

CHAPTER III

POSITION OF WOMAN IN INDIA—AN OVERVIEW.

Indian womanhood is at the cross roads of changes, some radical and some ephemeral. The pressures to which it is subject have been astoundingly varied with mutually cancelling effects. The melting pot of the female Indian psyche is in a state of perfect liquidity, with multifarious socio-economic and psycho-spiritual ingredients thronging from all sides. Out of this emerges a new self-image taking on the fascinating hues of freedom, self-respect, self-worth, confidence and allied attributes. But the process of change can be understood only in terms of neo-historicism. Therefore an examination- cum-analysis of the historical data relating to Indian womanhood is imperative. This alone can bring forth vagaries and vicissitudes which have been constructing and destroying the evolving image of the average Indian woman. A historical over-view of events and situations leading to the varied shifts and value scales of the Indian female is a logical necessity and so we attempt the same in the following sections.

During the Vedic Age.

The essence of the Aryan civilization is preserved in the four Vedas namely Rig, Yajur, Sama and Atharva and their different branches like Brahmanas and Upanishads. In order to understand the social, political and

cultural background of the ancient Aryans, we have to explore the aforementioned Vedas. The word 'Veda' primarily means "knowledge" (from the word 'vid' which means to know), which virtually signifies sacred knowledge or scripture. "To the hymn collections of four Vedas and their Brahmanas the expression Veda is alone applicable." ¹

Since we don't have any archaeological or historical evidence of the human activities in India till about 300 B.C., we depend upon Vedic literature as a valid document of Indian social, political and religious history. For convenience historians have divided the Vedic age into two: The Early Vedic or Rig Vedic age which begins from 1500 B.C. and the post-Vedic age which extends from 1000 B.C. to 500 B.C. "It was during the Rig Vedic or Early Vedic age that most of the hymns of the Rig Veda were composed. It was in the later Vedic period that the Brahmanas, the three other Vedas and the Upanishads were composed."²

Though the early Vedic family was of the patriarchal type, women had some control over the entire household. The Rig Veda reveals a stage where women enjoyed equal status with men. ". . . a Rig Vedic hymn describes how a maiden could take a soma twig and offer herself as a sacrifice to Indra. Vedic sacrifices were performed jointly by husband and wife." ³ Patriarchy never denied women their rights and privileges. From 4th century B.C to 3rd century B.C girls were given education. But this was practically

confined to the well-to-do families. There existed the initiation ceremony or Upanayana, for both girls and boys. According to A. S. Altekar ". . . education was regarded as very essential to secure a suitable marriage." ⁴ In Rig Vedic society ". . . the practice of child marriage did not exist." So women got an opportunity to acquire education. If they wanted to pursue knowledge without getting married, they were allowed to do so, without any constraints. The educators wisely divided women into two groups namely Brahmavadinis and Sadyodvahas. "The former were life-long students of theology and philosophy, the latter used to prosecute their studies till their marriage at the age of 15 or 16." Many educated women became teachers or Upadhyayinis. No wonder the age witnessed many sagacious and capable women "like Visvavara, Apala and Ghosha even composed mantras and rose to the rank of rishis."⁷ Lopamudra, one of the female preachers, is said to have preached as many as 179 hymns of the first book of the Rig Veda along with sage Agasthya. There were many women poets and philosophers during this period. This confirms the fact that if given equal opportunities women can definitely prove that they are as capable and as intelligent as men. Majurndar points out that the Aryans never neglected or showed prejudice towards women as far as their education was concerned. May be they were not conscious of the gender power politics and conflicts at that time as society was not so complex and was at a developing stage.

Thus during the poetical period of the Vedas the Aryans, we can say, were concerned about the rightness of the social order in which they lived. The fact that the education of their women was not neglected itself shows the collective consciousness of a race which promulgated codes or laws which in turn contributed immensely to the creative force of the people which is crystallized in their Vedas. According to Ray Choudhri, the position of women was much better in this period than the subsequent times. The period witnessed many women scholars who were well versed in sacred texts. "These women not only composed hymns but were also well-versed in sacred texts. Women also learnt music and dancing." ⁸

Even in early Rig Vedic age the birth of a son was much more welcome than the birth of a daughter. But the Rig Vedic society was free from social evils like female infanticide, sati and child marriage. As a sign of woman's social dignity widow remarriage was permitted in Rig Vedic society, as evidenced in the funeral hymn in the Rig Veda: "the widow who lay on the pyre by the side of her dead husband was asked to come to the world of the living." ⁹

Girls normally married after puberty, as can be judged from the frequent mention of unmarried ones such as "Ghosha" who grew up in the houses of their parents. Moreover, "the data of the Rig Veda shows that

the girls and boys of the Rig Vedic society had freedom to choose their partners in life." ¹⁰

In Rig Vedic times caste system was not all rigid. There was no compartmentalization of society. During this time intercaste marriages took place in society. People were given absolute freedom to choose their caste. "In one case the father was a priest, the mother grinder of corn and the son a physician, all three lived happily together." ¹¹

Rig Vedic women enjoyed economic independence also to a certain extent. The women belonging to lower strata took up spinning, weaving and needle work. Clothes were much more expensive in ancient India than at present. Among other important occupations, the first place must be given to weaving both in cotton and wool, which supplied clothes to people. "It is noteworthy as in later days, both men and women were engaged in this work as well as in the subsidiary process of dyeing and embroidery." ¹² In one of the hymns of Rig Veda, there is a simile in which night and dawn are compared to two young women engaged in weaving.¹³

There are many passages in Rig Veda that throw light on the extent of freedom enjoyed by women. They attended fairs and festivals and were free to move about with their husbands or loved ones. They were allowed to attend Sabhas or assemblies of the learned ones, in the company of their husbands or loved ones. "Like women at a gathering fair, the streams of oil

look on with gentle smile and recline to Agni." ¹⁴ In the family at least to a certain extent women enjoyed equal rights, as the Aryans believed that ". . . the wife and the husband being the equal halves of one substance were regarded equal in every respect and both took equal part in all duties, religious and social." ¹⁵ This is the very idea forcefully expressed in Book 5 hymn 6 verse 8 of Rig Veda.

The degradation in their status came in the post-Vedic period. The historians place a number of reasons for this change. The most important social change that affected them was the caste system.

During the Age of Dharma Shashtras.

Alexander's invasion of India in 326 B.C was an important factor that affected the Aryan society. The Greeks who came to India along with Alexander were mainly soldiers. They did not give much importance to high ideals like chastity of women. Due to this the custodians of Hindu religion began to enforce strict moral laws on their followers. They wanted to preserve their Aryan culture by codifying certain rules for the members of their community. This system of law was mainly based on the concept of Dharma which constitutes the privileges, duties and obligations of a Hindu.

Great changes occurred in the Aryan way of life between 500 B.C and 600 B.C. In the post-Rig Vedic age there was a reaction against rituals. We get an idea of the post-Vedic society from the Brahmanas, Upanishads and

the great epics. Another valuable book that throws light on the post-Vedic society of India is Kautilya's Artha Sastra which is assigned to 2nd century B.C. Since the great epics happen to have value as social documents, they have to be included in our study while analysing the position of woman in post-Vedic ages. At the same time we should not overlook the fact that there is an element of imagination in these great epics.

The world of Indian woman became much more restricted in the time of the Smrithi writers. During the time of Kautilya, she began to be treated as a chattel. She had no separate identity of her own. The scriptures as well as the Dharma Sastras favoured the patriarchal system, which marginalized the role of Indian woman. Nothing but implicit obedience or subordination was expected from her.

This culminated finally in the seclusion of women. The freedom that she enjoyed during the Rig Vedic age was gradually taken away from her. By 200 B.C pre-pubescent marriages became the order of the day. The general belief was that if women were given freedom, they would transgress the limits. The Smriti writers like Kautilya, Manu and Yajnavalkya began to favour seclusion of women.

The general belief is that the seclusion of women was introduced by the Mughals in India. But this was practised as early as the time of Ashoka. The earliest reference to it, is in Panini III, 2, 36, which yields

“Asuryampashya Raja-darah” which means those who do not see the sun, that is, the wives of a king.”¹⁶

The Dharmasastras are often used to denote the Smritis alone. The Smritis are the principal sources of lawyer’s law. The complete codes of Manu and Yajnavalkya deal with rites, penance, true knowledge of Brahma and liberation. They also lay down rules, which have to be observed by persons in the course of their life.

The social customs and traditions which were reinforced by the law-givers degraded women. There was no sense of equality or justice in these laws. That women had no recognized place in society was revealed in the laws pertaining to marriage, divorce, property rights and right of inheritance. A thorough discrimination is shown by these Hindu law-givers. Moreover all these legislators were chauvinistic in their attitude. According to Romila Thapar, “. . . the law books are both a reflection of early Indian society as well as attempts at working out what was believed to be a perfect social system.”¹⁷ With the best of intentions they visualized and virtually attempted to create an apparently perfect social system. And yet unwittingly, but not innocently, the steamroller-like stereotypes crushed the spirit of Indian woman by denying her the rightful place in society.

Society was based on caste system in which the brahmins occupied the top most position. The proselytising sects like Buddhism and Jainism

tried their best to establish equality among the people of India. But their efforts produced some negative results. First of all the Brahminical religion began to enforce strict moral codes on their followers. Secondly they began to encourage pre-pubescent marriages in order to detain women from joining the monastic orders. They felt that the ascetic ideals would destabilize society as well as family. The patriarchal family became very powerful during this period and it began to restrict the activities of women. The majority of women were "looked down upon as a temptation and hindrance in their march towards higher development."¹⁸

This belief adversely affected the position of Indian woman. Her position in the family as well as in society became very low. There arose a tendency to picture woman as a weak-minded individual who is prone to all infirmities. Another idea which became popular during this period is that a woman needs protection and disciplining throughout her life. This is very well reflected in the writings of the ancient law-givers. These rules were founded on a very flimsy foundation, namely, the length of duration of their existence and these rules in fact had no references to the psychological and social realities and needs of the people. They failed miserably to embody any sense of social justice in them. Such "time-tested rules" merely pulled society backwards without ever giving women a chance for creativity, freshness, growth and development. All these so-called law-givers were men, who

had male chauvinistic attitudes in their arbitrary prescriptions of rules which virtually degraded women for generations.

The pre-pubescent marriage, in fact, inflicted another curse on women. The child-widows were ill-treated by the society. They were forced to live a life full of restrictions, which marred them physically as well as mentally. They were excluded from all auspicious ceremonies and were looked down upon as ominous beings. The question of remarriage did not arise, as the law-givers prohibited widow remarriage from the 1st century A.D.

Kautilya's Artha Sastra which is a social as well as historical document reveals the status of woman in India. Kautilya considered woman as a child-bearing machine. Hence he encouraged pre-pubescent marriages. This type of marriage, which was imposed on the child-bride, damaged her totally. Physiologically it was dangerous since she was not physically fit to conceive a child. Psychologically it burdened her with the many responsibilities of child-rearing, when she herself was a child. This evil practice unfortunately continues in many parts of India despite the passage of centuries.

The pre-pubescent marriage affected women in another way also. The young adolescent pregnancy, according to modern theories in medicine, carries higher risk due to toxæmia, cephalopelvic disproportion and uterine inertia. A few children of very young mothers show musculo-skeletal disorders or malformation.

Yet another risk involved with early pregnancy was polydactyl. Children born to mothers aged 15 or more had a lower risk of polydactyl than in mothers younger than fifteen years. Other disorders which affect children born to young mothers are CNS malformation (Central Nervous System) and CVS malformation which involves the cardiovascular system. Thus maternal age is a strong determinant.

Kautilya's Artha Sastra records the number of restrictions that were imposed on women. "According to him a woman who goes out during day time, to sports or to see a woman or spectacle shall pay a fine of six panas."¹⁹ Most of these customs denied woman her primary rights as an individual. The freedom that she enjoyed was taken away from her and she became a caged bird. In fact her condition was like what Emily Dickinson ironically articulated in one of her poems: "They put me in the closet because they liked me still."²⁰

The Indian woman began to identify herself as a subordinate individual, as a mere instrument of man. This reduced her level of self-confidence. Her roles began to get stereotyped as an individual accepting for herself the composite daughter-wife-mother image. She began to suppress her real feelings and it became difficult for her to untangle her true self from the existing social roles. Over a long period of time, a firm-rooted belief among the majority of women that they were only capable of producing children and

managing the household affairs, to the exclusion of all other socially useful activities prevailed. Thus she virtually became a caged bird.

The practice of payment of bride money had its own share of negative results, mostly psychological. Though it is an antithesis of dowry it treats woman as an object to be bought and sold. She gets stigmatized with a price tag on her body. As a result she might feel inferior to her possessor who is rightfully her owner. Conversely the owner's pride may play havoc with the woman's self-respect. Thus on the whole this practice dealt a heavy blow on the already damaged self-image of the Indian woman.

This reduced woman to a commodity to be bought at the bidders' choice, with the rich man buying off the bride of his choice. As years rolled by, women began to be regarded as chattels, and this had a far-reaching impact on the status of woman. She became "a caged bird displayed in the zoo." 'The restlessness arising out of this situation was mercilessly ignored. This must have increased the asymmetry that was already there in the man-woman relationship.

According to Romila Thapar, Manu cannot be held solely responsible for the oppression of Indian women. In a way it was done with the intention of preserving the caste system. Romila Thapar says that Manu did not favour intercaste marriages as that, he felt, would pollute the Aryan society. So, ". . . to avoid pollution, you must control birth . . . but you lose control over birth, if

you lose control over women." ²¹ Manu visualizes the role of an ideal Hindu or Indian woman. He believes that woman is by nature, wicked, susceptible to passion and infirmities. Hence she should be controlled by a male who is supposed to be strong and superior to her. Therefore many historians call it the "age of transition" as this period reflects distinctiveness as well as deterioration in the status of women from the preceding ages. Manu's laws do express a corpus of beliefs about women which are still prevalent in India, obviously keeping Manu alive, unconsciously yet with disastrous results. Manu approved only three forms of marriage such as Brahma, where the father himself invites a learned man of Vedas to marry his daughter, then 'Daiva' where the girl is married to a priest who conducts a sacrifice, and the 'Arsha' where the bride groom offers a cow and bull or two pairs of the same to the father of the bride. Manu as well as Yajnavalkya condemned the 'Asura', 'Prajapatya' forms of marriage. An exception was made in the case of Kshatriyas, who could marry according to Gandharva rites.

Marriage was sacred and it was indissoluble. Remarriage was allowed for men under certain conditions. If the wife was barren, or if she had only daughters, and if she was quarrelsome by nature, he would remarry without any delay. Manu even makes provisions for punishments of a woman by her husband, if ever she committed any faults. She should be beaten with a rope or a split bamboo. He never sanctioned widow remarriage. According to him

a widow should remain faithful to her husband's memory. But a widower could marry again in order to conduct the sacrificial rites.

Pre-pubescent marriages were encouraged gradually. They must have thought that if given a choice most women would prefer to escape from the monotonous domestic life. As far as a widow was concerned even in Rig Vedic times she was denied the right of inheritance. But if she was a putrika, she could inherit her father's wealth. The system of niyoga was encouraged by the ancient law-givers where she was forced to marry her brother-in-law to safeguard property rights. But Apastamba and Manu strongly reacted against this system.

Thus, in that age the position of a widow in society became miserable. Although Buddhism permitted the widow to inherit her husband's property, the Smriti writers like Manu and Narada forbade a widow to inherit her husband's property. They gave the right of inheritance to sapindas or kinsmen.

The daughters in ancient India had some legal rights. In Vedic and post-Vedic ages, married and unmarried daughters had some rights of inheritance. But a widow, as well as a wife, had no claim over her husband's property.

As far as the treatment of daughters is concerned, Manu orders affectionate treatment. According to him "where women are honoured there the gods reside."²² But he disqualifies the putrika for marriage by saying that a prudent man should not marry a maiden who has no brothers. He also prohibits the custom of bride price and he emphatically says that the father accepting the cow and bull, during Arsha marriage, as highly improper.

Remarriage of discarded women was allowed after a certain period of time by Manu as well as Kautilya. She had to wait for three years before getting remarried. Manu also had definite views about man-woman equation. A husband, even if he is wicked, should be worshipped by the wife as her lord and master.

Despite Manu's commitment to the concept of a stable, secure and morally founded society, his strictures against women seem to be cutting at the root of fairness, equality and the resultant happiness. He seems to be thinking that a woman could be the sacrificial goat at the altar of male supremacy. The effects of Manu's commandments are found prevailing in Indian society even now. This is obviously the reason why even the educated Indian women of our times put up with the atrocities perpetrated on them by the so-called "gentlemen."

Denying woman's basic human rights is virtually like cutting the wings of a bird which would like to fly high to the empyrean heights of performance

and fulfilment. Denial of the right to education, free choice in marriage, inheritance and other property rights, the right to remarriage, the right to social mobility and so on, has ultimately resulted in making the Indian woman a very unenviable entity devoid of, among other things, the highly necessary self-esteem which she always needs and deserves.

Marriage became compulsory for a Hindu. It was an unbreakable bond which united two individuals until death. Society did not consider it as a contract with conditions binding on both partners. So the majority of women were forced to comply with the existing norm. There was no law which granted divorce (except in Kautilya's time) if the partners were unhappy. "The rules of marriage were rigidly enforced and marriage was primarily a social institution. The patriarchal system tended to keep the status of women at a low level, and the emergence of the joint family with special property rights for the male members reinforced male dominance." ²³

In course of time she began to identify herself as a subordinate individual and as a mere instrument of man. This gradually destroyed her self-confidence and in turn destroyed her self-concept. The roles began to get stereotyped. She began to suppress her real feelings and it became difficult for her to untangle her true self from the existing social roles. There arose a firm-rooted belief among the majority of women that they were only capable of producing children and managing the household affairs.

Thus the Rig Vedic concept of "Sahadharmini" or equal partner was slowly losing its relevance. It was in fact replaced by the 'Pativrata Dharma' or the duties of a chaste wife who would fulfill the wishes of her husband without questioning them.

The rules prescribed for "pativrata" prevented her from eating even with her husband. This custom prevails even now in many parts of India. Almost a master-slave relationship began to develop between the husband and the wife. She was in fact trapped in the "Pativrata image" and she continues to be trapped in this miasma. One is now reminded of Prachi Momin who articulates the pathetic condition of women in general:

Call me

I endure like a lamb

Spit on my back,

*I seek help from my heritage.*²⁴

Most of the law-givers were against the dissolution of marriage, and divorce was not granted. The marriage and the vow that preceded it were sacred according to Vedic Aryans. This concept got a firm foot-hold in Vedic society, mainly due to the writings of the law-givers who were invariably males who used the customs as means of psychological and physical oppression.

In the family man began to assert his power. Violence was also used to secure this end. This made an average Indian woman a storehouse of fears and weaknesses. Her self-respect was torn into shreds and there was no escape from the miasma of discrimination. There was neither equality nor freedom.

In the post-Vedic period the right of choice of life partner was also taken away from woman. Manu who belongs to 2nd century B.C, for instance, insisted that a woman should never be allowed any freedom. "Day and night women must be kept in dependence by the males of their families. Her father protects her in her childhood, her husband protects her in her youth and her sons protect her in old age; a woman is never fit for independence."²⁵

This points to the deep rooted nature of civil customs binding Indian woman in a symbolic way. And "when a woman is transformed into a symbol by man, woman becomes a symbol of her social de-contextualization, her silencing, the occlusion of her suffering, the suppression of her feeling."²⁶ The perceptions of woman as property is central to the oppression of women in the family. The damage that was done continues even now. Physically she may not be confined to the house. She is free to pursue a career. But even now the concept of the majority of women remains the same, i.e., an ideal Indian woman is the one who is totally committed to her husband and family.

"It is precisely this rootedness that has made it impossible for even the Indian feminist to challenge family as the single most oppressive institution."²⁷

During the Buddhist Interlude

The story of Indian woman's self-respect and self-fulfillment has had numberless ups and downs, variations and vagaries, positive and negative vicissitudes. Her destiny has been formed by many forces working against and for her down the centuries. The Buddhist Interlude in India's history witnessed a conspicuous change for the better, for the long-oppressed Indian womanhood. This period roughly ranges between 3rd century B.C. and 6th century A.D. It literally brought her a wide-sweeping draught of fresh air which swept away, at least for a short period, the stinking air of stagnation, discrimination, oppression and exploitation.

On analysis it is found that the essence of Buddhist ideology was kindness towards all living beings. Thus in its attitude Buddhism was much more liberal than Brahmanism whose religious practices had been sanctioned by the Dharmasastras. Buddhism thus came as a boon to the oppressed classes, especially to women who had only marginal importance in that society. The Brahmanical religion imposed on them more and more restrictions which denied them their freedom of the self.

Gautama the Buddha was not a reformer like Raja Ram Mohan Roy. But Buddha had a solid faith in essential man-woman equality regarding the attainment of salvation. The widows and barren women were ill-treated by the existing Brahmanical religion. But Buddha felt that these women also deserved compassion of the deepest variety. Especially towards the last stages he felt that he should do something to improve the status of the Indian woman. This can also be considered as the net result of the efforts of the Therigathas and the alms-women. They tried their best to convince Buddha about the futility of the invidious distinction that existed between man and woman. But all these reforms were mainly due to the compassion of the great sage. But perceiving the matter from the angle of justice, we can very well conclude that compassion is not a solid foundation for the emancipation of Indian woman. What we need is not freedom alone but equality based on a sense of justice.

In spite of its defects, the Buddhist Age witnessed a series of changes which lifted woman out of her complacency. He made the adoption of daughters valid which went against the custom of the prevailing Brahmanical religion. This squashed the general belief that the birth of a son was indispensable to attain moksha or salvation. Buddhism was effecting a radical change from that of the Vedic religions. Between 500 B.C. and 600 A.D. the Brahmanical religion began to favour the seclusion of women from social

activities. Many followers of Buddha realised that it was one's own Karma that was important. We can very well conclude that it was Buddha's firm belief in compassion as a great virtue that resulted in his encouragement given to the adoption of girls. No wonder it failed to withstand the ravages of time and the onslaught of the Dharmasastras.

In its attitude Buddhism was much more liberal than the religious practice that was sanctioned by the Dharmasastras. Buddhism thus became a boon to the oppressed classes, especially women. Women were accepted as nuns in the Buddhist monasteries and were free to cross the boundaries of the country.

By the third century B.C. the influence of Buddhist ideology was strongly felt in most parts of the subcontinent. Gautama the Buddha believed in woman-man equality, as evidenced in his concept of marriage. According to him it was a contract between a mature man and a mature woman cutting at the roots of the pre-pubescent marriages which were encouraged by the establishment. In Buddhism women were allowed to marry men of their choice. The age at which a woman could marry was twenty. Pre-pubescent marriages were not encouraged by Buddhism, because the concept of child marriage was a negation of the idea of marriage as a contract between two mature and autonomous individuals. Secondly, child marriages were an offence against womanhood for the simple reason that the woman's consent

was never sought or taken. This was indeed an insult to woman's concept of herself as an independent entity. "In its attitude to women, the Buddhist tradition showed greater liberality than Hindu tradition, as for instance, permitting women to become nuns." ²⁸

The Vedic tradition of giving education to women was encouraged by Buddha. They received elementary education from their fathers, brothers or uncles. Those women who secured admission to the monastic order continued their education in the monastery. "The education given to female novices and nuns was not different from that imparted to their male counterparts. The nuns were initiated into the deepest problems of philosophy as also into the subtle mystical experiences attainable through intense meditative exercises." ²⁹

After the decline of Buddhism, the ineligibility for learning Vedas was encouraged by the Brahmanical religion. By 15th century A.D, most of the women in Indian society were uneducated. But the Buddhist impact certainly was there on the Kshatriya classes. The women belonging to the Kshatriya families were educated at their homes, with the purpose of enabling them to manage their affairs on their own.

Buddhism recognised the real meaning of the word "dampati" which etymologically meant "the joint owners of the house." In order to emphasize this aspect Buddha gave the wife the right to inherit the husband's property.

According to him she was his helpmate as well as his companion who had equal authority, when it came to the matters of the household. Thus married women were treated with a lot of respect in Buddhism. They were allowed to attend the discourses of Buddha They were also free to practise the eightfold path which assured salvation. Even though the family was patriarchal at this time, Buddhism tried its best to do away with the asymmetry that existed between the husband and the wife.

Buddhism also permitted divorce in exceptional cases. Divorce was granted if the wife was barren, or if a partner was guilty of adultery. A sick wife was to be looked after by the husband. Granting divorce to a certain extent eliminated the discriminatory status of a custom by which man enjoyed more power and held a superior position visa-a-vis woman.

Till then women were forced to occupy a secondary position in the social and domestic arena. The years of subjugation prepared them to accept their secondary role. Marriage was not a contract, but a sacrament which extended the relationship of the two persons for the life to come.

Divorce was looked down upon by the upholders of Brahmanical religion. According to them, it was a negation of the very principle of sacrament. Another noticeable feature during this time was that these marriages did not have any legal constraints except customary norms. And

people followed their social heritage without questioning the validity of the norms which permitted the abandoning of wives.

A group of Buddhist nuns called Therigathas (senior nuns) composed verses and were noted chroniclers of the time. They played an important part in propagating Buddhism. Thus, the admission of women into the monastic order secured for them a religious status. Ashoka's own daughter Sanghamitra went to Ceylon to propagate Buddhism. Many women joined the order of nuns to pursue religious activities. In order to propagate Buddhism, they travelled from place to place. Some women even went to Burma, Ceylon and Nepal in order to spread the great teachings of their Master.

Buddha followed the Vedic tradition of legalising the daughter or putrika to inherit the father's property in the absence of a son. The unmarried daughters were to be provided for by the father or on his death by their brothers. They could own a part of their father's property in case there were brothers. These laws, which gave them the right of inheritance, provided them economic independence. This also gave them freedom to choose between marriage and spinsterhood. The belief that "earthlier happy is the rose distilled than that which withers on a virgin throne" ³⁰ was slowly changing.

Buddha showed great compassion towards widows. In order to remove the prejudice that existed in society, he admitted them to the

Sanghas. Through his discourses he tried to convince his followers that these women were not responsible for their husbands' death. Buddha also encouraged widow remarriage. But the only anathema that surfaced was the sanctioning of "Niyoga", which forced a widow to marry her younger brother-in-law in order to continue the family line. This was encouraged for protecting the family's property and wealth. In the absence of children, a widow could inherit the property of her husband. The steps taken by Buddhism gave the average Indian woman a great sense of security. This stance by Buddha became an issue of debate among the law-givers of India. It was finally in twelfth century A.D., that the widow's right of inheritance finally was recognized.

The Buddhist social code with its emphasis on compassion, was kind in its treatment of prostitutes. Consequently prostitutes were admitted to Sanghas where they could lead the life of alms-women. Buddhism also gave a legal status to concubines if ever they got married and made their children legitimate. In this way the Buddhist interlude partially ameliorated the situation of the unprivileged section of the society. Instead of applying the canons of justice, the Buddhist society doled out heavy doses of social compassion, offering, in the process, a glimpse of social salvation and self-worth.

Though Buddha was more charitable than the Hindu Dharmasastras, the attitude of the great saviour was to a certain extent prejudiced by the age-old values and traditions. The impact of these traditions can be seen in his many teachings. There were separate rules for women who wanted to join the Sanghas as nuns. In spite of being mostly conventional in his teaching and partly prejudiced against women, Buddha was large-hearted to welcome women to the Sanghas or the Buddhist monasteries. And yet he had two different sets of rules, obviously discriminatory, for men and women. This wouldn't do Buddha much credit. But a great fact remains that he was high-minded enough to reach out to the suffering women of society, and to raise their level of status as human entities.

The annual "Upostha Ceremony" that was there in Buddhism also reveals the prejudice against women. According to this custom an almswoman should confess her sins before a monk and should receive absolution, from him, for all her sins. Another discriminatory rule is mentioned in *Sulla Vogga* according to which "the official admonition by an almswoman is forbidden, whereas the official admonition of an alms woman by a monk is not forbidden."³¹

"The commentary Manoratha Purana on the Angutta Nikaya mentions a list of the foremost nuns (Theris), female novices (Shrameneris) and female lay devotees (Upasikas)."³² This classification, obviously discriminatory, may

be justified on the basis of the fact that they came from different backgrounds, sections of the society and social rungs. Moreover they had to be integrated through a process of synthesis spread over a long period of initiation, training and ascetic discipline.

According to Angutta Nikaya the most important woman in Buddhist hierarchy was Mahapajapati Gotami, who secured Buddha's consent for the formation of the order of nuns. The next important Buddhist disciple was Kshema, the queen of Bimbisara. It was mainly the efforts of Mahapajapati and Therigathas that finally cleared the bias that seeped through Buddha. He finally realised that "one and the same self is present in all beings." ³³ This change in his attitude is clearly revealed in a passage in Samyukta (1-5-6): "And be it a woman, be it a man for whom / into Nirvana's presence they shall come." ³⁴

The analysis of the data given above reveals very clearly that Buddhism exposed many flaws that existed in the Brahmanical society. The stress that had been laid on "dharma" or duties and privileges of a member of the community by the Brahmanical injunction stood at cross roads by the end of the era, as Buddhism convinced its followers that it was the individual that mattered more. This resulted in an upsurge of human dignity which had its off-shoot in the form of a raised level of female status.

In a way Buddhism improved the status of at least a section of women who embraced that religion. The majority of women at that time lived in abject subordination, under the restraints imposed by the Brahmanical religion. The protest registered by Buddhism was not long-sustained as Buddha was mainly concerned with salvation of his followers. The overall development in women's life and work was soon eclipsed by the reassertion of Brahmanical religion resulting in yet another spell of darkness in this subcontinent.

Buddhism never tried to abolish the existing social order. The discriminatory feeling against women that was there in the minds of the majority of people remained unaffected. Thus the two major forces that joined hands in degrading women like the joint family and the caste system, remained unalterable. Many customs and traditions were implicitly followed by the majority of people of India during this time, which certainly went against the interest of women in general. Buddhism made the adoption of daughters valid which went against the prevailing custom. This squashed the general belief that the birth of a son was necessary to attain moksha. Thus Buddhism was effecting a radical psychological change from that of the Vedic religion. On analysis it is found that Buddhism as prevailed in India at that time, wanted to have a solid faith in the essential man-woman equality. That religion had compassion as one of its prime postulates finding Indian woman

deserving compassion of the deepest variety, Buddhism reached out to her as part of its journey towards glory.

But it is to be noted that Buddhism also failed miserably to understand the situation of woman from the angle of social justice. “If justice were to be really done mere laws are not sufficient. It takes a total re-orientation in judicial thinking and attitude, if gender justice is to be done”³⁵ Even though Buddhism failed to achieve man-woman equality from the angle of legalistic perception it achieved a lot for Indian woman on the basis of its postulate of compassion which virtually took Indian woman much nearer to the goal of gender justice.

A Time of Stagnation

During the pre-medieval period which covers the span of time between 3rd century A.D and 12th century A.D. the status of women underwent further deterioration and they were regarded as equal to Sudras. The sphere of their activity was again confined to the home. Seclusion of women became very common even before the advent of Muslims, especially in the upper class society, due to the rigidity of the caste system. The Smriti writers prohibited inter caste marriages. Especially for an upper caste woman it was strictly prohibited to marry men from lower castes even as the upper caste man retained his right to marry from the lower caste of his choice. As far as the

Indian woman was concerned, social mobility, both vertical and horizontal had become a mirage which defied an easy solution.

In the 8th century the all-pervading influence of Adi Shankara was felt across the length and breadth of the Indian subcontinent. Yet his views on women's role in terms of worldly functions and spiritual services were strongly oriented towards an anti-woman posture.

The Position of Women during Bhakti Movement The Hindu religious revival namely the Bhakti movement which took place roughly around 11th century A.D. was the direct outcome of the proselytisation activity of the Muslims in India. The leaders and the propagators of the Bhakti cult were greatly impressed by the ideas of one God and universal brotherhood which were introduced by this great religion based on monotheism. The impact of the Bhakti movement lasted till the first half of the 16th century A.D.

The number of followers of Islam increased under the sultans. The non-Muslims had to pay a tax called Jizia-the military tax. The proselytisation was effectively carried on under the patronage of sultans and it literally swept through the poorer classes. First of all they were unable to pay this aforesaid tax. Secondly, there was persecution carried out by the Brahamanical injunctions.

The founder of the Bhakti cult was Ramanuja, a Vaishnava saint. Other teachers of the movement like Kabir, Namdev and Ramdev hailed from the lower castes. This itself shows that it was indeed a reformist movement which aimed at the abolition of the various discriminations perpetrated by the existing Hindu religion. The religious leaders gave emphasis to the fact that there is only one God. In its attitude to women it followed the footsteps of Buddhism, i.e., on the grounds of compassion towards the suffering multitudes of the feminine gender and also on the realization that men and women are of equal significance before God. It also restored for the time being a religious status to women. They were encouraged to come out of their homes, to listen to the saints and to sing of God's glory in public. There were a few women saints who became very popular. Meera Bai was not only acclaimed as a saint but also as a poet of lasting significance. This clearly indicates the possibilities of artistic excellence lying dormant among the Indian women folk.

Even during this period of nascent glory the majority of women in India lived under abject subjugation. Their position was deteriorating rapidly. Except for a short while the conservative attitude of the religious leaders did not undergo any change, radical or otherwise. The ancient ascetic ideal which considered women as an obstacle in the path of achieving salvation continued to dominate. So after the initial success, it failed miserably to bring

about any long term change owing to the lack of co-ordination among the cult leaders and also due to the absence of sustained efforts based on organisational structures.

We can very well conclude that the ideal of equality was misconceived by all these ascetically-oriented religious leaders. For them as far as women were concerned, equality meant a consideration arising from pity and not justice. They failed to comprehend the fact that they should “restore to half humanity its rightful place in human society.”

During Medieval India

As far as this study is concerned the medieval period is spread over four centuries from the 12th to the first half of the 16th century. The real history of India in the middle ages is a struggle for political power and economic supremacy between two systems which were totally different in their outlook. The incursion of Muslims in India began with the Arab invasion of Sind in the beginning of the 8th century A.D. The large majority of Muslims who came to India were Turks, Afghans and Persians. “And thus for the first time in recorded history Indian religion and social customs were faced with a system which was equally formulated and definite.”³⁶

The caste system became more rigid in the medieval period. Occupation now began to be determined by birth. Such a situation brought

about a lot of conservation in the Hindu society. Those who were low in the social scale of Hindu society found in Islam an opportunity to assert their dignity. The more sensitive among them were attracted by its democratic appeal. This is one of the reasons why Islam spread very fast in certain parts of India. Another reason was that two options were given to the Indian prisoners of war by Muslims: either acceptance of Islam or slavery. Obviously most of them preferred the first.

Dependence of women on their husbands or other male relatives was a prominent feature of this period. Devoid of avenues of any education, having lost the access to Streedhana or dowry, they virtually became the exploited class with disastrous results for themselves and the nation. Indian women were politically, socially and economically inactive except for those engaged in farming and weaving. This inactivity in a way contributed to their subordination. Most of the women accepted meekly the idea that the proper place for them was their home. This diffusive awareness which was ideologically stereotyped obviously on the wrong lines, was their undoing during this period of darkness, thus proving the veracity of the statement that “there are three dimensions to subordination of women - the political, ideological and the economic which may co-exist in different balances with one another.”³⁷

Political subordination includes the exclusion of women from all important decision-making processes. With the advent of Muslims in India, the social movement of Indian women was restricted. They were prohibited to attend public functions and were not free to participate as men's equals in religious functions like yajnas, obviously indicating a degradation of her role as she was getting wrapped in isolation.

Another social evil that existed in society during this period was child marriage. These pre-pubescent marriages adversely affected the health of the girls. These child brides were denied all intellectual, physical and spiritual development. It virtually punctured the fragile psyche of Indian girl child. Her self-image was torn into shreds by the patriarchal family which denied her basic freedom. Indian womanhood was mercilessly locked in the echo chamber.

Similarly most of the women made themselves believe that the ideal place for them was the home. Thus they were persuaded by circumstances to accept their inferiority and secondary position. Men being providers, women became dependent on them economically, for their subsistence except for the labour classes, where both men and women participated in subsistence farming and other occupations.

Many social evils like female infanticide, sati, child marriages, Purdah system or zenana, the seclusion of women developed during the middle

ages, due to the political instability of northern India, especially due to various invasions. Muslims who came to India were mainly warriors and they did not give much importance to Hindu ideals like chastity and pativrata dharma. So the seclusion of women was encouraged mainly by the Rajputs and the other upper castes like Brahmins.

Polygamy was the first reason which contributed to the subordination of women. Muslim rulers in India had large harems. Thus women came to be regarded as instruments of sensual satisfaction. Even among the Hindus there was no limit set to the number of wives a man could take. Marriage in Islam is a contract. But a Muslim man can have as many as four wives. Thus even religion encouraged the abject subordination of women for the reasons best known to it. Islam also made husband the head of the family and insisted that a wife should obey all his commands and should serve him with utmost loyalty, whether he was worthy of it or not.

Another social evil that existed in medieval India was female infanticide. This particular system was prevalent among Rajputs and other high castes. Even among the Muslims this custom existed. The evil mainly originated from the belief that only the birth of a son could make salvation possible for parents. Only a son had the privilege of performing Samskaras. And lastly the son began to be considered as the maintainer of the race. So in most of the noble families the female child was killed either by poisoning or

by burying her alive. Some of them were drowned to death. Even among the Muslims the birth of a daughter was ominous:

*The mid wife who receives a son deserves a gold coin to
make a ring for her nose.*

But you! Oh midwife! Deserve thirty strokes of the stick!

*Oh! You who announce the little girl when the censorious are here!*³⁸

Purdah gained popularity with the advent of the Muslims. Many writers feel that the purdah system existed among Kshatriyas in the period of Dharma Sastras. But the Hindu women veiled only their face or sometimes only covered their heads with sarees or "dupattas." But for Muslims it meant complete veiling. Purdah actually is a Persian word which means curtain. According to Patricia Jeffrey "Purdah is a part and parcel of stratification in India It becomes the mental foot binding, the frogs in a well syndrome, the submissiveness of the young bride and the inability of adult women to cope with the world outside." ³⁹

Dowry system was a common phenomenon. It actually meant "Stridhana" which included gifts, ornaments, property, and cash presented to her by her father or her relatives. But in the medieval period the term acquired special significance. It meant money or "Dakshina" which was actually presented to the bride groom along with the bride. In Vedic times it

ensured some sort of security for her. But during the middle ages she was not free to use it as it was owned by her husband and his kith and kin.

During the Middle Ages the term "Stridhana" acquired huge dimensions. The Hindus and Muslims favoured this custom of dowry. It could be paid in cash or kind along with the bride. During the Vedic ages it was given with the intention of providing security for women when a crisis occurs. She was free to make use of this "Dhana." But the Middle Ages witnessed a sudden transformation. The Stridhana received by the groom belonged completely to the in-laws. The bride did not have free access to this wealth, which rightfully belonged to her.

Dowry system existed even among the Muslims, especially among the Shias. As years rolled by dowry became an integral part of the marriage ceremony. This in a way contributed to female infanticide, as it became a heavy burden on the poor. The birth of girls became a nightmare to the majority of the population. Another negative effect of the dowry system was that the Indian woman lost her importance as a worthy human being. She began to be regarded as movable and removable property by her husband.

Created by the so-called law-givers and upholders of religion in the medieval age it literally induced physical as well as intellectual damage on women in medieval India. It took away her fledgling morale which was as expectedly delicate. Above all it resulted in the emotional break-downs and

the traumas of a serious kind. Thus her self-concept received another lethal lash at the hands of the dark forces that ruled the roost.

The condition of the Hindu widows became more miserable during the medieval period. Rigidity of caste system denied them the right to freedom and social mobility. Inhuman treatment was offered to the widow. She was forced to lead a life away from worldly pleasures. A widow was also secluded from society as well as family. Another pre-requisite for a widow was shaving the head. She was thus humiliated mercilessly by contemporary society. The condition of the Muslim widow was slightly better owing to the fact that she could marry after a certain lapse of time following her husband's death.

The feudal society of the time encouraged "Sati" which meant self-immolation of the widow. By burning herself on the pyre of her husband, she proves her loyalty. Even the child widows were not spared from this gruesome ritual. According to Saroj Gulati "because of the continuous wars, there were chances of too many widows young and old, and a big question was how to accommodate them without bringing stigma to the family or creating problems for society."⁴⁰ And Sati was considered as the best course even though it was the worst crime perpetrated on Indian women from many angles of reason or humanity.

Prostitution became a recognised institution. The Devadasi system which was prevalent among the Hindus and the courtesans, who adorned the

court of Muslim rulers, degraded the status of women in society. Under the Devadasi system women were the brides of gods. But they were supposed to entertain kings, priests and even members of the upper classes. The fact that they were exploited by the existing male-dominated society is clearly revealed in the testimony of Alberuni "the kings make them an attraction for their cities, a bait of pleasure for their subjects, for no other but financial reasons." ⁴¹

During the British rule

European scholars observed in the 19th century that Hindu women are "naturally chaste" and "more virtuous" than other women.⁴² During the British Raj, many reformers such as Ram Mohan Roy, Ishwar Chandra Vidyasagar, Jyotirao Phule etc. fought for the upliftment of women. Peary Charan Sarkar, a former student of Hindu College, Calcutta and a member of "Young Bengal" set up the first free school for girls in India in 1847 in Barasat, a suburb of Calcutta (later the school was named Kalikrishna Girls' High School).

While this list might suggest that there was no positive British contribution during the Raj era, that is not entirely so, since missionaries' wives like Martha Mault née Mead and her daughter Eliza Caldwell née Mault are rightly remembered for pioneering the education and training of girls in south India - a practise that initially met with local resistance, as it flew in the face of tradition. Raja Rammohan Roy's efforts led to the abolition of the Sati

practice under Governor-General William Cavendish-Bentinck in 1829. Ishwar Chandra Vidyasagar's crusade for the improvement in condition of widows led to the Widow Remarriage Act of 1856. Many women reformers such as Pandita Ramabai also helped the cause of women upliftment.

Kittur Chennamma, the queen of the princely state Kittur in Karnataka, led an armed rebellion against the British in response to the Doctrine of lapse. Abbakka Rani the queen of coastal Karnataka led the defence against invading European armies notably the Portuguese in 16th century. Rani Lakshmi Bai, the Queen of Jhansi, led the Indian Rebellion of 1857 against the British. She is now widely considered as a nationalist hero. Begum Hazrat Mahal, the co-ruler of Awadh, was another ruler who led the revolt of 1857. She refused the deals with the British and later retreated to Nepal. The Begums of Bhopal were also few of the notable female rulers during this period. They did not observe purdah and were trained in martial arts.

Chandramukhi Basu, Kadambini Ganguly and Anandi Gopal Joshi were few of the earliest Indian women to obtain educational degrees. In 1917, the first women's delegation met the Secretary of State to demand women's political rights, supported by the Indian National Congress. The All India Women's Education Conference was held in Pune in 1927. In 1929, the Child Marriage Restraint Act was passed, stipulating fourteen as the minimum age of marriage for a girl through the efforts of Mahomed Ali Jinnah.⁴² Though

Mahatma Gandhi himself married at the age of thirteen, he later urged people to boycott child marriages and called upon the young men to marry the child widows.⁴³

Women played an important part in India's independence struggle. Some of the famous freedom fighters include Bhikaji Cama, Dr. Annie Besant, Pritilata Waddedar, Vijayalakshmi Pandit, Rajkumari Amrit Kaur, Aruna Asaf Ali, Sucheta Kriplani and Kasturba Gandhi. Other notable names include Muthulakshmi Reddy, Durgabai Deshmukh etc. The Rani of Jhansi Regiment of Subhash Chandra Bose's Indian National Army consisted entirely of women including Captain Lakshmi Sahgal. Sarojini Naidu, a poet and a freedom fighter, was the first Indian woman to become the President of the Indian National Congress and the first woman to become the governor of a state in India.

In Independent India

Women in India now participate in all activities such as education, sports, politics, media, art and culture, service sectors, science and technology, etc.⁴⁴ Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years is the world's longest serving woman Prime Minister.⁴⁵

The Constitution of India guarantees to all Indian women equality (Article 14), no discrimination by the State (Article 15(1)), equality of opportunity (Article 16), equal pay for equal work (Article 39(d)). In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief. (Article 42).⁴⁶

The feminist activism in India picked up momentum during later 1970s. One of the first national level issues that brought the women's groups together was the Mathura rape case. The acquittal of policemen accused of raping a young girl Mathura in a police station, led to a wide-scale protests in 1979–1980. The protests were widely covered in the national media, and forced the Government to amend the Evidence Act, the Criminal Procedure Code and the Indian Penal Code and introduce the category of custodial rape.⁴⁷ Female activists united over issues such as female infanticide, gender bias, women health, and female literacy.

Since alcoholism is often associated with violence against women in India,⁴⁸ many women groups launched anti-liquor campaigns in Andhra Pradesh, Himachal Pradesh, Haryana, Orissa, Madhya Pradesh and other states.⁴⁹ Many Indian Muslim women have questioned the fundamental

leaders' interpretation of women's rights under the Shariat law and have criticized the triple talaq system.⁵⁰

In 1990s, grants from foreign donor agencies enabled the formation of new women-oriented NGOs. Self-help groups and NGOs such as Self Employed Women's Association (SEWA) have played a major role in women's rights in India. Many women have emerged as leaders of local movements, for example, Medha Patkar of the Narmada Bachao Andolan.

The Government of India declared 2001 as the Year of Women's Empowerment (*Swashakti*).⁵¹ The National Policy For The Empowerment Of Women came was passed in 2001.⁵²

In 2006, the case of a Muslim rape victim called Imrana was highlighted in the media. Imrana was raped by her father-in-law. The pronouncement of some Muslim clerics that Imrana should marry her father-in-law led to widespread protests and finally Imrana's father-in-law was given a prison term of 10 years, The verdict was welcomed by many women's groups and the All India Muslim Personal Law Board.⁵³

In 2010 March 9, one day after International Women's day, Rajyasabha passed Women's Reservation Bill, ensuring 33% reservation to women in Parliament and state legislative bodies.⁵⁴

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