CHAPTER - IV

STATUS OF WOMEN IN THE MANUSMRTI AND OTHER TEXTS

1. STATUS OF WOMEN IN DIFFERENT TEXTS

A woman is the foundation of a family or a home. In the primitive age, a woman took an important role in the family. Those were the days of struggle of men with Nature. From the very morning to the sunset, the male members had to busy with searching food for the family and the female members especially the mothers had to associate with the household duties. As a mother, a woman always associates with the children of the family and, therefore, she knows the feelings of the children better than the father. A mother is, therefore, treated as the first teacher for a child, and the foundation of moral behaviour and the character of a child develops at the hands of a mother. The Rām. says that the human beings in respect of character do not take at all after their father but only after their mother. Even in procreation, a mother takes an important role.1 Therefore, the role of a woman, who moulds the character of a child, either in primitive society or in modern civilization could not be neglected. In fact, “one of the best ways to understand the spirit of a civilization and to appreciate its excellences and realise its limitations is to study the history of the position and status of women in it”.2 S.N. Vyas makes a similar remark – “The position accorded to women in any society has rightly been regarded as a true index of the state of civilization.”3

In the ancient Indian Hindu scriptures right from the vedas to the smṛtis women

1. Rām. II. 108.11; III. 16.34
2. The position of women in Hindu civilization, p. 1.
3. India in the Rāmāyana Age, p. 100.

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were judged from different aspects. In those scripture women are found treated with a mixed feelings and contradictory passages are often found while dealing with the women folk. Observing the different aspects of such contradiction P.H. Prabhu comments — “But, if we are minded to look at the Hindu conception and treatment of womankind on the whole, we must admit the Hindu seers have honestly and sincerely made repeated inquiries into the problems of the nature and position of the fair sex for the maintenance, growth and development of the best and the noblest of the human heritage in any society.”

The praise or reproof whatever may prevail regarding the women-folk in ancient Hindu scriptures, they were given their dues in the context of socio-cultural condition of the then society. The judgement regarding a problem in a society generally depends upon the particular cultural norms accepted and established in that particular society. The position of women in ancient Hindu society also depends upon this very fact.

The position and status of women as depicted in the ancient scriptures particularly in the dharmasūtras and the dharmaśāstras and especially in the M.S. is often criticised by the modern social scientists and intellectuals and everybody finds fault with Manu. Observing the position of women in the M.S., N.V. Banerjee comments — “In fact, his (Manu’s) entire attitude towards womanhood has proved a hindrance to the progress of the Hindu society.”

Sir Henry Maine comments — “The impression left on my mind by the study of these books (dharmaśāstras like Manu) is that a more awful tyranny never existed than this which proceeded from the

union of physical, intellectual and political ascendancy." The critics of the M.S. often select some controversial verses for their target of attack and willingly look over those verses of the treatise which uphold women to a position of high honour and respect. We shall try to evaluate in this chapter the views of Manu regarding the position and status of women. But, before this, we shall highlight in brief the position and status of women as reflected in some other ancient Hindu treatises viz. the vedas, the upanisads, the puranas, the Rāmāyana and the Mahābhārata.

(i) Women as Found in the Vedas.

The vedic society was purely a patriarchal society. The joint family system of that period was headed by a male person. Though the members of a family were under the headship of a male member yet the role of a woman in the family was not less important. Generally, the birth of a female child, as we have some references, was not welcome. The Ait. Br. states that a daughter is the source of misery while the son is a hope of ray for the family. Some passages of the A.V. show that rituals were performed for the birth of a male child. In fact, the whole 23rd Sūkta of the 3rd Kāṇḍa of the A.V. devotes to wishing of having a male child. In a passage of the Tait. Saṁ., and the Mait. Saṁ., we find a custom of lifting up of a male child in joy and setting aside of a female child. However, putting the views of Weber on this passage,

7. 'sakhā ha jāyā kṛpanaḥ ha duhitā jyotirhi putraḥ parama vyoman /' Ai. Br. VII. 13.
8. 'pumānśaḥ putraḥ janay taṃ pumānanu jāyātāṁ / bhavāsi putraṇāṁ māta jātāṁ janayād ca yātāṁ /' A.V. III. 23.3; Also, Ibid. III. 23.2; VI. 11.3.
9. 'avabhṛthamavayanti / parī śāśyantīśyanti/ udvijayasyāni haranti / tasmāt sthāriṇīḥ jātāṁ parī śyantī utpumānśaḥ haranti / Tait. Saṁ. VI.5.10.3; Mait. Saṁ. IV.6.4
Dr. A. S. Altekar comments that Weber's interpretation in this context is wrong. Altekar also holds view that it was the traditional habit of Hindu midwives of keeping the female-child aside on the ground and lifting up of a male child with joy. The passage, as Alterkar holds, bears no reference to the abandonment of unwanted daughter.¹⁰

In the *Br.Up.* we have a passage which enjoins certain rituals for the house-holders to be performed for ensuring the birth of a learned daughter.¹¹ Therefore, it is evident from this passage that girl child was neither neglected nor denied the right of education.

Dr. Jogiraj Basu observes that in the Vedic age, women of the higher three castes, had not only the right of Vedic studies but were also invested with the holy thread. This practice was in vogue since the days of the *Rk-Saṃhitā* down to the age of the *śūra* literature. Dr. Basu compares this custom to the Navazot ceremony (new birth) of the girls of Parsi or Zoroastrian community of Indo-Aryan branch which is akin to the meaning of *upanayana* in Vedic tradition.¹² That the Vedic women received some sort of education is also evident from a hymn found in the *A.V*. In this hymn it is stated that a girl can succeed in her married life if only she is properly trained in her student life.¹³

P.H. Prabhu observes that Vedic women received their education under the guidance of nearest relatives and two categories of female students namely

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¹³. 'brahmacaryepa kanyānām yuvā vindate patīn // *A.V.* XI.7.18.
**brahmavādinī and sadyovadhiu were there in the Vedic period.**\(^{14}\) The ideals of a *brahmavādinī* and a *sadyovadhiu* are illustrated in the hymns of *vāc\(^{15}\)* and *sūryā\(^{16}\)* respectively. In the Vedic literature, we find a large number of women scholars who acquired excellency in the field of Metaphysics. Some of them are *Viśvāraṇā\(^{17}\)*, Ghoṣā\(^{18}\)*, Lopāmudrā\(^{19}\)*, *Sasvatī\(^{20}\)*, *Apāla\(^{21}\)*, *Indrāṇī\(^{22}\)* etc. In a later Vedic work, *Saunaka\(^{23}\)* mentions as many as twenty-seven women seers of the *R.V.* while the famous commentator *Śaṅkara* enhanced the list of *Saunaka* by adding two more.\(^{24}\)

The importance of women in Vedic literature is highly upheld in the institution of marriage. Marriage was treated as a sacrament and not a contract. The *Ait. Ār.* says that a man is regarded as a complete whole when he secures a wife.\(^{25}\) The *Sat. Br.* says that wife is the half of her husband and one is not fully born until and unless one is

\(^{14}\) *Hindu Social Organisation,* p. 140.

\(^{15}\) *R.V.* X. 125.


\(^{19}\) *Ibid.* I. 179.


\(^{23}\) *Bṛhaddevatā,* Part-I. II. 82-84.

\(^{24}\) As stated in *C.H.I.* Vol. II, p. 603.

\(^{25}\) *As stated in Ait. Ār.* I.3.5.
blessed with a wife. The same Brāhmaṇa also holds that one who is not blessed with a wife is an unholy person and has no right to perform a sacrifice. This proves the fact that in the Vedic period women had full right in religious matters. Dr. Jogiraj Basu observes - "The later Vedic age or the age of the Brāhmaṇas was an age of sacrifice; Sacrifice reached its heyday in that age and all Brāhmaṇical texts bearing elaborate records of sacrificial paraphernalia. Hence, it may be taken for granted that marriage was looked upon as a compulsory sacrament in that age for the three higher castes for eligibility to the performance of sacrifices."

The high position that a woman occupied in the family is also evident from a hymn found in the A.V. as well as in the R.V. In this hymn, a newly wedded daughter, when she is ready to leave for her husband's house, is blessed with by her father as - rule over your parents-in-law, rule over your brothers-in-law, rule over your sisters-in-law and so forth. The Ait. Br. says that a husband is reborn as son in the womb of his wife and hence she is called jāya. The cordial relation between the married couple is highly stressed on in Vedic literature. Marriage is a sacred tie and it could not be dissolved at any cost.

Though the custom of having one wife (monogamy) was the ideal and

26. 'ardho ha vā eṣā ātmāno yajjāyā tasmaī yāvājñāyāṁ ... etc.' Śat. Br. V.2.1.10.
27. 'ayajñāyīyo vaiṣa yo’apattukah ... etc'  Ibid. VII.5.2.37.
28. India of the Age of the Brāhmaṇas, p. 34.
29. A.V. XIV.1. 43- 44; R.V. X. 85.46.
30. 'patirjāyāṁ praviśati garbho bhutvā samātaram ... jāyā bhavati yadasīyāṁ jāyate punah ... etc.' Ait. Br. VII.13.
31. R.V. X.85.42; A.V. XIV.1.18, 49.
tradition of ancient Hindu life, yet we have numerous references in Vedic literature which are evident of prevailing polygamy. But, polyandry was unknown and discouraged directly. The *Ait.Br.* says – "One person may have many wives, but one wife must not have many husbands." The *Sut.Br.* says that a king enters into the sacrificial hall with his four queens namely *mahisī, vāvātī, parivarikī and pālāgali* and passes the night in that hall with his queens together. The *Ait.Br.* says that king Hariścandra had hundred wives. *Mait.Sāṃ.* records that king Manu had ten wives. A.S. Alterkar observes that this practice of polygamy was in prevalent among the kings, nobles and rich men who could support many wives. The kings found it to be a useful instrument of strengthening their political power by several matrimonial alliances whereas the rich regarded it as a proof of their wealth, reputation and social position. Sharing of the burden of household labour might be the one of the causes of polygamy in Vedic society. J.L. Davies remarks – "It has been observed that in several primitive societies, wives often urge the husbands to add to their number with a view to lighten their domestic labour. When marriage means for the women chiefly doing her husband’s work, she desires to share him with others. The situation changes *rekṣita bhavatī svastir kṛtānām api loka śvam aṃśaḥ.*"


Also, ‘ekasya puniṣo bahvyo jāyā bhavanti /’ *Sut.Br.* IX.4.1.6.


when a higher conception of marriage is evolved.”37 On the point of discouragement of polyandry Dr. Jogiraj Basu observes — “Thus we find polygamy was the rule of the day but polyandry was unknown and was not countenanced for the upkeeps of the social order and purity of the breed.”38

Our own observation on this point is that, as a wife is absolutely necessary for performing religious rites and for procreation of a son for spiritual benefit of the ancestors, therefore, the need of a second wife, if any, in Vedic literature was only then and there when the first wife was either dead or issueless. In other cases it should have been treated as luxury or sensual gratification and, perhaps, the practice was not common in the Vedic society.

Regarding the proprietary right of women, it is observed that both the husband and the wife were the joint owners of household properties. It is evident from the solemn vow which a husband was required to take at the time of marriage ceremony that he would never violate the rights of his wife in household matter.39 But, this idea of joint ownership, perhaps, did not come into force practically as there are large number of evidences in Vedic literature which are evident of prevailing general prejudice against giving women this proprietary right.40 But, in case of the property received by a woman in terms of gift or bride price, she was the sole owner on


38. *India of the Age of the Brāhmaṇas*, p. 36.


40. *tasmātstriyo nirindriyā adāyādīḥ /*. *Tait. Śu.* VI. 5.8.2;

Also, *tā hata niraśṭā nātmanas caneṣate na dāyasya caneṣate /*. *Sat.Br.* IV.4.2.13.
it. This bride price received by a bride was termed as *strīdhana* in later *dharmaśāstra* literature. In the *R. V.* we have some references on bride price or gift which a newly wedded bride carries to her husband’s house.\(^{41}\) In vedic literature *strīdhana* was generally termed as *pārīṇahya*\(^ {42}\) and *vahatu*\(^ {43}\).

References of disgraceful comments on women are also found in the Vedic literature. In a statement of the *Śat. Br.*, it is stated that a barren women is possessed with destruction (*nīṛttī*).\(^ {44}\) In a hymn of the *R. V.*, we find how a husband put his wife in pledge.\(^ {45}\) But, it is to be noted that the expressions of the husband in the concerned hymn show his regretful condition for such acts.\(^ {46}\) In a passage of the *Mait. Sañ̄h.* women are said as evils who are classed with dice and drink.\(^ {47}\) In the *Śat. Br.*\(^ {48}\) it has been stated that women are inferior to men, they are fickle-minded and are apt to fall an easy prey to external appearances and so on. A detail study of the Vedic literature will add such disgraceful comments on the woman-folk.

\(^{41}\) *R. V.* X. 85. 13, 38.

\(^{42}\) ‘*patnīrvai pārīṇahyasya tisc*’ *Tait. Sañ̄m.* VI.2.1.1.

\(^{43}\) ‘*kanyāpriyārthaṁ dātavyo gavādipadārtho vahatuḥ*’ Sāyana on *R. V.* X. 85.13.

\(^{44}\) ‘*ya vā aputra patnī sa parivṛttih / sā nīṛrtigrīrthā ... etc.*’ *Śat. Br.* V. 3.1.13.

\(^{45}\) *R. V.* X. 34.2.

\(^{46}\) *Ibid.*

\(^{47}\) ‘*traya vai nairṛtā aksah striyah svapno ... etc.*’ *Mait. Sañ̄m.* III.6.3.

\(^{48}\) *Śat. Br.* III.2.4.2-6.
From the above discussion it is observed that women in vedic period were treated with a mixed feeling. Though some negative attitudes or comments are found against the fair sex, yet the overall position was quite satisfactory.

(ii) Women as Found in the Upanisads

The upaniṣads are some writings on mysticism, the main aim of which is to inquire into the nature of Ultimate Reality behind the world of existence. Therefore, we can hardly expect a vivid description of social condition of the then society in those writings. Through various references and stories scattered there in the upaniṣads, we have some references about the right and position of women in the society.

In the upaniṣads, we find some references of women education. A father not only longed for a son to be born but also for a learned daughter. In the Br.Up., as it has already been stated, a particular ritual is suggested to be followed by a father who desires a learned daughter (panḍita) to be born. Here, in this context, a particular medicinal prescription is mentioned which should be cooked and fed his wife with it.49 In the same upaniṣad we also find how Maitreyī, wife of Yājñavalkya, took part in discussion with her husband in some deepest philosophical discourses.50 Here, in this Upaniṣad, we get the name of Gārgī Vācaknāvī, a lady scholar, who, in a philosophical debate held at the court of king Janaka, challenged the brightest scholar like Yājñavalkya by putting two perplexing questions.51 These instances show that in the Upanisadic period, women were not legging behind in the pursuit of the


50. ‘yenaḥahāṁ nāṁrāṁ syāṁ kimahāṁ tena (apratibhutenāpi vittena) kuryāṁ … etc.’

Ibid. II.4.3.

51. Ibid. III.6.

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supreme knowledge.

The upanisads also reflect the picture of married life of that period. Polygamy was in vogue in society. In the Br.Up. we find that sage Yājñavalkya had two wives Maitreyī and Kātvyāyā. But, we have no reference of polyandry in the upanisads. A rare case of child marriage, of course, is found in the Chān.Up. Here, the wife of sage Uṣasti is mentioned as minor (i.e. a girl in the pre-puberty state).

Regarding the right of women over the property of her husband, the upanisads seem to hold positive view. It is evident from the fact that sage Yājñavalkya proposed to divide his property between his two wives.53

Women as mother occupied a venerable position in the upanisads. The Tait.Up. contains some precious suggestions delivered by a preceptor to his disciples (i.e. snātaka disciples). These references bear everlasting relevancy. Here, in these advices, we find also the advice given by the preceptor as 'regard your mother as God, father as God and so forth.'54 A mother as well as a father was equally recognised in the society. This is evident from the story of Satyakāma Jāvāla of the Chān.Up. Satyakāma Jāvāla was recognised by his preceptor after his mother’s name.55

From the above brief discussion it is evident that women in the upanisads held a good position. So far we concern they had the right of education, the right of property of their husbands and occupied a venerable position.

52. 'maṭacīhateṣu kuruṣvātiṣyā saha jāyayosastirha cākṛāyaṇa ibhyagrāme pradrāṇaka uvāsa.' Chān.Up. 1. 10.1.


54. 'māṭu devo bhava / pīṭu devo bhava / ācārya devo bhava ... etc. ' Tait.Up. 1.11.

55. Chān. Up. 4.4.
(iii) Women as Found in the Purāṇas

The purāṇas are some mythological writings which represent the complex philosophical ideas of the vedic literatures in a simple way. There are thousands of anecdotes scattered in these writings from which we can have a picture of the position and status of women in the society.

In the purāṇas women were treated with a mixed feeling, as we have both passages of appreciation and depreciation regarding the female-folk.

The Sk.P. says that by nature women are helpless (कपाणा) and poor (दायन्यभागिनी) and does not deserve independence which echoes the idea contained in the M.S. A daughter is a source of misery, a son is as dear as hundred daughters together. But, a contradictory passage is found in the Sk.P. which contradicts the above statement of its own and the statement of the Br.V.P. This passage of the Sk.P. states that a daughter is equal to ten sons. Observing this self-contradiction of the Sk.P., Dr. A.B.L. Awasthi remarks that Indian women fell a victim to the lust of foreign invaders and their seclusion (pardā) had begun with the advent of Muslims and women freedom was curtailed.

56. 'सः का जैत्रिप्रकृताविं कपाणा दायन्यभागिनी ... etc.' Sk.P. I.II. 23.45.
57. 'पितारक्षतिव भारतारक्षतियांन्वये ... etc.' Ibid. V. III. 67.87.
58. M.S. IX.3.
59. 'कन्यार पितुः सौथायां सदादुखाविद्धिनी ... etc.' Ibid. I.II. 23.47.
60. 'सताकन्याप्रियायं सुतै ... etc.' Br.V.P. 1.24.27.
61. दासपुत्रसामायं कन्यां दासपुत्रां प्रवार्ध्यानं / यत्पहलाम labhate 
martyastallabhyaṁ kanyayaiKayā l' Sk.P. 1.II.23.46.
The protection of women is highly stressed on in the *purāṇas*. The *Sk.P* says that during the three stages of life, a woman should be protected by her respective authorities.63 Prior to their marriage girls were under constant vigilance of their parents. Üṣā, the daughter of Bāṇa of Suṇītapura was kept by her father in a protected cave to maintain her virginity.64 However, in spite of strong vigilance, she maintained secret relation with Aniruddha, the grandson of Kṛṣṇa. Marriage was the essential ceremony for a girl. Normally, the father of a girl arranged her marriage in due time. For instance, we find in the *B.P.* that father of Devahuti requests sage Kardama to marry his daughter.65 However, we find instances in the *purāṇas* that in selecting her bridegroom a girl or daughter had full right in her choice,66 but the permission of her father was also desirable. In this respect the marriage between Śiva and Pārvatī may be mentioned. Pārvatī, having performed austerity pleased Śiva to be her bridegroom. But, she agreed to marry Śiva after having taken her father's permission.67 Accepting of bride-price in marriage was treated as a crime. One, who does so, will go to hell. The *P.P.*, in this respect, mentions some virtues arising from the gift of a bride and vices from selling of a bride.68

63. *Sk.P.* V.III.67.87;
   ‘pitā kaumārakaśā ca sadā pālana kārakaḥ / bharta madhye ... etc.’
   *Br.V.P.* III.4.6.
64. ‘guḍhakanyāpure sāvatraṇaprayṇddhasnehayā tayā ... etc.’ *B.P.* X. 62.26.
67. ‘kintu svāmī putā mahyaḥ ... anumatyā vidhānena ... etc.’ *Var.P.* XXII. 26.
68. ‘yaḥ kanyāvikrayam mdho ... gacchet narakam ...kanyāvikrayīṇaḥ pumśo mukhaṁ paśyenna ... etc.’ *P.P.* (Ked). *Kriyāyogasūra* 13, p. 535.
As a wife, a woman took an important place in her husband’s house. The Sk.P. says that wife is the mistress of the house (grhesvarī) and companion of her husband.69 She is the better half of her husband.70 A wife is called jāyā as she gives birth to the soul of her husband; she is called bhāryā as she is to be protected and supported, she is grhinī as she represents the home, she is kalatra as she saves her husband from sinful acts.71 Therefore, there should be mutual relation and cooperation between the couple both in religious rites and in maintenance of the family. Religious rites, performed without wife, bear no fruits.72

In married life, monogamy was the ideal path for domestic peace. It is evident from a passage found in the B.P. which says that co-wives (sapatni) are the causes of trouble for a householder.73 But, various references found in the purāṇas prove that polygamy was also in vogue. The marriage of sixty daughters of Dakṣa among seven bridegrooms74 and fifty daughters of Māndhātā to Saubhāryā75 and many more references of the purāṇas prove the fact. On the other hand, instances of polyandry are

69. ‘grhesvarīn sadgupabhūṣiṣṭaḥ sūbhāṣīḥ etc.’ Sk.P. I.II. 14.95;
   Also ‘ihāmutra sahāyinīḥ etc.’ Ibid. I.II. 14.92.
70. ‘evah bhavatu bhūyastām bharturdehardhāriṇī etc.’ Ibid. I.II. 29.44;
   Also, Ibid. I.II. 22.37.
71. ‘yāsyāṁ bhavati cātmaiva tato jāyā bhartavyā eva yasmāt grhamuktānca
   grhinī etc.’ Samskārakalmaṣṭānā trāṭra kalatramiti etc.’ Ibid. I.II. 7-9.
72. ‘bhāryāhino phalaśceti sa saṁcintya itastataḥ etc.’ Ibid. I.II. 14.91.
73. ‘vahvyah sapatnyah eva gehapatiḥ lunanti’ B.P. VII. 9.40.
74. Ibid. VI. 6. 1-2.
75. Ibid. IX. 6. 43-46.
also found in the *purāṇas*. The marriage of Draupadī to the five Pāṇḍavas as found in the *Mbh.* is also described in the *B.P.* 76

A mother has been given a position of high honour in Indian tradition. A wife gets her completion in her motherhood – this is the view cherished in Indian culture and tradition. A mother should be respected at any cost. The *Sk.P.* says that widows are treated as sign of omen in auspicious ceremonies, but a mother even being a widow, should not be treated so. 77 In a passage of the *Br.V.P.* we find that Yama, in reply to a question of Sābitri, says that a mother is respectable hundred times more than a father.78 A mother is equal to the Earth in status and there is no good friend in this world like a mother.79 The *purāṇas* give her a most venerable position placing her in the line of *guru*. The *Nār.P.* says that there is no other preceptor (*guru*) equal to one’s own mother.80 The *Gar. P.* even places her in the position superior to a *guru*, an *ācārya* and an *upādhyāya*.81 The *B.P.* says that a mother is the epithet of all holy places and a father is epithet of all gods.82


77. ‘vīhāya mātaraṁ caikāṁ sarvamāṅgalavārjitāṁ’ *Sk.P.* IV.1.4.51.

78. ‘pītuh śatagunjे mātā… etc.’ *Br.V.P.* II.30.189;


80. ‘nāsti maṭrṣamo guru’ *Nār. P.* I.23.30;


82. ‘sarvaśūrthamayī maṁśa sarvadevamaya pītā’ *P.P.* I.52.11.
We have also references in the *purāṇas* which throw light on women education. The *B.P.* categorically denies formal education to women staying at the residence of guru.\(^{83}\) However, in another passage of the same *Purāṇa*, we have a reference of a mode of education for women. Here, in this passage, it is stated that sage Vyāsadeva composed the *Mbh.* squeezing the essence of the *vedas* keeping in view to educate women and the śūdras, as they have no right in Vedic education.\(^{84}\)

We find references of a galaxy of women scholar in the *purāṇas* who excelled themselves even in philosophical knowledge. The *B.P.* mentions two daughters of Dākṣaśyaṇa who excelled in philosophy and theology.\(^{85}\) Devāhuti, the wife of great sage Prajāpati Kardama and mother of Kapila, is another great lady scholar who took part in philosophical discussion with her husband and son and she even attained the stage of *jīvanmukti*.\(^{86}\) Vedavatī, another lady scholar was expert in *yoga*.\(^{87}\) Citralekha was expert in Art and magic power.\(^{88}\) Manoramā, the wife of Kārtavīrya\(^{89}\), the wives of Gandharva\(^{90}\), Mahālakṣmī\(^{91}\) – all were expert in the practice of *yoga* and many more.

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83. ‘नासानं dvijasaṁśkāro na nivāso guravāpi ... etc.’ *B.P.* X. 23.42.
85. *B.P.* IV. 1.64.
89. *Br.V.P.* III.35.5.
91. *Ibid.* 2.35.16.
references of educated women are found in the *purāṇas*. Various references of the *purāṇas* clearly show that women learnt the art of painting, dancing, singing and other Fine Arts.92

From the ongoing discussion we observe that women in the *purāṇas* were treated with a mixed feeling. It is to be noted that as the *purāṇas* represent the myths of Vedic, Upanisadic and the Epic tales in general, therefore, a reflection of the position and status of women of its parent sources with or without a modified form is also found in these writings. We would like to conclude the topic mentioning a passage of the *P.P.* which vividly depicts the role of a woman (wife) in the life of a man (husband). The passage says that a wife (*bhāryā*) loyal to her husband acts as a servant in performing household duties; a prostitute at the time of sexual activities; a mother at the time of serving food and a good adviser at the time of distress.93

(iv) Women as found in the *Rāmāyaṇa*

The two great Epics of India – the *Rāmāyaṇa* and the *Mahābhārata* have been the ideals of Indian way of life from the time immemorial. Like the *smṛtis* and the other ancient sacred texts of India, the *Rām.* also reflects the idea that a woman is not capable of taking care of herself and she is somehow dependent to her near relatives.94 But, this idea does not mean that women in the *Rām.* were fettered like slaves. We get a large number of references of women characters in the Epic from which it is evident that the condition of women in that age was fairly good comparing to the


remote antiquity of the Age. Practically, the stories of the two great Epics of India centre round the events of woman-folk. Vālmīki, the author of the Rām, himself asserts that the entire कौव्य (i.e. the Rām.) is the expression of the episode of Sītā. Indian tradition recognises five chaste ladies worthy to be remembered daily. Four out of these five ladies occur in the Rām. and only Draupadi belongs to the other great Epic. Comparing to the environment and remote antiquity of the Age, though the movement or limitation of the woman-folk was home-bound, yet they were given due social status. A female child was equally brought up with a male child. Of course, some instances as we find in the Rām. reflect that the birth of a female child was not welcome cheerfully. Perhaps, the nubility of a girl was a source of anxiety for a father. The main cause of this anxiety was due to the reason of securing a proper bridegroom for a daughter. Moreover, another reason of anxiety on the birth of a girl child was whether she could be able to lead a happy life and bring happiness to her husband or not. The same idea of the Rām. is beautifully reflected in the Pañca. also. Dr. S.N. Vyas even apprehends about foundling of girl child in the age of Rāmāyaṇa. In this context he refers to the circumstances of the birth of Sītā. “It is held that while ploughing the sacrificial field, Janaka found her as a foundling and smeared with dust. The mythical origin of Sītā as having sprung from the bosom of the Earth is,

95. ‘कौव्यम् रामायणं कृतस्मि सीतायांसरितम् महत ... etc. ’ Ibid. I.4.7.
96. ‘अन्यायो द्राक्षापदः सीता तारा मांदोरात हयाया / पाण्डकान्यां समर्नित्यायां महापतिकान्नदिकानां /’ quoted from the Hindu Social Organisation, p. 263.
98. Ibid. VII. 9.8-11.
99. ‘पुत्री jātā mahātīna cinta kasmai pradeyte mahānivitarkah ... etc.’ Pañca., Mitrabheda. Vs. 222.
100. Rām. II.118.28-29.
however, unacceptable to commonsense. Can it then be that Śītā was an abandoned
babe who was later found and brought up as his daughter by king Janaka? But, it is
to be remembered that foundling of babe either it may be a male or a female has been
the practice through the ages in some exceptional cases and it cannot be placed as a
common practice of a particular Age or can not be taken as gender basis from such a
singular instance. For instance Śakuntalā and Karna were not abandoned by their
mothers on gender basis.

In the Rām, we have a different picture where girl child was treated in a
positive attitude. This is evident from the paternal affection of Janaka towards Śītā.
Janaka found her but foundling Śītā was brought up by Janaka and his queen with
parental affection which is evident from a statement of Śītā.

We find several references in the Rām which are evident of women receiving
some sort of education during that Age. But, the education and training given to
women were mainly to train them up for the duties to be performed in the future course
of life in their husbands’ house. The mode of education for females was also different.
They had to learn under the guidance of their fathers, husbands and other near
relatives. They were versed in rituals relating to day to day life. They acquired the
knowledge of ancient scriptures. For example, Śītā was acquainted with the knowledge

102. Ādi. 72.
103. Ibid. 110.
104. Rām. II.118.30, 33.
105. ‘anuśāsmai mātrā ca pitrā ca vividhāsrayam / nāsti samprativaktavyo vartitavyam
yathā mayā /” Ibid. II.27.10.
of some branches of Puranic lore of that time. We have reference of svastivācana performed by Rāma’s mother. Another great woman Tārā, the wife of Bāli, is referred to as mantravid (i.e. versed in mantras). Anasūyā, the wife of sage Atri, reached the height of spiritual perfection. Her immense power of penance was narrated vividly by her husband to Rāma and introduced her with Rāma equal to his mother. She even delivered a lesson to Śītā about the duties to be performed by a woman towards her husband. Śrāmaṇī Savarī, a woman of lower caste and a disciple of sage Mātaṅga, was also a great ascetic. Her knowledge on the Supreme even surprised Rāma.

References of women trained with arms are also found in the Rām. In the devāsura battle, Daśaratha was accompanied by Kaikeyī and wounded Daśaratha was recovered and saved by her taking him away from the battle ground. When Śītā was detained in Aśoka grove by Rāvana, she was guarded by rākṣasa women with arms.

In religious matters also women took an important role. A wife had the right equal to her husband in religious matter. Without a wife, an individual is an incomplete one and cannot perform sacrificial rites. We find in the Rām. that Rāma

106. Ibid. II.29. 8-9, 13, 17; V. 14.49.
107. Ibid. II.25.
108. Ibid. IV.16.12.
109. ‘... uṛgrā tapasā yuktā niyamāścāpyatāṁkṛtā /’ Ibid. II.117.10.
110. Ibid. II.117.
111. Ibid. III.74. 19, 30.
112. ‘apavāhyā tvayā devī samgrāmāṁnaṣṭacetanah ... etc.’ Ibid. II. 9.16.
113. ‘apraṁpya sadṛṣṇā dārānanapatyāḥ pramīyataṁ ... etc.’ Ibid. II.75.35.
had to perform his sacrificial rites with a golden image in her absence.\textsuperscript{114} The queens of Daśaratha took part in his \textit{āśvamedha} sacrifice and his chief queen Kausalyā beheaded the horse of sacrifice with three strokes of sword of her own hand.\textsuperscript{115} Sītā was followed by Rāma and Laksmana while they offered oblation (\textit{tarpāṇa}) to their deceased father in Mandākinī.\textsuperscript{116}

Her position as a wife was considerably good. When a newly wedded daughter-in-law came to a family she was treated with love and affection. She was trained up in household duties by her mother-in-law. The affection of Daśaratha and Kausalyā towards Sītā proves how a daughter-in-law was treated by her parents-in-law at that time.\textsuperscript{117} Laksmana, her brother-in-law, treated her as his mother. To him she was the goddess; he never throws a glance to her beautiful body except her feet.\textsuperscript{118} The \textit{Rām.} says that a wife is the very soul of her husband.\textsuperscript{119}

As a wife, a woman also should be loyal and faithful to her husband. We have abundant references in the \textit{Rām.} regarding the fact.\textsuperscript{120} Husband is the most precious ornament for a woman and she should never abandon her husband and should not think

\footnotesize
\textsuperscript{114} \textit{Ibid.} VII.91.25. \\
\textsuperscript{115} \textit{Ibid.} I.14.33. \\
\textsuperscript{116} \textit{Ibid.} II.103.21. \\
\textsuperscript{117} \textit{Ibid.} II.39. 20-25 ; II. 118.7. \\
\textsuperscript{118} ‘nūpure tvaḥśiṣṭāmi nītyaṁ pādabhivandanaṁ.’ \textit{Ibid.} IV.6.23. \\
\textsuperscript{119} ‘ātmā hi dārāh sarveṣāṁ dārāsarṅgahavartināṁ / ātmeyamiti rāmasya pālayisyati medinīṁ’ \textit{Ibid.} II. 37.24. \\
\textsuperscript{120} \textit{Ibid.} II. 27.6 ; II. 29.7 ; II. 39.29 ; II. 61.24.
so even in a dream. Similarly, a wife loyal to her husband should not be abandoned by her husband as she shares and bears the joy and sorrow of her husband equally. Any such act of a husband is treated as contempt of God.

In spite of containing such noble ideas, we have some references in the Rām. about the disclaim or abandonment of a wife by her husband. Sītā and Ahalyā are the glorious examples in this regard who were abandoned by their husbands Rāma and Gautama respectively. Ahalyā was disclaimed by her husband on some moral lapses of her character. She was violated by Indra in the guise of her husband. On the other hand, Sītā was disclaimed by Rāma on ideal ground bowing down to the general opinion of the subjects where the society put a high value on the chastity of a woman. If Rāma had taken a lenient view in this respect, surely the subjects might have followed his path, for, subjects always follow the ideals of their king. Following the path of their king, the subjects could have tolerated all dubious conduct of their wives which would have been created a moral hazard in the society. Observing this situation of the Rām., Dr. S.N. Vyas remarks — "The slanderous rumours about Sītā are not a casual malicious talk by an individual or a few individuals, but is a general popular view." In fact Rāma had to face a great dilemma between forsaking of his innocent beloved and honouring of the general opinion of his subjects and finally he renounced Sītā honouring the opinion of his subjects, which, as Dr. Vyas observes, upholds his

122. Ibid. II. 29. 19-20.  
123. 'asmakamapi dāreṣu sahanīyaṁ bhavisyati / yathā hi kurute rājā prajāstamanuvartate /' Ibid. VII. 43.19.  
124. India of the Rāmāyana Age. p. 129.
highest kingly ideals and magnanimity.\textsuperscript{125}

Regarding the proprietary right it is observed that women had the right in strādhana and they had the full right to make use of it. For example, Sītā, Kausalyā and other queens of Daśaratha had this kind of property and they utilized it at their own will as and when there was a necessity.\textsuperscript{126}

It is observed that in the \textit{Rām.} women sentiment was honoured and valued at the cost of maximum risk. The main cause of all the tragedies of the \textit{Rām.} may be affirmed as this very fact. Daśaratha had to fulfill the two wishes of Kaikeyī. Following this he had to meet a sudden death and Rāma had to go to the exile. While Rāma was in exile with Sītā and Laksmanā, he had to chase the phantom deer to fulfill her wishes. Again, Laksmanā had to follow him (Rāma) to obey the command of Sītā which opened the door of her abduction. This is the main cause of the great Rāmāyaṇa war and Sītā had to face all miseries in her life due to her abduction and detention by Rāvana.

The sanctity of married life is highly stressed on in the \textit{Rām.} According to Hindu tradition marriage is not treated as a contract but is treated as a sacred trust and a sacrament of life. In a marriage, the father of a bride hands over his daughter to a suitable trustee. Therefore, mere gratification of sensual pleasures between two human bodies is not the aim of Hindu married life. Through the marriage a couple of soul enters in a tie to devote for spiritual uplift performing the duties of daily rites together. Janaka, while giving away his daughter Sītā to Rāma, addressed him with these words – 'do thou accept as thy partner in the performance of daily rites, may she be exalted

\textsuperscript{125. Ibid. p. 130.}

\textsuperscript{126. \textit{Rām.} II 31.22; II. 32.21; VI. 123.35; VI. 128. 77-79.}
piety and devoted to thee, may thou be followed by her like a shadow.\textsuperscript{127} Following this very ideal Sītā had to suffer a lot throughout her life. Her purity of body and mind, her fidelity towards her husband, her patience and power of endurance ever acclaim of her sublimity and therefore she has been the ideal of Indian womanhood throughout the ages.

However, some misogynistic statements such as irrational curiosity, stubbornness and dogged persistence of mind, vanity, instability of mind and so forth of women character are also found in the Rām. Dr. Vyas very elaborately explains these sides of feminine nature with some suitable examples from the Epic which are certainly deprecatory in nature.\textsuperscript{128} It is to be noted that these derogatory comments have influenced the minds of the people still today and people of vested interest often take the help of these comments of the Epic to condemn a particular misdeed performed by a particular woman. In this context we agree with the opinion of Dr. Vyas as he holds - "These remarks, however, should not be taken as tarnishing the entire womankind for all time."\textsuperscript{129}

From the above discussion, we have a picture regarding the position and status of women in the Rām. Though some misogynistic statements and behaviour are found in the Epic, yet comparing to the remote antiquity and tradition of the Age, the general position of the fair sex was good one.

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\textsuperscript{127}‘abrāvījanako rājā.../ iyaṁ sītā mama suṛā sahadharmī cara tava //

... / pativrata mahābhāgā chaīyevānugatā sadā //’ \textit{Ibid.} 1.73. 26-27.
\textsuperscript{128} \textit{India in the Rāmāyana Age.} p. 130 ff.
\textsuperscript{129} \textit{Ibid.} p. 134.
\end{flushright}
(v) Women as Found in the Mahābhārata

It has already been stated that the stories of the Mbh. as well as the Rām. centre round the events of woman-folk. The Mbh. is termed as dharmaśāstra, arthashaśtra and kāmaśāstra at a same time. It is stated in the Epic that in respect of dharma, artha and kāma what has been stated here in the Mbh. can be found everywhere, but what is not stated here can nowhere be found.

Like the other ancient scriptures of India, the Mbh. also depicts the same idea that women should be protected by their respective authorities in three different stages of their life and they are not fit for independence. But, this statement does not seem to deteriorate the position of the woman-folk as just after that statement it has been stated there that a woman is a form of goddess of Fortune and she needs to be protected and treated well by men who seek prosperity in life. In another reference of the Epic, it has been stated where women are adored, there the deities rejoice and all actions bear fruits and the vice-versa. This reflects the idea as contained in the M.S.

It is stated in the Mbh. that a daughter is a source of misery. But, the statement in question is not made by a male character of the Epic. This was made

130. Ādi. 2.383.
131. ‘dharme cārthe ca kāme ca mokṣe ca bharatarṣabha / yadīhāsti tadanyatra yannēhāsī na tat kacit’ // Ibid. 62.53.
132. ‘pita rakṣati kaumāre bharta rakṣati yauvne ... etc. ’ Anu. 46.14;
    Ādi. 73.6; 171.22.
133. Anu. 46.15,
134. Ibid. 46.5.
135. M.S. III.56
136. ‘atmā putraḥ sakha bhāryā kṛcchraṁ tu duhitā kila / ...etc. ’ Ādi. 158.11.
by a female character, a daughter of a helpless brāhmaṇa of Ekacakra village where the Pāṇḍavas were taking shelter in disguise after flying away from the Fire-hut. The statement was made in a sentimental situation where each of the members of the brāhmaṇa family was ready for self sacrifice to save the family from the clutches of Vaka. The daughter of the brāhmaṇa made this statement in such a critical and sentimental situation. She uttered it willingly to save her brother and parents from the turn of Vaka. But, the love and affection that a girl enjoyed from her parents was not missing in the Epic. For instance, in the same context the father of the said girl expressed his view that both daughter and son are equal to him and he could not sacrifice her life to save his family.137 It is also stated in the Epic that unmarried girls are one of the objects of residence of the goddess of Fortune.138 Draupādi's recalls of her father's affection that she enjoyed on his lap during her childhood139 and the expressions of Sūkṛcārīya regarding his daughter Devajāni140 are the glorious examples that daughters enjoyed parental affection in that Age.

The religious merits acquired from the birth of a girl child are also depicted in the Epic. The expressions of Gāndhārī for the desire for birth of a girl child besides hundred sons is evident in this respect.141 The Epic is so liberal to girl child that it advocates the right of inheritance to them. This is evident from the advice of Bhīṣma to Yudhīṣṭhira that if a warrior king dies in a war without a male issue, his

137. Ibid. 156. 36-37.
138. ‘yāñeṣu kanyāsu bibhūṣanesu … etc. ’ Anu. 11.44.
139. Vana. 32. 60-62.
140. Ādi. 80. 9-10.
141. ‘ … mameyāṁ paramā tuṣṭirduhitā me bhavet yadi … etc. ’ Ibid. 115. 10-15.
daughter should be enthroned as queen of that country. A daughter is equal to a son and hence there is no need of adopting a son while a daughter is living.

The parents even made arrangements to educate their daughter during the Age of the *Mbh*. Education in Fine Arts was generally accorded through tutor. Arjuna, in disguise, was engaged by king Virāja as a tutor to teach the females of his royal court. In the Epic we have a large number of woman characters who received education on high standard. They even took part in debate on religious and philosophical discourses. Draupādi is seen arguing with Yudhiṣṭhira on the point of *dharma*. She even alleged that Yudhiṣṭhira was not protecting *dharma* in right way. In another place, we find how she raised the question in the assembly of Dhṛtarāṣṭra and especially to elderly statesman Bhīma by her minute observation on *dharma* whether she had really been won by the Kauravas in the game of dice or not.

She raised this question twice in the court and Bhīma was in a perplexed and helpless situation and expressed his inability to answer her question. We find

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142. "kumāro nāsti yeṣāṁ ca kanyāsta trabhisecaya ... etc. " *Śānti*. 33.45.

143. "yathaivaṁ tathā putraṁ putreṇa duhitā samā / tasyātmanī tiṣṭhaṇtyāṁnī kathamanyo dhanaṁ haret //" *Anu*. 45.11 ; cf *M. S.* IX.130;

‘duhitānyatra jātena putreṇāpi viśīṣyate /’ *Anu*. 45.14 ;


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reference of queen Vidula who delivered a long discourse to her sons on dharma of a kṣatriya who had ran away from the battlefield having been defeated by Sindurāja. In the Epic the story is narrated by Kunti to Kṛṣṇa as a message to her exiled sons. The story of Vidula in the form of a message sent by Kunti through a person like Kṛṣṇa also bears the testimony of her profound knowledge on ancient lores. Another instance shows how Kunti was imparted with the magic power by the great sage Durvasa being satisfied with her hospitality. King Janaka was perplexed with the logical discourse of Sulabha on the points of mokṣa and rājadharmā. In the same Parvan of the Epic, we have some verses on the problem of life and death which were sung by Piṅgalā, a prostitute (vesyā).

As a wife, a woman took an important place in the life of her husband. In the Śānti. of the Epic, Bhiṣma is seen replying the queries of Yudhiṣṭhira through the medium of various anecdotes where we have a vivid picture praising and depicting the role of a wife in her husband’s life. A mere home could not be called a real home where there is not a wife (grhiṃ) with sweet words and devoted to her husband; A house containing everything but without such a wife is equal to a forest. She is the better half of her husband and only means of attaining the three objects of worldly

149. Udyog. 132-137.
150. Vana. 305.20.
151. Śānti. 320; 320.193.
152. Ibid. 174. 58-62.
153. Ibid. 143 ff.
154. ‘putrapautravadhūḥḥitaṁairāṅkṛtaṁapi ... grhiṁhitamaraṇyaśadṛśaṁ mataṁ /’ Ibid. 144. 5-6.
existence (trivarga). As a human being she may commit some errors but she should not be treated with rudeness. A wife should be protected by her husband. Protection of a wife means the protection of one's own progeny. A husband is termed as bhartā and pati as he protects and maintains his wife; one who does not possess these two qualities cannot be termed so.

Similarly, the Epic says that a husband is the sole deity for a wife and equal to her father in all forms. She should not be called a wife who does not try to promote the happiness of her husband. All deities are pleased if her husband is pleased with her. The Adi. of the Epic enumerates some qualities that should be possessed by a bhāryā. It was the obedience and utmost devotion to her husband through which Draupadī could rule over her five husbands.

That a wife was the mistress of the household affairs is also evident from the conversation of Draupadī and Satyabhāmā. Draupadī had with her the detail account of income and expenditure of the treasury of her husbands' estate.

155. ‘ardham bhāryā manuṣyasya ... bhāryā mūlaṃśhtarisyataḥ //’ Adi. 74.41.
156. Ibid. 74.51.
157. Vīrāt. 21.40; Anu. 104.137.
158. ‘bharāṇādhi striyo bhartā pālanāddhi patiḥ ... na bhartā na punah patiḥ //’ Sānti. 266.37.
159. Ibid. 266.39.
160. Ibid. 145.3.
161. Adi. 74.40.
162. Vana. 233-234.
163. Ibid. 233.56.
It is observed that polygamy was the characteristic feature of married life in the Epic. A man having more than one wife was not treated as vice (adharma) but woman keeping relation more than one person was treated as sinful act (adharma). We find in the Epic that most of the principal characters including Kṛṣṇa had more than one wife. Polyandry, though condemned in the Epic, is also found. Draupadī had five husbands. But, this case may be treated as an exception and accidental one. Draupada and his son Dhṛṣṭadyumna strongly protested the proposal of Yudhīṣṭhira of being five husbands of Draupadī. Of course, Yudhīṣṭhira was firm in his proposal citing the polyandrous marriage of Jatila and Vārski. A.N. Jain explains elaborately the circumstances under which Draupadī’s marriage was taken place. Jain shows how mother Kunfī was in a moral dilemma commanding her sons to share the alms of the day (i.e. Draupadī) unknowingly. “She turned to Yudhīṣṭhira, the embodiment of dharma, to find out some way so that, on the one hand, her words might not prove false, and, on the other hand, Draupadī be free from committing an adharma”. Moreover, it is observed that polyandry was in vogue in the family of Pāṇḍu in the form of niyoga (levirate). Issueless Pāṇḍu instigates his wife Kunfī to approach other persons desiring for an issue. Thereby, Kunfī had her three sons from three different

164. Adi. 157.36.
165. Ibid. ; Also, Ibid. 195.7-12.
166. Ibid. 194. 27-28.
169. Adi. 119.37.
celestial persons and Madhī had two from other such persons.  

Indian tradition pays high honour and respect to a mother. In the *Mbh.* also we have the same picture where a mother has been highly honoured. A mother, as Yudhīśṭhira says, is the best of all gurus. The Epic terms a mother as *dhatrī, jananī, ambā* and *vīrasū.* The *Sānti.* of the Epic says a lot in praise of a mother. There is no shelter, help, protection or desired object for a son superior to his mother. A son never feels old even if his hair turns grey with age; he only feels old as and when his mother departs from him. In the Epic we find how the Pāṇḍavas respect their mother Kuntī and follow her order without raising a question.

The Epic also contains some passages of disparaging nature to the womankind. In this respect we can refer to some passages of the *Anu.* of the Epic. It is stated there in those passages that there are no sinners like women and they are the root of all evils; they can even betray their husbands fidel to them if they get a chance to meet other persons. Comparing women with fire, sea, the god of death which are not satisfied with the desired objects of it – it has been stated that the beautiful damsels are never satisfied with males. They are the congregation of all faults and evils.  

170. Ibid. 122; 123.16 ; Also, *Moral Dilemma in the Mahābhārata,* p. 73.  
171. ‘*guruṭām caiva sarvestam mātrī parameko gurūḥ /’ Ādī. 195.16 ;
   ‘*dāsaśāryāṇupādhyāya ... nāsti mātrāsamo gurūḥ /’ Anu. 105. 14-15 ;
   *Sānti.* 108. 16-17.  
172. ‘*kuksisamdhāraṇāt dhātrī jananījananiṃ smṛtā // anāgānāṃ vardhanādambū
   vīrasūtvana vīrasūḥ /’* Ibid. 266.32.  
173. Ibid. 266. 30-31.  

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of the Epic, Bhīṣma, in query of Yudhīṣṭhīra, narrates the conversation held between Pañcacakūḍā and Nārada where the former, a lady describing the nature of women holds view that women are wanting of moral strength. The creator has only reserved bed, ornaments, food, drinks, uncivilized behaviour and bad speech, bad mentality and sensual gratification for women which echoes the idea contained in the M.S. 175

From the above discussion we can make an assumption that though some derogatory statements are found in the great Epic, yet it contains a lot of references and statements from which it is evident that the position and status of the fair-sex was fairly good in the Epic. Bhīma’s vows to take revenge on Duryodhana and Duḥśāsana which he fulfilled later on further prove how the molestation on the part of a woman leads to take such a deadly vow. Therefore, we can sum up that barring some derogatory comments or statements against the fair-sex, they were given a position of love and respect in three different stages of their life. In fact, the Epic seems to take comparatively a liberal view while it deals with the fair sex.

2. STATUS OF WOMEN AS FOUND IN THE MANUSMRTI

In the M.S. we have a comprehensive idea regarding the position and status of women in the society as well as at home. It is to be noted that Manu is often criticised by the modern scholars and they often select some verses of the M.S.176 as the basis of their target of attack which defame the nature and character of the fair-sex. N.V. Banerjee remarks – “In fact, his (Manu’s) entire attitude towards womanhood has proved a hindrance to the progress of the Hindu society. And it may not be an exaggeration to say that Manu’s view of the brāhmaṇa as the highest and the most

175. Ibid. 40.11-12, cf. M.S. IX.17.
176. ‘asvatantrah striyah kāryāh puruṣaiḥ ... na striḥ svātantryamarhati /’ M.S. IX. 2-3; Also, II. 213-217; V. 147-149; VIII.416 etc.
excellent class on the one hand and his view on women as inferior to men on the other, perhaps, are ultimately responsible for the failure of the Hindus to occupy an exalted position in the modern world which they were, perhaps, capable of occupying.177

It is observed that there are also a large number of verses in the M.S. which elevate women to the line of goddess.178 But, these verses are often kept aside from evaluation by the critics of vested interest. Such critics do not follow the traditional rules of interpretation or do not follow the commentators. They often rely upon the mere literally translation of the texts. Mere literally interpretation, in many cases, may not convey the desired meaning or idea of the texts. K.V. Rangaswami Aiyangar comments—"A Dictionary and a Grammar can not make a person interpret a legal treatise."179 For the real interpretation of the passages of the M.S. which apparently are derogatory to womankind, and to evaluate their position and status, we should have a comprehensive idea of Manu’s concept of womanhood.

Manu regarded women as a social trust and they should be protected and maintained by the respective trustees in their different stages of life180 and even by the sovereign power in absence of these trustees.181 Under no circumstances they should

178. ‘yatram nārāya斯塔 puṇya chạm tatra devatāḥ / yatraṁāstū na puṇya chạm
sarva-statra-phalāḥ kriyāḥ’ // M.S. III.56 ; Also III.57-62 ; n. 145 ; IX.130.
180. ‘pita rākṣati kaumāre bharta rākṣati yauvane ... etc. ’ M.S. IX.3.
181. Ibid. VIII. 28-29 ;
‘tatsaṁdeva caṣaṅcu ... rājā bharta striyamata iti nāradavacanāt ... etc.’
Kullūka on M.S. V.148.
be left alone to protect and maintain themselves. If done so, the respective authorities should be held responsible.182

"In the ideology of Manu and *dharmaśāstra*, the home and the family constitute the bed-rock of society, and women is the person on whom the stability and sanctity of the home and the household life rest; the wife is the home, not the structure."183 The *Mbh.* also upholds the same concept.184 Perhaps, therefore, Manu wanted to keep women engaged in household affairs which are suitable for them.185 It seems that Manu kept in view the adverse situations that the weaker sex might have probably to face with in performing some outdoor duties. So, keeping confined within the four walls, Manu seems to train them up as the best mistress on the one hand, and wants to refrain them from some adverse situations such as from the public views of the enemies. V. Raghavan comments — "Manu and ancient Indian thinkers had also a conception of women according to which they did not like women to be exposed to the rough and tumble of an unprotected, independent life; and it is in this spirit that Manu says that a woman shall always be taken care of by someone."186 In short, Manu wants to keep women engaged in household duties for a happy and disciplined domestic life187, enjoins them to be protected by respective authorities so that they may not succumb to

184. ‘na gṛham gṛhamityāhurghhinī gṛhamucyate ... etc.’ *Sānti*. 144.6.
185. ‘arthasya saṅgrahe caināḥ vyaye caiva niyojayet ... etc.’ *M.S.* IX. 11, 26-28.
187. *M.S.* IX. 11.
an adverse situation, and the idea of that they should have some guardians in every step of their life does not mean the violation of their rights. It means special safeguard to the fair-sex.

Manu believes that there is a vital structural difference between men and women. Dr. S. Radhakrishnan holds a similar view while he says – “Women can not do something which men can. Their physiology prevents this. That, however, does not prove any inferiority on their part. We must do the things for which we are made and do them well.” This vital difference of physical structure between men and women is also viewed by Havelock Ellis as he holds - “Before the period of civilization dawned, the bodies of man and woman were already specialized for different sides of human life. Legislation cannot blot out the structural difference between men and women.”

Perhaps, keeping in view this very vital physical difference between the two sexes, Manu allots some duties of light labour to the fair sex, and the outdoor duties pertaining to hard labour are reserved for men. It does not indicate any inherent superiority of either of the sexes. Dr. R.M. Das comments – “It is only a kind of division of labour, that man and women are required to do different jobs suited to their respective physical and mental capacities.” In the words of Bhagavan Das it is like “the functions of the two halves of the one brain, of the two halves (the eye-balls) of the one organ of vision, of two halves (the ears) of the one organ of audition, or at

188. Ibid. IX. 3.
190. Man and Woman, pp. 151-152 as quoted by R.M. Das in Women in Manu and His Seven Commentators, pp. 39-40
191. Women in Manu and His Seven Commentators, p. 40.
most, at the head and the heart in the same body".192

Manu's aim was to regulate the human activities within a disciplined social set up. The basis of this set up is discharging of one's own duty (svadharma). The preservation of the creation of the Almighty also rests on these very principles which Manu hints at in the very first chapter.193 As the members of the society, women are not exempted from performing the duties enjoined for them. The duties enjoined for and performed by them are equally contributory to the progress of the society. They take an important role in men's life by performing some household duties.194 So, they are the indispensable part of men's life as well as of the society. A man can be treated as a complete whole when he is endowed with a wife and progeny. Therefore, a husband and a wife are treated as identical.195

Manu enjoins that women should be treated with love and affection.196 But, Manu seems to restrict the free movement of the fair-sex.197 Manu apprehends the evil effects that may rise in the domestic life.198 Perhaps, therefore, he wants to restrict the free movement of women and suggests protection. But, in doing so one should not apply force to control them.199

Manu categorically denies the right of formal education of the fair-sex. They

193. *M.S.* I. 87-91.
194. ‘उत्पदनामस्या जातस्या परिपलानाम / ... स्त्रिनिवंद्हानाम //’ *Ibid.* IX.27.
195. ‘एतवावेव पुरुषो याज्ञायामाम प्रजेति हा / ... भरती सृ स्मृततिंगाम //’ *Ibid.* IX. 45.
have no right in Vedic mantras. They have been prohibited from reciting these even if somehow they acquire these or from performing sacrifices. Their sacraments should be performed without mantras except in marriage ceremony.

But, both Manu and Yājñavalkya note that every housewife is expected to maintain household affairs such as rearing up of children, hospitality, keeping the accounts of family income and expenditure and so forth. From the notes of Manu and Yājñavalkya, it can be easily assumed that women were educated at least to some extent, otherwise they could have not been able to maintain the family budget. But, we find nowhere in the M.S. as well as in the Yāj. a special mention of initiation ceremony for girls as we have for boys in respect of the twice-born classes. It is to be noted that this initiation ceremony was the foundation of formal education in ancient Hindu society.

In the M.S., we have a different rule pertaining to the initiation of girls. Manu says that marriage ceremony (vivāha) is her initiation, the home of her husband is her school, the husband is her guru and service to him is equivalent to the service to a guru. The purpose was to train women for household duties. Only the line or mode of education was different from that of the males. P.H. Prabhu maintains a corroborative view saying—"women's sphere of actions lies in the home and that their

   'tūṣṇiṃketāḥ kriyāḥ strīpāṁ vivāhasto samantrakāḥ /' *Yāj.* I. 13.
203. *M.S.* V. 150; IX. 11 ; *Yāj.* I. 83.
204. *M.S.* II. 36-38 ; *Yāj.* I. 14-15.
205. 'vaivāhikavidhīreva strīpāṁ vaidikah ...vidhānādupanayādernivṛtītirī /' Kulluka on *M.S.* II. 67.
education, therefore, must be such as to help them in securing comfort for the husband and for the members of the family. ... Due to this, it may be said that on the whole, in the later history of Hindu civilization, the Indian women have had much less chances of education as compared with the chances men was accorded.

From the ongoing discussion we have a picture of Manu's concept of womanhood and their education in the context of their sphere of enjoined duties. Apart from this, now we will try here to draw a picture of the position and status of women in the M.S. in their different stages of life.

(i) As a Daughter

The M.S. and the other dharmaśastras uphold the concept of a patriarchal society. In such a society, the birth of a male child is generally preferred to a female one. This is due to the fact that a son is necessary for the continuance of the family line and for the spiritual benefits of the ancestors of the family and so forth. References of expressing the desire for having a male child are available in the vedic literature. Sūrūta also prescribes a special medicinal treatment for having a male issue.

The dharmaśastras are also not exception in this respect. For example, we find in the Yāj where it is mentioned about the performance of the puhksavana (i.e. for engendering a male issue) sacrament. Manu prescribes several sacraments to be performed for the purification of the human issue that it carries fault from mother's

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207. R.V. III. 23.5; Ait. Br. VII. 13.; A.V. III.23; VI. 11.3.
208. Sūrūta, Sarīra-sthāna. II. 32.
womb and fathers seed.\textsuperscript{210} But, Manu is quite silent on the issue of performing this ancient Indian \textit{samskāra}. Dr. R.M. Das points out that commentators of Manu such as Medhātithi and Nandana could not help mentioning it and thereby Dr. Das assumes that Manu does not favour this sacrament.\textsuperscript{211} Manu, on the other hand, wants increase of human progeny in general and not of sons alone by using the term \textit{santati}, a term in feminine gender.\textsuperscript{212} "But, his commentators have misconstrued the term as ‘\textit{putra}’ or son."\textsuperscript{213}

But, a verse of the \textit{M.S.} where the grounds of super-sessions of a wife (\textit{adhivedānā}) have been enumerated may be referred to as indirect dislike of Manu on the birth of a girl child. In this verse, Manu allows a husband to supersede his first wife by taking another in the eleventh year from the date of marriage if she begets female child only.\textsuperscript{214} Manu, on the other hand, enjoins that the marriage between the couple never be dissolved by sale, abandonment or gift.\textsuperscript{215} From such suggestions of Manu it can be assumed that Manu, perhaps, was not in favour of super-session of a wife and he codified the provisions bowing down to the general tendency and customs of the society. Apart from such stray references, Manu nowhere in his codes expresses dislikes on the birth of a female child. Rather, once born, she should be equally treated.

\begin{itemize}
\item \textsuperscript{210} \textit{M.S.} II. 27.
\item \textsuperscript{211} \textit{Women in Manu and His Seven Commentators.} p. 49.
\item \textsuperscript{212} \textit{M.S.} III. 259; \textit{‘etāvāneva puruṣo yajjāyātmā prajeti ha..’} \textit{Ibid.} IX. 45.
\item \textsuperscript{213} \textit{Women in Manu and His Seven Commentators.} p. 48.
\item \textsuperscript{214} \textit{‘ekādaśe strūjanānā sadyaṃ śaṃpya ṣayādānā/’} \textit{M.S.} IX. 81.
\item \textsuperscript{215} \textit{‘na niśkṛṣṭa va saṁyogānā svaḥ bharturbhāryāh viṣṇucyate/’} \textit{Ibid.} IX. 46; \textit{‘anyonyasya śāyābhichāro bhavedāmaḥ rṇāntikaḥ ... etc.’} \textit{Ibid.} IX. 101.
\end{itemize}
as well as a male child. Dr. R.M. Das comments — “This statement of Manu is meant only to correct the social prejudice against a daughter who was generally supposed to be inferior to a son.”

A daughter is the object of highest tenderness. She is, by nature, more delicate and sensitive. She should be treated with love and affection and her guardian should not quarrel with her even if she displeases him. In Indian tradition, a guest is treated like a God. But, Manu considers newly wedded maidens, unmarried daughters, children, patients and pregnant women above guests.

Manu holds view that one, who wants to have God’s blessings in life, should keep decorated his daughters with proper dress and ornaments. At any cost she should be supported respectfully. In this context Kullūka goes one step ahead of saying that a daughter should be supported by her father and relatives even after her marriage.

216. ‘yathāivātmā tathā putraḥ putreṇa duhitaḥ samā /’ Ib id. IX. 130.
217. Women in Manu and His Seven Commentators. p. 49.
218. ‘duhitā dáśavargena vivādaṁ na smacaret /’ M.S. IV. 180 ;
‘chāyā svo dáśavargacca duhitā kṛpaṇam paraṁ / ... etc.’ Ibid. IV. 185.
220. Kullūka on M.S. III. 114.
221. Ib id. III. 55.
222. ‘na kevalaṁ vivāhakād e vareṇa dattaṁ dhanaṁ samarpayāṁ kintu 
taduttarakālāmaṇi pitrādibhirapyetaḥ bhojanādinaḥ pujayitavyāḥ vastrālaṁkārādinaḥ 
 bhūṣjayaṁitavyāśc ca bahudhanādisampadaṁ prāptaṁś cha /’ Kullūka on Ib id.
It is the duty of a father to arrange the marriage of his daughter in time failing which is treated as condemnable act on the part of a father. A father should not accept bride price. If he does so, he will be treated as selling of his offspring. A father should hand over his daughter to a suitable and qualified bridegroom. Manu says that a father should keep his daughter unmarried at home until death than to wed her to an unsuitable person. Manu even reserves the right to a daughter for selecting her partner of equal status at her own choice if within three years from the date of her puberty her father is unable to arrange her marriage. The only fault with the daughter in this respect is that she should not take away anything with her which she was given by her relatives prior to her marriage.

Regarding the proprietary rights, it is observed that Manu does not include a daughter in the partition of her patrimony. Manu holds that during the lifetime of parents even the sons have no right over their parental property unless it is voluntarily divided by their father. Normally, the sons, after the demise of their parents, should

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223. 'kālo'dāti pitā vācyo .... etc. ' *Ibid.* IX.4.
228. 'te putrā jīvatoḥ pitrostadiyadhane svāmino na bhavanti ... pituricchhayā jīvaṭyapi tasmin bibhāgaḥ ... etc. ' Kullūka on *Ibid* ;

'vibhāgarṇ cetpiṭā kuryādicchhayā vibhajet sutān... etc. ‘ *Yāj.* II. 114 ;


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assemble themselves and should equally divide their parental property. Manu clearly keeps no provision for daughters in devolution of parental property. But, Manu does not show inhuman treatment to the daughters by keeping sole provision for sons only over parental property as it is the moral duty of the father to maintain his daughters and in the absence of father the duty goes to brothers and, therefore, Manu reserves a minimum provision for the unmarried daughters also. Manu says that though the uterine brothers devolve upon themselves the parental property, yet each of the brothers should give or reserve quarter part of his own share to the unmarried sisters to meet their marriage expenses and for maintenance, failing which the brothers shall become degraded morally in life.\footnote{MS. IX. 118.} Yajñavalkya also maintains a similar view in this point.\footnote{Women in Manu and His Seven Commentators, p. 79.}

Observing this fact, Dr. R.M. Das comments that giving of one fourth from their shares to their unmarried sisters is a moral duty of the brothers than a legal one.\footnote{Women in Manu and His Seven Commentators, p. 79.} Manu reserves this provision only in those cases where the parents of the unmarried daughters are expired. This was, perhaps, enjoined by Manu keeping in view so that in absence of their parents the uterine brothers shall not hesitate to bear a reasonable amount in the marriage of their unmarried sisters or to bear their maintenance. This is a special safeguard reserved by Manu for unmarried daughters of deceased father.

Manu's concept of one fourth share of brothers to unmarried sisters may create a real problem in some cases and the provision may be nothing but a mere farce in those cases. For example, where brothers are many and sister is lone, in that case the

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\item \textit{M.S. IX. 118.}
\item \textit{...asaśāñkantrāt saṁśākāryā bhṛtṛbhīḥ pūrvasaṁśākṛtaṁ / bhagīnyāśca niśūlaṁ aññaḥ datvāṁśaṁ tu turīyakāṁ //} Yaj. II. 124.
\item \textit{Women in Manu and His Seven Commentators,} p. 79.
\end{enumerate}
\end{footnotesize}
total of one fourth shares of many brothers will naturally be a lofty pool and her total shares together will exceed the individual share of a brother. On the other hand, in a case where there are many sisters of a lone brother, his one fourth share to many sisters will be scanty one and it shall not serve the real purpose of the provision in that case. In such a critical situation Medhatithi follows the dicta of Manu literally, i.e., strictly one-fourth share of a brother in any case. ^{232} Kuilūka, though agrees with the view of Medhatithi, makes a significant comment in this regard. Kuilūka apprehends that following the literally meaning of Manu’s rule, the sisters who have no uterine brothers, may be deprived of from their father’s property. Kuilūka holds that in such a case, the half brothers should bear the same share to their half sisters. ^{233} Vijñānēśvara responds in a positive way in this respect saying that the provision of one-fourth share should be avoided and should be followed a reasonable way. ^{234}

Whatever may be the difference in opinions on the above provision of Manu to unmarried daughters, the relation between brothers and sisters as well as the father and daughters is purely a relation of love and affection of flesh and blood. Therefore, it is

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232. ‘tatra na jñāyate kiyaddātavyam dhanam ... svātvādāṁśacaturbhāgamiti /
na cāsminnarthe śastravirodho yuktivirodho vā //’ Medhatithi on M.S. IX. 118.

233. ‘saudaryābhāve vimatijairutkṛṣṭairapakṛṣṭairapi saṁskāryaiva /’
Kuilūka on Ibid.

234. ‘yadapi kaiściducyate – aṁśadānānavaktiṇāṁ bahubhrātikāyāṁ bahudhanatvāṁ
vahubhaginīkasya ca nirdhanatā ... taduktāityā pariḥṛṭameva/’
Mitākṣarā on Yaj. II. 124.
expected that a sister or a daughter should get minimum economic support for her maintenance and for the marriage ceremony of her own. This is the moral obligation of a brother as well as a father. Dr. R.M. Das comments - "In the matter of distribution of the ancestral property, Indian codifiers attach more importance to the spirit than to the mathematical rigour. In such case trust in the love and good sense of the brothers would be more cementing and enduring factor than any mechanical legislation."\(^{235}\)

In case of the property of a deceased mother, Manu reserves equal right to unmarried daughters with their brothers. In this case, the unmarried daughters will get equal share at par with their brothers and the brothers should give one fourth from their shares to the married sisters also.\(^{236}\) Here, Manu even suggests the sons of a deceased mother to reserve a little portion from the mother's property to the unmarried daughters, if any, of their married sisters.\(^{237}\)

In case of daughters having no brother of their own and if they are survived by their father, the conditions of those daughters are pitiable. Though it was expected that in absence of brothers and father, they should become the legal heiress of their father's property, yet Manu reserves no such right to them. Manu says that in such a case the unmarried daughters are allowed to get their matrimony only and the patrimony will go to the son of the appointed daughters.\(^{238}\) If the appointed daughter dies without leaving a male issue, then the property will go to her husband.\(^{239}\) Therefore, daughters who

\(^{235}\). *Women in Manu and His Seven Commentators*, p. 83.

\(^{236}\). Kulfiyya on *M.S.* IX. 192.

\(^{237}\). *M.S.* IX. 193.


have no brothers of their own have also no scope of having property of their deceased father. Referring to Kullūka\textsuperscript{240}, Dr. V. Raghavan comments —“Property, according to \textit{dharmaśāstra}, is that which helps one to perform an enjoined \textit{dhārmic} act, and as a woman has no such acts to perform, the property other than \textit{śrīdhanā} which she may earn, could only be her husband’s, who alone can perform the rights”\textsuperscript{241}

It seems that Manu has laid more importance on the spiritual benefit of the deceased sonless father and his ancestors\textsuperscript{242} but neglects the probable miserable condition of his unmarried daughters who have no brothers. Manu also seems to lay much more importance on the male lineage on the issue of inheritance. Only the humanitarian aspect we can hope in this case is that as the property would go to the appointed son of their sister, and in failure of procreating such a desired son, it will go to their brother-in-law (i.e. to the husband of the appointed daughter), the son of the married sister or their brother-in-law is expected to treat them humanely.

(ii) As a Wife

Manu regards a wife as a gift of God. She should be maintained properly by her husband.\textsuperscript{243} She is called \textit{jāyī} as the husband takes birth as the foetus in her womb.\textsuperscript{244} Each of them are complementary and without a wife a man is incomplete.\textsuperscript{245} According to Manu, the marital relation is permanent and it should not be dissolved at any cost and both of the couple should try to keep up this relation until death.\textsuperscript{246}

\textsuperscript{240} On \textit{M.S.} VIII. 416.
\textsuperscript{241} \textit{C.H.I.} Vol. II. p. 354.
\textsuperscript{242} \textit{M.S.} IX. 127, 136, 138.
\textsuperscript{243} ‘devadattāṁ patirbhāryāṁ vindate necchayātmanah’ \textit{M.S.} IX. 95.
\textsuperscript{244} \textit{Ibid.} IX. 8.
\textsuperscript{245} ‘etavaneva puruṣo... bhartī sā śmṛtiśānaṁ’ \textit{Ibid.} IX. 45.
\textsuperscript{246} \textit{Ibid.} IX. 46, 101.
A husband should take sufficient measures to protect and maintain his wife.\textsuperscript{247}

Women had full rights in religious matters. Dr. R.M. Das comments: "In ancient times religious rites were esteemed very highly. In comparison with these even the political and proprietary rights faded into insignificance".\textsuperscript{248} We have already pointed out that the Vedic literatures even enjoin prohibition of performing sacrifice by a husband who is not endowed with a wife.\textsuperscript{249} Reference of religious activities performed jointly by the husband and the wife are available in Vedic literature\textsuperscript{250} The \textit{Āpa. D.S.} maintains that the husband and the wife perform the religious rites together and share the merits acquired from such rites together.\textsuperscript{251} Manu also allows a wife to continue such religious rites.\textsuperscript{252} A wife of equal caste of the twice-born classes is permitted to attend with and to assist the husband in performing religious rites. In another place Manu says that a housewife shall offer oblation of cooked rice to the \textit{viśvadevas} but this shall be performed without reciting a Vedic \textit{mantra}.\textsuperscript{253} She needs not to follow or observe separate vows or to perform sacrifice separately without the permission of her husband.\textsuperscript{254} The religious rites accorded to a wife certainly raised her position in the society.

\textsuperscript{247. Ibid. IX. 5-7, 74.}
\textsuperscript{248. Women in Manu and His Seven Commentators, p. 171.}
\textsuperscript{249. \textit{Śat. Br.VII} 5.2.37.}
\textsuperscript{250. \textit{R.V.} I. 74.5.}
\textsuperscript{251. 'jāyāpatyorya bibhāgo vidyate /...dravyaparigraheśu ca /\textit{Āpa. D.S.} II.6.14.16-19.}
\textsuperscript{252. \textit{M.S.} IX.96.}
\textsuperscript{253. Ibid. III. 121.}
\textsuperscript{254. Ibid. V. 155.}
Manu says that a husband should please his wife by all means.\textsuperscript{255} Manu stresses on much more on the protection of a wife saying that a man should not abandon his mother, father, wife and his progeny unless they are degraded or treated as outcasts in any way, and if one does so he should be punished by the king with a fine.\textsuperscript{256} In this respect Medhātithi shows more sympathy to a wife saying though she is an outcast one, yet she should not be cast off totally by her husband. The husband should deprive her from conjugal relation but should provide her with food and clothing as well as shelter near to her husband’s house.\textsuperscript{257} Manu seems to mean that an outcast wife will lose the status of a legal wife for time being but should get her livelihood. In another place Manu says that a corrupt wife should be given a chance to rectify her corrupt nature by means of confiscating her or by condemning her nature or by taking away her wealth and property or by means of penances prescribed in the \textit{sāstras} for the crime. But in no case her property should be taken away entirely and for ever.\textsuperscript{258} This means that after rectification of her corrupt nature, she shall regain the status of a lawful wife. This attitude of Manu towards a corrupt woman shows his benevolence towards the fair-sex. Perhaps, therefore, we find no passage in the \textit{M.S.} advocating and supporting divorce between the married couple.\textsuperscript{259} Even in moral lapses of severe nature on the part of the wife, Manu prescribes her punishment by the king, but does not prescribe divorce.\textsuperscript{260}

\textsuperscript{255} \textit{Ibid.} V. 153.
\textsuperscript{256} \textit{Ibid.} VIII. 389.
\textsuperscript{257} Medhātithi on \textit{Ibid.}
\textsuperscript{258} \textit{M.S.} IX. 78 ; XI. 177-78 ;
\textit{‘pātake’pi tasyā niśkāsanah ... na sarveṣa sarvaḥ ātyantika ācchedaḥ’}
Medhātithi on \textit{M.S.} IX. 77.
\textsuperscript{259} \textit{Ibid.} IX. 46, 101.
\textsuperscript{260} \textit{Ibid.} VIII. 371.
Dr. R.M. Das points out some reasons why Manu and his commentators except Nandana are not in favour of divorce considering the welfare of the society, women and the progeny. Dr. Das comments - "The principle of forbidding it is the same as that in prohibiting widow marriage: it might lead to the lowering of the moral standard raising quarrels between the families, encouraging insincerity and faithlessness between the pairs, creating troubles about property and to other difficulties arising out of these."  

Manu, of course, prescribes super-session (adivedana) of a wife by taking another wife by a husband under some special circumstances. Here also we find a humanistic approach of Manu while he says that a wife, who is hostile to her husband - who is insane, degraded, sexless or suffering from some incurable diseases, is not fit to be abandoned by her husband. Moreover, Manu enjoins different periods to pass to make effect of super-session. The implied meaning behind reserving such periods to pass, it seems, that while taking a decision for super-session of a wife, a husband should not make a hurry. Manu also prescribes that a husband whose wife is sick but loyal to him should take such decision only after taking her consent and under any circumstances she should not be neglected by her husband. Dr. Bibhuti Bhushan Mishra comments - "It appears that by super-session he (Manu) does not mean that a wife was to be driven out of the house or divorced. It simply means that she was to...

261. त्याज्या दुर्मिरोधा देवीगविद्धर्माय ... नास्ति विरोधाः." Nandana on M.S. IX. 83.
262. Women in Manu and His Seven Commentators, p. 199.
263. M.S. IX. 80-83.
264. Ibid. IX. 79.
265. Ibid. IX. 81-82.
266. Ibid. IX. 82.
lose her conjugal rights. The husband was to establish conjugal relation with another wife hereafter.  

Regarding the proprietary rights of wife over her husband's estate Manu says that a wife as well as a slave and a son can never acquire property for themselves: whatever they earn will go to him to whom they belong. Moreover, without the consent of her husband a wife cannot increase her strīdhanā (i.e. ornaments etc.) from a joint property. It means that a wife can earn property but she has no right in investment or expenditure on it without the sanction of her husband. Kullūka also holds a similar view and further says that wife has full right over six types of strīdhanā and as she has the right on sacrifice, therefore, she has also the right on the property of her husband.

(iii) As a Mother

In Indian tradition, a mother has been given a venerable position since time immemorial which we have discussed at the very beginning of this chapter in different context. It is a common saying in Indian tradition that a mother and motherland are superior to heaven. The dharmasāstras are also not exception in placing her a position of high honour. Āpastamba, Baudhāyana and Vasistha hold view that a son cannot

268. M.S. VIII. 416.
269. Ibid. IX. 199.
270. Medhātithi on M.S. VIII. 416.
271. M.S. IX. 194.
272. ‘... bāṇyādīnāṃ patnyadhikaraṇe patnyā api yāgādhikaraṇasya. striyā api kartṛtvāt.’ Kullūka on M.S. VIII. 416.
forsake his mother even though she is an outcast one.\textsuperscript{273}

Manu says that a mother is the living image of the Earth.\textsuperscript{274} Manu further says that both the father and the mother have to face a lot of difficulties and pain in bearing and rearing up of a child. One is highly indebted to one’s own parents and he cannot repay this debt even in a hundred births.\textsuperscript{275} Hence, parents are the epithet of gods and they should not be disrespected and violated.\textsuperscript{276} Manu says that a mother, a father and a preceptor (\textit{ācārya}) are the epiteths of the three \textit{vedas} and three fires.\textsuperscript{277} A mother is the epithet of \textit{daksāināgni} (the southern fire). Manu enjoins a lot of duties to be followed for the service of the above three gurus.\textsuperscript{278}

The protection of a mother is highly stressed on in the \textit{M.S.} After the death of her husband, a son is the shelter of a widowed mother. In this state she should be protected by her sons. If the sons treat her otherwise they should be held responsible.\textsuperscript{279}

Manu says that a son should not forsake his mother unless she is an outcast one. One who does so shall be fined by the king a sum of 600 \textit{puras}.\textsuperscript{280} Kullūka holds that the same punishment should be inflicted to one also who does not protect his

\begin{itemize}
\item \textsuperscript{273} \textit{Āṇā D. S. I.10.28.9 ; Baudh. D.S. II.2.43. Vas. D.S. XIII.47.}
\item \textsuperscript{274} \textit{M.S. II. 226 ;}
\texttt{‘mātā ca dhāraṇyāt prthivyā mūrtih’} \textit{kullūka on Ibid. ;}
\texttt{‘iyaḥ prthivi saiva mūrtiḥ bhārasahatvasāṁnyāt’} \textit{medhatithi on Ibid.}
\item \textsuperscript{275} \textit{M.S. II. 227.}
\item \textsuperscript{276} \textit{kullūka on Ibid.}
\item \textsuperscript{277} \textit{M.S. II. 230.}
\item \textsuperscript{278} \textit{Ibid. II. 225-237.}
\item \textsuperscript{279} \texttt{‘... mṛte bhartari putrastu vācyo māturakṣitā’} \textit{M.S. IX.4 ;}
\texttt{‘patyau mṛte māturamarakṣan putro nindyah’} \textit{kullūka on Ibid.}
\item \textsuperscript{280} \textit{M.S. VIII. 389.}
\end{itemize}
parents, wife and children properly. It seems that Manu is implicative of not to inflict such a punishment upon a son who forsakes his mother if she is an outcast one. But, Medhatithi holds in this respect that a mother is not indeed an outcast one in the eyes of her sons though she commits such sins and, therefore, such a mother should not be neglected by her sons.

Manu promotes a mother to a sublime position saying that in respect of veneration an ācārya excels ten upādhyāyas, a father excels a hundred ācāryas while a mother excels thousand fathers. Medhatithi holds that when the three gurus (i.e. mother, father and preceptor) are present there at a time, one should preferably salute his mother first. Narāyaṇa says that a mother bears more pains for her sons and, therefore, she excels a father.

Manu depicts a mother as more tender to his sons than a father. It is evident from the fact while Manu enjoins that an initiated son should approach his mother first or in her absence to other nearest female relatives for his first handful alms. The implication is that his first begging might not be refused.

Regarding the proprietary right of a mother, it is observed that Manu is not definite about the proprietary right of a widowed mother over the property of her deceased husband. The reason may be that Manu does not favour the partition of the

281. Kullūka on Ibid.
282. ‘na mātā putrāṁ prati patati Medhatithi on Ibid.
283. M.S. II. 145.
284. ‘asmiṁca krame vivakṣite ... tata ācāryastata upādhyāyaḥ Medhatithi on Ibid.
285. ‘pituh sakāśāt mātātiricyate tadapekṣaya bahuduhākhānubhavāt’ Narāyaṇa on Ibid.
286. M.S. II. 50.
287. Ibid. IX. 104.
parental property if either one of them is alive. Moreover, Manu holds a son responsible for the maintenance of his mother on the death of his father.\footnote{M.S. IX. 4.} It is clear that a widowed mother having sons of her own has no problem for her maintenance, as the son or the sons are morally held responsible for her maintenance.\footnote{Ibid.; Also, VIII. 389.} In fact, the widowed mother enjoys the right of property of her deceased husband through her sons. But, the fate of a sonless widowed mother along with her daughter or daughters seems to be pitiable as Manu’s rule does not favour her to enjoy such proprietary rights. Manu enjoins that the property of a sonless person will go to his father or to his mother but will not go to his widow.\footnote{Ibid. IX. 185, 217.} Kullūka is liberal enough in this point. He forcefully argues in favour of such a helpless widow. Kullūka holds that the property of such a person will go to his father, mother and other nearest relatives only when he dies without leaving behind him a daughter or a wife.\footnote{‘avidyamānasya nukhyaputrasya patṛduhitrahitasya ca pitā dhanam gṛhnīyat ... etc.’ Kullūka on M.S. IX. 185; ‘...bhāryādinām patnyadhikarape...striyā api kārtṛvāt’ Kullūka on M.S. VIII.416.}

Thus, it is observed that though Manu is clear and liberal enough to confer the right of śrīdhana to the widowed mothers, yet he does not favour them in proprietary rights over their deceased husbands. Commentators of Manu also differ themselves in this point and try to explain their views from different standpoint. Kullūka is liberal enough in this point and tries his best to establish the right of a widowed mother following the views of Yājñavalkya, Brhaspati and Brddha Manu.\footnote{Kullūka on M.S. IX. 185, 187.} It is observed that

\begin{footnotes}
\footnote{M.S. IX. 4.}
\footnote{Ibid.; Also, VIII. 389.}
\footnote{Ibid. IX. 185, 217.}
\footnote{‘avidyamānasya nukhyaputrasya patṛduhitrahitasya ca pitā dhanam gṛhnīyat ... etc.’ Kullūka on M.S. IX. 185; ‘...bhāryādinām patnyadhikarape...striyā api kārtṛvāt’ Kullūka on M.S. VIII.416.}
\footnote{Kullūka on M.S. IX. 185, 187.}
a gradual development in the thinking of the Hindu Law-givers is seen in respect of
conferring the proprietary rights to the fair-sex. Dr. R.M. Das observes: "At first it
was thought that the right of ownership in the property was not so much needed for a
widow. Therefore, Manu gave her only the right of maintenance. Later on it was felt
that it was essential for her to hold some property in order to be able to maintain her
position in the society, at least so long as she was alive. Therefore, her limited
ownership in her husband's property came to be recognised later on." Dr. A.S.
Altekar also holds a similar view. He observes: "...jurists gradually began to come
forward to plead for a better recognition of the widow's claim." 294

(iv) Position of Women in General

Manu is sympathetic enough towards the fair-sex while he elevates them to the
line of goddess saying where women are honoured, there the gods rejoice and the vice
versa. 295 The prosperity of a family life depends upon the pleasure of the women. If
they are not pleased the family will suffer a destruction. 296 Manu reserves protection
of the fair-sex in different stages of their life by the respective authorities or trustees.
If not protected, the respective trustee will be held responsible. 297 In absence of these
authorities, the responsibility goes to the sovereign power. 298 Manu also provides them
with some special privileges. 299

293. Women in Manu and His Seven Commentators. p. 238.
295. 'yatra nāryastu pājyante ramante tatra devatāḥ ... etc.' M.S. III.56.
296. Ibid. III. 57-60.
297. Ibid. VIII. 389; IX. 3-4.
298. Ibid. VIII. 28-29;
'...pakaśadvāyavāsāne tu rājā bhartā... nāradavacānat... etc.'
Kullūka on M.S. V.148.
299. Mā. II. 138; VIII. 407; IX. 232.
We find, on the other hand, some passages in the M.S. relating to the women affairs which are really derogatory in nature where Manu depicts some wicked nature of women.\(^{300}\) Regarding these statements of Manu against women, K.V. Rangaswami Aiyangar remarks “The passages in Manusmṛti which seem to condemn the nature of women are in reality warnings against the strength of the sex urge and the tendency of both men and women to succumb to it, unless taught restraint. In the family, in treatment as children, a girl and his brothers are equal. In the family, husband and wife are equal partners, and are unable to function independently of each other”. \(^{301}\)

Some passages of the M.S. again seem to make women dependent on men.\(^{302}\) But, these passages do not seem to violate the freedom of the fair-sex; rather these seem to be the warnings towards men to take up necessary measures for the protection of women,\(^{303}\) or towards women not to seek separation from their fathers, husbands and progeny which will certainly hamper the discipline of family life.\(^{304}\) The measures or suggestions for protection do not mean curtailment of freedom. Dr. R.M. Das comments - “It is quite clear that his (Manu’s) purpose was not to deny freedom to women so much as to ensure them an adequate and continuous protection throughout their life.” \(^{305}\)

\(^{300}\) Ibid. II. 213-215; IX. 17-20.

\(^{301}\) Aspects of the Social and Political System of Manusmṛti, p. 163.

\(^{302}\) M.S. V. 147-48; IX. 2-3.

\(^{303}\) Ibid. IX. 3-4.

\(^{304}\) “pitrā bhartrā sutairvāpi necchedvirahamātmanah / esāṁ hi virahena strī garhye kuryādubhe kule //” Ibid. V. 149.

\(^{305}\) Women in Manu and His Seven Commentators, p. 261.
It is a fact that Manu expresses both the sympathetic and unsympathetic views towards women. Some of the views are quite contradictory and sentimental in nature. Mere literally translation of those passages may impede to understand the true spirit of his intention towards the fair-sex. Manu may not allow unlimited independence to women but we should not ignore the proper measures suggested for maintenance and protection of the fair-sex. In the M.S., men are repeatedly asked to take the complete charge of the welfare of the fair-sex.