CHAPTER IV

THE STATUS OF WOMEN
The esteem in which women are held, the status occupied by them in society and the treatment accorded to them have been justly regarded as marks of the degree of civilization and culture attained by any country. This means that the measuring rod of any culture and civilization is the status it assigns to the woman. In society could claim a high place in the annals of history if the woman were treated as second grade citizens and inferior to men. It means, the account for half the population of the society are treated as unequal at any given time then the society cannot claim achievements in any other sphere of life. In the literature of ancient India special attention is paid to women, and several authors have treated topics concerned with women on par with the other institutions of society. Some of the thinkers either give an exalted position or too low a place to woman in society. It is astonishing to note that from the beginning of the Vedic period the discussion of women and her role in society gradually became increasingly important, finally culminating in the unusual attention paid to her in the Sauri literature. This is the principal reason for the many aphorisms of law-givers, that tried to direct the everyday life of woman from birth to death, and.

Discussion of women in the whole of literature at this period however, is not confined to morality, obligations of chastity and marital fidelity alone. The role that women
played in society was dynamic and the influence she exerted on the rest of society was enormous and all-pervading. Apart from these, the peculiar condition to which woman had been subjected and the special role she played throughout her life made her open to discussion constantly. Certain fundamental ideas regarding the proper behaviour of women and the development of her personality were implicit in these discussions. The ancient thinkers discussed women keeping the religious and other socio-economic practices of the time in mind, and tried to conceptualise a pattern of behaviour for them.

Such conceptual patterns of behaviour when translated into actuality tended to give importance either to men or women in the society. Depending on the dominance of men or women in social activity, patriarchal or matriarchal societies were established. It is an established fact that Indian society from the Vedic period onwards presented a patriarchal order. In the patriarchal order the dominance of men in certain spheres of life is accepted. One of the important characteristics of this order is that the authority of the eldest man in the family is recognized as against that of the eldest woman. Continuity of the family is established by male successors. This at times might lead to the abject slavery of women or her complete dependence on men in all spheres of life. Such a danger is always at the threshold of every society unless the wisdom of the society steers the whole process in the right direction.

Such wisdom is discernible in the attitude of the ancient Indian thinkers who recognize man and woman as complementary to each other. This attitude is maintained even in their religious and philosophical conceptions, where the relation between woman and man is treated allegorically. Although the anthropomorphic gods of the Vedic conception are male, there are also references to female gods like Uma, Aranyani etc. These goddesses are occasionally considered as dominant. In Bhādatāragaṇa Upaniṣad, the allegorical legend pertaining to the origin of the universe clearly brings out the important part played by woman in the creation. It is stated that in the beginning this world was soul (atman) alone in the form of a person. Desiring to have a second he caused the self to fall into two pieces. Therefrom arose a husband (pati) and a wife (patni). Together they caused the creation of all that which constitutes this whole world. On this account both man and woman are considered to be complementary to each other.

In the Śankhya conception, Puruṣa and Prakṛti are responsible for the creation of the world. In the allegorical explanation it is stated that the Prakṛti charms the Puruṣa like a dancing girl or love-stricken damsel. As pointed out by a scholar the complementary nature of Prakṛti and Puruṣa is obvious in this philosophical conception also.

In conformity with their conceptions of woman in the

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1. I, 11, 1 ff.
religious and philosophical spheres, the ancient Indian thinkers made a more detailed study of women through the different stages of her life. Such a study was based upon direct observation and their observations were consequential. For example, there are several specific statements in the ancient Indian texts that explain their attitude towards women. The Upanishadas says that wealth, happiness, joy, virtue, depend on one's wife. The Manusmriti states that a family where the women is not treated properly perishes. However, these and several other similar statements cannot be taken for granted because the same texts elsewhere make certain observations which even contradict the above statements.

According to Manusmriti women are never fit for independence. These and several such mutually inconsistent observations pose a severe threat to one's understanding of the position of women. If these statements are independently judged without paying any attention to their true significance, one will arrive at even opposite conclusions. This would either lead to the opinion that women were either elevated to high position or delegated to a lower status in comparison with men. The ancient thinkers themselves seem to have faced such a problem. To come to a right perception, it is necessary to reassess the position of women from the range of observations contributed by the ancient Indian thinkers.

1. Ubb.1, 64.
2. III, 35-37; Yaj.1, 62.
References to discrimination between male and female children are to be seen in ancient Indian literature. This is done mainly in two ways. Either they expressed their preference for the birth of male children through a categorical statement or performed special rituals and ceremonies for the birth of male children. The Atharva Veda contains charms and rituals to ensure the birth of a male child and consecrates the birth of a daughter. The charm referred to by Vatsyayana says, 'elsewhere may he effect birth of males, but here prepare a boy.' On another occasion they plead with god Indra, 'preserve the baby at birth, male, not the boy a female child.' 

I. S. Eastman makes the following observation in the 'Vedic Religion': 'We meet in hymns with prayers for sons and grandsons, male offspring, male descendants and male issues and occasionally for wives, but never for daughters.' He continues, 'when Agni is born it is as if it were a male infant, they clap their hands and make sounds of rejoicing, like the parents of a new born son. There are no such rejoicings over the birth of a daughter.'

The preference of birth of a son to that of a daughter is however a constant feature of the Indian society of the patriarchal order. The development of rituals related to death, had a direct bearing on the desire for a son. In the Atharva Veda we come across references to sacramental food offered to the soul of the dead through fire. The food was

1. A.V. VI, 11, 8.
3. P.115.
4. A.V. VIII, 3-4; A.V. XIII, 9, 10.
provided with the means of the world to eat and maintain their lives in the other world. Hence, according to Brahmanical view to ensure his welfare in the other world, a man had to make some investment before his death. A son born to him was provided with the means of the performance of funeral oblations. The son has a relative advantage over a daughter in this scheme. In the Aranyakā Brahma Sūtra it is explicitly explained that the father pays a debt to his son and gains immortality. Then he beholds the face of a son living. He was born to him it is said "the self is born from the self." In the Brhadāraṇyaka Upanishad, there is a ceremonial for the birth of a son. The importance of a son is clearly stated in Rāmāyana. It is explained thus: "because a son delivered (traye) his father from hell called 'guru' he was therefore called 'putra' (a deliveror from guru) by the 'self-existent' (sva-yacchab) himself." 

In this context it will be appropriate to examine a few basic assumptions of the Brahmanical texts that contribute to the importance assigned to a son. These texts hold that continuity of generations could be maintained through sons alone. This is also not an unusual feature of the patriarchal society where the male to some extent dominates the social scene. According to ancient Indian texts that offer explanation from the standpoint of Brahmanical religion a man will take birth as a son through his wife. Thus Nara

2. A.D. VII, 15.
4. Harish Var, 138; vi.xv, 44.
states 'the husband, after conception by his wife, becomes an
eternity and in a sense given of her; for that in the wifehood of
a wife (gaya), that he is born (gayata) again by her'. This
is quite pictorially explained in the Shankhale Upadharma
where the electricity transfers his powers to the son, entity by
entity, thus continuing the link from the soul to the
innocent. The ciroil rises and transfers him to the next
world, the cycle of visions changes. The aim and purpose of
offering to the ancestors came to be the birth of a son.
Because the birth of a son was conceived to be specially con-
tributing towards healing the father to fulfill his obligations
to the departed ancestors. Therefore, for male children need
not lead us to the conclusion that the birth of a daughter was
detected.

There is ample evidence to show that the birth of a
daughter was accepted with equal joy. 

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2. Iravati Harvar: Yajurveda, 186 ff.
3. II, 11.
recognizing a ritual for the birth of scholarly daughters and considers a scholarly daughter to be better than a dull son. The birth of a daughter was not looked upon as one of the unhappy events of life. The householder was advised to treat the daughter with tenderness and to refrain from quarrelling with her. Even adopted daughters like Sīta and Sakuntala were treated by foster parents with profound affection.

Brothers and other kinsmen used to treat them with deep affection. Uttarākumāra, while leaving to fight the Kauravas, enquired of his sister what presents she wanted from the battlefield. Śakuntā lived with his sister and strove for her good, all through his life. If women had been really disliked and looked down upon, such care and concern might not have been shown for them.

Girls were paid the same attention as boys in the imparting of knowledge. Women rich in like Viśvāvṛata, Iśāvakrta, Śaśiśya, Ghosha Mahāviṣṇu, Indrāni, Sarvaprayaṇi, and Urvashi composed hymns. The reference to Brahavadini (these women who attained knowledge of Brahman were known as Brahavadini) were classic examples of women of high learning. In the Upaniṣads Gāṇḍī and Udrayāṇi were the two great women well versed in the sacred scriptures. In the Mahābhārata Draupadī is

1. Mahābh. I, 167; 44; Ram. I; 67, 12-16.
2. Manu IV, 185; Mahābh. XII, 243.
6. Ibid., IV, 5, 1.
mentioned as lalitha and brahavaidini\textsuperscript{1}. Besides these, there are also references to other women who desired acquaintance with the mysteries of religion, life and death\textsuperscript{2}. Gradually women stayed aloof from learning the sacred scriptures which were essential for the performance of rituals and also for the understanding of dharm. In the Satpatha Brahmana the initiation of a wife just before the sacrifice is mentioned\textsuperscript{3}. In another passage, a woman is endowed with the right of reading the holy texts or performing sacrifice\textsuperscript{4}.

The slow disappearance of women from these fields of sacred knowledge need not lead one to the conclusion that she was deliberately pushed away from getting educated in the sacred scriptures. There were other types of education for girls. She did receive education, but the subjects taught and the mode of teaching: the girls gradually changed from that of the boys. Their education was more in the sphere of dance, music and the other related arts\textsuperscript{5}. These arts are generally viewed as appropriate for women as it goes well with their nature\textsuperscript{6}. Even in the early texts it is shown that a woman could sing and play on the vina and dance\textsuperscript{7}. Arts that

\textsuperscript{1} MS IV, i.3; XIII, 3, 63; 14, 06.
\textsuperscript{2} MDH, XV, 20-23.
\textsuperscript{3} I,3;12 ff; cf. T.5, XIII, 3,3, 2-3.
\textsuperscript{4} S.B.X, 2, 14, 13.
\textsuperscript{5} Sama, 16, 36 ff.
\textsuperscript{6} T.S. VI, 1,6.5; S.D. II, 4, 3-6.
\textsuperscript{7} A.V. XIV, 2, 61.
are suggested to women concentrate on the aesthetic side of life very much. This aesthetic approach is present even in the early times. This can be seen from references to it in earlier literature. V. Nagdev and R.N. Bhandarkar construe that aesthetic emotion is of the nature of serenity of senses and hence, in this sense it is supreme beatitude. They also hold that the soul can be prepared to achieve supreme self-realisation through the aesthetic approach. The above stand will explain that it will be equally good for a girl to prefer education in the field of Katyayana and the other arts. Learning in these arts could be done, naturally at the expense of Vedic learning which is of no utility to a girl. Moreover, woman is associated with beauty. The beauty of nature like the dawn, the river are always compared to woman. So it will be more appropriate if a woman associates herself with these arts instead of men. It is perceptible from these following statements addressed to Sāmantā - by Anasāya and Priyasvada that they had been educated in those fields in the Katyayana state has been heard in the works of Itihāsa (epics) relating to those in love, such I find to be yours. By practice in drawing pictures, we will adorn the ornaments in your body. Girls were given training in these fields because presumably they could master them easily because they were of

1. V. Up. 2.7; Br. U. 2.4; Gita 10.41.
2. Wm. Theodore De Bary, ed. Sources of Indian Tradition, p.264.
4. Ibid., Act IV.
practical use to them. Taking their natural capacities into consideration ancient Indian texts depict how women were practising these arts at a suitable age. Women were encouraged to acquire these arts while men concentrated on archery and other skills related to warfare. Occasionally we come across men proficient in the arts allotted to women and also women well-versed in the skills of warfare. However, the ancient texts do not treat this as normal to the life of an individual. Women were encouraged to learn arts for their pleasure. While this is true we find many instances of men and women getting trained in these arts for professional purposes. In the Arthasastra of Kautilya it is even ordained that the state should provide maintenance for those who teach certain arts like singing, playing on musical instruments, dancing and other related arts and to certain categories of women. This special provision of the state would suggest that education in these branches was of enormous importance to women, and such women as could not afford to pay for their training should be taken care of by the state itself. Depending on the needs of the day, their attitude towards education too had undergone change.

Ancient Indian texts pay enormous attention to women during her adulthood. According to Drámaśāstraal texts of the

1. Arjuna a man of valour in Virata Parva of Mahabharata, tutor to Uttarakumāri in Natyasastra (Bh. IV, 11).
post Upanisadic period the only course left to women is to get married and live with the husband and his family.

Contrary to this we find that Buddhism allows a woman to give up marriage by entering the institution of asceticism. She could live as a 'theri-vati' and lead a life of renunciation.

There is no such recognised institution for women in the Brahmanical religion. But we do notice that some women remained unmarried and stayed in their parents' house, even in the early Brahmanical period. The term 'saujah', one who grows old in the parents' house supports the prevalence of such a practice.

The mention of women sages also lends support to the same. Gārgi, the Brāhmavadini of the Upanisads, might have been an unmarried woman. The description of these women, the Brāhmavadinis, suggests that they might have remained in brahmascarya for a fairly long period and learnt the Vedas. However, these are only exceptional cases. In general marriage is considered indispensable both for men and women. It is stated in the Taittiriya Brāhmaṇa that a person who is unmarried is unclean. In view of the importance of Gṛhaśāraṇa and the active role played by women in the domestic sphere, she could not remain unmarried. Women could remain unmarried only under extraordinary circumstances. For example, Manu states that a maiden though

2. Supra, p. 166.
3. T.B. II, 2, 2, 6.
marriageable should rather stay in the father's house until death, than marry a man destitute of good qualities.\(^1\)

Such an emergency never seems to have arisen, for the law-givers do not say much about what the eligible, but unmarried girls should do especially when they remain in the house of the father. Macdonnell and Keith point out that during the Vedic period many unmarried girls grew old in their fathers' house\(^2\), but they do not furnish any details of the activities of such unmarried girls. Indeed as noticed earlier Kâma and some later law-givers, though subscribing to such a view do not point out as to what these girls should do if they could not get married. Ultimately these authors too view that girls should be married. This could be elucidated by citing a few of their aphorisms. It is ordained that the father commits a sin if he fails to get his daughter married at the proper age\(^3\). Sensing the probable difficulties in settling a good match, the father is allowed to get his daughter married even before she attains the proper age\(^4\). A few other law-givers fix the marriageable age of a girl at too early a period and even declare that the father attains heaven in case his daughters are married very early\(^5\). But the general attitude of several texts is that a girl should be married within a few months after she attains maturity. But Vâtsyâyana, the authority in this field says that a man must marry after the completion

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1. Manusmriti, IX, 69.
3. Gautam, XVIII, 20; Manusmriti, IX, 4; Yaj. I, 94.
4. Manusmriti, IX, 86.
of education and the girl should be three years younger than he. A man will be sufficiently grown up by the time he completes his education. So accordingly it follows that a woman who is only three years younger than a man who has finished education cannot be a young girl but a grown up woman. So only grown up girls are considered to be fit to get married. whereas the Mahabharata points out "When a girl has attained maturity, then she should be given away in marriage." This too suggests that only grown up girls could be married. There is consensus among many of these texts in approving the marriage of a grown up girl. A girl is also permitted to choose a husband for herself if her parents fail to get her married within three years after she attains maturity. Such girls are free of any guilt. This attitude of the ancient texts suggests that they have not contemplated a woman who is going to be a lifetime spinster.

Ancient Indian thinkers have made expansive discussions on the types and forms of marriages. There are three important kinds of marriage which were recognized by ancient Indian thinkers. They are polyandry, monogamy and polygamy. Of these polyandry has not gained any popularity with Indian writers. A classic instance of polyandry is given in the Mahabharata. The heroes, the five Pandava brothers have a common wife and adopt polyandry to be the rule of their

1. Renu S. III, 1.
2. XII, 764.
3. Pand. IV, I, 11-14, Sat. XVIII, 90; Vaci. XVII; Manu IX, 60; Yaj. I, 64.
4. Manu IX, 60.
family. But in the epic Mahabharata Vyasa advises the Pandavas to accept Draupadi as the legal wife of all the brothers to prevent dissension among them. It is with considerable strain Vyasa justifies the act. Pandavas were often subjected to ridicule on this account and even Draupadi, the father of Draupadi vehemently opposed the proposal. This absolute lack of support to the practice will justify that it was only rarely considered by the ancient texts. An eminent authority points out that this practice was always strongly opposed.

The remaining two types of marriage, monogamy and polygamy received general approval. A few Vedic passages refer to the practice of polygamy. God Indra is alluded to in the Rig Veda as having several wives.

Yajnavalkya and his two wives, Visvamitra and his three wives and Pandu and his two wives are a few of the popular cases of polygamy. There are a good number of cases that follow in the catalogue. It should be noted that though the Dharma sutras and other texts approve of plurality of wives on various grounds they emphasize strict monogamy.

Kaul Coraul while discussing polygamy in ancient India,

1. I, 187.
2. I, 199 ff.
3. Lionel D. Barnett: Antiquities of India, p.116. (Prof. Winterbottom also holds that the Brahminical writers themselves have found the tradition of polyandry very irksome and tried to explain the practice in one way or other).
4. RV. VI, 53; 4; VII, 6,2; X, 43.
5. RV. I, 63; II, 101, 11.
make the following observations: 'For the vast majority of men the maintenance of the one wife is the utmost that can be borne, especially since the sacrifices are very costly. In practice, only the nobles, if they are rich can allow themselves the luxury of a harem'. It is rather strange that these authors have connected the sacrificial expenses and the wife. Domestic rituals were not really expensive. Moreover a wife was never an obstacle. In fact she helped her husband by making the necessary preparations. Only in that form of marriage wherein bride-price was paid, having wives was proportionately related to economic considerations. But this practice of paying bride-price was severely condemned by several Dharmashastra texts. From these it could be inferred that a wife was not expensive on account of sacrifice, and that fear of expense was not the reason for the non-popularity of polygamy. Men in power and those who were rich might have practised it. Polygamy had not become an ideal because they practised it, nor did they practise it because it was an ideal. All these nobles and kings who could afford did not practise it because they never considered multiplicity of wives as a privilege of their riches.

The ancient texts do not approve of polygamy in normal conditions. Only in exceptional cases they approve polygamy but impose several restrictions on its practice. For example, Apastamba states that a man whose wife was willing and able to
perform religious rites and who bore sons need not marry a second wife. Besides these there were other factors like family and rules related to conduct that inhibited men from having more than one wife. Although polygamy was tolerated monogamy was held as an ideal. In all types of marriages fidelity was viewed as essential for both the partners. But however ancient Indian texts occasionally depict a woman as more susceptible to adultery and warn that men should avoid their company. Manu on one occasion states that it is the nature of women to seduce men in this world. This tendency of the texts to throw the whole blame on women as the sole seducer is related to the importance that was attached to the ascetic way of life of men. Woman was considered as a potential danger to the ascetic life. With the rise of the importance of vigorous ascetic life, the fear of women as an obstacle also grew. This is evident from the fact that the earlier law-givers neither imposed vigorous austerity nor passed such remarks on women. However, in Buddhist Jātaka stories women are frequently depicted as seducers and men are warned to beware of the evil nature of women and be on their guard. It is recorded that the inclusion of women as monks into Buddhist Sangha created disorder in the assembly of monks. This seems to be the main basis for the Jātaka's attitude towards women. In Grahapati Jātaka, Kūnchakī Jātaka, Dhamma Jātaka,
Pudita Jāvala\(^2\), Maithili Jāvala\(^3\) and in many others the
seductive nature of women is over-exaggerated. The purpose of
these stories being evident one cannot rely much on their
verdict. Perhaps this was the reason why a separate nursery
for women was created later. One scholar observes\(^3\) 'that
the early Buddhist want of sympathy for women is not a unique
phenomenon but rather one that is typical of monastic
continents all the world over. It is based on fear, of all
the guises of the women which ignore set before the
universe, the most insidious, the most dangerous, the most
attractive was woman\(^4\). Although the increased belief in asceti-
cism created a need to over-exaggerate the role of chastity,
it did not lead the ancient Indian thinkers to make any dis-
tinction between men and women in the practice of chastity.

This attitude of ancient thinkers could be seen from their
treatment of chastity in relation to men and women. Chastity
was viewed as a high virtue and maintained that both men and
women should observe it sincerely\(^4\). No distinction was made
between men and women in adhering to principles of chastity\(^5\):
Even a minute transgression of rules of chastity was treated
as adultery by law-givers\(^6\). Either men or women who involved
themselves into adulterous acts were indiscriminately con-
demned\(^7\). A man was warned not to show any particular attention
to the wife of another man\(^8\). Equally a wife was ordained to be

7. Manus IV, 134; V, 161 ff.
8. Manus IV, 133.
loyal to her husband you and warned not to commit any adulterous act. Thus, it is stated that persons who abstained from such acts and were devoted to their life partners could achieve the highest goals of life. There punishment was awarded for transgression of rules of chastity. If discretion was made between men and women and both were severely punished, women devotes one call chapter to this respect, and discourse made offenders and suggests that severe punishments should be awarded to them. Punishments of equally severe nature are to be awarded to persons who transgress principles of chastity. All these evidences show that ancient thinkers while treating chastity as a high human value and while enunciating rules pertaining to it do not make any distinction between men and women in regard to its practice. Although Buddhist texts frequently and Vedic and Brahmanical texts occasionally speak of the seductive nature of women, fidelity was a virtue to be practiced by both men and women with the same vigour.

On the issue of remarriage and divorce the ancient Indian texts are comparatively liberal towards men and a little restrictive in the case of women. According to ancient Indian texts under certain conditions a man could abandon his wife and marry once again. The normally enumerated conditions under which a wife deserved to be abandoned are barronness,

1, Nimm V, 163-164.
2, Mab.XII, 121, 10-11; XIII, 141, 10-15; 53.
3, Arth.IV, XII; c.f. Barn VIII, 364, 378; C2. Dom.VI.
4, Nimm VIII, 371.
be residue only daughters, death of all the children, and deficiency in the performance of religious duties. Manu is a little more restrictive in his rules on the remarriage of men. According to him if a woman brings forth no children, or has no male issue, or is barren, her husband has to wait for eight years before marrying another. If she bears only a still-born child, he has to wait for ten years. If she brings forth only female issue, he has to wait for twelve years. Then if he desires to have sons, he may marry another. Manu too allows the man to marry again under certain conditions. When the wife is a barren one he can remarry in the eighth year. If all her children die, in the tenth year, if she bears only daughters, in the eleventh year; if she is quarrelsome, without any delay. The main emphasis of these texts is that the couple should have a male child who survives and continues the progeny. As noted earlier, Manu declared that religious duties could not be performed in the absence of a wife and that a man had to remarry in order to fulfill his religious obligations. The status of the absent wife was considered sufficient in the performance of such a religious duty in the epic Mahabharata. This will show that when one's wife is alive and can not participate in the religious duty one could perform the religious duty with the help of a statue of the wife rather than marry another woman.

1. Manu, IV, 71; Arth., 5, 11, 13-14.
2. Arth., 5, 11.
3. Arth., 11, 11.
5. Ibid., V, 167-69; Yaj., 46.
Ancient Indian texts dealt with the issue of the woman marrying while the husband was alive. Like men, women also could abandon her husband under certain circumstances. According to Vajishta, a woman was called remarried (punarnadhā) when she left an impotent, outcaste or dead husband and married another one or married again after the death of her first husband. Kautilya and Varāhaṁśa include in the list of husbands to be abandoned, categories like the one who is a traitor to the king, one who endangers the life of one's wife, one who has gone abroad for a long time, one who is missing, and one who has become an ascetic or joined Convertants. In certain cases a time limit is prescribed on the issue of which a woman could remarry. Kautilya says that a young wife (humāri) should wait for seven months before she can remarry, in case her husband leaves for another country without informing her. But in case he has announced the same, she has to wait for a year. If nothing is heard of such a husband, she should wait for five months only. Depending upon the part or whole of sūlka received, she should wait for three and five months respectively. The waiting time in other cases depends on considerations of caste, children and the maintenance provided. Varāhaṁśa prescribes a much longer period of waiting for the woman under similar conditions cited above.

1. Vasi, XVII, 10; 20.
2. Av. 2.
3. 7. 30; 3.
4. Arth. XII, 4.
5. Ibid.
6. ...
lack too supports the remarriage of a woman after some waiting period. Although there are certain variations in exposition, a majority of these texts have sanctioned and laid down rules for the remarriage of men and women on the break-up of their previous marriages.

In the ancient Indian texts marriage of a widow was not encouraged. In the didactic literature there are scores of women who lost their husbands and remained uncourted for the rest of their lives. Although provision for the marriage of widows finds a place in the texts, their effort was always directed towards encouraging widows to accept an alternative to marriage. Alternatives suggested to such women were obtaining a son through Nyoga, if she had no son by her dead husband or remaining chaste through out her life, or death through sati practice. There are evidences to show that during the Vedic period a widow could marry another person. A few hymns of the Vedic subscribe to such a practice. There are also a few hymns that lend support to the view that the practice of Nyoga was also known to the Vedic people. The Nyoga system facilitated wives and widows to have sons through kins of their husbands, if they had not borne sons through their husbands.

Geneva an early law-giver approves this practice and ordains 'a woman whose husband is dead, and who desires offspring may bear a son to her brother-in-law. Let her obtain the permission

1. RV IX, 76.
2. RV X, 19, 8; 40, 2; AV XVIII, 3, 3.
of her husband and of her brother-in-law she may obtain excusing her by exhibiting with a saptada, sagada, a samana pratna or one who belongs to the same caste. Till the period of time, Niṣāga practice was not prescribed. In Later, contradictory ideas on Niṣāga are found. It speaks of the practice as upheld by the old law-givers in a few verses and approves the act. In another passage he condemn it and declares 'in the sacred texts which refer to marriage, the appointment of widows is nowhere mentioned, nor is the remarriage of widows prescribed in the rules concerning marriage.' Even's view on the appointment of widows are noteworthy. Niṣāga was teach on one of the religious duties by the earlier law-givers and was arraigned by the other members of the family. Some of the incidents show that it might be prescribed even against the inclination of the widows concerned. For instance, in the Kābāhāra, after deliberations, Vyāsa was invited to have children on the widows of Vaiṣṇavīrya, to maintain the continuity of the family. The widows of Vaiṣṇavīrya had to submit to the decision of elders despite their dislike to meet Vyāsa. However, such a practice is not approved by several law-givers. For example, discuss condemn the practice of appointment of widows to men and states that 'for they who appoint (her) to another (man) will violate the eternal law.' The statement probably suggests condemnation of indiscriminate force on all.

3. Ibid., IX, 65.
5. Ibid., IX, 64.
women to submit to such a practice. Veda condemns it as it
does not preserve the purity of women. Traces of hard ascetic
life prescribed for widows by the writers could be seen from
Veda onwards. In the earlier texts, there are hardly any
references to such practices, except for a brief period in
the case of women who seek children through Bhijaga practice⁴.
Although Veda and Purāṇa approve of widow remarriage, they
bestow a heavy premium on women who live a life of rigorous
chastity. Purāṇa, like Veda, says, 'that woman who when
the husband is dead, performs the vow of chastity (brahmachara-
ryam) attains to heaven after death, like brähmachārīnma'.
It was held that by such a vow of celibacy a widow could redeem
sins of her deceased husband and thus could also get relieved
of her personal sin. Although a son was essential to continue
generations, the need for a son to perform śraddha rites was
reduced. It is observed that śraddha rites performed by Bhijaga
sons would not be received by the ancestors.

In these texts we come across references to another
practice relating to the life of widows. An early injunction
on this is seen in Purāṇa Sādhita. According to Purāṇa
a woman should immolate herself and follow the dead husband to
secure heavenly bliss. This is regarded as a later insertion.
Medhatithi, a commentator of Bhagavatamāntara, belonging to the
9th century condemns the practice of sati as suicide, stating

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that it is not to be done as an obligatory act. The true condition appears to be nearer to this observation. As observed by a scholar it was, in fact, an act of desperation, not suicide; and grief or despair became unbearable and life was cheerless and void. In evidence supporting the primary family alliance were sometimes compelled to resort to this dreadful practice to save the honour of their women folk from the hands of the victorious barbarians. Sati was generally condoned and rarely practised. If women like Ahir and other inferno pyres of husbands the reason may be more in their personal reasons and attachment than in sanctions of the texts. There is hardly any just reason to hold that sati was ever viewed as a wise practice and upheld during our period of study.

Definite literary evidence is not available to show that widow marriage was advocated through out ancient times. The immense concern shown by the ancient thinkers for the unmarried widows lends support to the notion that it was not unanimously upheld. Those women who did not prefer remarriage might have lived in the house of their father-in-law. If she had a son through her husband or through Briyaga, she might have lived with him when he grew up and brought a daughter-in-law to the house. The ancient thinkers recognised the rights of women over a part of property which she could use even after

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1. Surekha: Laws of Homo, S.R., Intro. vili-
2. R.C. Dutt: History of Civilization in Ancient India,
the death of her husband. Gautama\(^1\) and Vasishtha\(^2\) enjoin that a wife could inherit the property of her deceased husband provided there was no son or appointed daughter to inherit it. Apart from this, women were provided with proprietary rights over a category \(^3\) of property known as stridhana, on which she had exclusive power of enjoyment and disposal.\(^4\) The stridhana mainly consisted of gifts given by relatives either at the time of marriage or subsequent to it.\(^5\) According to Hastilya, a widow who desired to live a pious life could receive all the ornaments, jewels, and bride-price back, but if she remarried the law changed by her father-in-law she would receive whatever had been given by her father-in-law and deceased husband. If she remarried on her own accord she would not receive these ornaments back.\(^6\) Special stress was laid by Hastilya and others on a woman who led a pious life enjoying the property. This would show that widows' rights over property and stridhana depended upon the type of life they preferred to live.

Although the ancient thinkers approved of widow remarriage they held a widow who remained unmarried for the rest of her life, in esteem. So in the actual literature we rarely come across remarried women, more so a widow who remarried. As

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2. Vasistha, X, 81, 82; Samhita IX, 187, 199.
5. Arthasamhita, II, 2.
a consequence throughout her life, the ancient Indian woman remained within the family fold. Like men, she could not become a sannyasi by renouncing the world. It is only in Buddhist women could keep away from the family and live like a sannyasi. Buddhism, which did not consider the birth of a son necessary for salvation like Vedicism, obviously reduced the importance of women as child-bearers. In spite of its abhorrence to women who are burdens to the practice of asceticism, Buddhism included women into asceticism. Women were not denied salvation. For example, it is told that Jatacharya, a woman, who lost her mind because of the sudden loss of husband, children, parents, and brothers went to the ascetic who was teaching. The people who were there objected to the presence of a lunatic in their company. But the Buddha received her saying: 'Sister, recover the presence of mind. I, Jatacharya, am going to another world as child nor other kin is able to be a shelter or a hiding place or a refuge. Therefore, let me do my best to purify my own conduct, and accomplish the path leading even to Nibbana.' Jatacharya became a nun, and comforted many other grief-stricken women. The Theri Skil-falia are a remarkable sort of learned women who renounce worldly life to practice the religion of the Buddhist order. In spite of all this, however, Buddhism did not equate these men with the brotherhood. These

1. Herder: Women in Primitive Buddhism, p. 22
3. Vinaya Texts, Chaḷlavaṇga, X, 1, 4 ff (See Vol. 10).
Though the Buddhist and Jaina influence could mould to some extent the Brahmanical ideas on women, they had failed to create a separate institution beyond the family where women could live.

The major part of women's life under normal circumstances was spent as a wife and mother in the family. In these two roles she had enormous sway in the day to day life of a family. A woman was wedded to a man in one of the eight forms of marriage described by the ancient thinkers. These eight forms of marriage were: brāhma, daiva, ārāha, prajñāpatya, asura, gardhara, rakeda and paścuma. A marriage contracted in any one of these forms was of great consequence to women, as it decided her marital status and the man whom she wedd. With the exception of a few texts, most of the texts included all the eight forms of marriage. The first four forms were known as blameless marriages and the rest of the four as blameworthy marriages. One of the important features of the brāhma, daiva, ārāha and prajñāpatya forms of marriage is that the daughter is given as a gift and married to a suitable and well-educated person after the proper rites. Of the remaining four, in the asura form of marriage the bridegroom receives a woman after offering wealth to the bride and her kindred. The voluntary union of a maiden and her lover is known as gāndharva.

The forcible abduction of a woman from her home is known as

5. Manu III, 32.
rākāhāca. If a man seduces a girl in her sleep, it is known as the paśiśa form of marriage\(^3\). An important factor to be taken into consideration is that all those forms of marriage were not approved by low-givers.

Of the eight forms of marriage, three of them paśiśa, rākāhāca and aśura put women in a disadvantageous position and provided ample scope for men to exploit her. On account of the extraordinary cruelty involved in the treatment of women, the paśiśa form of marriage was universally condemned and men of all castes were severely warned to abandon the practice\(^3\).

Aśuṭrīyaus were allowed to practise the rākāhāca form of marriage\(^4\). It was applicable to them because it involved exercise of valour. Only after establishing one's strength, one could receive one's wife. It must have been a difficult task and as such it was very rarely observed.

The aśura form of marriage was rightly condemned along with the paśiśa by Manu\(^5\). He also enjoins that selling of a girl by parent or kinsman is a heinous crime\(^6\). It was only in this form of marriage that there was every likelihood of women being sold as cattle for personal gains. But in Manu's law, there is ample recognition of woman's status. Otherwise there is no need for Manu or other low-givers to depurate such a temptation in men to sell women. Instead there are

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1. Manu III, 33.
2. Manu III, 34.
5. Manu XII, 25; 13th I, 73.
6. Manu XII, 51-64.
references to women being sold for this purpose in the epics. In the Mahābhārata, Bhishma paid a huge amount of wealth to secure Māri for Pāṇdu. Disapproval of the asura form of marriage will show that the law-givers were fully aware of the evil effects of this form of marriage on women, and made all possible efforts to prevent people from practising it.

According to Kāmasūtra, gandharva is the best form of marriage because it would enable life’s partners to know each other before marriage. There are some who view that the importance attached to sacred rites and to the consent of the guardian for marriage affected the popularity of the gandharva form of marriage. We have sufficient evidence to prove it the other way. The gandharva form of marriage must have been extremely popular during the dharmasastra and epic periods. Bharata who was the son of Sakuntala and Dushyanta, who made such a contract marriage was applauded for his great qualities. In ancient India there was not much of opposition to this form of marriage. Even in Abhijñāna Sakuntalam which dramatises the story, the rishi who accompanied Sakuntala became remorseful on his failure to reunite her with her husband. He stated that the marriage being contracted in the absence of an elderly person, they were helpless to intervene in the affair. Although there is a note of sarcasm in the words of Kālidāsa who presents the orthodox dissent for such a form of marriage, absolutely no guilt is attached to Sakuntala or Dushyanta or

their child Bharata. Popular phrases of the day like 'the little clay cart' depict the gāndharvā form of marriage as a common institution. Obviously it can be concluded that this form of marriage was popular with all castes of people.

In the case of the first four forms of marriage, the bride was given as a gift to the bridegroom with appropriate marriage rites and other gifts. Obviously the girl was marrying a man when the kinmen chose. It is ordained that the qualifications and suitability of the bridegroom should be fully considered by the kinmen before deciding on him. According to texts the qualities of a bridegroom are good conduct, good character, good actions and acquirements, learning (knowledge of) in the Vedas, descent from a good family, good health and having relatives. It would be beyond the capacity of a normal girl to judge the merit of the man when she was going to marry. It is already shown that girls were not acquainted with the sacred scriptures and were educated in the other subjects related to fine arts. So, naturally elderly people who were competent to judge the character of the man alone could choose the bridegroom in the best interests of the girl. One objection that could be raised is about the manner of the girls choosing their husbands in the gāndharvā form of marriage. Still another question that could be posed is whether the girls were competent to know the exact nature of the man.

It is said they could, because the gāndharvā form was approved.

1. 4.4, 5; Yaj. I, 93; Narada XII, 10-15.
For a few castes of people whose duties did not involve the scriptural knowledge to a large extent. The value of a
Kshatriya and the professional skill of men of other castes, could be more easily judged than the scholarship of a Brahmana.

Sonam or wife was denoted by the words Jaya, Jau and
Vatni, each of them indicating special aspects of wifehood.
Jaya had the special aspect of shaker of the husband's affec-
tions; Jau the mother of children and Vatni the partner in
the performance of sacrifices. In the Vedas, husband and
wife are referred to in the sense of a single unity, viz.,
Bengati. In the Saptatha Brahmaṇa the wife is considered as
half of the husband. Taittiriya Brahmana also records the
same opinion. The Brähādāraṇyaka Upaniṣad says that a husband
and wife constitute a single unit. Hamsa restates the
Vedic stand, and states 'the creator (Brahman) having divided
his own body into two, became male by one half, female by the
other half. So divided, men and women would become a perfect
person, only then united again in vedānta. Thus united, they
strive together to perform dharma according to the practice of
the day. They were also aware of the aspirations and desires
of the human beings and thus set in cooperation with each
other for the fulfillment of life's objectives. The couple

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(*) In the beginning this world was soul (atman) alone in
the form of a person. In caused that soul to fall into
two piecous. Therefore arose a husband and a wife.

1. Brahmaṇa Das; semen in the Veda age, p.10.
2. R.V. VIII, 31,5; A.V. XII, 3,14.
3. S.B. V, 21,10.
4. T.B.XII, 71,1; of A.S.VII, 10; G.B.XII, 23,4.
6. Tama IX, 40.
started their life together in the Gṛhasthārama and then proceeded to Vanaprasthārama. In the fulfilment of social obligations the wife obviously played a secondary role to that of her husband. In the Gṛhasthārama, it is the wife who was burdened with the major part of domestic work. She made preparations for the rituals and participated in them. This is evident from the examples of the Nāyikāsana and other texts where the wife was held to be indispensable to the performance of religious duties. Rau states in an indefinite terms, 'religious rites, therefore, are ordained in the Veda to be performed (by the husband) together with the wife.' Women had an equal claim over the fruits of these rituals. Accordingly to these texts marriage is a sacrament. Propagation of the race was one of the obligations of a the couple. As the family was big and the children were many it would have been hardly possible for a woman to attend to her domestic duties and still participate in activities of social importance. As we have noticed earlier, some of these women who preferred learning could concentrate on studies and attain scholarship. In view of the pressing needs of the house, for her service she might not have diverted her attention by sacrificing the needs of the home. The duties of women, enumerated by Vatsyayana and Rau would show that she looked after both the material and spiritual aspects of the members of the family, involving maintenance of accounts, advising the husband on expenditure.

1. Rau IX, 11; K.S., IV.
2. Rau IX, 86.
4. K.S., IV, 1.
5. Rau IX, 11.
preparation of budgets, administering the servants and if poor, participating in earning money along with her husband. This was in addition to making preparations for domestic rituals, and receiving and honouring guests along with the husband. Then a husband was advised to consider his wife as a companion, and to think of no pleasure where his wife could not participate and warned that one could not claim oneself to be husband unless one supported and maintained one's wife.

Prof. Allchin observes 'the normal relations between the husband and wife were determined by the principle that there should be an absolute identity in their aesthetic, material and moral interests'. He further states, 'it is also emphasised in the marriage vow taken by the couple that they would invariably cooperate with each other in the realisation of their aims and ambitions in all the sphere of life, wealth and spirituality'.

The important role assigned to women by the ancient thinkers was that of a mother. Parents in general were considered as gods. But the mother was looked upon as unique between the two. Vasistha remarks, 'the teacher is ten times more venerable than a sub-teacher (upādhyāya), the father a hundred times more venerable than a teacher, and the mother a thousand times more venerable than a father. A woman and mother deserved this esteem in view of her practical services.

1. Līlād. IX, 22.
2. Śrīn. N. I, 64.
3. Līlād. XII, 272, 37.
5. Vasi. XIII, 48; According to T. Upadhyācārya the list of people to be respected by student, mother is the first one (1, 11, 2).
to her children. Ancient Indian texts are replete with anecdotes depicting the selfless sacrifices made by mothers for the good of their children. A mother took an interest in the education of her children at the proper time and continued to advise them throughout their lives on several matters. The influence of Kauri over her sons, the Pandavas, highlights this point. Texts ordain that a mother should never be treated discourteously by her children, and they were bound by her word. Even the Buddhist texts which viewed women not with much favour ordain that respect for mother was of the utmost importance. In the Kurumā rare Kurumā was the only son who killed his mother on the orders of his father[1]. However, he restored the life of his mother by utilising the first boon granted by his father.

The ancient texts in general elevated the position of a woman with children[2]. More so when a woman was the mother of a male child[3]. A barren woman was not looked upon with respect[4]. As noticed earlier she could even be abandoned by her husband. Provisions made in the Niyoga might have reduced such women to a negligible number.

In the administrative work women were assigned a very insignificant role by ancient thinkers[5]. There is a mention of women participating in the Sabha of the Vedic period[6]. The

1. Rama II, 22, 23.
2. Mahabharata I, 457, 31-34.
4. Rama II, 8, 4.
5. U.V. VI, 11, 427.
chief queen, Bahishtha, was included in the list of retinues. As her function was not specified a few doubt the political activity of Bahishtha. These brief references are not sufficient to suggest that woman played any consequential role in the administration of the state in ancient India. On the other hand, the Buddhist texts do not favour woman's participation in the affairs of the state and remark that it was impossible for a woman to be a wheel-turning king. There are of course references to woman's rule in Buddhist texts. But the rule by woman never lasted for a long period. For the Buddhists held that 'to cause another's death is accounted infamy in this world, infamous too in the land which owns a woman's sway and rule; and infamous are the men who yield themselves to woman's dominion.' When Rāma had to go into exile Vasishtha advised Sītā to take up the reign. In the Mahabharata, Bhīma advised Yudhisthir to crown even the only daughters of the defeated king. In both the cases such a measure was warranted only in exceptional conditions. Rāma was a beloved prince of the people. The treacherous plot of his step-mother Kaikeyi was responsible for his exile. In suggesting to Sītā to reign, Vasishtha tried to hit at the very purpose of Kaikeyi's plan. The advice of Bhīma was to arrest any complications arising after the death of the defeated king. In the process of empire-building subjugation and not seizure of kingdoms was the primary

1. Lama II, 37-38.
2. J.Corde, op.cit., p.43.
5. Kamala Jotaka Mo.15.
7. Mbh.XII, 34-38.
purposes. It would be an unnecessary burden on the conquering king to involve himself in finding a successor to the vacated throne. If he killed the king who had no son, it would be even advisable to crown his only daughter. So it was under special circumstances alone that a woman could take up the reign. It is observed that a vast majority of the constitutional writers opposed the succession of women to the throne, because they felt that on account of their natural limitations, they could not become efficient administrators.

Absolute equality between man and woman is inconceivable in all spheres of life. There are certain spheres where woman excels man and there ancient Indian texts held her in esteem. There are a few other aspects where man excels woman, there naturally his judgment was upheld. In a patriarchal society of ancient India man definitely enjoyed an edge over the woman who lived with him. But women were never looked down upon as inferior creatures or treated with disrespect. Considering the relative disadvantages of women—biological and physical, these texts only expected women to depend on the protection of men where rightly she needed it. The oft-repeated statement, woman does not deserve independence is meaningful only when it is understood in the above sense. This statement was made in many texts and also repeated several times in Manu².

2. Manu IX, 3; cf. Manu V, 147-149; Adbh. V
The translation of the sloka is as follows: 'Father protects (her) in childhood, the husband protects (her) in youth, and her son protects her in old age, (and thus) a woman is not fit for independence. The above sloka points only to the protection of a woman in various stages of life. No mention is made that father, husband or a son should rule over or control a woman. The above statement pin points the absolute responsibility of men for rendering protection to women. The statement that 'woman is not fit for independence' follows the statement that woman should be protected by different members of the family at different stages of life. Thus the aphorism only points that a woman was not independent to protect herself. Primarily by protection is meant protecting oneself from the physical harm that might be caused by others. As already seen women in those days generally did not develop necessary strength to protect herself in this sense. So she naturally depended on members of the family for protection from such calamities. Even by protection is meant protection from hunger, and thirst and woman depended on the protection of man because woman was never considered to be an earning member of a family. It was the duty of man to earn the livelihood of the family. So even in this respect it was the duty of man to protect woman (from such calamities). Thus, the observation 'woman is not fit for independence' only points to the responsibility of man for
protecting women and to the dependence of women on men for securing such protection.

The foregoing discussion will show that women played a very important role in the upkeep of the home and family. Ancient Indian texts do not contemplate women as an administrator or earning member of the family. Certain categories of women who were economically poor could contribute to the earnings of the family by taking up some occupation. But only in exceptional cases like that of Gandhar women made their living by their own earnings. Women in general had no responsibility for earning; it was the duty of men to earn the livelihood and meet the expenses of the family. In view of this, women from their childhood were trained to take up domestic duties. She was not given training in professional work involving hard physical labour. Nor did she learn the Vedas and other scriptures which needed lifelong concentration which will definitely interfere with her rearing of the family. The pressure of domestic duties would not allow a woman to learn these scriptures. If at all she desired to do it, it would be only at the cost of her duties of the home. Her duties at home were of such nature that neither could man replace her nor could he do justice to them if he undertook any of them. The home and family was an important organization of society. Any damage or disorder caused to these institutions would make the lives of the members miserable and unhappy. As wife and mother women performed a responsible and
strenuous job and preserved the whole structure of the family. Ancient Indian texts rightly acclaim, 'woman is home' (Grahishthan uchya).