a \textit{putresthi}

\textsuperscript{57} Inden, \textit{Marriage and Rank}, 50-51.
\textsuperscript{58} Vasu, \textit{Viswakosh}, 4, 307.
\textsuperscript{59} Vasu, \textit{Viswakosh}, 3, 595.
\textsuperscript{60} H.L. Jarrett, \textit{Ain-i-Akbari}, II, 415, cited in Vasu, ibid, 595.
\textsuperscript{61} Vasu, ibid, 594.
\textsuperscript{63} Vasu, ibid.
\textsuperscript{64} Sanyal and Dutt ed., \textit{Bangalar Samajik Itihaas}, 7.
jajna, an oblation performed for getting sons, decided to fetch five learned and qualified (sagnik) Brahmans from Kanauj (or Kanyakubja or Kolancha Desha).65

There was much controversy regarding the actual date of the arrival of immigrant Brahmans in Bengal. Kshitish Vamsabali recorded 1077 A.D., Vachaspati Mishra 1030 A.D., Bhattacharmantra, 1070 A.D., while Dutta Vamsamala and Rajendralal Mitra dated their advent around 880 A.D. and 962 A.D. respectively.66 Reasons behind the advent of the five Brahmans, their names and the exact time of their arrival have not been clearly established.67

How do these stories fit in with more recent historical research? The chief sources in this regard are Ronald Inden68 and Richard Eaton69. Inden traces two processes of transformation from the ancient Vedic sacrificial cults. In the third century B.C. when Asoka established Buddhism as his imperial religion, Vedic sacrifice was replaced by gift-giving or dana in the form of offerings to Buddhist monks or gifts of land to Buddhist institutions by Buddhist rulers. In response to these developments, Brahmans began re-orienting their own professional activities from performing Vedic animal sacrifices to conducting domestic life-cycle rites for non-Brahmans. They also became recipients of land donated by householders or local elites. These processes began in Bengal during the fifth century A.D. This first transformation of the Vedic sacrifice did not, however, result in a rupture between Buddhism and brahminism. In fact, two religions co-existed quite comfortably. Buddhism occupied the imperial centre, while brahminism remained important in the regional periphery.70 It was under the great Palas

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66 Cited in Vasu, Viswakosh, 3, 590.
67 According to the Rahri kulacharyas, five Brahmans, hailing from five separate Gotras, were named as Bhattacharmanra (Sandilya), Daksha (Kashyapa), Chandara (Vatsya), Shriharsha (Bharadwaja) and Vedagarbha (Savarna), Ishwarchandra Vidyasagar, 'Bahubibaha' (Polygamy), first published, 1871-2, Vidyasagar Rachana Sangraha, 2, 179-180. To the Varendras they were Narayan, Sushen, Dharadhar, Guatama and Parasar, belonging to the same Gotras, respectively. EduMishra, HariMishra, Devivara and Mahesh, however, dubbed them as Kshitish, Beetaraang, Sudhanidhi, Medhatithi and Souvari while the Gotra or divine agnates remained the same. Vasu, Banger Jatiya Itihaas, 103; Majumdar, Bangiya Kulashastra, 44.
68 Inden, Marriage and Rant; Inden and Jas, Kinship in Bengali Culture.
that Buddhism gained ascendance in Bengal, and its decline during the later Palas paved the way for a resurgence of brahminism through the kulina system.

Nineteenth century sources were unanimous that Adisura settled immigrant Brahmins with their wives and servants, conferring on them the highest rank among Brahmins, while their Sudra servants were conferred the highest rank among their own castes. The five Brahmins lived in five separate villages called Panchakoti, Kamakoti, Harikoti, Kankogram and Vatagram. Under royal patronage, they spread over the territory with their fifty-six sons. Their offsprings were defined as kulinas of fifty-six gains or headships of villages, which were exclusively reserved for them and could not be encroached upon by the seven orders of indigenous Brahmins, now specified as Saptasati Brahmins.\textsuperscript{71}

According to Harimishra Karika, immigrant Brahmins came with their Kanaujia wives and servants and settled in the five villages offered by the king. However, Rahri and Varendra kulakarikas maintained that immigrant Brahmins went back to Kanauj where they were forced to commit expiation for their trip to the land of heretics. The disgraced Brahmins returned to Bengal, married indigenous Saptasati women, and with royal support came to reside in Bengal. After the death of the five Brahmins, their former wives and sons, who had stayed back in Kanauj, came to Bengal, staking claims on status and resources conferred on their co-wives and stepbrothers. An internecine feud occurred between two factions of the kulina order. While sons born to Saptasati mothers settled in the Rahr (West and Central) Bengal, Kanaujia descendents opted to dwell in the Varendra (Eastern) region.\textsuperscript{72} According to a nineteenth century colonial version, immigrant Brahmins first settled in Bikrampur near Dacca and then immigrated to other areas.\textsuperscript{73}

These stories have some overlaps with the history of migration as depicted by Eaton. Eaton shows that patterns of Hindu migration and settlement moved from west to east over time since the east, because of higher rainfall, was more heavily forested. These areas were, therefore, harder to colonize. Patterns of Brahman immigration to and within Bengal followed the same trajectory. West Bengal was geographically contiguous to the

\textsuperscript{71} Vasu, Viswakosh, 18, 402; Vidyasagar, 'Bahubibaha'.
\textsuperscript{72} Vasu, ibid.
\textsuperscript{73} W.W. Hunter, A Statistical Account of Bengal, V, Delhi, 1877, reprint 1973, 53.
upper and middle Gangetic zone, long established as the heartland of Indo-Aryan civilization. Hence, when an increasing number of ritually pure Brahmins migrated from this area into Bengal, most received fertile lands in the western delta. On the other hand, recipients of land further to the east in the modern Comilla or Chittagong area tended to be local Brahmins, or migrants from neighbouring parts of the Delta. This suggests an eastward-sloping gradient of ritual status with higher mark associated with north and west and lower ranks in the less settled east. On this also turned ancient Bengal’s sacred geography, purity being associated with Ganga and pilgrimages concentrated along its banks.74

Kulina settlements seemed to have followed the west to east pattern of migration. The first kulina endowments were given in the western lands (Rahr), the new claimants had to move east and northwards (Varendra), while the indigenous Brahmins (Saptasati) were probably pushed eastwards to new settlements. Eaton argues that from the seventh century, Buddhist institutions had begun to decline in eastern India. Brahman priests, officiating in life-cycle rituals, retained a link with ordinary people, while the Buddhist institutions were disconnected from the laity and fatally dependent on court patronage for support. Some Bengali dynasties continued to patronise Buddhist institutions almost until the time of the Muslim conquest. But from the seventh century onwards, brahminism, already the more vital tradition at the popular level, began to receive increasing court patronage at the expense of Buddhist institutions. By the eleventh century, even the Palas, earlier enthusiastic patrons of Buddhism, had begun to favour the cults of the newly reformed brahminic religion. This was seen more clearly in the later Bengali dynasties of the Varmans, and especially the Senas (1097-1223), who dominated all of Bengal at the time of the Muslim conquest.75

During the seventh and eighth centuries, argues Inden, Hindu chieftains and rulers began to build separate shrines for their deities. They did not, however, revert to the regenerative cosmic sacrifice of the Vedic religion. Rather, the Buddhist system of gift-giving to monks was now transformed into a new ceremony, the ‘great gift’ or Mahadana, which consisted of a king honouring a patron God by the institution of a

74 Eaton, Rise of Islam, 19.
75 Ibid, 15-16.
monumental temple. Brahmans evolved into something grander than mere domestic priests, tending to the life-cycle rituals of their non-Brahman patrons. In addition, they now became integrated into Hindu courts where they officiated at the King's great gift and other state rituals. From the tenth to twelfth centuries, these ideas penetrated courts of Bengal. 

Such a religious transformation went hand in hand with political changes. The Palas and the Senas pursued an elaboration of centralised state systems, increasing social stratification and bureaucratic specialization. Moreover, donations in land became a purely royal prerogative. Donations now involved plots of agricultural land whose monetary yields were known and specified. This indicated a thorough peasantisation of society. Given the greater role of Brahmans in the newly constituted Hindu polity, they were the recipients of land grants not only for performing domestic rituals (as earlier), but also for performing courtly rituals. Indeed, the granting of land to Brahmans who officiated at court rituals had become a kingly duty, a necessary component of the state's ideological legitimacy.

In these centuries, 'the ideology of medieval Hindu kingship became fully elaborated in the Delta'. The earliest Sena kings justified their establishment of power in terms of victorious conquest. But in the Sena conception, as in medieval Hindu thought, the line between human and superhuman was indistinct. The King's performance in and sponsoring of rituals served to uphold Dharma, and in this, the Brahman priest was a central figure.

The increasing importance of Brahmans, as priests, office-holders, administrative personnel and landholders, prompted a new focus on reordering their ranking, and regulating purity. It is in this context, that Vallala Sena (1158 A.D.-1179 A.D.) introduced the wholesale reform of kulinism. The Senas were believed to have brought from the south a fierce devotion to Hindu culture, especially Saivism, and their victorious arms were accompanied everywhere in Bengal with the establishment of royalty.

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77 Eaton, Rise of Islam, 15-16.
78 Ibid.
79 Hunter, Statistical Account, 54.
sponsored Hindu cults. They must also have brought with them different notions of the brahminic code and status.

According to some kulacharyas, there was no system of ranked grades at the beginning of kulinism. Vallala first brought into existence the system of ranking within the kulina caste hierarchy. Some sources even credited Vallala for dividing kulinas into two sects (srenis) of Rahri and Varendra. He also classified Sudras into four sub-castes: Uttara, Dakshina-Rahri, Banga and Varendra. The compulsion may have been demographic, a result of the expansion of the communities. Since the kulina men represented the highest ritual purity, their allegiance may have been of some significance to a Hindu king trying to establish order after the long Buddhist interregnum. Kayasthas were undoubtedly of great political significance since they represented the chief landholding interests in Bengal. This may have prompted the reconstitution of the highborn elite of kulina men at the top of the Brahman and Kayastha caste hierarchy, who could extend both professional and symbolic support to the new Hindu dynasty. The process of reconstituting the elite involved strategies of inclusion and exclusion. On the one hand, wider claims to kulina status were recognized, but on a subordinate basis; on the other hand, ‘inferior’ Brahmans and Kayasthas were expelled from the highest rank of the kulina. Kulinas were thus, for the first time, ordered hierarchically from within.

Once the kulina hierarchy was created, internal competition for ritual and social status resulted in periodic reordering of ranks and grades, a process of elite-formation that became endemic in the history of kulinism. Vallala Sena determined attributes or characteristic marks of the real kulinas.80 Kulina hypergamy was believed to have been introduced by Vallala who instituted his famous inquiry into personal endowments of Rahri Brahmans.81 The Dakshina-Rahri Kayastha text catalogued nine in-born qualities, which were made touchstones of the kulina sacerdotal purity. A kulina should be endowed with good conduct (achar), humility (vinaya) and knowledge (vidya). There should be unending honour and achievements (pratistha), and pilgrimages (tirthadarshana). He should have devotion (nishtha) and understanding of his occupation (vritti). He should be gifted with generosity (dana), and be constantly purified through

austerities (tapa). Thus, a kulina should always try to preserve his caste (jati) and never transgress marriage rules (kula-karma).\textsuperscript{82} The kulina code was primarily a code of conduct.

Over time, a tenth attribute, avritti, which appears in Rahri brahmanical texts, became more important than the other nine. These texts substituted vritti for avritti and held that kaulinya could be best preserved by avritti, i.e. by the exchange of daughters in marriage among kulinas themselves. The 'kula' was required to be preserved primarily by proper marriage transactions and reproduction. Failure to follow the 'divinely bestowed code' on marriage resulted in demotion in rank.\textsuperscript{83}

As the seventh virtue of vritti (occupation) gave way to avritti (proper reciprocity in marriage), marriage was rendered the axis of kulinism. Avritti signified four separate actions regarding marriage—\textit{adan} (accepting daughter from an equal or good ranking-family), \textit{pradan} (to make the gift of daughter to an equal or good ranking-family), \textit{kushatyag} (to gift a grass effigy in the absence of a daughter) and \textit{ghatakagre pratigya} (to make a verbal gift of daughters before the match-maker).\textsuperscript{84} The ‘exchange of daughters’ on both sides was crucial to maintain the kulina caste-standing. However, it was the ‘gift of the daughter’ (\textit{pradan}) to a proper and higher kulina that came to define kaulinya, attaining unprecedented importance over time. Nineteenth century sources repeatedly asserted that the purity of kulina lineage lay in the proper disposal of daughters.

Vallala Sena classified kulinas into the kulinas (real or proper), the \textit{srotriyas} and the \textit{gauna} (inferior) kulinas.\textsuperscript{85} The classification of kulina order continued at periodic intervals by expelling those accused of ‘improper’ marriages. It is difficult to trace how many times the ‘real’, ‘proper’ or \textit{mukhya} kulina was redefined with every caste reform. To trim down further the elite order, Laksmana Sena (1179 A.D.-1206 A.D), the last independent Hindu king of Bengal, set out to reorganize kulinism on the basis of a systematic marriage code. Selecting only nineteen families out of twenty-two gains, he designated the proper or real kulinas. Only two grades were formed: the kulinas, who

\begin{footnotesize}
\begin{enumerate}
\item Inden, \textit{Marriage and Rank}, 60-61.
\item Vidyasagar, ibid, 184.
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observed the entire nine counsels of perfection, and the srotriyas, who had lost avritti by inter-marrying with families of inferior birth.86

The next major landmark in the constitution of kulinism, held the nineteenth century accounts, was the Muslim invasion of the thirteenth century. The advent of the Indo-Turkish rule put an abrupt end to political patronage for those Brahmans who served the Senas as ritual priests, astrologers, ministers and financial officers. While some must have fled with the Senas into the eastern hinterland, most Brahmans reached an uneasy compromise with the Muslim ruling class. The former were historically conditioned to look to a ruling class for patronage and livelihood, while the latter required the administrative talents that Brahmans had traditionally monopolized. After the ‘Raja Ganesh revolution’ in the early fifteenth century, many Brahmans took to service in Muslim courts. According to Eaton, Raja Ganesh’s rule constituted a turning point in Bengali history. While Bengali Hindus were henceforth to be inducted into the Sultanate’s ruling structure, Ganesh refused support to the project of Hindu restoration led by Danuja Mardan Deva and Mahendra Deva in southern and western Bengal. In one sense, the Ganesh episode marked the waning power of Hindu political symbolism in the Delta.87

Muslim rulers also inducted Kayasthas into the administration of Bengal. Kayasthas were not only confirmed in their ancient roles as landholders and political intermediaries but were also inducted into different levels of the new bureaucracy. Possibly, Kayasthas absorbed the remnants of Bengal’s old ruling dynasties, like the Senas, Palas, Chandra and Varmans. Kayasthas, argues Eaton, emerged as the region’s surrogate Kshatriya class.88

The idea of caste as the ancient and unchanging essence of Indian civilization originated with the Orientalists and influenced many nineteenth century chroniclers. Historical evidence suggests, however, that the caste system, in its modern form, emerged in Bengal between 1200-1500 in dynamic interaction with Islam. Central to this process, was the collapse of Hindu kingship. Hindu social order now had to be maintained by

87 Eaton, Rise of Islam, 50-56.
88 Ibid, 102.
enforcing group endogamy, control by caste councils and keeping of genealogy by specialists.89

Marriage rules, thus, became central in the next stage of Kulina reforms. Its importance increased as a result of social and professional contact with the Muslims. By the fifteenth and sixteenth centuries, government employment was perfectly possible for Brahmans, even kulinas, as long as they did not engage in marital relations with Muslims. According to M.A. Rahim, the reorganization of the kulinas was part of a stricter code of Hindu social regulation in response to the Muslim conquest of Bengal. On the one hand, the need to regulate contact and interaction between two communities promoted the focus on strict rank endogamy; on the other, Hindu preoccupation with hierarchical gradation was further heightened in the wake of the ‘liberal’ and ‘egalitarian’ ideas introduced by Muslims in Bengal.90

According to Inden, the Muslim intervention initiated the final stage of transformation of the Hindu marriage in Gauda. Muslim political hegemony did not lead to their induction into the Hindu community. On the contrary, it was believed that the arrival and presence of Muslim conquerors (yavanas) among Hindus brought rampant disorder and misconduct. It ruined the ‘coded bodily substance’ of Hindus by improper mixing.91 In this ‘tragic’ time, ignorance and darkness reigned, and conduct enjoined by the Vedas (Sruti-Smriti) declined. Kulina classifications, dissociated from good conduct, remained only in name. People of every clan, void of wisdom, married with kulinas and called themselves srotriyas.92 Those who maintained rules of inter-marriage and accepted daughters from similar rank continued to retain ranks as ‘true’ kulinas. They became the foremost in kulina rank.

By the thirteenth century, the Bengali kulina order became finally divided into five classes (srenis): Kulina, Srotriya, Bangsaja, Gauna and Saptasati. Srotriyas were again subdivided into Siddha (pure), Sadhya (those capable of attaining purity) and Kasta (those who could attain purity with difficulty). The last named group was also called Ari or enemy because a kulina marrying a daughter of that group was disgraced. Relations

89 Inden, *Marriage and Rank*, 71-77.
91 Inden, *Marriage and Rank*, 73.
between these three grades of kulinas in respect of marriage, as claimed by many sources, were regulated by scriptural principles laid down by Manu for the twice-born castes.93

According to some sources, kulinism was not confined to Brahmanas alone. Three families of Vaidyas—Sen, Das and Gupta, belonging to Dhanwantari, Madhukulya and Kashyap Gotras, were also made kulinas. The kula system was even stronger among Kayasthas. The three original Kayasthas, Basu, Guha and Mitra, who accompanied their Brahman masters, acquired kula status. The sixty-four other families of Kayasthas were labelled as lower castes. Laksmana Sena endowed the Varendra and Bangsaja Kayasthas with kula status. Rahri Kayasthas, already gifted with higher status, were further divided into two factions—Dakshina (southern sect) and Uttara (Northern sect). Gopinath Vasu, alias Purandar Khan, the finance minister of the fifteenth century Muslin ruler Hossain Shah, systematized rank (kulabidhi) among the thirteen hundred Dakshina Rahri Kayasthas by introducing the navaranga kula or nine ranked grades. Such reclassification of castes remained a continuous process in nineteenth century Bengal, usually called samikarana or ekjai. Nagendranath Vasu maintained that kulinas were arranged into the following nine orders—mukhya, kanista, chha-bhaya, madhyangsa, teoja, kanista dwitiya putra, chha-bhaya dwitiya putra, madhyangsa dwitiya putra and teoja dwitiya putra.94 According to Lalmohan Vidyanidhi, the nine orders were mukhya, janmamukhya, barimukhya, kanistha chha bhaya, madhyangsa, tejoa-kanista, dwitiya putra chha bhaya, dwitiya putra madhyangsa and dwitiya putra teoja.95 The eldest son of the mukhya kulina was called jamna-mukhya and occupied the highest rank by dint of his birth. The mukhya rank was further sub-divided into three sections—prakrita, sahaja and komal.

This hierarchy could be best maintained by proper marriage reciprocity, in which the eldest daughter of the mukhya kulina should be given in marriage to another mukhya kulina. The second daughter should be given to the kanista kulina, the third one to chha-bhaya kulina, and the rest following the above-mentioned sequence in their caste-ranks.

93 Vidyanidhi, ibid, 10.
94 Vasu, Viswakosh, 4, 334.
95 Vidyanidhi, ibid, 122-125.
If a man failed to maintain these nine successive orders of hierarchy in marrying his daughters, he would be uprooted (utkhat) from his clan.\textsuperscript{96}

The Uttara Rahri Kayasthas followed a separate trajectory of classification. Marriage within their caste ranks followed the order of six bhabs introduced by Ghataka Keshari. Moreover, a Kulina Kayastha was allowed to marry into Maulik (indigenous Kayasthas) in case of second or subsequent marriages, a system termed as adyaras. Since the Mauliks were eager to improve their status, this system of adyaras contributed towards hypergamy among Kulina Kayasthas.\textsuperscript{97} In spite of the fact that kulinism and rules of marriages were no less elaborate or strict among Kayasthas, most nineteenth century reports on kulinism and polygamy characterized it as unique to Brahmans.\textsuperscript{98}

Fifteenth century reforms in kulinism were undertaken by Devivara, a ghatak or genealogist of Jessore. Nulo Panchanan, the author of Gosthi Katha, the source-book of nineteenth century genealogical histories, believed that Devivara’s reforms were prompted as much by the impact of Muslim rule as by the disorganization of caste ranks initiated by his near contemporary Chaitanya, a protagonist of Bhakti.\textsuperscript{99}

Devivara re-grouped kulinas not on the basis of their qualities (guna), but on their shared inadequacies (dosa), which were dubbed as Mels. His rule— ‘Dosamelayateti Melah’ went to embrace kulina groups with matching defects (‘Doso jatra kulang tatra’). He divided kulinas into thirty-six separate Mels, corresponding to their ‘loss of marks’. Thus, Gangananda Mukhopadhyay and Sripati Bandyopadhyay were condemned to join the Phulia Mel and Jogeswar Pandit and Madhu Chattopadhyay, guilty of improper marriage rules, formed the Khardah Mel. There were also the celebrated Sarvanandi, Vallavi and Acharyasekhari Mels. Kulina marriages, henceforth, came to be restricted within Mels.\textsuperscript{100}

In the nineteenth century, Vidyasagar held Devivara responsible for rampant polygamy, since the Mel restrictions on marriage replaced the relatively liberal

\textsuperscript{96} Ibid.
\textsuperscript{97} Vasu, Viswakosh, 4, 347-348.
\textsuperscript{99} Majumdar, Bangiya Kulashastra, 135.
\textsuperscript{100} Vidyasagar, ‘Bahubibaha’, 188.
sarvadwāri vivāha (open marriage). A Bangsaja (lesser kulina) by birth, Devivara also divided kulinas into three parjay or lines: Atti, Khemmya and Uchit or Tulya. These three were again subdivided into nine more ranks.

In a similar fashion, Udayanacharya Bhaduri divided the Varendra Brahmans into Patee, based on transgressions in marriage relations. The eight Patees were called Nirabil, Bhusana, Rohila, Bhawanipur, Beni, Alekhani, Kutubkhani and Jonali. Varendras had another faction called Kaap, introduced by Udayanacharya. When Madhu Maitra married the daughter of Nrisingha Laduli, his earlier sons made him an outcaste. Descendents of this marriage then acquired a degraded status, declassed as Kaaps. They were denied matrimonial relations with proper kulinas. Later the king of Taherpur, Kangsanarayan, married his daughter to a Kaap and redeemed their kulina status.

According to Louis Dumont, hypergamous marriage within kulinism operated at three levels. First, kulina men could marry women within the thirty-six Mels as well as from different sotriya families; second, kulina women had to marry kulina men; and third, non-kulina women could only marry non-kulina men. Dumont made three observations: First of all, the term ‘hypergamous’ was not used to designate all marriages or unions in which there was a status difference in the direction indicated. The term implied an obligation and a strong recommendation for the girl’s parents to find her a superior partner. Second, as women in general were considered inferior to men, the pattern was accepted as natural in brahminic society. Third, hypergamy harmonized best with the ideology of a girl’s marriage being the ‘gift of a maiden’. In the hypergamous pattern, the superior status of the bridegroom’s family allowed extraordinary demands in return for marrying into an inferior family.

Legislating Kulina polygamy—The Nineteenth Century Debate

There has been little historical research into actual rules of kulina marriage. Nineteenth century accounts are often contradictory in this respect. It appears, from these sources,
that rules of marriage reciprocity varied among three major grades of kulinas and was especially strict regarding the ‘giving’ and ‘receiving’ of daughters in marriage. A kulina man could marry a woman from his own rank or from the lesser ranks of the srotriya and bangsaja in lieu of money. But the marriage of a kulina woman was restricted within her own rank. Srotriya and bangsaja women had a wider option as they could marry either into their own ranks or into the upper orders. Srotriyas were regarded as downwardly mobile kulinas, inter-marrying with families of inferior birth. By marrying a woman from the srotriya and bangsaja, a kulina lost respect but could still retain his kulinism. His children, however, occupied a lower rank and their degree of social respectability decreased with each generation. After the fourth or fifth generation, they lost their kulinism altogether. Srotriyas and gaunas, on the other hand, used to bribe kulina grooms to marry their daughters to elevate themselves in the caste ladder.106 The ability of the kulina man to receive wives from a much larger group, including those lower in rank than their own, and to demand a price for it, gradually turned marriage into an occupation.

The fathers of daughters, on the other hand, were constrained to give their daughters either within their own rank, or to a higher rank. The more successful families of the lower rank (srotriya, bangsaja) could move upwards in rank by ‘purchasing’, in one form or another, higher caste sons-in-law. This provided a means of upward mobility for families of lower ranks. There was a simultaneous pressure on the father of brides to marry daughters to higher ranks, to prevent any possible accusations of ‘improper’ marriage practices. While the safe option in maintaining one’s status or rank was to marry ‘up’, the rule was more unbending for kulina women, who were enjoined to marry only within kulina rank.

Within this constrained economy of kulina marriage, Devivara’s Mel-restrictions further limited the choice for kulina brides. The Mel system is often blamed for reducing the pool of marriageable kulina men, leading to an excess of kulina polygamy.107 All kulina, srotriya and bangsaja families sought the relatively fewer kulina men for their daughters. Kulina men, solicited as grooms from all three groups of kulinas, found in multiple marriages a means of livelihood. Kulina fathers were constrained to ‘purchase’

107 Ibid, 188.
grooms from the highest ranks of kulinas in the interests of caste mobility. For kulina men, it was more rewarding (economically) to marry women from down the caste ladder. Kulina women, forbidden to 'marry down', failed to marry at all if they could not meet the dowry demands. The result was an excess of females in the highest ranks—the kulinas, and an excess of males in the lowest ranks—the bangsaja. Bangsaja men had to find brides from outside the kulina ranks altogether, and usually by purchase.

The central involvement of pana or price in kulina marriages, and the purchase of wives by bangsaja men raise a host of questions about marriage practices for which we have as yet few answers. Indrani Chatterjee offers a persuasive argument that such prescriptions and practices must be read together with a wide existence of domestic slavery, the porous boundary between slave and kinship relations, the ubiquitous use of kinship terminology to describe slaves, and their non-market transfers. The phenomenon of Bharar Meye (boatload of girls, to be purchased for the purpose of marriage), in the late eighteenth century, mentioned in many sources, offers multiple readings. It confirms that bangsaja men were forced to purchase brides outside their caste-ranks to keep on family lineage, which became a favourite subject of popular farces in the nineteenth century. Moreover, the individual genealogy of the boatload of girls could not be established. A popular story related how a bangsaja man inadvertently married a Muslim girl from one of these boats and hushed it up for fear of social ostracism. This indicates a much more dynamic interaction of castes and communities than was suggested by nineteenth century writers. Moreover, the regular provision of boatload of girls indicates extensive transactions in persons, especially in the context of marriage.

Nineteenth century 'reformist' texts pointed to a different aspect of the economy of kulina marriages. This not only involved the 'gift of a maiden' but also offerings of wealth. Apart from material goods, demands were always made for a heavy bridegroom-price as bara dakshina. In addition, hypergamous marriages were also considered prestigious as it enhanced the status of the bride's family. Bestowing gifts on the kulina man was said to have ensured 'fame, respect, glory and so forth for the inferior caste'.

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108 See, Murshid, Samaj Samaskar.
109 Chatterjee, Gender and Slavery, 25.
110 Inden, Marriage and Rank, 105-106.
In the last decades of the eighteenth century, Hunter argued, kulinism was ‘sanctified revelry’. Marriage had emerged as a lucrative business in Bengal. With no other means of livelihood, many kulinas used to go around the country, seeking out bangsaja or bhanga fathers with marriageable daughters, who were willing to pay for the honour of obtaining a kulina bridegroom. There was no limit to the number of wives that a kulina husband could have. According to Tapan Raychaudhuri, ‘by virtue of their ritual purity of their genealogy alone, such pedigreed stud bulls were much sought after’.\footnote{111 Tapan Raychaudhuri, ‘Norms of Family Life and Personal Morality among the Bengali Hindu Elite, 1600-1850’, in Rachel Van M. Baumer ed., Aspects of Bengali History and Society, Vikas Publishing House, New Delhi, 1976, 17.} The Deputy Collector of Dacca reported to Hunter that there was in Bikrampur a man of this class with more than a hundred wives, while his three sons had 50, 35 and 30 respectively.\footnote{112 Hunter, Statistical Account, 55.} Kulinas, however, did not maintain their wives. Their wives and children were left to be supported by their respective fathers-in-law. But kulina fathers were bound to provide dowry for their female children. The sons were raised to the father’s rank, while daughters took that of their mother. As few kulinas had the means or desire of endowing their daughters, a large proportion of bangsaja-kulina women faced considerable difficulty in getting married. Tapan Raychaudhuri has argued that before the rise of kulina polygamy, literary records showed that the birth of a daughter was unwelcome but not a ruinous ‘calamity’. Kulinism turned the daughters’ marriage into a serious financial burden with a corresponding devaluation of daughters in the family. As most of the kulina daughters were born and brought up by their maternal families, they were looked upon as a drain on household resources.\footnote{113 Raychaudhuri, ‘Norms of Family Life’.} 

In the nineteenth century, it was believed, especially by reformists, that as the profit from marriage kept escalating, polygamy became more widespread in rural Bengal. Risley named kulina hypergamy as ‘wholesale polygamy’.\footnote{114 Risley, Tribes and Caste, 166.} In 1870, Hunter claimed that the normal rate received by the kulina bridegroom for his first marriage was two thousand rupees. The amount gradually decreased with subsequent marriages.\footnote{115 Vidyasagar provided a more detailed account of transactions between the natal and conjugal family in Kulina marriages. Kulina men agreed to ‘visit’ their wives on promise}
of payment, and usually acceded to the highest bidders. Indeed, kulinas lived on the ‘salary’ or ‘fees’ for marital ‘visits’. On the other side, kulina wives and their families had to arrange the money for the absentee-husbands at any cost. The *Bamabodhini Patrika* recorded that some of the kulina wives scraped together the payment by spinning cotton throughout the year, just to receive a single ‘visit’ from their husbands.

Given the number of marriages, it became physically impossible for a kulina husband to give his countless wives regular visits. In some of the contemporary journals, we find a gross estimation of the number of marriages of kulinas. *Samachar Darpan*, for instance, recorded that one Gobinda Chandra of Bali had passed away leaving behind one hundred widows. The highest record, however, was 180 wives, as mentioned by Krishna Mohan Banerji.

In 1838, *Jnananeswan*, the journal of the Young Bengal, published a list of the number of wives married to kulinas living in different parts of Bengal.

Table 5: Selected Number of Marriages performed by Kulina Men in different parts of Bengal

<table>
<thead>
<tr>
<th>Village</th>
<th>Name of the Kulinas</th>
<th>Number of marriages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayapada</td>
<td>Ramchandra Chattopadhyay</td>
<td>62</td>
</tr>
<tr>
<td>Jayrampur</td>
<td>Nemai Mukhopadhyay</td>
<td>60</td>
</tr>
<tr>
<td>Adua</td>
<td>Ramkanto Bandyopadhyay</td>
<td>60</td>
</tr>
<tr>
<td>Krishnanagar</td>
<td>Krishna Chattopadhyay</td>
<td>34</td>
</tr>
<tr>
<td>Krishnanagar</td>
<td>Gopal Mukhopadhyay</td>
<td>27</td>
</tr>
<tr>
<td>Bali</td>
<td>Ramjay Chattopadhyay</td>
<td>22</td>
</tr>
<tr>
<td>Panihati</td>
<td>Ramdhar Mukhopadhyay</td>
<td>18</td>
</tr>
</tbody>
</table>

Source: *Jnananeswan*, 23 April 1838.

118 *Samachar Darpan*, 7 December 1839, 254.
In 1871, Vidyasagar produced a long list of kulina Brahmins with their ages, addresses and number of marriages in his tract on polygamy. The first list indicated that in the Hooghly district alone, 197 kulinas had performed 2,288 marriages.\(^{121}\)

\textbf{Table 6: Extract from the Table on kulina marriages recorded by Vidyasagar}

\begin{center}
\begin{tabular}{|l|l|l|l|}
\hline
\textbf{Village} & \textbf{Name} & \textbf{Number of marriages} & \textbf{Age} \\
\hline
Baso & Bholanath Bandyopadhyay & 80 & 55 \\
Deshmukho & Bhagaban Chattopadhyay & 72 & 64 \\
Chitrasali & Purnochandra Mukhopadhyay & 62 & 55 \\
\hline
\end{tabular}
\end{center}

Source: Vidyasagar, ‘Bahubibaha’.

In a village called Janai, noted Vidyasagar, 64 kulinas had married a total of 182 wives.\(^{122}\)

\textbf{Table 7: Selected Number of Marriages performed by kulinas in Janai}

\begin{center}
\begin{tabular}{|l|l|l|}
\hline
\textbf{Name} & \textbf{Number of marriages} & \textbf{Age} \\
\hline
Mahananda Mukhopadhyay & 10 & 35 \\
Jaduanth Bandyopadhyay & 10 & 29 \\
Anandachandra Ganguly & 7 & 65 \\
\hline
\end{tabular}
\end{center}

Source: Vidyasagar, ‘Bahubibaha’.


\(^{121}\) Vidyasagar, ‘Bahubibaha’, 201-208.

\(^{122}\) Ibid, 206.
In 1842, Akshaya Kumar Dutt argued that polygamy, like other social barbarities, should be banned by the British Government. He wrote, 'you say that the king Vallala Sen had established the institution of polygamy. But Vallala was also a normal man who could commit mistakes. Moreover, he was a king who indulged in wicked passions. Is it judicious to violate rational and righteous thoughts just to adhere to a king’s orders?'

The first petition seeking legal intervention against polygamy came in 1855 from Baboo Kishorichand Mitra and the **Samajonnati Bidhayini Suhrit Samiti** (Committee of friends for social upliftment). On 17 December of that year, Vidyasagar forwarded a similar petition, carrying 127 signatures from all parts of Bengal, and one from Benares. Another petition from the Maharaja of Burdwan carrying the signatures of 21,000 Hindus asked the government to keep the ‘practice of polygamy strictly within the limits prescribed by ancient Hindu law’. These petitions were countered by a defence of Hindu polygamy headed by Raja Radhakanta Dev.

The state rejected the possibility of the legal prohibition of polygamy. It was, they said, a ‘social and religious institution prevalent, to a large extent, throughout the whole country’ and ‘it is not only a few scattered individuals who advocate and practice polygamy, but the largest proportion of all classes, Hindoos and Mohamedans, who are in a position to maintain a plurality of wives....’ L.B.B. King, the Magistrate of Noakhally, concluded that ‘a plurality of wives is as suited to the people as a strict rule of monogamy is in the west’. He strongly disapproved of any extension of the Christian law against bigamy, which he considered ‘unsuited to the people (of India)’. Despite initial hesitation, on 7 February 1857, the British administration promised to introduce a Bill on the subject. However, the Mutiny followed soon after, and the Bill was dropped. In 1863, some fifteen hundred and eighty signatories from Bengal sent a petition to A.G. Macpherson, Deputy Secretary to the Government of India, for legislating against polygamy. The lapse of time, they wrote, had not diminished the

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124 WBDSA, General Miscellaneous, proceeding nos A 24-25, January 1867, and proceeding A3, June 1866.
125 Ibid.
126 WBDSA, General Miscellaneous, proceeding nos B 1-15, April 1874.
127 NAI, Home-Legislative, December 29, 1863, Proceeding nos 4-8, from Durga Charan Nundy, Bhuggo Butty Charan Mullick, Ganga Narain Mullick and about 1,580 other Hindoo Inhabitants of Bengal to His Excellency the Viceroy.
'public conviction' that the practice of 'Coolin Polygamy'....'is prejudicial to the social
and moral interest of Her Majesty's subjects in Bengal'.

The unanimous feeling of the native community is against an usage
which has destroyed the domestic happiness of Hindoo women to a far
greater extent than the doom of perpetual widowhood. 128

The memorialists further considered that the institution of marriage was a solemn
compact between a man and a woman, inviolate and preserved by constant affection. It
was perjury to break the contract by 'the stronger and more rational party', while 'the
weaker and less intelligent party' was compelled to maintain it at every disadvantage,
involving a loss of position, sacrifice of peace, and 'outrage to the most sensitive
feelings'. 129

In December 1863, Rajah Deo Narain Singh Bahadur of Benares submitted a
'Bill to regulate the plurality of marriages between Hindoos in British India' to Colonel
H.M. Durand, Secretary to the Government of India. The Rajah wrote in his statement,
'... the agitation which took place 6 years ago would have resulted in some actions have
not public attention been absorbed by the disastrous events of 1857'. 130 He continued,

[T]he unlicensed liberty to marry a plurality of wives has led to many
deplorable abuses. .... Above all, there is a class of Brahmins in
Bengal, called coolins, with whom the sacred rite of matrimony has
been notoriously degraded to a system of shameful traffic. These men,
for the sordid gain of some paltry sum, visit village after village,
accepting the hands of scores of maidens, the great majority of whom
are destined never to enjoy the blessings of a wedded life.131

While marriage signified the 'safe transference of female sexuality to a man', Malavika
Karlekar argues that kulina Brahmin society often 'ignored – or chose to ignore – the fact
that women rarely changed residences, or indeed cohabited with husbands'. A father who
had discharged one part of his duty by marrying off his daughter as a gift (kanyadan) had
also to bear the 'burden of daughter' (kanyadait) for the remainder of her life.132 While
marriage remained compulsory and necessary in every woman's life, the prolonged or

128 Ibid.
129 Ibid.
130 NAI, Home-Legislative, ibid, Hindu Polygamy Bill, from Rajah Deo Narain Sing Bahadur to Colonel
H.M. Durand, C.B. Secretary to the Government of India, Benares, 23 August 1863.
131 Ibid.
132 Karlekar, 'Reflections on Kulin polygamy', 141.
even permanent absence of a husband made wifehood not very different from widowhood. They did not even experience actual conjugality, as the opportunity to live with their husbands was rare. A kulina wife was forced to live a sexually deprived, and unprotected, life. Krishna Mohan Banerji described kulinism as the 'cruel engine of female misery and degradation'. About the kulina wives he wrote, 'an uncultivated mind, destitute of restraints by which education balances the animal passions, and unprotected by a husband's tender care, must be subject to temptations of no ordinary power'.

There was a common and widely shared apprehension that kulina wives often practiced clandestine prostitution. Kulina children were also regarded as illegitimate and the term *kulina-putra* (son of a kulina) was regarded as a verbal abuse. Abortions or foeticides, committed by kulina wives, was widespread even in the remotest corners of Bengal's villages, and parents of kulina women were complicit with such desperate measures. Vidyasagar narrated three well-practiced means that were used to sanctify the illicit sexual liaisons of kulina wives when they became pregnant. One was to earnestly request the kulina husband to pay a visit and promise to pay him a huge amount of money. Then the offspring would evidently be accepted as legitimate. Failing that, the wife could 'invoke the goddess of abortion, an accomplice of adultery'. The last option was to announce in the neighbourhood that the kulina husband had dropped in night before and decided to stay over. As he left early in the morning to wed several others nearby, he could not meet friends and relatives. If the plan held water, the pregnancy would be held legitimate.

Contemporary journals were replete with skits and farces about sexual transgressions of kulina wives. *Samachar Sudhabarshan* described the dilemma of a young kulina who was bewildered to receive an invitation to his six-month old son's *annaprasan* (rice-giving ceremony), without paying a single visit to his wife after marriage. The young kulina was consoled by his not-so-surprised father, who said, 'I was finally asked to preside over your *upanayan* (ceremony to bestow the holy thread on a young Brahman, an insignia of brahminism), without meeting your mother even once after marriage'. The veteran kulina then counselled his son, 'now this has become

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133 Banerji, 'The Kulin Brahmins of Bengal', 15.
134 Courtesy, Amulya Ratan Chakraborty.
135 Vidyasagar, 'Bahubibaha', 195.
routine. The father of the daughter never fails to invite, the son-in-law never misses the treat'.

But when such ‘routine’ formulas were not mastered carefully, kulina women were left with no alternative but to live on prostitution. The autobiography of the eminent Brahmo reformer Sivanath Sastri told the story of Thakomoni, who was rarely visited by her kulina husband. She was young and unprotected; and one day she turned into a prostitute under the enticement of a local man. An investigation into the social composition of prostitutes in Calcutta showed that kulina unmarried girls and wives often found shelter in the city brothels. Out of twelve thousand prostitutes in mid-nineteenth century Calcutta, ten thousand were listed as kulina widows and wives.

In 1842, Vidyadarshan carried a letter from an anonymous prostitute, who narrated the reasons that led her into prostitution. As a kulina daughter, she was married off at the age of three. When she turned sixteen, she met ‘an ugly, uncouth and a repulsive old man’—her husband, for whom she was waiting ‘all through her prime’. She said, ‘I was aghast; overwhelmed by shame, hatred, horror, anger and fear. I tried my best to adhere to chastity.... But under severe sexual pangs, I strayed from the path of devotion. I have now come to Calcutta’s Mechobazar to live independently as a prostitute’.

Persuaded by these forceful facts and representations, the Government appointed a seven member Committee to consider the legal prohibition of polygamy. The Committee was divided. C.P. Hobhouse, H.T. Princep, Sutto Churn Ghosal and Ishwar Chandra Surma (Vidyasagar) endorsed legislation; Ramanauth Tagore, Joykissen Mookerjee and Degumber Mitra recorded their objection. They believed, 

...[P]olygamy, as an institution, is confined to a certain class of Rahri koolins. ...[T]he number comprised in that class forms but a fraction of the population of Bengal; the catalogue of crimes, must, it can easily

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136 Kuliner Byabahar’ (The conduct of kulinas), Samachar Sadhabarshan, 27 April 1855, Benoy Ghosh, Samayikpatre Banglar Samaj Chitra, 3, Papyrus, Calcutta, 1966, 133, translation mine.
139 Usha Chakrabarti, Condition of Bengali Women in the 2nd half of 19th century Bengal, Calcutta, the Author, 1963, 97.
140 Anonymous, ‘Edeshiya Strilokdiger Byabhicharer Karon (Reasons of adultery committed by women of this land), Vidyodarshan, Kartic, 5, 1842, reproduced in Ghosh, Samayikpatre, 20-21, translation mine.
imagined, be infinitesimally small... A legislative enactment, however 
stringent and rigidly enforced, might be effectual in diverting those 
evils from their original course, but it is quite powerless to stop the 
source from which they take their rise.141

Vidyasagar’s one-time friend Dwarkanath Vidyabhusan wrote in Somprakash against the 
legislation, ‘it is not prudent to call upon the big brother at every small step’. Instead, he 
proposed a heavy tax of Rs. 500 on each kulina marriage.142 Vidyasagar immediately 
pointed out that such a levy would involve the state anyway. He advocated abolition of 
the ‘brutal’ and ‘vulgar’ custom through legislation.143

The most eloquent arguments against legislation came from Bankim Chandra 
Chattopadhyay. He argued that the practice of polygamy was in decline.144 Questioning 
the veracity of the lists provided by Vidyasagar, Bankim retorted, ‘I doubt whether one 
among ten thousand Hindus is polygamous’. Bankim also raised a somewhat new 
question. He berated Vidyasagar for referring to scriptures, since they carried 
contradictory regulatory codes.145 He questioned the supreme authority of scriptures, 
advocating ‘rational’ and ‘human’ arguments instead.146 Finally, Bankim Chandra 
questioned the merit of an Act that aimed to prevent polygamy among Hindus, but 
exempted Muslims.147

On 23 February 1867, the Bengal Government acknowledged the impossibility of 
legislation on polygamy, but urged an early solution to the problem. They did not agree 
that education would erode the practice, but were chary of legal interference. The Bill, 
pointed out many at the time, was flawed on two counts. First, polygamy was already in 
decline and did not need such urgent legislation. Second, a Bengal phenomenon, largely 
concentrated in a few districts of western Bengal, did not merit all-India legislation.

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142 Dwarkanath Vidyabhusan, ‘Bahubibaha Houa Uchit Kina?’ (Should polygamy be continued as a 
practice?), Somprakash, 30 Sravan, 1871, translation mine.
143 Somprakash, 13 Bhadra, 1278.
144 Bankim Chandra Chattopadhyay, ‘Bahubibaha’ (Polygamy), Bankim Rachanabali, 2, 314-318, 
translation mine.
146 Ibid, 317.
147 Ibid.
**Kulina Kula Sarvaswa: Reflections on Kulinism**

The battle over legislation on kulina polygamy appealed most strongly to literary and popular imagination. The period between 1850s and 1870s witnessed several plays, written and staged. The most prolific writer against kulina polygamy was Dinabandhu Mitra, the famous dramatist of nineteenth century Bengal. He censured kulinism in a number of his satires like *Sadhabar Ekadasi* (The fasting on Ekadasi by a married woman, 1866), *Biye Pagla Buro* (old man crazy for marriage, 1866), *Leelavati, Sambandha Samadhi* (The burial of marriage relations, 1867), *Vallali Khat* (literally meaning Vallal’s ditch, 1867), *Jamai Barik*¹⁴⁸ (1872) and *Nabin Tapaswini* (The young ascetic woman, 1877).¹⁴⁹ Among other literary creations on kulinism such as, Narayan Chattaraj Gunanidhi’s *Kali Kautuk* (The comedy of the kali era), Ambika Charan Basu’s *Kulina Kayastha*, Lakshmi Narayan Chakraborty’s *Kulina Kanya Ba Kamalini* (Kulina Daughter or Kamalini), Haridas Bandyopadhyay’s *Kulin Kahini Nabanyas* (Writing on Kulism, 1885)¹⁵⁰ and Kusumkumari Debi’s *Snehalata* (1891)¹⁵¹. There were also a number of plays against bride-price or purchase of daughters in marriage, such as Harish Chandra Mitra’s *Kanyapan ki Bhayanak* (How dangerous is this bride-price), Sisir Kumar Ghosh’s *Naysho Rupayya* (Nine hundred rupees), Bholanath Mukhopadhyay’s *Koner Ma Kande Takar Putuli Bandhe* (The mother of the bride weeps while fastening strings of her purse), etc.¹⁵²

The first play that was drafted before the first petition against kulina polygamy came from Ramnarayan Tarkaratna. Ramnarayan hailed from the section of *Vaidik* kulina, among whom polygamy as a ‘profession’ did not develop. He was also the head pundit of Hindu Metropolitan College, later to become a professor at Sanskrit College. His prize-winning play *Kulina Kula Sarvaswa* (Caste status is of paramount importance to the kulina) instantly captured popular imagination. *Kulina Kula* was written in

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¹⁴⁸ A satirical reference to sons-in-law who used to live in the estate of their rich father-in-law. The exact meaning of the words appears untranslatable.


response to an advertisement, announcing a prize-money of Rupees 50, by Kalichandra Roychoudhury, the zamindar of Kundi village in Rangpur. Contemporary papers like *Sambad Bhaskar* and *Rangpur Bartabaha* carried the advertisement. Published in 1854, *Kulina Kula* ran into three editions within six months, and was staged for the first time in March 1857.

To begin with, *Kulina Kula Sarvaswa* centred round a wedding ceremony of four kulina daughters of a kulina Brahmān – Kulapalak (one who observed the caste-rules with great care). After a prolonged discussion on caste, astrology and dowry, the poor father finally settled the marriage of his four daughters with an old and much-married man who was a real (mukhya) kulina. Ramnarayan elaborated the ceremonial marriage, the central sacrament in the lives of kulina women. He dwelt on the absurdity of the ceremony in a dialogue between the eight-year-old daughter of kulapalak and her mother,

*Kishori* (the girl): Why are you calling me, ma (mother)?
*Brahmani* (the Brahmān woman): Don’t go outside today. We have an auspicious ceremony at our house.
K: An auspicious ceremony? What is this, ma? Won’t you tell me?
B: Of course, I’ll tell you. Today is your marriage.
K: (bewildered) Marriage? What is that ma?
B: Don’t you know what is marriage, my child? It is the most important sacrament (*samaskara*).
K: Oh God! Will I have to eat it then?
B: Is marriage an eatable thing, my child? A handsome groom will arrive to marry you all. There will be celebrations. Don’t you realize (the significance of) such an event? 153

For the other three daughters, aged 33, 28 and 15 respectively, the proposal of marriage was greeted with disbelief and apprehension. They asked their mother, 'If Vallala gets to know about our marriage, will he keep quiet and let us get away with it?' 155 The play progressed with village women sharing their experiences of conjugality. While Sulochona regretted the infancy of her husband who was as good as her grandson, Chapala grumbled about her senile husband’s infirmity and decrepitude. Chandramukhi complained of her absentee husband’s negligence, and unmarried Jamuna and Hemlata

154 They were referring to the Hindu king Vallala Sena, accredited with introducing kulinism.
yearned for marriage. Jashoda described how she became a widow along with her six sisters after a token marriage with a dying kulina man at the cremation ground. Jashoda welcomed the new law on widow remarriage.¹⁵⁶

The play derived its strength from the dialogue among kulina women about their sexual and marital lives. The author maintained, ‘as female libido was eight times greater than that of a man it is hard for these unprotected women to comply with norms of pativratya’. Madhabi, an educated kulina woman had learnt a lot about pativratya or wifely devotion, though she had not yet found a husband. Mahila, a young married woman, questioned the idea of pativratya. Mahila asked Madhabi,

[Hi]ey, my friend, can you tell me what is a husband? .... We are kulina daughters. .... I have never ever come across a husband myself.

Madhabi: He who marries a woman is called her husband. Didn’t you get married?

Mahila: Yes, a long time ago.... Should I consider the man who once married me as my husband?

Madhabi: Of course, my friend. He is your husband.

Mahila: Never. He can not be my husband. ...I have never ever seen him in my life. He never came to satisfy my sexual desires. Then what sort of husband is he? Why should I call him my husband?

Madhabi: (laughing) Then whom would you call your husband?

Mahila: I don’t care about calling someone by such a name. There are so many. I am not (as devoted) as you. Why should I be (so chaste)? Time dries out the juice from a mango and youthful charm from a woman. Why should I spend this glorious time of my life in mourning? You also come with me, why do you waste your youth in vain? ¹⁵⁷

Ramnarayan described privileges enjoyed by kulina men in a farcical conversational between Dharmashil (a highly religious man) and Adharmaruchi (one who indulges in irreligiosity).

D: What do you do?
A: I trade in marriage. What else?
D: Can you live on marriage as a profession?
A: Of course. We live happily on the rent-free landed estates that the great king Vallala endowed upon us. It will not perish by flood or drought. That is why, neither do we fear the king’s orders, nor owe anything to any benefactor….¹⁵⁸

¹⁵⁶ Ibid, 36-40,46.
¹⁵⁷ ibid, 82-83.
Adharmaruchi added, ‘whenever some of my wives are in trouble, I am summoned for a due payment’. When asked about his own number of marriages, the young kulina confirmed, ‘I belong to the virtuous Mukherjee clan. I haven’t married much…. I have only 74 wives’. Ramnarayan offered a new definition of a kulina. A man who was absorbed or lost (leen) in immoral depravity (ku-karya) should be called a kulina, he said.

Not all representations of the period were critical of kulina polygamy. Bankim Chandra Chattopadhyay, himself a twice-married Hindu Brahman, expressed contradictory sentiments. Brajeswar, in ‘Debi Choudhurani’, married thrice by the age of 21, and his grand father had 63 wives. In ‘Kapalkundala’, Nabakumar was a bigamous Brahman and his sister Shyamasundari was a neglected wife of a much-married kulina. Prafulla (in Debi Choudhurani), and Padmabati (in Kapalkundala), both abandoned or outcast kulina wives, were able to live independently. Bankim, unlike Vidyasagar, was ambivalent towards polygamy but what he did condemn, in no uncertain terms, was widow remarriage. ‘Limited polygamy’ was sometimes defended on the grounds of family necessity. Bhudeb Mukhopadhyay who in one of his earlier essays, ‘Dwitiya Parigraha’ (Taking a second wife), condemned polygamy as a social evil later changed his stance. In ‘Bahubibaha’ (Polygamy), he represented monogamy as selfish love and jealous possessiveness while justifying bigamy or polygamy as versatile and flexible.

However, many liberal and progressive men of late nineteenth century Calcutta like Dwarkanath Tagore, Ishwarchandra Vidyasagar and Kishori Chand Mitra preferred monogamy. Some like Bankim Chandra married only after the death of the first wife, and reformers like Sivanath Sastri and Rashbihari Mukhopadhyay were forced into multiple marriages by their guardians. While Rashbihari, assiduously struggled with Vidyasagar to uproot polygamy from Bengal, Sivanath went to the extent of arranging a second

159 Ibid.
160 Ibid, 54-55.
162 Bankim Chandra Chattopadhyay, ‘Kapalkundala’, first published 1866, Bankim Rachanabali, ibid, 106.
164 Sastri, Atmacharit, Murshid, Samaj Samaskar, 185-187.
marriage for his second wife Birajmohini.\footnote{Ghosh, \textit{Vidyasagar O Bangali Samaj}, 293; Shastri, \textit{Atmacharit}, 87-94, 105-106.} Pyary Chand Mitra who did not marry after the death of his first wife wrote in his \textit{Allaler Gharer Dulal} (The pampered son of the rich), ‘It is a great sin to marry a second wife while the first one is still living. Even if the \textit{Shastra} ordained the opposite way, it is not right to abide by that \textit{Shastra}’.\footnote{Pyary Chand Mitra, \textit{Allaler Gharer Dulal} (The pampered son of the rich), Calcutta, 1870, 106-107, translation mine.}

Conclusion

Kulina polygamy was on its last legs by the late nineteenth century even though the colonial state failed to legislate on the subject. A number of reasons could be cited for its decline. Demographic changes combined with increasing poverty and shrinking economic resources, made polygamy unviable. Educated urban Bengali Hindus came to prefer monogamy; a second wife was taken only in case of the first wife’s death, barrenness, or inability to bear a son. In some situations, the jealousy and clash between co-wives placed a limit on polygamy. One more factor that prevented a second marriage after the first wife’s demise was the newly invented ideal of \textit{pativrata}, or wifely devotion. Such an ideal invited some reciprocity from the husband, and many men did not challenge the pre-eminent position of his first wife in the household, even after her death by introducing a second one. Terms like ‘henpecked’ or ‘uxorious’ were introduced at this time to describe modest and amenable husbands in Bengali households.

By the early twentieth century, the grip of kulinism over the Hindu social order slackened. According to Malavika Karlekar, the social reform movement, internal differences within the ranked community, urbanization, and the move to white-collar professions together could have contributed to loosening its hold.\footnote{Karlekar, ‘Reflections on Kulin polygamy’, 142.} The spread of education changed the way of the Bengali urban middle class chose husbands for their daughters. With the knowledge of English becoming a passport to wealth through clerical jobs, the individual status of the bridegroom, his wealth, income and education, came to receive greater weight than his ritual status and ranked grade within a particular sect.\footnote{Murshid, \textit{Samaj Samaskar}, 222.}
The new job and status holders became the more favoured bridegrooms than idle and worthless high ranked kulinas.\textsuperscript{169}

Though the excess of kulina polygamy declined by the turn of the twentieth century, polygamy continued to be legal and a common practice among Hindu men, until it was outlawed in 1956. In Bengal, however, the 1870s witnessed the Brahmo reformist attempt to outlaw polygamy. The Brahmos made polygamy illegal for those marrying under the Special Marriage Act or the Act III of 1872. However, the Brahmo marriage reform involved something more—an assertion of the contractual character of marriage. In Bengal, it was the only attempt to desacralise marriage, even though caste endogamy continued to be a strongly expressed preference. The trajectory of this marriage reform movement, and its failure to convert the 'sacrament' into a 'contract' demonstrated the hold of the notion of sacramental marriage.

\textsuperscript{169}Raychaudhuri, 'Norms of Family Life', 21.