

**'IDEALIZING MOTHERHOOD': THE BRAHMANICAL
DISCOURSE ON WOMEN IN ANCIENT INDIA**
(*CIRCA 500 BCE - 300 CE*)

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Abstract

'IDEALIZING MOTHERHOOD': THE BRAHMANICAL DISCOURSE ON WOMEN IN ANCIENT INDIA (circa 500 BCE-300 CE)

This is a study of the Brahmanical discourse on women in ancient India between 500 BCE and 300 CE. It specifically addresses the question of the representation of women in certain Brahmanical texts which were composed, compiled and written down during this period.

The thesis attempts to move away from a previous focus on the 'status of women' in ancient 'Hindu' India and from an uncritical acceptance of Brahmanical texts as reflective of social reality. Instead, it argues that under certain historical circumstances Brahmanism evolved a particular discourse on women. This discourse, subsequently expressed in its texts, saw women in essentialist terms, as sexually insatiable and, therefore, sinful. At the same time, however, Brahmanism recognized that women had a vital role to play in the reproduction of its envisioned social order, particularly in the maintenance of caste and lineage purity and the family (all three being important pillars of the Brahmanical social order). Therefore, women had to be controlled. My reading of the Brahmanical texts suggests that the method of control evolved by Brahmanism to deal with this apparent dilemma was the classification of women according to their reproductive abilities, a classification which served to distinguish the normative from the 'deviant' woman. In this scheme, the mother was the procreatrix and as such was accorded the highest status. Woman as the mother thus became the primary normative category. Furthermore, with motherhood came qualitative changes in a woman's kin and sexual status. Woman as wife or daughter formed the secondary normative category. She enjoyed the status of a potential procreatrix, being yet to fulfil her primary biological function. As a wife and daughter, therefore, a woman held an ambiguous kin position. She was regarded as sexually dangerous, which led to an emphasis on the wife's chastity and the daughter's virginity. This thesis argues that since, according to Brahmanism, a woman was defined by her reproductive abilities, one who was not (or could not be) a mother was by definition 'deviant'. This category included the widow, the woman ascetic and the *veśyā*, women whose potential for procreation was not recognized socially.

It has often been argued that Brahmanical texts objectify women and that a study of such texts perpetuates both the objectification of women and their portrayal as the 'other'. Therefore, after discussing the Brahmanical discourse on women, the thesis addresses the question of the agency of women in ancient India. While not totally agreeing with the current ethnographic studies on the 'subversive' activities of women within the patriarchal order, in its concluding section, this thesis examines questions relating to women's complicity with and resistance against Brahmanical norms and categorizations in ancient India.

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EDITIONS AND TRANSLATIONS USED

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Other translations referred to: G. Bühler (trans). 1879. *The Sacred Laws of the Aryas as Taught in the Schools of Āpastamba, Gautama, Vasiṣṭha and Baudhāyana. Part One- Āpastamba and Gautama* [Sacred Books of the East Series: Vol. 2]. Oxford: Clarendon Press:

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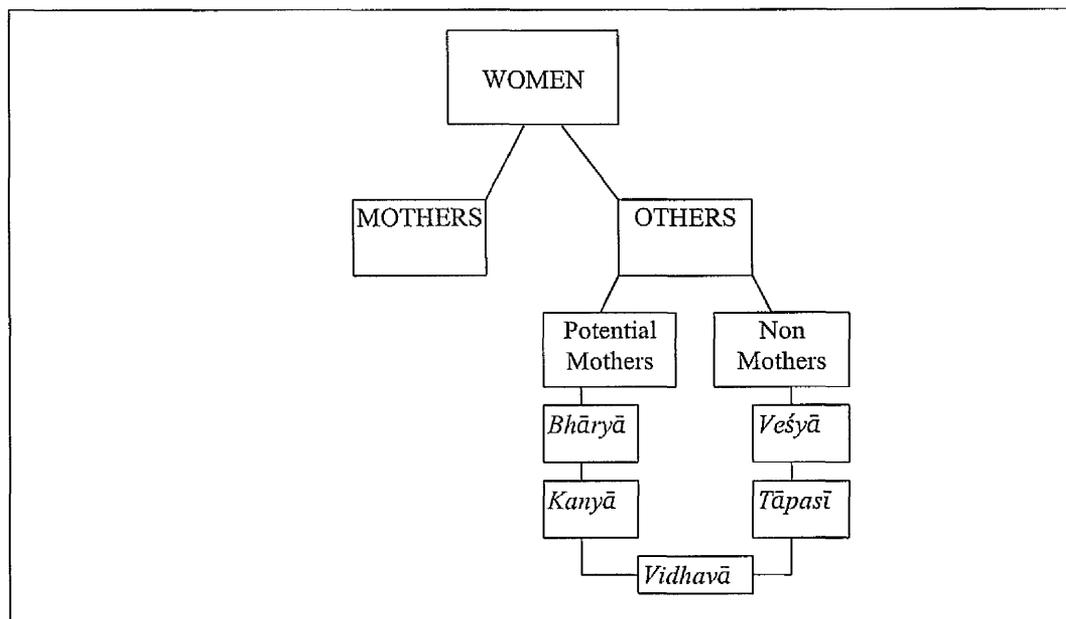
INTRODUCTION

I

This is a study of the representation of 'women' (particularly their categorization on the basis of the reproductive function, and the resultant division between the normal and the deviant) in Brahmanical texts composed, compiled and committed to writing between 500 BCE and 300 CE. Without trying to glorify the 'woman as victim' paradigm and without trying to arrive at overtly 'feminist' generalizations, there is some truth in the assertion that 'women' have been subjected to some kind of subordination and oppression in most periods of Indian history. However, previous studies of women in ancient India have had little to say about the factors determining this subordination. Instead, such research has been mainly preoccupied with the question of the 'status' of women in ancient India, with an emphasis on the legal and religious 'rights' of women (see chapter one). This thesis contends that it is necessary (i) to move away from an emphasis on the question of 'status' (whether 'high/good' or 'low/bad'), (ii) to reject the category 'Hindu Woman' (which makes little sense because of its all-encompassing nature), (iii) to question the uncritical acceptance of textual evidence as reflective of social reality, (iv) to focus on the social and historical context, and above all, (v) to investigate the category 'woman' and its classifications in the textual discourse. Therefore, it focuses on texts as discursively constructed, expressing a Brahmanical world view. The term 'Brahmanism' is preferred to 'Hinduism' as it addresses the specificity of the period under consideration and lacks the ideological connotations associated with the term 'Hinduism'. Moreover, Brahmanism is not defined as a 'religion' but as a holistic, socio-religious and political ideology for the perception, arrangement and classification of society which, under certain circumstances, required the control women's procreative abilities in order to reproduce its envisaged social/moral order.

A important part of Brahmanism was its view on women. The first part of the Brahmanical discourse on women perceived them as essentially sexually insatiable and, therefore, sinful. However, at the same time, Brahmanical thought recognized that women could play a vital role in the reproduction of its 'world', both biologically and socially, particularly in the establishment of caste purity, lineage and family. Consequently, women and their sexuality/fertility needed to be controlled and channelled. My reading of the texts suggests that Brahmanical thought of this period may have incorporated within itself a classificatory system on the basis of women's reproductive abilities as a method of controlling women. This was the second part of the discourse, which also helped to distinguish the normal from the deviant woman. In this scheme, woman as mother was the procreatrix and as such was accorded the highest 'status'. She became the primary normative category. Furthermore, with motherhood came qualitative changes in a woman's kin and sexual status. Woman as wife or daughter formed the secondary normative

category. She acquired the status of a potential mother, as she was yet to fulfil her primary biological function. As a potential mother, the woman as a wife or daughter had an ambiguous kin position. She was regarded as sexually dangerous which led to an obsession with the wife's chastity and the daughter's virginity. The thesis argues that since, according to Brahmanical ideas, a woman was defined by her reproductive abilities, one who was not a mother is by definition 'deviant'.



A diagrammatic representation of the classification of women in Brahmanical texts.

Included in this category were the widow, the woman ascetic and the *veśyā*: women whose potential for procreation was not accepted by Brahmanical society. It has often been argued that Brahmanical texts objectify women and that a study of such texts perpetuates the objectification of women by portraying them as the 'other'. Taking this criticism into consideration, the thesis also addresses the question of the agency of women in ancient India. While not totally agreeing with current ethnographic studies on the monolithic nature of the dominant discourse and the 'subversive activities' of women within the patriarchal order (see chapters one and seven), I examine, in the last chapter, the question of the complicity and resistance of women in relation to Brahmanical norms and categorizations in ancient India.

II

Some methodological clarifications are necessary here. First, it might appear that I have used the word 'woman' rather indiscriminately without attempting to explain what I mean by it. While it is important to admit that I recognize that women in ancient India were a heterogeneous category (divided by caste, class, religion and region), the main focus of this thesis is on the Brahmanical

discourse on women. So what did Brahmanism mean by women? Brahmanical texts use value-neutral terms like *strī*, *nārī* and *yoṣit* to refer to women. These terms do not indicate the class or caste differences that certainly existed. Rarely do the texts refer to a *brāhmaṇī* or a *śūdrā*, or to women of the ruling and working classes. However, while Brahmanical strictures were theoretically meant to apply to 'all' women, the main point of reference for these texts and their authors were women belonging to the two upper castes (*brāhmaṇa* and *kṣatriya*) and the upper class (the ruling class), women who were deemed necessary for the reproduction of the Brahmanical order.¹ So the primary aim of both texts and discourse was to establish the parameters of the behaviour of normative upper-caste/class women. Since the main referents of this textual discourse were upper-caste and upper-class women, this thesis too has these two categories in mind when it refers to women.

Second, my study is based on Sanskrit texts usually regarded as 'religious texts' (see chapter two). Some historians insist that almost all religious texts are androcentric and patriarchal.² According to this view, such texts are male-centred and male-authored and operate with a generic masculine which implies that men are speaking for and about women. 'Woman appears as a definitional tool, the "other". She is body and sexual being, inferior to man, a threatening enigma to be feared and controlled. In these and other senses, woman is mapped onto: she is text.'³ Moreover, such texts are characterized as prescriptive and reflective of the world-view of the class that composed them. The texts used in this thesis are 'religious', and have a male, *brāhmaṇa*, north Indian bias. While agreeing with Stephanie Jamison⁴ that the lenses of gender should be applied with care to ancient Indian texts, I must emphasize that I have situated the texts in their specific socio-political and textual contexts and remain aware of their function in society. Moreover, the intention here is not to claim that the information on women unearthed from these texts actually corresponded to social reality. The Brahmanical discourse was a very influential construct of an elite group of *brāhmaṇas* expressing their views on women's role and place in society. However, it is not always possible to glean a historically accurate picture of the lives of women in north India between 500 BCE and 300 CE from the texts. These texts were a

¹ In this context Leonie Archer's comments are pertinent. She writes: 'There are tensions, both in the attitude of the ancient writers to the construct that they and society have created (and the need for the chosen social order); and at the interface between this abstract and the actuality of daily existence. 'Woman' may in some sense be homogenous; women are not.' She continues that women in textual sources tend to be upper ranking. This is reflective of the problems faced by ancient writers, who at some level recognized disjunctions both within the image and between the image and 'reality' (1994, p. xvii).

² For example, see E. Schüssler Fiorenza on the androcentric nature of the Bible, which, she argues, has been used to legitimize societal and ecclesiastical patriarchy and women's 'divinely ordained place' in it (1993, pp. 7,11).

³ L. Archer, 1994, p. xvii.

⁴ S. Jamison, 1996, p. 5.

product of Brahmanical discourse designed to indicate how the world should be and not what it was. Nevertheless, these texts encapsulate the dominant ideology of this period, an analysis of which is absolutely necessary for comprehending the processes of legitimization of patriarchal institutions.

The third clarification pertains to the methods used in this thesis. I would like to clarify that I have drawn from the methods of both 'women's history' and 'feminist/gendered history'. The former emerged following the rise of the feminist movement in the 1970s, and argued for an inclusion of previously 'invisible' women in history. It was politically motivated as its aim was to provide a 'useable past' for the newly-emergent feminist movement. The latter emerged around the early 1990s and emphasized 'gender' rather than 'woman' as an important category of historical analysis. There have been attempts to distinguish sharply between the two (for details, see chapter one). But I tend to agree with Louise Newman that there is and should be common ground between them.⁵ Theoretically, one method does not preclude the other. Nevertheless, I would like to mention that I do not subscribe to the notion of 'woman' as an undifferentiated category, nor to the notion of universal women's suppression as often propounded by women's history. While acknowledging that feminist historians have often looked for a 'useable past'—a past that empowers rather than disempowers—as they tried to lay the foundation for and inspire political change, it is possible to have a 'useable past' without constantly emphasizing the occurrence of 'universal' female subordination. It is more important to know *how* and *why* structures of domination came into existence, if and when they did, rather than to catalogue descriptions of oppression. This thesis, therefore, subscribes to the relational notion introduced by the concept of gender, and to the need to reveal the constructed nature of discourses on women (and men). Moreover, although in the last chapter, I discuss the 'subaltern scholarship' on gender in modern India (see chapters one and seven), I do not accept that all female agency can be characterized as 'subversive' (as has been done by subaltern scholars). Rather, the emphasis in this thesis is on the notion of complicity and on accounting for the reproduction of dominant discourses and categories. The aim is to account for, in the words of Elizabeth Schüssler Fiorenza, 'woman's historical existence as active participants in history as well as objects of patriarchal oppression'.⁶ Finally, I wish to reiterate that this is not an attempt to write an 'objective' history, in the sense of a history totally devoid of ideological

⁵ Newman comments: 'Historians of women use the terms "experience", "identity", and "power"... historians of gender ... the terms "representations", "discourse" and "gender". In place of experience, historians of gender speak of representations that are either present or absent in the texts; in place of identities, they speak of discourses constructing subjects and in place of women's experiences, they speak of "gender" as that which gives meaning to sexual differences'. She continues that it is possible for historians of 'women's history' and of 'gender history' to work together and articulate a history that focuses on 'experience' as well as 'representation' (1991, pp. 58-9).

⁶ E. Schüssler Fiorenza, 1993, pp. 85-6.

presuppositions. Rather, its objectivity lies in its belief that ‘historical “objectivity” can only be approached by reflecting critically on and naming one’s theoretical presuppositions and political allegiances’.⁷

III

Although I have drawn from the same corpus of material previously utilized by historians, the themes discussed in each chapter are different. In **chapter one** I discuss the various types of historiographical writing on women in ancient India. This has been undertaken in order to learn from the researches of previous scholars, to avoid some of the methodological problems associated with previous histories of women in ancient India, and to clarify my own methodological perspective. I focus on the works of British colonial administrators such as William Jones and H. T. Colebrook (who ‘discovered’ ancient India), the researches of Max Müller (who ‘created’ Aryan India), and the writings of Utilitarians like J. S. Mill and Evangelicals like Charles Grant (with their emphasis on the ‘barbaric’ nature of Hinduism). In doing so, I demonstrate how this colonial context shaped the subsequent Indian nationalist scholarship on women in ancient India. Since much of the post-independence scholarship on this subject has remained confined to the nationalist paradigm, I will analyse in some detail the works of A. S. Altekar, his followers and critics, in order to emphasize both the methodological problems associated with this paradigm and the restrictions it imposed on the writing of the history of women in ancient India. This chapter also discusses the more recent Indian and Western attempts to write both a ‘women’s history’ (with its emphasis on the oppression of women) and a ‘feminist/gendered history’ (with its preoccupation with the notion of gender) of women in India. I conclude with an analysis of the ‘subaltern school’, with particular reference to the works of Lynn Bennett, Veena Talwar Oldenburg, Nita Kumar, Ann Gold, Gloria Raheja and William Sax. Although most of these works are primarily modern ethno-historical studies and not directly related to the question of women in ancient India, they are included here because of their theoretical emphasis on ‘everyday forms of resistance’, the ‘agency’ of women and women’s ‘subversion’ of the dominant order.

Patriarchy is often defined as the differential access to power of the two sexes in a given society or the generalized power of men over women. Patriarchy manifests itself at the societal and the cultural level in a variety of ways. These manifestations include: men’s control over religious texts and traditions, the definition of women primarily in terms of their biological and sexual nature, the ascription of certain roles to women based on physiological functions, the lack of social value attributed to such roles, the characterization of feminine bodily processes like childbirth and menstruation as polluting, the encouragement of divisions among women

⁷ E. Schüssler Fiorenza, 1993, p. xvii.

themselves, and the emphasis on heterosexual sex as 'normal'. These elements are present in varying degrees in different societies. While evidence for almost all the manifestations of patriarchy does exist during the period considered in this thesis, I concentrate specifically on the Brahmanical restriction of women to roles based primarily on their biological functions.

In **chapter two** the focus is on the structural links between religion, society and polity and the Brahmanical discourse on women. I consider the historical conditions prevailing in north India between 500 BCE and 300 CE. This formed the background for the 're-invention' of Brahmanism and the evolution of what I call the Brahmanical discourse. The remoulding of sexual behaviour and all aspects of life into a particular image that Brahmanism formulated was a part of this restructuring. During this process, a discourse on women emerged. I argue that this discourse categorized women on the basis of their sexual/biological nature, particularly their capacity for biological reproduction. Women in ancient India, unlike men, were never classified according to caste or other important Brahmanical criteria like the *varṇāśramadharmā*, *puruṣārthas*, *saṃskāras* and so on. The 'theology' of this rejuvenated Brahmanism as well as its discourse on women was expressed in the texts of this period. This thesis uses these texts as evidence and consequently draws heavily from the *dharmasāstras* (especially those of Gautama, Āpastamba, Baudhāyana, Vasiṣṭha, Viṣṇu, Manu, Yājñavalkya, Nārada and Bṛhaspati), the two epics (*Rāmāyaṇa* and *Mahābhārata*), the *Arthasāstra*, the *Kāmasūtra*, the plays of Bhāsa (*Pratimānāṭakam*, *Abhiśekhanāṭakam*, *Avimārakam*, *Bālacaritam*, *Madhyamavyāyoga*, *Dūtavākyaṃ*, *Dūtaghaṭotkacam*, *Pratijñāyaugandharāyaṇam*, *Daridrācārudattam*, *Svapnavāsavadattam*, *Karṇabhāram*, *Urūbhāṅgam*) and the works of Kālidāsa (*Abhijñānaśākuntalam*, *Mālavikāgnimitram*, *Vikramorvaśīyam*, *Meghadūtam*, *Raghuvaṃśam*, *Ṛtusamhāra*). In addition, I also refer to the *Therīgāthā* and to some inscriptions. Each of the texts used will be analysed in detail with particular reference to their nature and chronology, as also their commitment to writing and the methods employed for their dissemination.⁸

With **chapter three** begins the main body of the thesis. I discuss what I have called the primary normative category, the woman as mother. Previous scholarship on this category has been content to add to the praise that the *sāstrakāras* bestowed on the woman who, by giving birth to a male child, fulfilled her primary function in life. But it appears that the picture was more complex than that. Therefore, this chapter analyses the importance of the male child, ancestor worship and *grhastha dharmā*, and attempts to situate the dharmasāstric 'eulogy' of the mother within this wider context. Perhaps more important than the eulogy of the mother are references in the texts to the changed kin and sexual status of the mother. These have been

⁸ For editions of texts and translations used, see pp. vii-x.

discussed in detail. Lynn Gatwood and others have argued that it was the 'spousification' of the goddesses that led to their domestication and taming. However, I would argue that, at least in the human realm, it was motherhood and not wifehood that led to the transformation of sexuality. Finally, I address myself to the question of whether the eulogy of the mother in ancient Indian texts translated itself into any substantive social power or rights for the woman who had become a mother.

Chapter four focuses on the wife and daughter. The texts suggest that both were regarded as potential procreatrix, the secondary normative category. I argue that the main significance of marriage in didactic texts arose from the fact that it was the primary means for recognizing the beginning of and channeling of a woman's reproductive capacities. In addition, I concentrate on the nature of the references to the wife and the daughter in the *dharmaśāstras* and analyse the reasons for the popularity of some terms and the decline of others. Through such an analysis, I argue that it is possible to see a reduction in the religious and economic role of the wife with a concomitant emphasis on her procreative role. In addition, the daughter is transformed from a kinship to a sexual and potentially procreative category. Furthermore, I find that a large number of the references to the wife display a preoccupation with the full utilization of the wife's fertile season and the regulation of sexual intercourse so that maximum benefit (in the form of the reproduction of a male child) could be obtained. The issue of pre- and post-marital chastity and adultery also appears to have been a favourite subject of the *śāstrakāras*. The thesis seeks to analyse the reasons behind such concerns and to bring out the structural links between the textual discourse on the wife and Brahmanical notions on caste, lineage and patriline. Where the daughter is concerned, the focus is on the importance of virginity, menarche as the beginning of reproduction, and marriage as symbolic of the transfer of reproductive rights to explain the change in the status of the daughter from *duhitṛ* to *kanyā*. This chapter then briefly analyses the ambiguous kin status of the wife and daughter and concludes with a discussion of the *pativrata* rhetoric as an elaborate system of rewards and punishments.

Chapter five concerns the most problematic category of womanhood in ancient India: the widow. The widow occupied an ambiguous position in Brahmanical discourse in so far as sexuality, reproduction and kinship relations were concerned. This was further exacerbated by historical circumstances—the ideological conflict between colonialism and nationalism over social reform—within which the widow assumed importance in historical writing. Much of the confusion and the subsequent discussion in the *dharmaśāstras* has to do with the sonless widow. It is apparent that questions relating to her sexuality and reproductive capacity were of foremost importance to the *śāstrakāras*. I discuss four issues in this chapter: the dharmaśāstric position on

niyoga, remarriage, the kin position of the widow and the recommendations for sati or the ascetic path. I analyse the contradictions found in the *dharmaśāstras* vis-à-vis *niyoga* and remarriage and explain how and why these contradictory views arose. The determination of the exact kin status of a sonless widow was equally problematic. Officially, her husband's kin became her own and were theoretically to be given more importance. But if the husband died before the wife had borne a son, her link with the conjugal family was tenuous. Consequently, the sonless widow occupied a peculiar position, potentially procreative yet not procreative, kin yet non kin. This chapter concludes with the choices available to the widow after *niyoga* and remarriage had been disallowed.

Under Brahmanism, women's roles were not only restricted to that of the mother and the potential mother. Some women in society were characterized as non-procreative, non-kin. The sexuality and sexual services of such women were deemed accessible (or inaccessible) to all men. This is indeed a broad classification, but within this category was included a wide range of women such as courtesans and women ascetics. In **chapter six** I discuss the socially non-procreative woman: the *veśyā* and the *pravrajitā*. Through an analysis of the origin myths of prostitution and the various terms used for prostitutes (*veśyā*) in ancient India, I demonstrate that the perceived primary characteristic of such women was the availability of their sexual services to men. They were also assigned to the public sphere. Both these factors marked the *veśyā* as one meant for non-procreative pleasure. The *veśyā* as mother is not a prominent motif in ancient Indian texts. This chapter also examines how the nature of their sexuality—public and non-procreative—prevented *veśyās* from having kinship relations or kin status. Once a woman became a *veśyā*, she was identified as public property and ceased to be part of a kin group. The second part of the chapter discusses women ascetics and considers the different types of women ascetics that existed in ancient India. Of these, the independent wandering renouncer was the *pravrajitā*. My focus is on analysing whether Brahmanical texts sanctioned the ascetic path for women and, if not, the reasons for this rejection.

While the objectification of women and the creation of the feminine subject requiring regulation is certainly evident in the *dharmaśāstras* and in some parts of the narrative texts, this is only one half of the picture. The other half of the picture is as important. Were women able to carve out their own world within this male-dominated Brahmanical order? In **chapter seven** I discuss whether such a 'woman's world' could have existed, and whether there is any evidence of a conscious subversion of the patriarchal order. This chapter first focuses on the methods, aims and perspective of the 'subaltern' scholars. Although most studies are ethnographic, they do make a valid point about the need to study the agency of women. I agree that there is a need to

consider the agency of women, and I examine four themes on which the subaltern scholars have focused: the importance of the natal home to the wife, a woman's notion of self-worth, the rejection by women of the split between fertility and sexuality, and the ritual activities of women. I also discuss whether, and how, women internalized the Brahmanical categories of mother, wife, daughter, widow, *veśyā* and female ascetic, and exercised agency through them. This chapter ends with an analysis of the nature of women's activities in ancient India and asks if such activities constituted a subversive threat to the dominant Brahmanical order.

**'PARADIGMS LOST': PROBLEMS OF WRITING A HISTORY OF WOMEN IN
ANCIENT INDIA**

This is a study of the Brahmanical discourse on women as it developed between 500 BCE and 300 CE in north India. The main aim is to reveal some of the structures (especially patriarchal, religious, ideological and discursive) within which women of this period were viewed, and which apparently restricted their freedom of agency. An obvious issue in this context is the contribution of this thesis to the history of 'women in ancient India'. Therefore, it is necessary to analyse the scholarship on women in India's past, partly to contextualize the thesis within this scholarship, and partly to account for the methodological positioning of the thesis. Hence I begin with a review of the existing literature on women in ancient India.

Some issues need to be clarified at the outset. First, for purposes of convenience, the available literature has been arranged chronologically and divided into two broad categories. For want of more appropriate terms, scholarship on this subject has been divided into 'Indian' and 'Western'.¹ Such a categorization is not meant to deny the frequent overlap of the two types, their influence upon one another, or indeed the fact that some individual scholars may inhabit both spheres effectively (for example, the late A. K. Ramanujan and more recently, Amrita Basu). Second, although the main focus of this thesis is the Brahmanical discourse on women between 500 BCE and 300 CE as expressed in the *dharmaśāstras* and epics, the review of the literature is not limited to these texts.² As research on women in the *dharmaśāstras* and epics has always been a part of the academic discourse on the position of women in ancient India, the entire body of literature on the position and status of women in ancient India must be considered. It is only by studying all this literature on women that the imperatives (political, social and others) behind and the methodological problems associated with such scholarship can be revealed. Finally, this review will exclude the large body of material on women in modern India, except when it is directly relevant to the thesis.

1.1. The colonial discourse on Hindu women and the nationalist counter-rhetoric of a 'golden age'

In the 1960s and 1970s Western scholars who believed in the ideals of the feminist movement emphasized the 'invisibility' of women in traditional histories and developed the term 'woman's

¹ Both terms are used in a strictly geographical sense.

² S. R. Sastri (1953) studied the position of women in the *dharmaśāstras* while S. Jayal (1966) analysed the status of women in the epics. More recently, M. Hughes (1994) and S. Shah (1996) have written on women in the *Mahābhārata*. For articles on the status of women in the epics, see P. C. Dharma (1949) and S. N. Vyas (1953a, 1953b).

history'. It was hoped that through the aims and methodology of 'woman's history' it would be possible to recover and re-establish women in history and counteract the long years of neglect.³ In contrast to the West, where 'woman's history' proper emerged only in the latter half of this century, there has been a long tradition of a specific kind of woman's history in south Asia. This history, however, was not the outcome of a rising feminist consciousness or a belief in feminist ideals. Nor did it subscribe to a vision of universally oppressed sisterhood to be rescued, although, when it emerged, its exponents believed that it would lead to some improvement in the status of contemporary Hindu women. Rather, this scholarship originated in India in the middle of the nineteenth century as a kind of 'spiritual biography'⁴ of the high-caste, Hindu woman in ancient India. It was a part of the nationalist reaction against the colonial critique of Hindu tradition. It was, therefore, an anti-Western rather than a pro-women discourse, an anti-colonial expression of the new 'nationalist patriarchy'⁵ that was trying to defend its cultural tradition.⁶

The colonial critique of the degenerate social customs of the colonized people, particularly the 'twin evils'⁷ of the caste system and the oppression of India's women, was an important ideological tool used both to justify the continuation of British rule and to establish the moral superiority of the rulers. These 'twin evils' were believed to be sanctioned by 'barbaric' Hinduism. This view is frequently found in the writings of the Utilitarians and the Evangelicals. John Stuart Mill, for example, argued that the most telling index of the level of civilization reached by any society was the position it accorded to its women and that the Hindus had never treated their women well.⁸ Since Indian women were deemed unfree and oppressed,⁹ Indian culture was seen as irrational, deceitful, and sexually perverse, requiring the continuous 'civilizing intervention' of British colonial rule. As Uma Chakravarti explains, the 'higher morality' of the

³ This determination was politically motivated. Those who believed in feminism and its political aims understood that if women desired a different future, free from oppressive and exploitative structures, women needed a 'past': without a past there could be no future.

⁴ I borrow this phrase from R. Guha, 1982, p. 2.

⁵ P. Chatterjee, 1989, pp. 622-33.

⁶ P. Chatterjee, 1986, pp. 1-2. See also P. Chatterjee, 1989, p. 627.

⁷ U. Chakravarti, 1990, pp. 32-4.

⁸ J. S. Mill cited in S. Tharu and J. Lalitha, 1990, p. 46. The Evangelicals too wanted to civilize 'heathen natives' with their 'barbaric practices'. Duff, a prominent Evangelical, expressed his desire to convert the population of Calcutta into good Christians. An effective way of converting the natives was to focus on the 'evils' of Hinduism, especially the low status of women.

⁹ Chatterjee writes that the 'colonial mind' transformed the Indian woman into a sign of the oppressive nature of the entire Indian cultural tradition (1989, pp. 622-3). In this context it must be made clear that the colonial critique was not limited to the socio-cultural tradition of India. The political condition prior to the introduction of British rule was also characterized as despotic and anarchical. British colonial rule and administration was deemed necessary to institute 'good government'. Thus, the entire colonial discourse was constituted around the mission of 'civilizing' Indian people.

colonizers was effectively established by highlighting the low status of women among the subject population: 'the women's question thus became a crucial tool in colonial ideology'.¹⁰

To counter this critique of Hindu tradition, nationalists sought to prove that women in ancient (particularly Vedic) India had occupied a high position in society.¹¹ Women's right to education and *upanayana*, their right to participate in sacrifices, widow remarriage, access to public arenas and the absence of child marriage, 'Suttee' and 'Purdah' were listed as evidence for the high status of Indian women in the past. Not surprisingly, these were the exact opposites of the 'current evils' identified by British colonial writers. It was also argued that there had been a gradual decline in the position of women from this glorious epoch. However, this decline was not due to the inherent nature of Hinduism, as claimed by colonial scholars. Rather, the 'fall' was attributed to 'external' factors such as the emergence of the heterodox sects (primarily Buddhism and Jainism), the general influence of asceticism and, more commonly, the Muslim invasions of the tenth and eleventh centuries. Consequently, the nationalists countered the colonial scholarship on Indian women by seeking to establish the Vedic age as the 'golden age' for Indian woman. In this endeavour, the questions of the patriarchal subordination of women and the notion of 'women's history' as defined by the feminist movement were not important. Instead, accounts of women in ancient India emerged as a by-product of the ideological conflict between colonialism and nationalism over the critique and defence of the Hindu tradition. Lata Mani perceptively argues that the extraordinary attention paid to the women's question from the late nineteenth century was indicative of a debate over Indian tradition: '...tradition was thus not the ground on which the status of women was being contested. Rather the reverse was true ... what was at stake was not women but tradition'.¹²

There were several other factors that influenced the nationalist discourse on women before it became an established academic tradition. First, the glorification of the cultural achievements of ancient India, following the 'Orientalist'¹³ re-discovery of India's past, was reinforced by the indigenous retrieval and study of ancient Indian Sanskrit texts. The repeated re-statement of the

¹⁰ U. Chakravarti, 1990, p. 34.

¹¹ Though the dominant trend among the nationalists was glorifying the position of Indian women in the past, it must be pointed out that from the late nineteenth and early twentieth centuries, women writers developed a critique of traditional, Brahmanical cultural practices (particularly those relating to widowhood) and pointed out that the golden age might not have been golden after all. See for example, Pandita Ramabai's *The High-caste Hindu Woman* (1888) and Tarabai Shinde's *Strī Puruṣa Tulanā* (1882). For details, see Pundita Ramabai, 1984 [1888]; U. Chakravarti, 1998; and R. O'Hanlon, 1995.

¹² Lata Mani cited in J. Nair, 1994, p. 86.

¹³ For details, see figure 1. However, these colonial administrators were responsible for introducing certain trends—discounting the prescriptive nature of Sanskrit texts, accepting texts as reflective of social reality, believing that the older the text the greater its authenticity regarding women, and being confused when faced with contradictory evidence—which became permanent legacies for later historians. See U. Chakravarti, 1990, pp. 30-1.

cultural glory of ancient Hindu India fanned the rising historical consciousness of the emergent indigenous literati and provided them with a knowledge of and pride in the past. Second, Max Müller popularized the theory of a common origin of Indo-European languages and was responsible for imbuing the term 'Aryan' with new meaning. His research indicated that Europeans and Indians, the dominant and the dominated, were of similar racial origin. This was a boost to Indian cultural nationalism, and 'Vedic India' came to be perceived as 'Aryan India'.¹⁴ In the hands of the nationalists, the intellectual and moral superiority that Müller had conferred on the Aryans was transferred to Aryan womanhood. After the 'Aryan Man' had been established as the mainstay of Aryan civilization, 'it was in his newly minted, archaic, upper caste image that the entire scope of Indian history and culture was reconstructed. Indian history became the history of the Aryan man [and the] ...Aryan woman, a perfect adjunct to the Aryan man, shadow of that shadow character, haunted almost all writings on women in pre-colonial India which had in effect become Vedic India.'¹⁵ Third, the emergence of the social reform movements (beginning with Rammohun Roy in the early nineteenth century), their subsequent 'Hindu revivalist' strand, as well as the gradual communalization of Indian politics played an important role in the creation of an exclusive Hindu identity. There was a growing identification of 'Hindu' with Aryan, resulting in the creation of a 'Hindu Aryan' national identity. Thus, ancient India became virtually coterminous with Hindu/Vedic/Aryan India and the main category in the nationalist discourse on women became the high-caste, Hindu, Aryan woman of Vedic India.

1.2. From counter-rhetoric to historiographical paradigm: a critique of Altekar and his paradigm of history

Indian scholars adopted the nationalist rhetoric of a 'golden age' as a historiographical paradigm to study the status and position of women in ancient India. The most important representative of this school of historiography is A. S. Altekar's *The Position of Women In Hindu Civilisation From Prehistoric Times to the Present Day* (1938).¹⁶ Altekar established the 'golden age rhetoric' as an academic paradigm and provided an authoritative validation of nationalist views.

Altekar concludes his detailed survey with the statement that 'the position that Hindu women occupied at the dawn of civilization during the Vedic age is much better than what we would ordinarily expect it to have been' (p. 407). He explains that although, on the whole, the position of

¹⁴ Chakravarti writes: 'Max Müller vastly popularized a racist Aryan version of the Orientalist Hindu golden age and it was this newly formulated golden age that became so influential in later Hindu thought' (1990, p. 42).

¹⁵ S. Tharu and K. Lalitha, 1990, p. 51. See also U. Chakravarti, 1990, p. 46. It must be said however, that the first traces of the glorification of the Aryan Hindu woman can be seen in the works of women scholars such as Mrs Speier (1856) and Clarisse Bader (1863). See figure 1.

¹⁶ All subsequent references are to the 1938 edition.

women was fairly satisfactory in the Vedic age, in the age of the *sūtras*, epics and the early *smṛtis*, the status of women deteriorated considerably. This decline, according to Altekar, continued till 1800 CE, despite some marginal improvement in the property rights of women.

Chronological Time	Indians writing on women in ancient India	Political Developments	Western Discourse on women in India
1780-1800s		Expansion and consolidation of the East India Company's political power following the Battle of Plassey (1757).	Prompted by a desire to know the culture and society of the people they governed, eighteenth-century British colonial administrators like William Jones and H.T. Colebrooke, began 'rediscovering' India's past by retrieving Sanskrit literature, history and philosophy from the hands of the indigenous priesthood. None of the 'Orientalists' specifically addressed gender issues, except Colebrooke who wrote an essay on the duties of the faithful Hindu widow.
1800-1850s	1847: The writings of Peary Chand Mitra who spoke of the position of women in ancient India and concluded that Indian women had not always occupied an inferior position.	<ol style="list-style-type: none"> 1. The establishment of British colonial rule. 2. The Governor-generalship of William Bentinck, a firm believer in Utilitarian principles. 3. The abolition of Suttee (1829). 4. Macaulay's Minute and the beginning of 'Western' education. 4. The beginning of the Indian social reform movements and the Bengal renaissance. 	The writings of the Evangelicals and the Utilitarians with their emphasis on the deplorable condition of women in contemporary India. The colonial critique of Indian tradition.
1850s-1890s	The increasing momentum of the social reform movements and their emphasis on the 'women's question'. They exhibited a tendency to glorify the past, including the status of women (particularly in the Vedic age) and advocated a kind of Hindu revival	<ol style="list-style-type: none"> 1. The development of cultural nationalism. 2. The growth of nationalist feeling leading to the foundation of the Indian National Congress. 3. The increasing communalization of Indian politics. 	The researches of Max Müller led to the 'Aryanization' of Vedic India. This process was further reinforced by women scholars such as Mrs Speier and Clarisse Bader. Both discovered the 'mystique' of the Aryan Hindu Woman in the spirituality of Gārgī and Maitreyī and other 'great' women, in the conjugal love of famous couples like Nala and Damayantī, and in the institution of Suttee.
1900 onwards.	The nationalist defence of the position of women in ancient India became the historiographical paradigm.	The struggle for Independence	

Figure 1: *The development of Indian and Western discourse on women in ancient India till 1947*

'Altekar's well-researched work has several methodological and other limitations. His recommendation for the 'emancipation' of contemporary Indian women is both limited and patronizing. His praise of ancient Indian (Hindu) tradition for granting certain 'privileges' and His rights' to women appears inappropriate in today's post-nationalist and post-feminist context. The comparisons he makes with 'Western civilizations' to prove that ancient Indian women were often better off than their Western counterparts are excessive and unnecessary. His uncritical acceptance of the written word as 'truth' reveals his positivist inclinations and leads to other methodological problems. The explanations offered for changes in the position of women in ancient India without reference to the broader social and economic context, and his lack of awareness of the functioning of patriarchy, of patriarchal institutions and gender relations, are unacceptable. In the context of the Indian academic world striving to remain 'secular' in the face of 'Hindu revivalist' forces¹⁷, his statements on medieval India and the effects of Muslim rule on Hindu women are also problematic. In his defence, however, it must be said that as a high-caste man in a male-dominated academic world untouched by notions of feminism, at a time when the forces of colonialism and nationalism were heading for an open conflict, it is difficult to imagine how Altekar could have written anything other than what he did. That said, I shall discuss the problems in Altekar's book in more detail as his paradigm still dominates and continues to influence historians and students alike.

Altekar's book reflects his deeply held belief in biological determinism and, therefore, the physical inferiority of women. In the opening page of his book he writes: 'No class of similar importance and extent as that of women was placed in the infancy of society in a position of such absolute dependence upon men...' (p. 1). Physical prowess, bodily vigour and muscular strength, he continues, 'naturally established man's permanent superiority over woman' (pp. 406-7). Not surprisingly, he concludes that equal rights for the husband and wife are not practical in a marriage:

Discord, disorder and deadlocks will arise in domestic management ... if the husband and the wife are each allowed an absolutely equal power. ... In the Hindu household the husband is the senior partner and the wife is under the his general guidance. Though supreme authority was clearly vested in the husband, the wife's position was one of honourable subordination (pp. 109-10).

It is apparent that Altekar unquestioningly accepts a patriarchal social system¹⁸ and regards women as the weaker sex. A close reading of his book reveals that he also regards motherhood as the *raison d'être* of a woman's existence. A woman, according to Altekar, has only one

¹⁷ I take these two categories to be in opposition, reflecting the contemporary situation in India.

¹⁸ For other examples of his patriarchal bias, see A. S. Altekar, 1938, pp. 112,322-3,409.

function—to become a mother—and thereby serve her race and country.¹⁹ Referring to pregnancies he writes:

...women undergo these [trials and tribulations] for the sake of the race and therefore deserve to be treated with utmost sympathy and consideration (p. 407).

According to Altekar, in order to accomplish their pre-ordained task, women should first, get married early for, '...late marriages would not be much better than the child marriages from the eugenic point of view' (p. 76). Second, women should be educated but not be burdened with excessive study. This would prevent putting too much strain on them, which would be '...injurious to the future well being of the race' (p. 33). Altekar draws directly on Hindu social reformers such as Dayananda, Bankimchandra, and Vivekananda, who called for the physical regeneration of Hindu men and emphasized that women had an important role to play in this process as mothers.

Accepting women's inferior position in contemporary India, Altekar argues that improvement could be achieved through a judicious return to the ancient past (where, he claims, women occupied a high position in society). A return to the 'glorious days' of the past would have to include, according to Altekar, the abolition of polygamy (p. 441), the liberalization of property law (p. 445), the encouragement of widow remarriage (p. 444) and the granting to women of a limited right to divorce (p. 443). He concludes that 'few changes' that are suggested are 'not in any way against the spirit of our culture' (p. 446). Altekar's main emphasis, however, is on the improvement of women's rights to basic education. He refers to participation of women in Vedic studies in ancient India, and regards the subsequent decline in women's education as the most important factor leading to their degeneration (p. 439). Altekar's book, therefore, is not a simple history. It is intended as a prescription for the future and is informed by Altekar's vision of the emancipation of Indian women.

At first glance, Altekar's belief in biological determinism and his desire to emancipate/liberate contemporary Indian women might appear contradictory, but they are not. His agenda for emancipation of Indian women was in no way affected by his belief in the reproductive role of women and his characterization of women as the weaker sex. What Altekar recommends is the abolition of some of the obvious excesses of contemporary Hinduism without challenging or questioning its fundamentally patriarchal structure. He, like the social reformers in the nineteenth century, is not concerned with 'liberating' women. On the contrary, he re-emphasizes women's roles within the family, redefining them to bring them in tune with the requirements of the family in a changing situation. He writes:

¹⁹ As Chakravarti comments, Altekar viewed women 'primarily as stock breeders of a strong race'(1988c, p. 49). Elsewhere, Chakravarti and Roy write: 'Altekar's preoccupation with the propagation of the race often assumes fascist overtones' (1988a, p.ws3).

The vast majority of girl scholars, however, will eventually be destined to become housewives, and schools and colleges for girls should be primarily intended to meet their needs with a special curriculum of their own. The education imparted in them should be such as will make the recipients efficient wives and mothers, and also enable them to become earning members of their families in their spare time, or in case of need and adversity (p. 31).

That women were meant to be primarily wives and mothers was a belief held by many social reformers such as M. G. Ranade who wrote: 'Change is sought not as an innovation but as a return and restoration to the days of our past history'.²⁰ Similarly, Altekar's aim in educating women was to transform them into more efficient wives and mothers and to aid the physical regeneration of Hindu men. Altekar and the social reformers might appear 'progressive' but they were essentially seeking an adjustment of patriarchal society to changing times. The main emphasis was not on improving the status of women, but on ensuring the reproduction of better and fitter Hindu men.

Altekar's defence of ancient Indian cultural tradition has an unfortunate corollary—the frequent comparisons that he undertakes between Eastern and Western civilizations.²¹ While I admit that some comparative evaluation is both useful and interesting, Altekar's frequent incorporation of comparative statements reduces his history to a nationalist re-statement of the ongoing conflict between Indian and Western cultural traditions. Moreover, by giving examples from Western civilizations, Altekar seeks to justify the existence of certain repugnant institutions/practices in contemporary India (for example, wife-beating, the lack of women's right to divorce). Therefore, he tries to convince his readers that Indian men alone are not to be blamed for the existence of these 'evils': they are/were supported by Western men as well. For example, he argues that, like Chaucer, Manu permits the physical chastisement of women. It is apparent from this example that Altekar was concerned not with the position or status of women *per se* but with the comparative rights of men over women in the East and West. This reinforces my previous argument that he is mainly concerned with the adjustment of a male dominated patriarchal society to changing circumstances and not with the 'emancipation' of women.

The need to reply to the colonial critique of Indian culture and society meant that historians like Altekar tended to focus on specific religious, social and legal issues that were important in the context of the colonial discourse. Consequently, Altekar remains preoccupied with the absence or presence of certain factors in the past: child marriage, Suttee, education, Purdah, property rights, religious rights, female infanticide, dowry, access to public areas, widow remarriage, tonsure and *niyoga*. These issues were then being debated and were regarded as indices to the status of women

²⁰ M. G. Ranade cited in V. Mazumder, 1976, p. 49. The social reformers also advocated women's education with similar motives.

²¹ See for example, A. S. Altekar, 1938, pp. 102, 110-1, 209-10, 217, 390, 398-9.

in ancient India. Altekar conducts painstaking research on the origin and gradual development of each of these 'indices',²² but, in the process his women's history becomes confined to a narrow socio-legal framework. In fact, contrary to his expressed wishes, Altekar ends up providing a piecemeal rather than a comprehensive picture of the position and status of women in ancient India.

Altekar's notion of historical causality is tautologous and decontextualized. For example, he argues that child-marriage and the equation of marriage to *upanayana* (for women) led to a decline in women's education (pp. 420-1,238-44). Elsewhere, he writes that the decline of education and the equation of marriage to *upanayana* increased the frequency of child-marriage (pp. 67-70), thereby demonstrating the circular nature of his explanations (although I do not deny that there is some truth in both of the above observations). Altekar's explanations also do not take into account any of the socio-economic changes taking place in ancient India. According to him, daughters became unwelcome in ancient India when child-marriage became popular and widow-remarriage, *niyoga* and inter-caste marriages were discouraged, and not because girls were naturally disliked (pp. 5-6). Since only sons could offer oblations and since India needed more and more men and women to develop the country, motherhood became the 'cherished ideal of every Hindu woman' (p. 118).²³ In the only remotely economic argument offered, he suggests that the 'Aryan conquest' and the incorporation of the indigenous people into a separate *varṇa* created a large semi-servile population which adversely affected the status of women. Women then ceased to be productive members of society (p. 416). Otherwise, Altekar remains completely oblivious to the socio-economic and institutional changes that affected gender relations in early India.²⁴

Altekar's problems were partly the result of his bias towards certain sources. The bulk of his evidence is drawn from Vedic literature, *dharmasāstra* literature, the epics and classical Sanskrit literature. The use of such texts is inevitable considering the paucity of alternative sources for ancient India. But the nature of these texts dictates that the relationship between the normative and the historical be thoroughly examined before the texts are unquestioningly accepted. Altekar does not take into account the primarily scriptural, prescriptive and normative nature of these texts. As Michelle Perrot explains (in the context of the relationship between 'religious' texts and women), women through the ages have been the target of exhortations and normative sermons by religious

²² Chakravarti and Roy criticize as unhistorical such attempts to trace the development of certain individual traits over time detached from their wider context (1988a, p. ws3).

²³ For other examples, see A. S. Altekar, 1938, pp. 124-5,130,174,180.

²⁴ Chakravarti suggests that Altekar follows other nationalists historians in restricting historical explanations to cultural factors while writing about ancient India (1988c, p. 51).

leaders, who, by emphasizing what women ought to be, have helped to obscure what their position actually was.²⁵

Altekar claims to concern himself with the history of all 'Hindu Women'. However, partly because of his personal background (a high-caste man steeped in Sanskrit traditions) and partly because of the political scenario (the activities of the Hindu social reform movements, the communalization of Indian politics and the struggle for Indian independence), for Altekar the Hindu Woman is a high-class and high-caste one. It is true that he sometimes refers vaguely to the 'lower sections of society', but it is usually to castigate them for the perpetuation of certain 'evils' associated with the low status of women.²⁶ He reserves most of his contempt for the low-caste *śūdra* woman and identifies her as one of the primary factors leading to a decline in the position of Aryan women. He explains:

The introduction of the non-Aryan wife into the Aryan household is the key to the general deterioration of the position of women, that gradually and imperceptibly started at about 1000 B.C. ... The non-Aryan wife with her ignorance of Sanskrit language and Hindu religion could obviously not enjoy the same religious privilege as the Aryan consort. ... Very often the non-Aryan wife may well have been the favourite one of her husband, who may have often attempted to associate her with his religious sacrifices. ... This must have naturally led to grave mistakes. ... Eventually it was felt that the object would be gained by declaring the whole class of women to be ineligible for Vedic studies and religious duties (pp. 417-8).

Altekar, therefore, regards the *śūdra* woman as a threat, refusing to recognize that she might have contributed to a more dynamic and active kind of womanhood. His contemporary, I. B. Horner, and more recently, Uma Chakravarti, have demonstrated that a very different picture of women in ancient India can emerge if one takes into account all the categories and types of women found in the sources.²⁷ Nevertheless, Altekar's main focus is on the Aryan, Hindu, upper-caste woman and as Chakravarti puts it: 'in his racist view *śūdra* women counted for nothing'.²⁸ Furthermore, his assumption that only the upper-class/caste Hindu woman was an appropriate subject of historical attention, a belief shared by many during his time, transforms women in ancient India into an historically-inaccurate homogeneous category. It obliterates the differences in class, caste, religion and regions that certainly existed among women. Recent research has shown that there

²⁵ M. Perrot, 1992a, p. 4.

²⁶ For example, Altekar writes that it was in the lower sections of society that bride-price prevailed (p. 49), and parents took advantage of the lowering of the marriageable age for girls (p. 71). Elsewhere, he writes that divorce, which he disapproves of, was prevalent mainly among the lower classes (p. 101) as was the custom of female infanticide (p. 9).

²⁷ I. B. Horner, 1930 and U. Chakravarti, 1984. See also A. K. Tyagi, 1994.

²⁸ U. Chakravarti, 1988c, p. 51.

can be no single story to be told of women but rather many stories.²⁹ The class- and caste-neutral history that Altekar wrote and posited as historical reality is difficult to accept today.

Besides equating women with high-caste/class Hindu women, Altekar also stereotypes the former as conservative, religious and self-sacrificing. He thus reiterates conventional male generalizations about the nature of women and writes:

Women are by nature more religious and devotional than men. They can visit temples with greater regularity, perform sacred rites with higher faith and submit to religious fasts with more alacrity than men (p. 244).

...most women were naturally too much engrossed in family duties and responsibilities to ... take part in public affairs (p. 225).³⁰

Such generalizations are the result of Altekar's patriarchal belief, shared by the Indian texts that he cites, in a 'unique female nature'. As Forbes comments: 'Indian texts essentialized women as devoted and self sacrificing, ...women's differences were overshadowed by their biological characteristics and the subordinate, supportive roles they were destined to play. Historians were equally essentialist in their portrayal of Indian women'.³¹ The end result of Altekar's history was to reduce woman to an 'object' of study, passive, outside the processes of history and, more important, without autonomy.

Given Altekar's ideological and methodological prejudices, it is not surprising that he attempts to absolve Hinduism of all responsibility for the decline in the status of women in ancient India. He, explicitly and implicitly, blames the Muslim invasion of India for the decline in the status of women, and particularly, for the introduction of female infanticide, Purdah and the decline in literacy among Hindu women.³² However, as Chakravarti argues, 'the structure of institutions that ensured the subordination of women was complete in *all essentials* long before the Muslims as a religious community had come into being. The Muslim bogey was a convenient peg to explain the origin of all oppressive practices.'³³ For earlier periods, when Islam was not yet available as an excuse, Altekar holds asceticism and the heterodox sects responsible for the declining position of Indian women.³⁴

²⁹ O. Hufton, 1983, p. 126.

³⁰ Altekar's generalizations on the nature of women continue. He is of the opinion that all Hindu women revere their husbands. As proof he cites examples of Hindu women giving up their thrones in order not to supersede their husbands (p. 219) and of widows terminating their lives on their husbands' funeral pyres out of sheer love (p. 161).

³¹ G. Forbes, 1996, p. 1.

³² For other examples, see A. S. Altekar, 1938, pp. 9,27,206-7,434-5,374.

³³ U. Chakravarti, 1988c, p. 47 (emphasis in the original).

³⁴ For example, Altekar is of the opinion that marriage became obligatory for women as a reaction against women becoming Buddhist or Jaina nuns (p. 38). Divorce for women was prohibited and the tonsure of widows became common under the influence of the ideal of renunciation (pp. 101,188). Chakravarti and Roy have characterized

The golden age rhetoric was not limited to the issue of women in ancient India. An important strand in the cultural nationalism of the late nineteenth and early twentieth centuries was a rewriting of ancient Indian history with an emphasis on the political and cultural achievements of ancient Hindu India.³⁵ After independence, ancient Indian history (particularly political and economic history) was subjected to a more rigorous analysis and the golden age rhetoric was revealed as a 'nationalist myth'.³⁶ However, the question of women in ancient India, an important part of the previous nationalist discourse, remained untouched by new interpretations. By the 1950s, the golden age rhetoric on women in ancient India was virtually transformed into a popular belief, encouraged by scholars, government publications and school text books.³⁷ In formal historiography too, the paradigm adopted and the conclusions drawn by post-independence scholars remained essentially 'Altekarian'. The status of women continued to be regarded as an 'index of civilization'.³⁸ Even after independence, scholars sought to defend the institutions and practices of ancient, Hindu India and based their arguments on an uncritical acceptance of Brahmanical textual sources. Belief in biological determinism remained predominant, with women still characterized as the 'weaker sex'³⁹ and as the 'progenitor of the race'. The important role of women in reproduction and in the maintenance of racial purity and fitness (a belief that was emphasized by Altekar) was also re-emphasized.⁴⁰ The tautological/cultural explanations provided by Altekar, for changes in the position of women in ancient India, were reiterated, as were Altekar's generalizations on the 'essential nature of women'.⁴¹ Islam was frequently blamed,

Altekar's tendency to attribute the 'fall' in the position of women to external factors as indicative of his 'Hindu defensiveness'(1988a, p. ws3).

³⁵ For example, political historians tried to prove the existence of democracy, constitutional monarchy and unitary state long before these institutions came into existence in ancient India. In the realm of culture, much was made of the cultural achievements of 'Hindu society' of the Gupta period, which came to be characterized as a golden age.

³⁶ See for example, D. D. Kosambi, 1956, 1962, 1965; R. S. Sharma, 1980, 1983, 1987, 1996, 1997; R. Thapar, 1996c.

³⁷ R. Chaudhuri characterized the Vedic age as 'the refulgent golden age of women's all round supreme progress and perfection'(1953, p. 87). See also R. Dikshit, 1964, p. 167. Some went a step further. P. Sengupta wrote that the golden age for women continued from the Vedic period to about 700 CE: 'With the Vedic freedom merging with the post Vedic bigotry, surviving with the epic honour paid to women and reaching the *golden age* during the reigns of the mighty Mauryan and Gupta empires, finally ending with the benign rule of Harshavardhan (sic), the position once again deteriorated to the dark age' (1974, p. 102) (emphasis added).

³⁸ See R. Dikshit, 1964, p. 167; R. C. Gupta, 1991, p. 233; Manjushree, 1990, p. 301. It is surprising to note that even the language employed by these scholars is similar to that of Altekar.

³⁹ R. M. Das, 1962, pp. 72,98,157.

⁴⁰ Sastri remarked that a woman continues the race and is therefore the guardian of her race (1953, pp. 15,34,61,69). According to Das, 'being potential mothers of the race they [women] are the custodians of racial culture' (1962, p. 206).

⁴¹ See for example, P. Sengupta, 1974, pp. 68-9; R. M. Das, 1962, pp. 46,49-50, 70-3; R. C. Gupta, 1991, p. 236.

explicitly and implicitly, for the decline in the status of 'Hindu' women.⁴² In the absence of Islam as an excuse, asceticism was held responsible.⁴³

During this period the only new development in the Altekarian argument was a spirited defence of Manu. Earlier woman writers such as Pinkham Worth (1941) had identified Manu as the main agent for the decline of the position of women in ancient India. Moreover, it was becoming increasingly difficult to reconcile the views of Manu on women with the idealized picture drawn by historians of women in ancient India. Curiously, this aspect had been left untouched by Altekar. In 1962, R. M. Das, his student, gave a new twist to the Altekarian paradigm by advancing a spirited defence of Manu.⁴⁴ Some historians continue to defend the *Manusmṛiti* and its author in the 1990s. For example, Gupta writes: 'Manu evinces a high regard for womankind. ... His remarks pertaining to her certain weaknesses are based on certain psychological and practical grounds, and they still hold truth in the case of the majority of women. Let us be bold enough to accept the truth'.⁴⁵ Aside from this defence of Manu there is nothing to distinguish the works of these post-independence scholars from that of Altekar. At one level, it looks as if south Asian scholars, even after independence, were still responding to the critique of ancient Indian Hindu tradition formulated by colonialism. At another level, it is apparent that neither the historians⁴⁶ nor the Government of India wished to undermine the picture of a golden age for women as this rhetoric continued to serve its nationalistic purpose. The resulting stagnation in women's studies was to a degree reflected in Western academic discourse on India women. In my opinion, this vacuum can be explained as the Western scholar's sensitivity towards the newly-independent Indian state. Possibly, in a post-colonial context and after the 'political incorrectness' of the previous colonial discourse on women, Western scholars did not wish to question the position of the Government of India or Indian scholars on the history of Indian women. For more than twenty years after independence, Western scholars paid little attention to the question of women in ancient India.

⁴² See S. R. Sastri, 1953, pp. 115,122-5,175. Elsewhere, Panikkar argued: 'The period from the invasion of India by Mohammed of Ghor to the Establishment of British authority in Bengal ... witnessed in general a deterioration of the position of women in India. The breakdown of social institutions ... contributed to a general depression of social life, especially among women, during the centuries of conquest' (1958, p. 9).

⁴³ See for example, S. R. Sastri, 1953, pp. 92,141,137; R. Dikshit, 1964, p. 134 and S. Jayal, 1966, p. 227.

⁴⁴ Das acknowledged that he was specifically advised by Altekar to study the position of women in the Manu: 'It is my sacred duty to acknowledge my deep gratitude to the late Dr. A.S. Altekar who advised me to undertake this work' (1962, Preface). For other examples of his defence of Manu see pp. 50,97,52,62,112,147-9,177,190. See also K.V. Ragswamy Aiyanger, 1949 and 1952; S. R. Sastri, 1953, pp. 72-94.

⁴⁵ R. C. Gupta, 1991, p. 255.

⁴⁶ Perhaps the only exception to the eulogy of the position of Indian women in the past was Iravati Karve's *Yugānta: the End of an Epoch*, where she provides an imaginative analysis of some of the characters in the *Mahābhārata*.

1.3. Beyond the 'Altekarian paradigm': the beginning of 'women's history' in India

The 1970s proved to be an important decade in the development of the study of women in ancient India. In 1975, the international year of women, the Government of India published *Towards Equality: Report of the Committee on the State of Women in India*. This report revealed that, contrary to popular expectation, independence and legislation from above had not brought any substantial improvement in the lives of Indian women. The report emphasized the appalling conditions of the majority of Indian women and came as a shock to the urban, middle-class, educated academics (particularly women), stirring them out of a sense of complacency. This, together with the emerging literature of Western feminist discourse with its emphasis on the universal subordination of women and the need to include women in history, made scholars (predominantly women) address the issue of the continued exploitation of women.⁴⁷ In the process, women in ancient India once again assumed importance.

The first Indian critique of Altekar appeared as late as 1978 when Prabhati Mukherjee concluded that the reasons given by Altekar for the decline in the position of women, while important, were inadequate. She also claimed that Altekar had failed to situate the changing position of ancient Indian women within their specific socio-economic contexts.⁴⁸ This hesitant critique of the Altekarian paradigm and the golden age rhetoric did not mature during this period. Although some scholars agreed that 'things might not have been as good as they are made out to be', the emphasis on the high status of women in the Vedic age continued to be maintained.⁴⁹ However, there were three significant changes. First, there was a shift in the emphasis from Vedic to pre-Vedic society as the period in which women had enjoyed a golden age.⁵⁰ The presence of mother-worship and matriliney in pre-Vedic India was accepted as testimony of women's high position in that society. Second, there was a growing realization that previous histories had treated women as a monolithic category obliterating all class, caste, ethnic, regional and religious

⁴⁷ The main focus was on the oppressed and exploited status of women in contemporary India. M. Subbama wrote: 'My objective is to expose the dirt, the murkiness and immorality in the society so that a blow may be struck in favour of women's freedom and her right to equality' (1985, Preface). See also P. Mukherjee, 1978, Preface. This vision of 'women's history' continues. See for example, M. Mies, 1980; M. Krishnaraj, 1986; R. Kumari, 1986; and K. Chanana, 1988. Several journals were founded with the explicit aim of exposing the oppression of women in society and to give voice to the demand for change (for example, *Manushi* and *Samya Shakti*).

⁴⁸ P. Mukherjee, 1978, p. 5. Two years before, Geraldine Forbes, an American scholar, had been the first to analyse the ways in which the 'golden age' rhetoric on women in ancient India may have stifled historical writing about Indian women (1976, pp. 61-74).

⁴⁹ B. Luthra, 1976, p. 2. Ashok Rudra reiterated that women's position was better in the Vedic period, but women had never enjoyed equal position or status with men (1975, p. 40). Thapar also concluded that '...the role, status and position of women have been far from static, ranging from what is thought to be a position of considerable authority and freedom to one of equally considerable subservience' (1975, pp. 6-7, 10, 13).

⁵⁰ T. Ali Baig, 1976, pp. 4-5.

differences among them. Romila Thapar called for a study of women that would take into account the various factors affecting the position of women such as cultural milieu, family structures, class, caste, property rights and morals.⁵¹ Third, it was felt that Brahmanical sources had to be treated with greater caution. They could not be uncritically accepted as reflective of ancient Indian social reality.⁵²

Thus, although there was a resurgence of women's history in India after 1975, this scholarship can at best be called transitory. It was perceived by its exponents as ideologically similar to the 'women's history' defined by Western feminist scholars and therefore different from the nationalist rhetoric. It displayed an awareness of the low status of the majority of contemporary Indian women and of the possible 'oppression of women' in ancient India. It sought to restore women to their rightful place in history, not by glorifying the position of women in ancient India, but by recovering and portraying a 'truer' picture of the situation as it had been. There was also a covert and, sometimes, an overt rejection of the Altekarian paradigm. In spite of a desire to change, the scholars of this period were unable to bring about any paradigmatic shift in the writing of women's history. Like Altekar, they quoted from Brahmanical texts in support of their mildly contrary claims. The Sanskrit texts continued to be regarded as the main source of information on women in ancient India. Thus the 'woman's history' of this period remained 'positivist' in the sense that it rarely distinguished between the written word as contained in the texts and the social reality that might have existed. Little attention was paid to the broader socio-economic context and no real attempt was made to correlate texts to other archaeological evidence. In spite of an awareness of the differences among women, scholars continued to treat women as a homogeneous category. Altekarian history objectified Woman and reduced her to a non-participant in the processes of historical change. She was the mute object of adoration and veneration until her position declined in the middle ages. In the 1970s, this objectification of women in historical works continued. Scholars remained dependent on Brahmanical texts and concerned with questions of woman's status and her equality/inequality with man. The only difference was that instead of being the passive recipients of respect (as in Altekar), women became passive 'victims' of patriarchal oppression.⁵³ In all essentials, this women's history (prompted by feminist aspirations) did not differ vastly from the nationalist history of the previous decades.

⁵¹ R. Thapar, 1975, p. 6. Earlier, Thomas had called for the inclusion of 'non-Aryan women' into historical scholarship (1964, p. vi), but few had paid attention.

⁵² R. Thapar, 1975, pp. 10-1. See also P. Mukherjee, 1978, pp. 5-6.

⁵³ It is true that the 'woman as victim' has been an empowering paradigm for feminist historians. But as Linda Gordon writes, 'it is false and impossible to see the history of female experience as powerless'. Moreover, she continues, that to be less powerful is not to be powerless (1991); cited in J. Nair, 1994, p. 83.

Chronological time	Indians writing on women in ancient India	Political developments	Western discourse on women in India
1947-1960s	The continuation of the nationalist school.	The imperatives of a newly emergent nation state.	No significant writing.
1960s-1970s	No new developments. The continuation of the Altekarian paradigm. The only addition was a spirited defence of Manu undertaken by historians. The beginning of woman's history as defined by western feminist scholarship, particularly for the period of modern Indian history. The emergence of a hesitant critique of Altekar.	The Western feminist movement. The dissemination of its ideals and imperatives into urban, educated, middle-class India. 1975. The publication by the Government of India of the report, <i>Towards Equality</i> , on the status and conditions of contemporary Indian women.	
1970s-1990s	The continuation of the nationalist rhetoric. Studies of goddesses in Indian/Hindu tradition. These studies usually did not address themselves to the specific question of the position of women in ancient India. Also the writing of standard text books or 'Readers'. Emergence of a strong critique of Altekar. Feminist readings of history, not only for modern but also for ancient India. The utilization of 'subaltern methods' for anthropological and historical studies. In the field of history, such studies are restricted mainly to modern India.	The theories of post- structuralism, deconstruction, and neo-feminism.	Studies of goddesses in Indian/Hindu tradition. These studies usually did not address themselves to the specific question of the position of women in ancient India. Standard text books or 'Readers' usually aimed at a Western audience containing short chapters on women in ancient, medieval and modern periods of Indian history. The differentiation between woman's history and the emergence of a feminist/gendered reading of history and the beginnings of new researches on women in ancient India. The utilization of 'subaltern methods' for anthropological and historical Studies. The emphasis is on the agency of women and a desire to see women as subjects.

Figure 2: *Developments in Indian and Western academic discourse on women in ancient India after 1947.*

1.4. The re-emergence of Western scholarship on Indian women: studies of the divine feminine principle and 'readers' on Hinduism

Meanwhile, from the late 1970s and early 1980s, Western academic discourse began to express interest in Indian goddesses rather than with the specifics of the position of women in ancient

India. There was an increasing interest in the concept of the divine expressed in feminine terms.⁵⁴ Ann Gold comments on the fascination that India's 'violent goddesses' have exercised on the Western mind.⁵⁵ The study of Indian goddesses reflected a general trend in Western scholarship. There was a great interest in the goddesses of the ancient world (particularly the middle East) and the implications of such worship for the position and social status of women in the societies in which they were worshipped.⁵⁶ Scholars studying the goddesses of India usually refrained from drawing conclusions relating the presence of goddess worship with the social status of women. Instead, they concentrated on the depiction of goddesses in Brahmanical or Bhakti traditions, the development of goddesses into 'malevolent' or 'benevolent' deities and the circumstances leading to such developments.⁵⁷ In short, the studies on Indian goddesses were unable to reveal much on women in ancient India. Also, during the 1980s, Western scholars wrote monographs on Hinduism or books on women in religions of the world. Such 'Readers' were aimed primarily at a Western under-graduate audience and usually included chapters or short articles on women under Hinduism.⁵⁸ These chapters began by reiterating traditional views on the position and social status of women in the Vedic period and were followed by a discussion about the decline in the status of women either in the later Vedic period or the age of the *dharmasāstras*. The decline was usually attributed to the *śāstrakāras* or to the influence of asceticism. The readers also devoted some pages to mythic women like Sītā, Draupadī and others, to women in the Bhakti tradition, particularly Mīrābāī, and to feminine images of the divine. The general claim was that Indian attitudes towards women were multivalent. Some of them concluded with a discussion of the changing position of women in modern India. This branch of scholarship rarely pretended to bring a paradigmatic change in writing the history of women in ancient India.

⁵⁴ See L. Durdin Robertson, 1976; T. Coburn, 1984; J. S. Hawley and D. M. Wulff, 1984 and 1996; D. Kinsley, 1987 and 1989; L. Gatwood, 1991 [1985]; W. Harman, 1992 [1989]; A. Hildebeitel, 1988-91; H. Bakker and A. Entwistle, 1983. This of course is not meant to indicate that studies on Hindu goddesses have always been the exclusive preserve of Western scholars. South Asian scholars have also written on goddesses in Indian tradition, both before and after the 1980s. See for example, N. Bhattacharya, 1977; C. Singh and Prem Nath, 1991; P. Agrawala 1984; V. Dehejia, 1986.

⁵⁵ A. Gold, 1994, p. 27.

⁵⁶ See for example, the debate between Merlin Stone and Rosemary Ruether. Stone assumes that there was a connection between goddess worship and higher social status for women (1984). Ruether refutes this assumption and argues that the worship of Ishtar in near Eastern cultures was practised predominantly by men and that it served to legitimize patriarchal power rather than question it (1980).

⁵⁷ An offshoot of this was an increasing interest in the activities of female-ascetics and women saints. Both Indian and Western scholars have written on this subject. See for example, Swami Ghanananda and J. Stuart-Wallace, 1955; K. Sangari, 1990; V. Dehejia, 1990; P. Mukta, 1994.

⁵⁸ See for example, T. Foster Carroll, 1983; Y. Haddad and E. B. Findley, 1985; A. Sharma, 1987, N. Falk and R. Gross, 1989; J. Holm, 1994a; K. Klostermaier, 1994; J. Lipner, 1994. For Indian examples, see J. Chatterjee, 1990; and R. Ghadially, 1988.

1.5. Feminist/gendered history: a new beginning in Western and Indian academic discourse

Western and Indian scholarship on women in ancient India show significant changes from the 1980s under the influence of concurrent changes in feminist history writing. In the West there was an increasing rejection of 'woman's history' as originally envisaged by the feminist movement of the 1970s. Woman's history began to be characterized as 'additive history', aimed simply at emphasizing women's contribution to history by uncovering new information through a re-examination of sources. It was criticized for its 'almost naive endorsement of positivism'⁵⁹ and its 'descriptive' nature,⁶⁰ rejected as 'compensatory history',⁶¹ and held responsible for the ghettoization of the woman and the reinforcement of her image as the 'Other'.⁶² It was argued that even after twenty years, woman's history had been unable to transform dominant disciplinary approaches, and that it was no longer enough to merely prove that women had a history. Too often the response had been acknowledgment and then dismissal. Secondly, it was pointed out that in woman's history, the achievements of women in the past were defined in masculine terms. Finally, it was agreed that the mere documentation of the existence of women in the past did not change the lack of importance attributed to women and their activities.

The result of this critique was the emergence of a 'feminist/gendered reading of history', a history which was to be informed by a feminist consciousness.⁶³ This history changes the terms of debate of woman's history. It argues first, that a history of women cannot be analysed only in terms of women's domination/suppression. It rejects as simplistic the basic premise of woman's history—the universal subordination and oppression of women—and the previous preoccupation with the question of equality/inequality of women vis-à-vis men. Following the research of feminist anthropologists, historians of gender posit that there are variable meanings of dominance and status. Women could often be 'dominant' or have high social status in some spheres of activity, and be 'subordinate' or of low status in others. Therefore, it is inadequate to write about the low or high status of women to confirm or disprove universal sexual inequality. Second, historians insist on the use of the word 'gender' instead of 'woman'. The use of the former is meant to introduce a relational notion. Henceforth, men and women are not to be studied in isolation from each other but are to be understood and defined in terms of each other. Thirdly, it

⁵⁹ J. Scott, 1988a, p. 3.

⁶⁰ J. Scott, 1986, p. 1055.

⁶¹ Gerda Lerner cited in C. Kahn and G. Green 1985, p. 13. Women's history is called 'compensatory' because in order to compensate for the neglect of women by previous historians, it became a catalogue of the achievements of women in the past.

⁶² E. Fox Genovese, 1982, pp. 1-15.

⁶³ I use the term feminist consciousness in the same sense as N. Keohane, *et. al.*, 1982, Introduction. They distinguish between three types of consciousness: feminist, female and feminine.

emphasizes that gender is a key to the analysis of social relations. In fact, according to Kumkum Sangari and Sudesh Vaid, a feminist/gendered reading of history is based on the belief that every aspect of reality is gendered: 'Such a historiography...is thus involved in questioning all that we know...and in the dismantling of the ideological presuppositions of the so called gender neutral methodologies. A feminist historiography rethinks historiography as a whole and discards the idea of women as something to be *framed* by a context, in order to be able to think of gender differences as both structuring and structured by the wide set of social relations'.⁶⁴ Accordingly, there can be feminist women's history as well as feminist political, economic or social histories but they will all incorporate gender along with class, caste, race, and others as a significant category.⁶⁵

These distinctions have had a powerful impact on historians, both Indian and Western, writing on gender in the modern period of Indian history.⁶⁶ Among Indian historians of women in ancient India there has been a growing awareness of the possibilities of a gendered/feminist reading of ancient Indian history. In the late 1980s, a comprehensive critique of the golden age rhetoric and Altekarian paradigm emerged in several articles by Uma Chakravarti and Kumkum Roy. They questioned the nationalist paradigm within which women's history had been written in India, and tentatively suggested alternative ways in which women in the past could be studied.⁶⁷ Their scholarship on women in ancient India can be said to mark a distinct shift from earlier writings. In a later article, Chakravarti discussed the relationship between caste, class and gender in ancient India and exposed the working of Brahmanical patriarchy.⁶⁸ She remained aware of the Brahmanical nature of the sources and emphasized the construction of a Brahmanical discourse on women and the social and economic factors feeding into this discourse. Roy analysed women donors at Sanchi and discussed their access to material resources and their forms and methods of self-identification.⁶⁹ In a separate monograph, Roy studied the emergence of the monarchical state

⁶⁴ K. Sangari and S. Vaid, 1990, pp. 2-3 (emphasis in the original).

⁶⁵ According to Barbara Ramusack, feminist historians of women generally seek to understand some aspect of the construction of the patriarchal, social and economic system and its impact on the lives of men and women. They also try to recover the voices of women themselves and record their world view (1990, pp. 139-57).

⁶⁶ To give only a few examples, K. Sangari and S. Vaid, 1990; A. Basu and P. Jeffrey, 1998; and U. Butalia and T. Sircar, 1995. See also S. Ramaswamy, 1997; G. Forbes, 1996; B. Ray, 1995; M. Thappan, 1998; P. Chowdhry, 1994, and G. Minault, 1998. Because the emphasis is on 'gender' and not 'women', there have been several interesting studies on the third sex (the eunuchs/*hijras*) and on notions of masculinity in colonial India. See for example, S. Nanda, 1990; Z. Jaffrey, 1997; S. Sharma, 1989; and M. Sinha, 1995.

⁶⁷ U. Chakravarti and K. Roy, 1988a, 1988b; U. Chakravarti, 1988c and 1990.

⁶⁸ U. Chakravarti, 1993.

⁶⁹ K. Roy, 1988.

in ancient India and demonstrated the effects of this process on gender relations in ancient India.⁷⁰ But two qualifications on the present state of scholarship have to be kept in mind. First, not all scholars have been successful in their attempts to provide a gendered reading of history. Though the term 'gender' is frequently used, the relational connotations of this term is often overlooked by scholars. For example, Shalini Shah, writing on 'gender relations' in the *Mahābhārata*, uses the word 'gender' indiscriminately, almost as a substitute for 'women'. There is no attempt at a feminist/gendered reading of the *Mahābhārata*. Nor does she challenge the 'Altekarian paradigm'.⁷¹ Similarly, Sebesti Raj's edited volume is mainly a collection of narratives on 'women' in various periods of Indian history, despite the use of the term 'gender' throughout.⁷² There seems to be some truth in Joan Scott's assertion that, in its simplest recent usage, 'gender' has tended to become a synonym for 'women'.⁷³ The second qualification that needs to be kept in mind is that the Altekarian paradigm still remains a favourite among historians of women in ancient India.

The Western academic world also began to evince a renewed interest in 'women in ancient India'. But the new writings are very different from the earlier meta-narratives of the colonial period or the 'Readers' on Hinduism. Some provide new readings of traditionally popular topics such as the Gārgī-Yājñavalkya debate. For example, Ellison Banks Findley argues that Gārgī can be viewed as a literary motif, a rhetorical device used by the authors of the *Bṛhadāraṇyakopaniṣad* to emphasize Yājñavalkya's arguments and need not be seen as indicative of the education available to women in ancient India.⁷⁴ Some demonstrate the constructed nature of the *pativrata* rhetoric and seek to understand the Sītā/Sāvitrī model as a construct for India women and the reasons for its popularity.⁷⁵ Some focus on *strīdharma*,⁷⁶ or the appropriate duties of a women as constructed in a text or texts; while others study *strī ācāra*, or customary religious practices which seem to have been the exclusive domain of women. Others point out the dangers of assuming that the more participatory role of women in Vedic times was intrinsically good for women and analyse the nature of this participation. Laurie Patton comments: '...if one asks, "participation in the service of whose goals, in the construction of what kind of gender roles?" the

⁷⁰ K. Roy, 1994.

⁷¹ S. Shah, 1995, pp. 1-2.

⁷² S. Raj, 1991.

⁷³ J. W. Scott, 1986, p, 1056.

⁷⁴ E. B. Findley, 1985, pp. 37-58.

⁷⁵ S. Sutherland, 1989, pp. 73-89.

⁷⁶ See J. Leslie, 1995 [1989].

answer is not always positive.⁷⁷ In the same article Patton studies the depiction of Lopāmudrā in the *Ṛg Veda*, later-Vedic commentary and the *Mahābhārata* and charts the changes that occur in the various texts. She points out that in all three versions the one factor that remains constant is that Lopāmudrā acts in the service of her husband's goals. There are several studies that refuse to accept previous scholarship on the participation of women in Vedic ritual, and instead focus on the changing role of women in ritual and the circumstances (patriarchal, discursive and others) that led to such changes. Frederick Smith studies the gradual suppression of women in Vedic *śrauta* ritual which apparently coincided with an increasing exaltation of women's sexuality and reproductive capacity, and argues that this process was not free from contradiction.⁷⁸ Stephanie Jamison focuses on the activities of the wife in solemn (*śrauta*) ritual, and isolates a set of conceptual functions that the wife fulfils in ritual practice. She argues that women in ancient India are the bearers of all paradox and refuses to accept a simplistic picture of the subordinate status of women in ancient India.⁷⁹ These researches attempt to go beyond the bounds of 'women's history': they accept women as a heterogeneous category, investigate the social and economic changes occurring, emphasize the constructed nature of 'women' in male discourses and focus on the interaction between patriarchal discursive structures and women. They can therefore be said to have introduced new paradigms for the study of women in ancient India.

1.6. Woman as the Agent in the Narrative

As mentioned earlier in this chapter, during the period 1950-1980, Marxist historians⁸⁰ showed an interest in restructuring the political and economic history of ancient India. However, they gave little attention to the question of gender relations.⁸¹ From the mid 1980s, both Western and Indian scholars who characterize themselves as Marxists, but are better known as representatives of the 'subaltern school', tried to overcome this lacuna. Subaltern scholars followed the model proposed by James Scott⁸² and Ranajit Guha. They focused on the activities, experiences and the various forms of resistance employed by dominated and therefore, 'subaltern' groups. Several articles and books have been written by Western and Indian historians charting the progress of the 'subaltern'.

⁷⁷ L. Patton, 1996, p. 35.

⁷⁸ F. Smith, 1991, pp. 17-45.

⁷⁹ S. Jamison, 1996.

⁸⁰ Here I have in mind scholars such as D. D. Kosambi, R. S. Sharma, R. Thapar and somewhat later, D. N. Jha.

⁸¹ There are some exceptions. Thapar writes on the misconceptions prevailing about women in ancient India (1987) and R. S. Sharma, refers to the equation of women to property in the epics and *Purāṇas* and the influence of *varṇa* ideology on marriage (1983, pp. 39-61). However, both these articles were written in the 1980s.

⁸² J. C. Scott, 1985. See also J. C. Scott and B. J. Tria Kerkuliet, 1986.

Initially, however, subaltern scholars conceptualized the 'subaltern' primarily in terms of class rather than gender (except Gayatri Spivak). Chronologically, they limited themselves to the modern period of Indian history.

Gradually, some scholars began to study contemporary Indian women using the subaltern model. These are by and large anthropological and ethnographic rather than historical studies. They characterize women as a subaltern group and argue that like any other dominated/subaltern group, women have their own forms of expression and resistance⁸³ to the structures, institutions and ideologies that dominate them. Consequently, according to these scholars, it is necessary to study the experiences and activities of women. This research, by refusing to see women as paradox or benevolent/malevolent, by recognizing the agency of women, and by acknowledging their power to change their world reveals a separate, parallel discourse by and for women within the larger context of the more familiar, normative discourse. Subaltern scholars thus privilege female agency while recognizing that patriarchy impedes women's actions.⁸⁴ By accepting women's own interpretations of their identities, experiences and social worlds, they establish a new knowledge base for understanding women's lives.⁸⁵

This methodology has its drawbacks. I shall briefly summarize some here (for a detailed critique, see chapter seven). First, previous writing on women had emphasized their oppression/exploitation in a male-dominated society and could be called chronicles of female misfortune. The subaltern school is in danger of subscribing to the opposite extreme. Janaki Nair warns us against putting the 'canny subaltern' in place of the 'victim', for the paradigm of the rebellious heroine could become a compensation for the reductive conceptions of female agency. She suggests that one should develop a complex and dynamic conception of female agency that does not pose these paradigms as contradictory or exclusive.⁸⁶ Second, the emphasis on the agency of women creates a virtually separate sphere, a world of women characterized by its own forms of expression, language, and culture. By proposing the self-sufficiency of this world, subaltern scholars seem to marginalize women from the mainstream society. A notion of a woman's world creates an illusion of women's social power, which makes feminist politics redundant. Moreover, by regressing to 'women' and their world, such research often does not take into account the differences in caste and class among women. Third, although the study of every-day forms of

⁸³ This approach recognizes that protest does not always assume visible forms, but can appear as evasive tactics and in counter-cultures of language, genres of song and dance, myths full of double entendres and others.

⁸⁴ G. Forbes, 1996, p. 2.

⁸⁵ Examples of 'subaltern scholarship' would include V. Talwar-Oldenburg, 1990; A. Bagwe, 1995, L. Bennett, 1983; G. Raheja and A. Gold, 1994; A. Gold, 1994; N. Kumar, 1994; William Sax, 1991

⁸⁶ J. Nair, 1994, p. 83.

protest is useful and informative, it does not reveal how these 'modes of every-day resistance' might be successful in subverting the dominating, patriarchal structure. Some openly admit the failure of this method. For example, Gloria Raheja and Ann Gold write that 'such expressive forms are not, of course, always or regularly successful in permanently altering the structures of dominance or deprivation they critique'.⁸⁷ Yet they believe that the presence of such resistance is itself a blow to patriarchal domination. Finally, the valorization of the 'self sufficiency' of the women's world fails to explain the relationship between patriarchal structures and other forms of social and economic domination, and downplays the ways in which complicity and resistance are organic constituents in relations of domination.⁸⁸

Summary

In this chapter I have tried to show the various strands of scholarship on women in ancient India and their methodological problems. The earlier colonial discourse on India, expressed in the writings of British administrators, emphasized the achievements of ancient Indian culture and tradition, but did not devote much attention to the question of women in ancient India. Following changes in the nature of British imperialism, Utilitarians and Evangelicals criticized the 'barbaric' nature of Hinduism and held it responsible for the degraded condition of contemporary Indian women and the caste system. This critique, together with the researches of Max Müller and the Hindu social reform movements, stimulated the emergence of Indian cultural nationalism. Nationalists argued that women had enjoyed a 'golden age' in the past (particularly in the Vedic age) although their condition had declined afterwards. Altekari subsequently transformed this nationalist rhetoric into an academic paradigm. This paradigm dominated and continues to cast its long shadow on Indian writing on women in ancient India. From the 1980s, there was a paradigmatic shift in the writing of the history of women in ancient India following an increasing emphasis on a feminist /gendered reading of history and the resurgence of Western scholarship on Indian women. More recently, the 'subaltern school', although mainly confined to anthropological studies of modern Indian woman, has helped to focus attention on the notion of woman as subject, a model that can also be used to study women in ancient India.

In contrast, first, this thesis regards the *dharmaśāstras* and, to some extent, the two epics, as encapsulating a specific Brahmanical discourse that developed in a particular historical period. Other texts, of a somewhat similar origin and nature (for example, the *Arthaśāstra*, the *Kāmasūtra*, the works of Kālidāsa and Bhāsa), are used as additional lenses in order to

⁸⁷ G. Raheja and A. Gold, 1994, p. 185.

⁸⁸ J. Nair, 1994, p. 91.

understand the Brahmanical discourse in its entirety. Second, the thesis concentrates on analysing the importance of reproduction, both biological and social, in this discourse and the gradual institutionalization of motherhood as recorded in the texts. It argues that this aspect becomes so important that all women are defined in relation to the 'mother'. Consequently, the wife and daughter come to be regarded as potential mothers, and the widow, the *veśyā* and the woman ascetic are increasingly seen as non-mothers. Third, this thesis, however, admits that the discourse, although normative and dominant, is not monolithic. Alternatives are frequently included within the discourse, the evidence of which is presented mainly in chapter seven. It is interesting to note that a male-dominated textual tradition itself records the possibility of women exercising agency, although the way this evidence is expressed is coloured by the lenses the tradition employs.

Chapter Two

CONTEXTUALIZING THE EVIDENCE: THE HISTORICAL SETTING, BRAHMANICAL THOUGHT, TEXTS AND WOMEN.

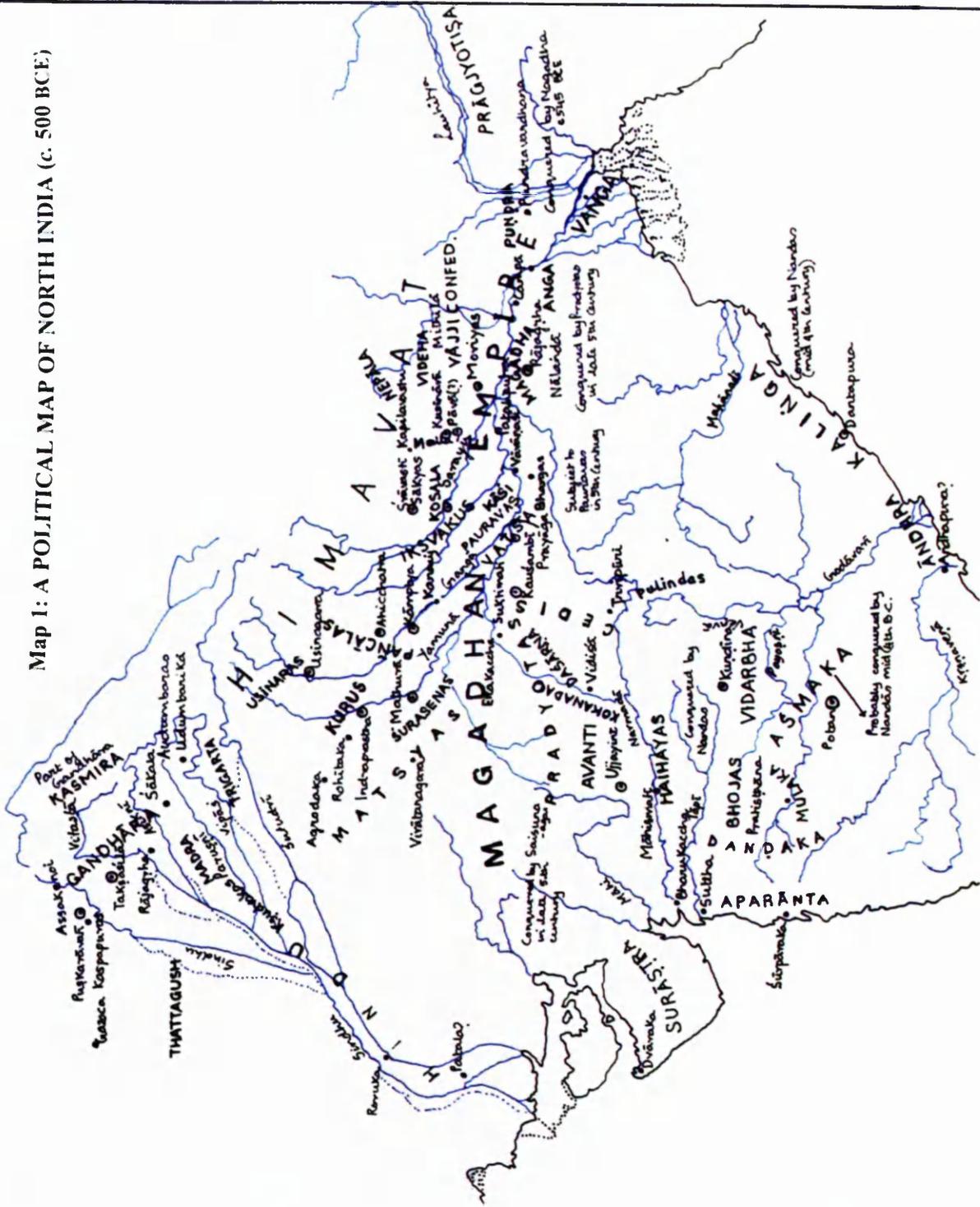
In chapter one some of the shortcomings in previous scholarship on women in ancient India, particularly that employing the nationalist paradigm, have been shown. It was argued that many historians based their findings on a decontextualized viewing of texts. First, by treating *dharmaśāstra* literature as separate from the epics, many previous scholars failed to perceive the structural links between the two. Second, scholars did not delve into the reasons for the composition/compilation of the texts, or analyse in detail the nature of authorship of the texts, the intended audience and the methods of dissemination. Finally, the acceptance of textual evidence as an accurate reflection of social reality prevented scholars from viewing women in the texts (and their various categories) as discursively constructed by and in Brahmanical thought.

In this chapter, I shall focus first on the historical setting—the political, economic, social and religious conditions of the period under consideration—and analyse the ways in which these circumstances may have affected the formulation of Brahmanical views on monarchy, caste, land, family, private property and kinship. This is important as the Brahmanical discourse on women forms an important part of this world view. Second, I shall consider the textual manifestation of this discourse and discuss in some detail the reasons for the composition of the texts, their nature and chronology and the means by which they were disseminated. Finally, I shall show how the historical conditions of this period and the nature of Brahmanical tradition and thought led to the evolution of a particular view on women, that is expressed in the Brahmanical texts. I argue that this discourse had two parts. The first viewed the ‘natural’ woman as sexually insatiable and, therefore, sinful and dangerous. The second sought to control and regulate the sexuality of this ‘dangerous’ woman through a system of classification based on the procreative abilities of a woman. According to this system, I argue, women were viewed as ‘mothers’ or ‘others’. The latter group was further classified into ‘potential mothers’ and ‘non-mothers’. This classificatory system established the parameters of women’s sexual behavior and ensured control over her sexuality and fertility.

2.1. The political, economic, religious and social conditions in north India, circa 500 BCE to 300 CE

The recounting of the historical setting of this period is to prevent projecting a decontextualised view of religious texts and religion. Rosalind Shaw, citing the example of Eliade, argues that studies on the history of religion usually provide a view from above. Overwhelming importance is given to religious texts and religion is treated as a discrete and irreducible phenomenon which

Map 1: A POLITICAL MAP OF NORTH INDIA (c. 500 BCE)



Source: J. E. Schwartzberg, 1992, pp. 15-21.

exists 'in and of itself' (the *sui generis* approach). This approach leads to the representation of religion as socially decontextualised and ungendered, and limits the understanding of religion to scriptures. Consequently, both religions with texts and the scholarly elite who claim the authority to interpret texts are privileged. Shaw concludes that this approach is inadequate because it makes the question of power irrelevant to the nature of religion.¹ Second, a discussion of the nature, authority and context of 'religious texts' and the historical circumstances of their origin helps to demythologize them. During this process, the androcentric nature of the texts as codes of patriarchal power and ideology can also be revealed.

The focus of this study is on the period 500 BCE to 300 CE. As explained later in this chapter, this time frame has been dictated by the texts used as sources. Geographically, the study is restricted to the north Indian plains. It considers a period that marked the spread of 'Aryan culture' from the upper Gangetic plains into the lower Ganga valley and, subsequently, into the eastern plains of India. Originally, the middle Gangetic plain extended from Allahabad to Rajmahal and was more or less identical with ancient Kosāla and Magadha. But gradually, Madhyadeśa came to include Kuru, Pañcāla, Śūrasena and, later, Vaṅga and Kaliṅga in the east. The extension of Aryan culture into the middle-Gangetic valley is attested to by the *Śatapatha Brāhmaṇa*, while Pāli texts describe its expansion into eastern Uttar Pradesh and Bihar/Bengal.² Aśokan pillars testify to the spread of Aryan culture into Kaliṅga, Saurashtra and even into areas beyond the Vindhyas. Almost all the texts used here as evidence relate to the north Indian plains. Although the *Baudhāyanadharmasūtra* has been regarded as having been composed south of the Vindhyas,³ the reasons given for such a supposition appear inadequate. Moreover, even if it was composed in the south, so far as the genre and style of writing are concerned, it is a part of the northern Brahmanical śāstric tradition.

What were the historical conditions in north India in the middle of the first millennium BCE? In Ṛg Vedic times, between 1600-1000 BCE, society was pastoral, semi-nomadic, tribal and relatively egalitarian. The economy was based on cattle rearing, supplemented by agriculture and buttressed by the acquisition of booty. The institutions of class and state, as we know them, had not emerged.⁴

¹ R. Shaw, 1995, pp. 65-76. E. Schüssler Fiorenza makes a similar argument. She writes that androcentric texts (such as the Bible) cannot be accepted as trustworthy evidence of human history, culture and religion: 'The text *may* be the message, but the message *is not* coterminous with human reality and history. A feminist critical hermeneutics must therefore, move from androcentric texts to their social historical contexts. It not only has to claim the contemporary community of women struggling for liberation as its locus of revelation, it also must claim its fore-sisters as victims *and* subjects participating in patriarchal culture' (1993, p. 29) (emphasis in the original).

² For details on the expansion of Aryan culture in the north Indian plains, see R. S. Sharma, 1997, pp. 77,89,90-1.

³ G. Bühler, 1882, pp. xxv-xxxv.

⁴ For more detailed descriptions, see R. S. Sharma, 1997, pp. 22-55 and R. Thapar, 1996b, pp. 94-6.

Even in the later Vedic age, usually dated to around 1000-500 BCE, class and state were not yet well established. Nevertheless, the later Vedic age knew of and experienced political formations which may be called territorial kingdoms, or more appropriately, chiefdoms. The chieftain enjoyed control over several tribal chiefs and collected occasional tribute from them. The kin-based institutions were still strong, but there were signs of the disintegration of the tribal society.⁵ Although agriculture had overtaken pastoralism as the mainstay of the economy, there was not enough surplus produce to help the emergence of towns and traders, a feature that became prominent in the age of the Buddha. However, the priestly class enjoyed dominant status and certain privileges even in this non-monetary and agrarian society.

A major change soon occurred. Due to the widespread use of iron tools and the expansion of the Aryan culture further eastwards, politics, economy and society underwent a transformation. The most significant development in the political realm was the emergence of the state system and monarchy during the sixth and fifth centuries BCE in north India.⁶ Awareness of this change was reflected in the texts of this period.⁷ No exact date can be fixed for the emergence of the state, particularly the monarchical state. But the political processes leading to the formation of the monarchical state were well underway by middle of the first millennium BCE. The rise of the monarchical state had far-reaching consequences for the evolution of Brahmanical thought and the concurrent discourse on women. I shall return to this point later in the chapter.

This period also saw the beginning of the second urbanization, accompanied by expanding trade, monetized economy and private property. The development of the concept of private property meant that land, previously owned and worked by clans or extended households, could be bought and sold individually. Consequently, the *grhapati* (*gahapati* in Buddhist texts), previously the head of the extended household, was transformed into a private land-owner and trader. Simultaneously, the *śūdra* was transformed into a peasant cultivator and artisan.⁸ Kumkum Roy argues that the transformation of the *grhapati* from the head of a clan/extended family to the private head of a

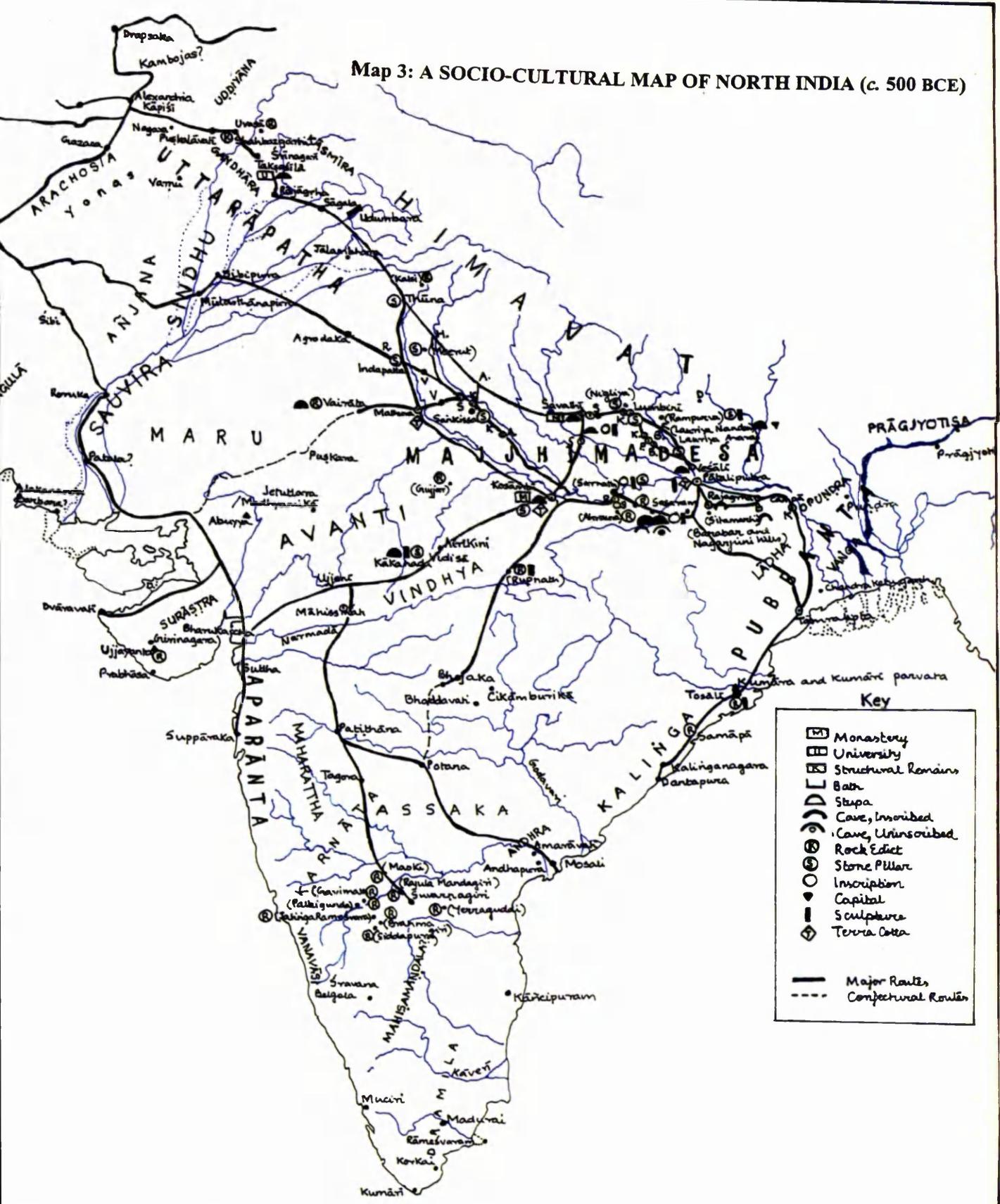
⁵ R. S. Sharma, 1997, p. 162. Sharma comments that this dominance of the priests could have been the result of the expansion of Aryan culture and the integration of Vedic and non-Vedic peoples. For a description of later Vedic polity and society, see R. S. Sharma, 1997, pp. 56-88; 1996, pp. 171-84, 357-62. See also R. Thapar, 1996b, pp. 96-105.

⁶ The state emerged in north India in the mid first millennium BCE according to R. Thapar. However, R. S. Sharma writes that the state emerged in the age of the Buddha. See R. Thapar, 1984, p. 155 and 1996b, p. 117. See also R. S. Sharma 1997, pp. 89-134, 163 and 1996, pp. 185-232, 363-7. According to Kumkum Roy, the monarchical state emerged in north India between the eighth and fourth centuries BCE (1994, pp. 1-29).

⁷ R. Thapar 1984, pp. 155-7. For different views on the causes of the emergence of the state in north India, see R. Thapar, 1984, pp. 155-7; R. S. Sharma, 1997, pp. 89-134, 163; K. Roy, 1994, pp. 285-302.

⁸ See R. Thapar, 1984, pp. 158-62; 1996b, p. 114-5; R. S. Sharma, 1997, pp. 89-134, 163-4; 1983, pp. 128-45; D. N. Jha, 1980b, pp. 1-38.

Map 3: A SOCIO-CULTURAL MAP OF NORTH INDIA (c. 500 BCE)



Source : J.E. Schwartzberg, 1992, pp. 15-21.

household had a deep impact on gender relations in ancient India. The increasing importance of the *gr̥hapati*, she states, rendered the roles of others in the household, especially women, peripheral or even detrimental to the social/sacred order. The process emphasized the monopolistic ritual position of the *gr̥hapati*, the exclusion of women from ritual, strong patrilineal bonds within the household, and the destruction of extended kinship ties.⁹

The political and economic transformations meant there was a growing economic surplus. The *varṇa* system (first alluded to in the tenth *maṇḍala* of the *R̥g Veda*), legitimizing the collection of taxes from peasants, artisans and slaves by the *kṣatriyas*, was re-emphasized during this period. Even a casual reading of dharmaśāstric literature reveals the emphasis on *varṇa*. The *varṇa* system has been defined as a device for regulating production, tax collection and distribution, and as a system of social control that promoted the ideology of hierarchy and subordination.¹⁰ For, according to its tenets, the *brāhmaṇas* were the highest of the four castes and were to enjoy a special ritual status in society. The *kṣatriyas* were characterized as the second important caste as rulers. Their *varṇa* position authorized them to collect taxes and govern others, enabling them to support the *brāhmaṇas*. In return, the *brāhmaṇas*, because of their ritual status, performed legitimizing functions for the *kṣatriya* kings. Therefore, both the *brāhmaṇas* and the *kṣatriyas* were social parasites living on taxes, tributes and tithes and on the labour provided by the peasants and artisans. Their position was sustained and sanctioned by the *varṇa* ideology. During the transition to the monarchical state, *varṇa* played an important role. The *brāhmaṇas* legitimized the new political rulers and in return retained the highest ritual status and access to economic resources.¹¹ According to R. S. Sharma, there were occasional feuds between *brāhmaṇas* and *kṣatriyas* over the sharing of the surplus. But these conflicts were made up in the face of opposition from the *vaiśyas* and the *śūdras*.¹² Some texts emphasized the symbiotic link between the two upper castes and decreed they would thrive and rule only if they cooperated with each other. It would not be wrong to say that, during this period of the consolidation of state power, there was perhaps a conscious *brāhmaṇa-kṣatriya* alliance, with the former legitimizing centralized monarchy and the latter guaranteeing the privileges of the *brāhmaṇas*.

⁹ K. Roy, 1994, pp. 268-84.

¹⁰ R. S. Sharma, 1997, pp. 163-4, 127-8. See also R. S. Sharma, 1996, pp. 234-5.

¹¹ R. Thapar, 1984, p. 167. See also R. Thapar, 1996b, p. 118. Sharma calls this a tacit alliance between the religious and governing wings of the ruling classes for the benefit of the two upper castes. Through this alliance, they cornered the surplus, to the exclusion of the *vaiśyas* and *śūdras* (1997, p. 127-8). For a discussion of *varṇa* and its role in strengthening monarchical states, see K. Roy, 1994, pp. 211-41.

¹² R. S. Sharma, 1997, 127-9.

In the third century CE, there appears to have been a crisis in the political and social order as envisaged by the *brāhmaṇas*. This crisis is reflected in the descriptions of the Kali age found mainly in the *Purāṇas* and in parts of the epics.¹³ The main characteristics of the Kali age appear to have been: *varṇasaṃkara* (the intermixture of castes), hostility between *śūdras* and *brāhmaṇas*, the refusal of the *vaiśyas* to pay taxes and to sacrifice, widespread taxation, theft, insecurity of family and property, and the dominance of *mleccha* princes.¹⁴ Among all these negative features, the emphasis seems to have been on *varṇasaṃkara*. If one keeps in mind the nature of the *varṇa* ideology, which guaranteed enormous benefits to the two upper castes, it is not surprising that the texts composed by *brāhmaṇas* should condemn the intermixture of castes. For, *varṇasaṃkara* in practice would corrupt caste ideology and lead to a decline in the social status and economic privileges of the priestly and ruling castes.

In the religious sphere, this period marked the rise of several rival heterodox sects. The most important of these were Jainism, Buddhism and the Ājīvikas. The new religions challenged the older Vedism/Brahmanism in a variety of ways. First, by refusing to validate the *varṇa* system, at least initially, they challenged the ritual and social supremacy of the *brāhmaṇas* and jeopardized the *brāhmaṇa* version of socio-political order. Second, the popularity of the heterodox religions forced them into the path of a direct confrontation with the *brāhmaṇas* over the allocation of economic and material resources. The former by rejecting sacrifices and proclaiming a belief in *ahiṃsā*, threatened the sacrificial fees of the latter. Moreover, like the *brāhmaṇas*, the order of monks founded by the Jainas and the Buddhists was parasitical. Therefore, there was fierce competition for material resources as long as these sects remained popular. Third, by popularizing asceticism and ascetic practices, the heterodox sects forced the assimilation of ascetic principles into Brahmanical thought and tradition. This was expressed in the characterization of *saṃnyāsa* as the fourth *āśrama*. The incorporation of ascetic principles into Brahmanism clashed with its other major goal, procreation, and was reflected in its discourse on women.¹⁵ Some of the new religions, notably Buddhism and Jainism, allowed the participation of women in their monastic orders. In fact, the Buddhist orders of

¹³ According to R. C. Hazra, the earliest description of the Kali age is from a third century CE text. He suggests that the first Kali age can be assigned to the period c. 200-275 CE, a period which saw the decline of the Kuṣāṇas and the Sātavāhanas and the rise of the Guptas (1940, pp. 215-8).

¹⁴ According to R. S. Sharma, there is historical evidence of political instability, a drive for higher taxes, urban decay, decline of trade and money economy, and migration due to oppression in this period. Foreigners invaded and new dynasties took time to acquire legitimacy and imbibe the Brahmanical way of life (1997, pp. 147-9. See also 1983, pp. 31-2). According to B. N. S. Yadava, the Kali age alludes to foreign invasions, the emergence of a new ruling aristocracy inclusive of foreigners, natural calamities, economic decline including the decay of cities, trade, commerce and money economy, disturbances in the *caturvarṇa* system as seen in the rise of *śūdras*, the degradation of the *vaiśyas*, the depression of the older ruling aristocracy, increased taxes and exploitation, and the impact of heretical religions (1978-79, pp. 31-63).

¹⁵ See S. Jamison, 1996, pp. 14-7.

female and male ascetics were among the first monastic orders to be established in the world.¹⁶ According to Rita Gross, the Buddhist order of nuns offered women 'an important and liberating option and an alternative to the lifestyle usually prescribed for women in north India of the sixth century BCE.'¹⁷ Lay women, including queens and courtesans, played an important role in the development and spread of early Buddhism. The support from women was partly responsible for sustaining Buddhism in India until it disappeared from the sub-continent. The direct participation of women in religion, as exemplified in the nuns' Order and the support of laywomen, influenced Brahmanical thought on women in many ways. Although some historians such as Altekar and Sastri are of the opinion that it led to 'lower morality' and forced the *brāhmaṇas* to tighten the laws regarding women, there is little evidence to justify this conclusion. The nuns' Order and Buddhism did affect Brahmanism. The *brāhmaṇas* probably perceived the nuns' Order as weaning women away from the Brahmanical tenets of reproduction and family life.¹⁸ Moreover, the conversion to Buddhism of the women of a household could indicate a serious challenge to the power of the *paterfamilias*. In Vedic religion, the dominant role of the male head of the household or the clan was supplemented by the important supporting role of his wife. Slaves and servants too were expected to participate, if not directly then indirectly, in the household's religious activities. Buddhism's attempt to wean away women, domestic servants and slaves threatened to leave a void in the ritualistic order of the household. Since the patriarchal household was regarded as a paradigm for the state, Buddhism came to be regarded as a threat to the political, social and ritual order.¹⁹ In addition to the heterodox sects, Śaivism and Vaiṣṇavism emerged as distinct sects later. Although currently regarded as Brahmanical in character, they were non-Vedic or even anti-Vedic in origin. For example, they disregarded *varṇāśramadharmā*, and rendered Viṣṇu worship theoretically open to women and *śūdras*.²⁰ Such doctrines obviously posed a challenge to the dominant Brahmanical tradition.

¹⁶ See A. Sponberg, 1992, pp. 4-7 and N. Schuster Barnes, 1987, p. 106. It is well known that, initially, the Buddha was opposed to the establishment of the nuns' Order. He finally relented but instituted eight basic rules that subordinated the nuns to the monks.

¹⁷ R. Gross, 1993, p. 17. See also J. D. Willis, 1985, pp. 59-85. For the causes of decline of the nuns' Order, see N. Falk, 1989b, pp. 155-65.

¹⁸ Schuster Barnes writes: 'Religions that are more oriented towards the family, like Judaism and Hinduism, have reason to attempt to control the power of female fertility and may construct theories about women's character which justify keeping them subservient to men' (1987, p. 114).

¹⁹ An analogous situation can be observed in early Christian times. Whenever Roman slaves or wives converted to Judaism, Christianity or the Isis cult, the order of the household was considered endangered and with it the political order of the state. The Isis Cult was regarded as particularly threatening, as it was claimed that the Goddess made men and woman equal. See E. Schüssler Fiorenza, 1993, p. 264.

²⁰ R. C. Hazra, 1940, pp. 198-9.

2.2. The 're-invention' of Brahmanism and its textual manifestation

What was the nature of the dominant religious tradition during this period of political, economic, social and religious change and turmoil? I argue that in this period, Vedism (the 'religion' associated with and expressed in the four *Vedas* and their associated literature) underwent some fundamental changes leading to a virtual 're-invention' of itself as Brahmanism. This is reflected in the post-Vedic texts. Both the term Brahmanism and the nature of the tradition implied need some explanation.

Instead of either 'Hinduism' or 'Vedism', I prefer the term 'Brahmanism' to denote the dominant religious tradition of this period. The use of the term 'Hinduism' for this period is anachronistic. Also it is a non-indigenous term, originally having a geographical-cum-cultural connotation. Moreover, a precise definition of Hinduism is difficult to offer. Most scholars argue that Hinduism is an amalgamation of sects which have two factors in common: the acceptance of the authority of the *Vedas* and the importance assigned to the caste/*varṇa* system. These two factors are important hallmarks of Brahmanism, but, on their own, they do not convey the entire meaning. Other scholars have tried to distinguish between a Brahmanic and non-Brahmanic tradition within Hinduism. For example, according to Robinson, the former is a Sanskrit-based, priestly tradition emphasizing formal ritual, the custodians of which were and are the highest caste, the *brāhmaṇas*. The latter is expressed through regional languages, and emphasizes devotional practices and modes of worship that render the priestly role unnecessary.²¹ But Brahmanism cannot be defined merely as a 'Sanskrit-based priestly tradition emphasizing formal ritual'. It was undoubtedly Sanskrit-based and priestly, as it glorified the ritual status of the *brāhmaṇas* and their role as the traditional interpreters, purveyors, bearers and protectors of texts and traditions.²² It certainly privileged formal ritual. However, it must be remembered that Brahmanism also developed simple forms of domestic and ritual rites.²³ Julius Lipner defines Brahmanic culture as beliefs and practices that are not homogeneous, but which have been propagated and ratified by *brāhmaṇa* authority.²⁴ This is true in two senses. Brahmanism created, implied and accepted the supreme authority of the *brāhmaṇa varṇa* and was assimilative in nature. In fact, Brahmanism paved the way for further assimilation

²¹ S. Robinson, 1985, p. 182.

²² The *brāhmaṇas* were recognized as religious authorities because of their special and intimate relationship to the *Veda*, the authoritative and in that sense canonical texts of Hinduism. The authority of the *brāhmaṇa* was dependent on the authority of the *Veda* and the *Veda* existed only because of the traditional function the *brāhmaṇa* assumed for its preservation. See B. Smith, 1987, p. 39.

²³ Selvanayagam writes that in the wake of the decline of grand rituals following the rise of the heterodox sects, the *brāhmaṇas* developed simple forms of ritual and domestic rites. But Vedic sacrifices continued to be important and there was a revival during the time of the Śuṅgas. Puṣyamitra Śuṅga performed the *aśvamedha* sacrifice (1992, p. 65).

²⁴ J. Lipner, 1994, p. 9.

under Puranic Hinduism. I am, however, of the opinion that Brahmanism requires a broader and more exhaustive definition.

To put it simply, Brahmanism was an integrated socio-politico-religious ideology which developed in this period under pressure from the transformations that occurred. It encapsulated the worldview of some of the *brāhmaṇas* and was expressed in the vast literature produced by them. It reflected the *brāhmaṇas*' perception of the changing circumstances of the times. The basic tenets of this tradition were: the belief in and propagation of the four-tiered caste/*varṇa* system with the *brāhmaṇas* at the top; the acceptance of the notional authority of the *Vedas*; the belief in cosmic, social, moral and political order (*rta*); the performance of formal ritual as well as domestic rites; the assimilation of new cults and traditions as exemplified in the incorporation of the principles of *saṃnyāsa* and *āśrama*; the belief in ancestor worship and the theory of the three debts (*ṛṇas*); the establishment of four goals/aims/primary imperatives in a man's life (*puruṣārthas*) and of four modes/stages /states (*āśramas*) of living; an emphasis on centralized monarchy as the predominant political system, on territoriality, on patrilineal bonds within the family and society, and on private property.

These tenets of Brahmanism were expressed in the 'texts'²⁵ of this period. In course of their composition, compilation and (later) commitment to writing, these tenets became further clarified, crystallized and reformulated. Therefore, the *śāstras* and the epics composed/compiled at this time by *brāhmaṇas* are the texts of Brahmanism *par excellence*. They reflect Brahmanical values and serve as receptacles in which the doctrines of Brahmanism is explained and recorded.²⁶ If one bears in mind the nature of these texts as expressions of Brahmanical thought, the reasons for their composition/compilation and commitment to writing become clear.²⁷ Various explanations have been offered by scholars, but they all seem to miss the structural links between the texts and the

²⁵ Traditionally, Sankritists have believed that the *Vedas* and a large part of the post-Vedic corpus of literature (including the *śāstras*) were orally composed and orally transmitted for a long time before they were written down. The first to mildly object to this premise was Walter Ong, who wrote that it was difficult to accept that works of such length could have been orally composed and retained (1982, p. 66). Jack Goody put forth a much stronger critique when he argued that the *Vedas* (and the post-Vedic literature) could not have been the product of an oral society because of the length of the corpus, the claim of the corpus to invariant transmission and the confinement of the so-called oral tradition to a class of literate specialists (1987, pp. 110-22). However, Goody's arguments have been rejected by Harry Falk, 1990 (cited in D. Lopez, 1996, pp. 35-6) and John Halverson, 1992, pp. 301-317. Earlier, Frits Staal (1986), while admitting to the role of the written text at some point in the history of the Indian epics, rejected the notion that the *Vedas* originally had written texts (cited in D. Lopez, 1996, p. 36). I believe that the *śāstras* (and to some extent the epics) were originally orally composed and compiled before being written down. The use of the term 'text' therefore, does not denote a written text only.

²⁶ Jamison comments that the texts 'are entirely religious chronicling an elaborate institutional religion requiring significant material resources and social organization privileged in its socio economic class' (1996, p. 7).

²⁷ According to Vansina, a text or a tradition does not exist by itself or for itself. Every testimony and tradition has a purpose and fulfils a function. And this function is usually to serve the interests of the society in which it is preserved. He continues that, usually, the interests of society can be served in two ways: either tradition helps a society to adapt itself to its changing environment or it helps in permanently maintaining the social structure (1965, pp. 77-8,84,154).

socio-politico-religious tradition that gave birth to them. According to some, the *sūtras* were composed for the guidance of the advanced sections of society in its early stages.²⁸ Others maintain that *śāstra* literature developed to justify a social organization increasingly threatened by Buddhist ideas,²⁹ and to encourage the Sankritization of indigenous/ tribal people without jeopardizing the social and political superiority of the upper castes. I argue that, in addition to these factors, the *brāhmaṇas*' desire to compose and compile the *śāstras* and to take over the custodianship of the epics from the bards was rooted in the social-historical context of this period, especially the Brahmanical perception of a threat to the envisioned socio-political order. The main aim of this literature was to expand the ritualistic, social and political universe of the *brāhmaṇas* to all corners of everyday life in order to counteract the perceived threat.

The process of composition/compilation had two important results which further reinforced Brahmanism. First, through this process, immense power accrued to the *brāhmaṇas* reinforcing their privileged, literate and ritual status in society. As authors and custodians of *smṛti*, they appropriated memory and acquired mastery over knowledge and knowledge production. Brian Smith comments:

The control of a group's collective memory, the power to declare what happened in the past is a significant means of controlling the here and now. The ability to account for the past also entails the power to put it into the service of the present and into the service of those who pronounce on what happened in the past. Those who cannot remember the past are doomed to repeat others' versions of it.³⁰

Second, Brahmanism itself assumed its shape during this process of composition and compilation. The Brahmanical belief system became re-systematized and clarified. One is tempted to conclude that Brahmanism was created in the texts of this period. In the centuries following the composition/compilation, the *śāstras* and the epics were committed to writing. Writing, however, did not lead to any substantial changes in the texts or the discourse. Unlike in Mesopotamia where the commitment of legal texts to writing (soon after writing appeared) froze the legal codes,³¹ in ancient India writing did not freeze and fossilize the *śāstras*. The *śāstras* remained fluid till the end of the nineteenth century and additions and interpolations continued to be made to them (see below).

²⁸ S. Banerji, 1962, p. 9.

²⁹ See J. D. M. Derrett, 1994, p. 3. He writes: 'A stimulus for the *śāstra* seems to have been the need to depict and justify a social organization as against the seemingly insidious message of Buddhism which ... threatened to undermine the tradition and claims of Brahmins to monopolize all contact with the eternal and the intellectual government of Hindu society.' Elsewhere, he suggests that the *śāstras* addressed themselves to the intricate task of inspiring the aspiring, without encouraging them to infringe upon the property and prestige of their betters, and reassuring the superiors that they were not threatened (1975, p. 10).

³⁰ B. Smith, 1994, p. 58.

³¹ Oppenheim, 1964, p. 232. Cited in W. Ong, 1982, p. 41

Neither did writing establish Brahmanical discourse as an autonomous and authoritative discourse.³² It was already so, as in ancient India authority was associated more with the speaker and the spoken word than with the written word. In fact, despite the existence of written records, texts continued to be memorized and orally transmitted. Writing, however, restricted access to the body of knowledge by limiting its availability to only literate *brāhmaṇas* (and *kṣatriyas*). This reinforced the privileged position of the ruling class .

2.3. The texts in question

The texts characterized as repositories of Brahmanical tradition and thought, as the receptacles in which Brahmanism assumed its predominant shape are the *dharmasūtras* (specifically those of Gautama, Vasiṣṭha, Āpastamba, Baudhāyana), the *dharmasāstras* (particularly those of Manu, Yājñavalkya, Nārada, Bṛhaspati and Viṣṇu), and the two Indian epics, the *Rāmāyaṇa* and the *Mahābhārata*. These texts form the main body of evidence for this thesis, supplemented by the *Arthasāstra*, the *Kāmasūtra*, the *Therīgāthā*, the plays of Bhāsa and Kālidāsa and some inscriptions. The *Arthasāstra* and the *Kāmasūtra* belong to the same period and are texts of different branches of the Brahmanical śāstric tradition. The *Therīgāthā* is a Buddhist text, but has been used here occasionally to provide a counterpoint to Brahmanical views.

The *dharmasūtras*, the *dharmasāstras* and the two epics are identified as part of *smṛti*, to be distinguished from *śruti*. The latter literally meaning 'sound, to hear, the sense of hearing', is usually understood to refer to the *Vedas* and is extended to include the *Brāhmaṇas*, *Āraṇyakas* and *Upaniṣads*. *Śruti*, in Hindu/Brahmanical thought, are the 'sacred texts' regarded as revealed, eternal, *apauruṣeya* (without a human author) and changeless. *Smṛti* texts (large in number and less clearly defined than *śruti*) are regarded as interpretative supplements of *śruti*. Therefore, they recognize human agency in their authorship and compilation. In fact, *smṛti* can be appropriately defined as the 'remembered wisdom of the race/people' handed down from generation to generation.³³ It makes available to the Brahmanical/Hindu community the cumulative tradition and wisdom of the past. Traditionally, *śruti* is regarded as more authoritative than *smṛti*. However, in reality the latter too is authoritative. According to Brian Smith, virtually all literature in which the actual doctrines and

³² It is usually thought that writing establishes what is called 'context free language' (Hirsch 1977:21-3,26) or 'autonomous discourse' (Olson, 1980a). Both cited in W. Ong, 1982, p. 78. In practical terms, this means that a written text is more authoritative as it cannot be directly questioned or contested. Unlike oral speech, a written discourse is detached from the author. Therefore, a written text cannot be directly refuted and often what a book says is accepted as true.

³³ This is most clearly stated in the *Āpastambadharmasūtra*. The *dharmasūtra* and its founding author/school do not make a claim to have received divine revelation but regard the *sūtra* as a new systematic arrangement of already existing precepts on sacrifices and 'law' (G. Buhler, 1882, pp. xvi-xvii). However, later *śāstras* often attribute the dicta found in them either to particular gods (for example, the *Viṣṇusmṛti*) or to the primeval human being (for example, the *Manusmṛti*). This was an effort to endow the texts with greater antiquity and authority.

practices of Hindu sects are 'codified' are regarded as *smṛti*. Therefore, *smṛti* literature, although technically 'non-canonical', is regarded as 'canonical' and authoritative.³⁴ Thus, *smṛti* is important to Hindus. Most acknowledge the notional authority of the *Vedas*, but know their religion not through the revealed *śruti* texts. Instead they rely on the ritual traditions of the *smṛti* texts. *Smṛti* can, therefore, be appropriately called the 'functional scripture' of Hinduism.³⁵

Among the *smṛti* texts, the *dharmasūtras* and the *dharmasāstras* (notwithstanding the differences between them)³⁶ are recognized as belonging to a single genre, usually misleadingly translated as 'law books'.³⁷ However, the definition of *sāstra* as 'works on law' appears to be restrictive and reductionist. In reality, these texts contain rules of guidance on a wide variety of subjects pertaining to all aspects of human life as seen by the *brāhmaṇas* (including politics, social and moral order, religion, *dharma*, hygiene, and others), only some of which may have had legal implications or practical applicability. In this thesis, these so-called 'law books' have been designated as simply treatises on '*dharma*'. The Sanskrit term will be retained as a comprehensive English translation of *dharma* is difficult to find.³⁸

It is difficult to establish the exact dates of composition and compilation of the *dharmasāstra* texts. Since early Indian tradition was primarily oral, the date of composition/compilation differs considerably from the date when a text was finally committed to writing. According to Derrett, there is an added difficulty: in spite of the use of writing from the fourth century CE onwards, most of the *sāstras* were 'fluid texts' till the last stages of *sāstric* composition in the nineteenth century.³⁹ The

³⁴ According to Smith, several strategies are used for investing the *smṛti* texts with the authority and timelessness of the *Veda*. These are reflection, restatement, reduction, reproduction, recapitulation and even reversal. He continues that 'these are some of the ways... in which post-Vedic Hindu texts create new traditions and transform the older ones (i.e. change them, from an outsider's perspective) while they are perpetuating the "Vedic tradition" (i.e. do not change them from the orthodox Hindu view). By representing new texts and practices as in some way connected to the *Veda*, change is both legitimized and denied and continuity is both affirmed and unrestrained' (1987, pp. 46-51).

³⁵ W. Graham, 1987, p. 75. See also G. Flood, 1994, p. 72; W. Cantwell-Smith, 1993, p. 108. Cantwell-Smith writes that the *sāstras* are 'scriptural' not in the sense of devotional, but in their authoritativeness and moral seriousness: they contain 'a classical exposition of formalized moral—also ritual and other—conduct, normative and obligatory' (1993, p. 129). Cantwell-Smith's statement, written in the context of the *Manusmṛti*, is applicable to the *sāstras* in general. Furthermore, he designates the epics as scriptural because most Hindus discern their world and their lives in conscious relation to them (1993, p. 127-8). In contrast, van Nooten hesitates to call the epics 'sacred texts' as both have been susceptible to emendation, correction and interpolation and so cannot lay claim to any definitive text (1978, p. 66).

³⁶ For differences between *dharmasūtras* and *dharmasāstras*, see S. Banerji, 1962, p. 2; P. V. Kane, 1968, pp. 299-306.

³⁷ The editor and translators of the *Sacred Books of the East* series defined the *dharmasāstras* as 'law-books'. Winternitz seems to agree with this definition. Although he writes that the *dharmasūtras* were written by *brāhmaṇas* for the purpose of imparting instruction and not written as codes for practical use in the law courts, he agrees that they nevertheless possessed certain force of law. He also suggests that the metrical *smṛtis* were meant for all the Aryas and were more authoritative in legal matters (1985, pp. 538-45). More recently, scholars have rejected the description of the *sāstras* as law-books. See for example, W. Menski, 1997, pp. 13-6.

³⁸ Various definitions of the term *dharma* have been offered. It has been translated as 'law', 'custom', 'righteousness', 'duty' and 'religion'. But none convey the entire connotation of the Sanskrit term.

³⁹ J. D. M. Derrett, 1994, p. 32 and 1975, p. 27.

earliest attempt to date the texts was by Max Müller. On the basis of the similarities in language and subject, he argued that the *sūtras* belonged to the period of Vedic literature but were later than the *Śaṃhitās* and the *Brāhmaṇas*. According to him, they constituted the last branch of Vedic literature and were contemporaneous with the beginning of Buddhism in India.⁴⁰ He fixed the *sūtra* period between 600 BCE and 200 BCE. A number of Indian scholars disagree. They maintain that 600 BCE is too late a date to assign to the *dharmasūtras*. While some assign 2000-1000 BCE as the period of composition, Garg writes that the *sūtras* were composed between the period of eighth and third centuries BCE. More plausibly, Bühler advises against fixing one blanket period for all the *sūtras* and suggests that the date of the *sūtras* differed according to the Vedic school to which they were attached.

The *Gautamadharmasūtra* is the earliest of the *dharmasūtras* and was probably associated with the *Sāma Veda* school. Although usually attributed to the sage Gautama, the manual probably belonged to the Gautama Vedic school (*caraṇa*). The extant text has not suffered from too many interpolations.⁴¹ It is usually assigned to the period 600-400 BCE.⁴² The *Vasiṣṭhadharmasūtra*, studied by and authoritative for the *Ṛg Vedins* alone,⁴³ is probably the last remnant of the *sūtras* of a Vedic school which, along with the greater part of its writings, has perished. This *dharmasūtra* has been preserved probably because of its title and the legend connecting it with MaitraVāruṇi, one of the most famous *ṛṣis* of the *Ṛg Veda* and a champion of Brahmanism. Winternitz and Derrett agree with Kane in dating this text to around 300-100 BCE.⁴⁴ The *Āpastambadharmasūtra*, supposedly intended for the benefit of *adhvaryu* priests, was based on the *Taittirīya* recension of the *Yajur Veda*.⁴⁵ It appears originally to have been a part of the *Kalpasūtra* of Āpastamba. This is not to say that the text that exists today is original. There have been additions and interpolations. According to Bühler, it cannot be placed earlier than 500 BCE.⁴⁶ Winternitz agrees with Bühler in attributing Āpastamba's text between the fourth and fifth centuries BCE.⁴⁷ According to Kane, it could have been

⁴⁰ M. Müller, 1849; cited in G. Bühler, 1879, p. ix.

⁴¹ G. Bühler, 1879, p. xlv.

⁴² G. Bühler 1879, pp. xlix, liv. See also M. Winternitz, 1985, p. 540; J. D. M. Derrett, 1975, p. 28; P. V. Kane, 1930, p. 19; R. Lingat, 1973, p. 20.

⁴³ G. Bühler, 1882, pp. xi-xii.

⁴⁴ M. Winternitz, 1985, pp. 540-1; J. D. M. Derrett, 1975, p. 31; P. V. Kane, 1930, p. 59; R. Lingat, 1973, p. 24.

⁴⁵ G. Bühler, 1879, p. xi.

⁴⁶ G. Bühler, 1879, p. xviii. See also p. xliii.

⁴⁷ M. Winternitz, 1985, p. 539. Derrett fixes the date of this text at 450-350 BCE (1975, p. 29). See also R. Lingat, 1973, p. 23.

The Texts	Kane	Derrett	Winternitz	Lingat	S.B.E. Translator	Others
Gautama	600-400 BCE	600-400 BCE	600-400 BCE	Four centuries before the Christian era	600-400 BCE, before Baudhāyana and Vasiṣṭha	
Āpastamba	Around 600-300 BCE		Not later than fourth-fifth centuries BCE	Not clear but unhappy with the dates given by Kane	Last five centuries before the Christian era	
Baudhāyana	Either 600-300 BCE or 500-200 BCE	600-300 BCE	Agrees with the dates given by Kane	Earlier than Āpastamba .	More ancient than Āpastamba; the fourth and possibly the third <i>praṣṅas</i> later additions	
Vasiṣṭha	300-100 BCE	300-100 BCE	300-100 BCE	Agrees with the dates given by Kane and Jolly	Not clear but before the Christian era	
Manu	second century BCE to second century CE	second century BCE to second century CE	second century BCE to second century CE	Same epoch as <i>Mahābhārata</i> ; second-third centuries BCE to second-third centuries CE	.	
Viṣṇu	Two phases. First around 300-100 BCE The second around 400-600 CE	Agrees with Kane	Not earlier than third century CE though some portions earlier	Agrees with Kane and Jolly	Much early material. Later Viṣṇuite redactor around third-fourth centuries CE; complete by the eleventh century CE	
Yājñavalkya	First century BCE to third century CE	Agrees with Kane	Not earlier than third or fourth century CE			100-200 CE according to Jayaswal; sixth century CE according to Bhandarkar
Nārada	100-300 CE	No proof but earlier than sixth century CE	Not before fourth century CE. Some parts dated to second century BCE		After Manu and not earlier than fourth-fifth century CE	300-400 CE according to Jayaswal; one or two centuries later than Manu according to Lariviere
Bṛhaspati	200-400 CE	No proof but earlier than sixth century CE	Later than Nārada about 200-400 CE		Not earlier than sixth-seventh centuries CE	

Figure 3: *The chronology of the texts: the dharmasāstras*

written around 600-300 BCE.⁴⁸ The *Baudhāyanadharmasūtra* belonged to the *Yajur Veda* school. It was apparently originally studied by and authoritative for the followers of the *Taittirīya Veda* alone and later became one of the sources of 'sacred law' for all *brāhmaṇas*.⁴⁹ It formed a part of a manual on the *Kalpasūtras*. According to Bühler, the text available today is not original. He concludes that the original version comprised the first two *praśnas*, the third and the fourth being later additions.⁵⁰ Kane is of the opinion that the author of the *Baudhāyanadharmasāstra* could not have been earlier than Gautama and that the text was composed around 500-200 BCE or 600-300 BCE.⁵¹

Among the *smṛtikāras*, the most famous is undoubtedly that attributed to Manu. Derrett is of the opinion that the code of Manu was the first 'secular law code', in the sense that it was available to all the Vedic schools.⁵² Much has been written about the influence and authority of this *dharmaśāstra* on Hinduism and Hindu society. The *Manusmṛti*'s status as the pivotal text of the dominant form of Hinduism is summarized by Wendy Doniger and Brian Smith:

More compendiously than any other text, it provides a direct line to the most influential construction of the Hindu religion and Indian society as a whole. ... In the realm of the ideal, Manu is the cornerstone of the priestly vision of what human life should be, a vision to which Hindus have always paid lip service and to which in many ways they genuinely aspire.⁵³

Some scholars believe that the *Manusmṛti* existed in its contemporary form by the second century BCE.⁵⁴ However, it is usually agreed that it was composed and compiled and added to over a long period of time, between the second century BCE and the second century CE.⁵⁵ The *Yājñavalkyasmṛti* is second in importance among the 'secular' *dharmaśāstras*. It is a large work in more than a thousand verses on a variety of subjects. Although Jayaswal is of the opinion that it was composed in the Kuṣāṇa-Sātavāhana period and Jolly assigns it to the fourth century CE, it is generally accepted that it was composed between the first century BCE and the third century CE.⁵⁶ The date of the *Nāradaśmṛti* is equally controversial. While Jolly dates it to the period around the fifth century CE,

⁴⁸ P. V. Kane, 1930, p. 45.

⁴⁹ G. Bühler, 1882, p. xxix.

⁵⁰ G. Bühler, 1882, pp. xxxiii-xxxiv. See also P. V. Kane, 1930, p. 23.

⁵¹ P. V. Kane, 1968, p. 28. See also R. Lingat, 1973, p. 21.

⁵² J. D. M. Derrett, 1975, pp. 40-1.

⁵³ W. Doniger and B. Smith, 1991, pp. xvii, lix.

⁵⁴ See K. Rangaswamy Aiyanger, 1949, p. 58. According to Jayaswal, the *Manusmṛti* was a Śuṅgan code composed around 150 BCE (1930, pp. 26-32).

⁵⁵ M. Winternitz, 1985, pp. 586; G. R. Garg, 1982, p. 401; J. D. M. Derrett, 1975, p. 31; P. V. Kane, 1930, p. 151. According to Lingat, the *Manusmṛti* belongs to the same epoch as the *Mahābhārata* and can be dated between the second/third centuries BCE to the second/third centuries CE (1973, pp. 95-6).

⁵⁶ K. P. Jayaswal, 1930, pp. 60-1. See also P. V. Kane, 1930, p. 184; J. D. M. Derrett, 1975, p. 34; M. Winternitz, 1985, p. 599.

Kane is of the opinion that the *Nāradaśmṛti* was composed soon after the *Yājñavalkyaśmṛti*, probably between 100-300 CE.⁵⁷ The complete version of the *Bṛhaspatismṛti* has not been recovered. But the author appears to have been an authoritative writer on *śāstra*, considering the number of quotations attributed to him in the later digests and *nibandhas*. Although Jolly is of the opinion that Bṛhaspati composed his *śmṛti* not earlier than sixth century CE, according to Kane the author of *Bṛhaspatismṛti* flourished around 200-400 CE.⁵⁸ Among the *śmṛtis*, that of Viṣṇu is the most problematic. Belonging to the *kaṭha* school of the *Yajur Veda*, it undoubtedly incorporates very old material but at the same time exhibits several 'modern' features, particularly its introductory and concluding chapters. It is this that causes confusion regarding its date of composition. While according to some scholars, the *Viṣṇuśmṛti*, in its present form, could not have originated before the third century CE (see figure 3), Kane is correct in suggesting that the *Viṣṇuśmṛti* was composed in two phases. The nucleus was composed in prose around 300-100 BCE and an inflated text with large verse elements took shape by 400-600 CE.⁵⁹

The *Rāmāyaṇa* and the *Mahābhārata* appear to have had their origin in an oral tradition of heroic ballads. They are believed to have been transmitted through recitation by the *sūtas* and the *māgadhas* (the bards). The ballads and tales of the bards were probably similar to the *ākhyānas* of the *Rg Veda* and more particularly to the *gāthānārāśaṃsī*, *itihāsa* and *purāṇa*, the recitation of which often formed a part of Vedic ritual. Brockington is of the opinion that this fluid mass of material must have represented a tradition parallel to that of Vedic literature rather than a part of it.⁶⁰ Of the two, the *Mahābhārata* is the longer and more complex work. Its structure suggests that the original version was derived from a series of oral narratives. The structure, a set of narratives attributed to successive speakers, facilitated the incorporation of new material. The *Rāmāyaṇa* is characterized by a more continuous verse narrative. It is more homogeneous in nature than the *Mahābhārata* and contains fewer folk tales and moralizing stories.⁶¹

⁵⁷ P. V. Kane, 1930, p. 205; J. Jolly, 1889, pp. xiii-xiv. According to Winternitz, the *Nāradaśmṛti* was not composed earlier than the fourth century CE, although parts of it can be dated to an earlier period (1985, p. 596). Derrett maintains that the *Nāradaśmṛti* was earlier than 600 CE and that is all that can be said about it (1975, p. 35).

⁵⁸ J. Jolly, 1889, p. 276. Winternitz places Bṛhaspati a couple of centuries after Nārada, around the third to the fifth centuries CE (1985, p. 598). See also P. V. Kane, 1930, p. 210.

⁵⁹ M. Winternitz, 1985, p. 579; P. V. Kane, 1930, p. 69. See also J. D. M. Derrett, 1975, p. 38; R. Lingat, 1973, p. 25.

⁶⁰ J. Brockington, 1984, p. 9 and 1998, pp. 4-25. According to Winternitz, the beginning of epic poetry can be traced to the *Vedas*, where their recital could have formed a part of religious ceremonies. But there was probably no formal book. Instead, there were professional storytellers and by the Buddha's time there was a vast store of prose and verse narratives forming as it were 'literary public property' which was drawn upon by Buddhists and Jainas as well as the epic poets (1991, pp. 311-4).

⁶¹ For details see B. van Nooten, 1978, p. 50.

	Hopkins	Winternitz	Others
<i>Mahābhārata</i>	Four stages in the development of the epic ranging from the fourth century BCE to the fourth century CE.	Winternitz agrees with Hopkins and continues that the epic reached its final shape by the fifth century CE.	According to Lassen it was pre-Buddhist. Jacobi attributed it to the second or third century BCE. Holtzmann outlined three stages in epic development with the final one occurring around the twelfth century CE.
	Brockington	Winternitz	Others
<i>Rāmāyaṇa</i>	Five stages in the composition of the <i>Rāmāyaṇa</i> ranging from the fifth-sixth centuries BCE to later than the fourth century CE.	From the third century BCE to the second century CE.	According to J. D. Smith the consensus view is that it was composed from the second century BCE to the second century CE.

Figure 4: *The chronology of the texts: the epics*

Mary Carroll Smith has analysed the verses in the *Mahābhārata*. She suggests that the nucleus of the epic consisted of the gambling match, the embassies for peace and the final battle. The rest of the narratives are encrustations.⁶² Some of the added material was didactic. Therefore, apart from legendary matter from the bardic repertoire; myths and legends of Brahmanical origin, didactic sections emphasizing the superiority of the *brāhmaṇas*, cosmological, genealogical and geographical matter, myths of Viṣṇu and later of Śiva, Brahmanical fables, parables, ascetic poetry and moral stories (partly or entirely in prose) were included in the redacted *Mahābhārata*.⁶³ Hopkins uses the terms epic and pseudo-epic to distinguish between the early narrative nucleus and the later didactic additions. The latter are most common in the twelfth and thirteenth books of the *Mahābhārata*.⁶⁴

There is very little agreement on the date of the *Mahābhārata*. Improving upon previous scholarship,⁶⁵ Hopkins developed an elaborate schema for dating the *Mahābhārata*. According to him, the epic developed in four stages. First, by 400 BCE there was a collection of Bhārata-Kuru lays.

⁶² M. Carroll Smith, 1972, p. 65.

⁶³ A. Pusalkar, 1955, p. xxi.

⁶⁴ Hopkins writes: 'Upon the original story ... have been grafted many "secondary tales" (*upokhyāna*); and upon these, have been inserted whole poems of romantic, ethical and theological character, having nothing to do with the Epic itself. We must, however, remember that our epic has been enlarged in two ways: first, by natural expansion of matter already extant; secondly, by unnatural addition of new material'. E.W. Hopkins, 1889, p. 67; cited in B. van Nooten, 1978, p. 64. Even Warder is of the opinion that the Indian epics in their present form are 'artificial' epics rather than the true 'narrative' ones (1972, p. 169).

⁶⁵ Lassen was of the opinion that the *Mahābhārata* was pre-Buddhist, with the second recension occurring around 400-450 BCE, though interpolations of a Kṛṣṇaite nature continued to be added. Dahlmann on the other hand contended that the *Mahābhārata* was the work of a single poet who put together pre-existing narratives and didactic elements with a view to popularizing *dharmaśāstra* among the masses and therefore could not be later than fifth century BCE. Holtzmann outlined three stages in epic development with the final stage completed only in the twelfth century CE. Jacobi concluded that the present form of the *Mahābhārata* was not later than the second or third century BCE. All cited in A. Pusalkar, 1955, pp. xxvi, xxx, xxvii-xxviii, xxx-xxxi.

In the second stage, by 400-200 BCE, there was the beginning of the *Mahābhārata* tale in which the Pāṇḍavas were heroes and Kṛṣṇa was the demi-god. In the third stage, around 200 BCE-200 CE, the epic was remade with Kṛṣṇa as the complete God and new episodes and didactic material were added. In the final stage, the introduction and the later books were added around 200-400 CE.⁶⁶ Winternitz agrees with Hopkins and adds that by the fifth century CE the *Mahābhārata* was already a religious text and discourse.⁶⁷ The consensus view on the date of composition of the *Mahābhārata* seems to be 400 BCE to 400 CE.⁶⁸

Regarding the authorship of the epic, some are of the opinion that although the *Mahābhārata* was composed in three stages—*Jaya*, *Bhārata* and *Mahābhārata*—it is the unified creative work of a single author, Vyāsa.⁶⁹ But most scholars regard the text as a product of several contributors over the centuries. Vyāsa's authorship is characterized as 'symbolic'⁷⁰ and Vyāsa himself as 'mythical'.⁷¹ But the ascription of the *Mahābhārata* to Vyāsa is important: it augments the epic's status and authority as a religious text.⁷² Who then were the authors/compiler of the *Mahābhārata*? As stated, originally the *Mahābhārata* was a collection of heroic tales and ballads meant for public entertainment and sung and recited by the bards. It did not have a fixed text or material that was transmitted verbatim. There was a number of skeleton stanzas that the bards recited and improvised on while reciting. But gradually interest shifted from purely local and dynastic matters and epic underwent a change. Mythological and cosmological narratives of Brahmanical origin, didactic sections referring to Brahmanical philosophy, ethics and law were added converting it into a 'whole literature'⁷³ from a poetic production. This transformation appears to have resulted from a greater involvement by the *brāhmaṇas* in the epic.⁷⁴ The text of the *Mahābhārata* underwent a massive expansion, which also

⁶⁶ E. W. Hopkins, 1969, pp. 386-407. For an update on the date of the *Mahābhārata* see J. Brockington, 1998, pp. 130-55.

⁶⁷ M. Winternitz, 1991, pp. 454 -75.

⁶⁸ J. Smith, 1980, p. 48. Many of the older arguments seem to have hinged on the date of the Bhārata war. Though traditionally assigned to 3102 BCE it is, according to van Nooten, more usual to assign the battle to within a thousand-year period of the Aryan invasion (sic) of India (1978, p. 51). For other opinions on the date of the Bhārata war see, A. Pusalkar, 1955, pp. 75-9, 122-4 and S. Roy, 1976, pp. 124, 139-40, 161.

⁶⁹ G. C. Pande, 1990, p. 123. Dahlmann expresses a similar opinion that the *Mahābhārata* was an unitary text redacted by a single person; cited in B. Sullivan, 1990, p. 16.

⁷⁰ J. A. B. van Buitenen, 1973-78, vol. 1, p. xxiii.

⁷¹ V. Sukthankar, 1933-59, vol. 1, p. ciii.

⁷² Sullivan writes that in Hindu tradition religious authority is often personal, embodied in the figure of the *guru*, and Vyāsa stands at the head of the chain of teachers (*guru paramparā*) as the originator and authenticator of all important teachings. Therefore, his authorship serves to validate the *Mahābhārata*'s claim to be the fifth *Veda* and reinforces the authority of the text (1994, pp. 377-401).

⁷³ M. Winternitz, 1991, pp. 317-9.

⁷⁴ Here it is interesting to note that Grierson maintained that the *Mahābhārata* belonged to the *kṣatriya* tradition (cited in A. Pusalkar, 1955, p. 29). More recently J. D. Smith writes: 'As the *Vedas* and their supporting literature were the 'property' of

altered its character. It was transformed into the 'property' of the *brāhmaṇas* and came to be called the fifth *Veda*. The epic now became a 'religious' text, its custodianship having passed to the *brāhmaṇas* from the *sūtas*. Robert Goldman's research has shown that the Bhārgava sect of the *brāhmaṇas* was responsible for Brahmanizing the *Mahābhārata*. He writes: 'The Bhārata is the definitive Bhārgava text'.⁷⁵

The *Rāmāyaṇa*, more popular of the two epics, is traditionally ascribed to Vālmīki and called the *ādi kāvya*. It contains the story of Rāma's banishment and exile, the abduction of his wife, Sītā, his battle with Rāvaṇa and his triumphant return to Ayodhyā followed by his subsequent rejection of Sītā. Most scholars agree that the extant version dates from the third-fourth century BCE to the second century CE. Originally it comprised just five books, the first and the last books being later additions.⁷⁶ Brockington divides the extant *Rāmāyaṇa* into five stages of composition. According to him, the first stage was composed in the sixth-fifth centuries BCE, the second stage around the first century BCE, the third stage in the first-third centuries CE, and the fourth stage at the beginning of the fourth century CE. The final fifth stage was later than all these stages and is more difficult to date.⁷⁷ Tradition attributes the *Rāmāyaṇa* to the sage Vālmīki. It is impossible to know whether Vālmīki was a historical person. But the text does display signs of having been composed by an single individual who could have been Vālmīki. Like the *Mahābhārata*, the *Rāmāyaṇa* too underwent a process of Brahmanization through the incorporation of Brahmanical values, possibly under the influence of the Bhārgavas.⁷⁸

The *Kāmasūtra* and the *Arthaśāstra* are also relevant to this study. The former is a treatise on *kāma*, an important component of the Brahmanical ideology of the four *puruṣārthas*. The *Kāmasūtra*

the Brahmins, so the epic was the 'property' of the Ksatriyas. The epic dealt with 'their' legendary heroes, and put forward 'their' code of conduct it was a statement of 'their' mythology'. Smith continues that although the *Mahābhārata* may have belonged to the *kṣatriyas*, it was not composed by them. The creators and transmitters of the epic were the *sūtas*, a particular caste that enjoyed a symbiotic relationship with the *kṣatriyas* similar to that between the medieval Rājputs and their *cāraṇa* court poets (1980, p. 49).

⁷⁵ R. Goldman, 1977, p. 3. For a similar argument, see V. Sukthankar, 1936, pp. 67-71. According to N. Shende (1943a), both the Bhṛgu and the Aṅgirasas were responsible for the transformation of the *Mahābhārata* (cited in J. Brockington, 1998, p. 156). Some scholars, such as Sullivan, do not agree that the *Mahābhārata* was reworked by Bhārgava *brāhmaṇas* (B. Sullivan, 1990, p. 19). Winternitz writes that the *Mahābhārata* was redone not by particular schools of *Veda*-knowing *brāhmaṇas*, but by court poets and temple priests (1991, pp. 319-20). For a description of the process of Brahmanization of a contemporary oral epic in Western India (that of Pabuji), see J. D. Smith, 1980, pp. 55,73.

⁷⁶ For dates ascribed to the *Rāmāyaṇa*, see A. Pusalkar, 1955, pp. xxxix-xl; M. Winternitz, 1991, pp. 500-17; M. Yardi, 1994, p. 54; J. Brockington, 1984, p. 12. According to J. D. Smith, the consensus view seems to be that the *Rāmāyaṇa* was composed between second century BCE and second century CE (1980, p. 48)

⁷⁷ J. Brockington, 1984, pp. 307-17 and 1998, pp. 377-97.

⁷⁸ J. Brockington, 1984, p. 15. See also N. Shende, 1943b, cited in J. Brockington 1988, p. 156. Sukthankar (1936) does not agree about the Bhārgava influence on the *Rāmāyaṇa*.

can be dated to the middle of the third century CE.⁷⁹ The *Arthaśāstra*, a work on political economy, is traditionally ascribed to Cānakya/Kauṭilya, reputedly the minister of Candragupta Maurya. Based on this assumption, Indian scholars have assigned the *Arthaśāstra* to the Mauryan period (around 300 BCE).⁸⁰ This thesis also utilizes the *Therīgāthā*, a non-Brahmanical text. It is apparently a compilation of songs and poems composed by Buddhist nuns in the centuries after the death of the Buddha. Some of the nuns may have been historical persons as other Buddhist texts mention their names. But we cannot be sure that the text, as it exists today, was actually composed by women since it was compiled by a male monk in the twelfth century CE. Nevertheless, I have used the text to provide a counterpoint to Brahmanical views. The plays of Bhāsa⁸¹ and the works of Kālidāsa have also been used in the thesis.⁸² All the texts used here were composed/compiled between 500 BCE and 300 CE. They were Brahmanical (except the *Therīgāthā*) in so far as they were authored by the *brāhmaṇas* and expressed their world view. The texts were an attempt by the *brāhmaṇas* to institutionalize their thought.

2.4. Brahmanical views on the sexual and dangerous nature of women

What were the social and political conditions that led to the evolution of Brahmanism and prompted the writing of the texts? To reiterate, the period from about the sixth century BCE to the fourth century CE saw the establishment of centralized monarchy and the subsequent problems of its consolidation and continuation. It also saw the emergence of private property, monetized economy and the strengthening of the *varṇa* system as well as the rise of challenges to it. These changes had important implications for the emerging Brahmanical discourse on women. In this context, it is worthwhile to digress a little and discuss Eli Sagan's theory, which is especially significant in capturing the nature of changes in this period. Sagan argues that there are three stages of socio-political evolution: primitive society, complex society and the archaic civilizations. A complex society may be further divided into three stages: chieftainship, early monarchy and complex monarchy. The last two stages are called advanced complex society. The main accomplishment of complex societies is the creation of non-kin forms of social cohesion and the later more complex kingdoms. All advanced complex societies are marked by a centralized monarchy, a political

⁷⁹ H. C. Chakladar, 1954, p. 29. For discussion of the dates assigned to the *Kāmasūtra* see pp. 12-31.

⁸⁰ See, for example, R. Kangle, 1965, pp. 59-101. Trautman disagrees that the *Arthaśāstra* is a Mauryan text in its entirety. In an influential study, he argues that the *Arthaśāstra* was not the work of a single author and that, although some parts of it could be old and could even belong to the Mauryan period, the text as it stands was compiled around the third century CE (1971, pp. 174-84).

⁸¹ For the different dates assigned to Bhāsa, see A. D. Pusalkar, 1968, pp. 63, 84.

⁸² For a chronology of Kālidāsa's works, see A. B. Keith, 1928, pp. 74-108.

bureaucracy, the systematic collection of taxes, an organized priesthood, a hierarchically ordered social system and the development of rich cultural traditions. Advanced complex societies also coincide with the rise of sexual and familial tyranny, following the destruction of the kinship system, and create the authoritarian power of the monarch and the father.⁸³

According to Arvind Sharma, ninth to the third centuries BCE north India exhibited the same features of advanced complex societies as enumerated by Sagan.⁸⁴ Sharma argues that if Sagan's thesis is extended from the initial rise of kingdoms to a subsequent period when the stability and strength of early kingdoms remained an issue, then a formative stage in the consolidation of kingdoms, nations, and empires may be related to an increase in male dominance. How was this so? Sharma contends that the period of the development of kingdoms was one of violence with wars fought for territory and domination. These conditions encouraged aggressiveness not only in the military but also in the sexual sphere. Moreover, in such unstable times, religions tended to emphasize a stable family in order to provide for male security, identity and, above all, continuity in the face of death. Consequently, patriarchal social structures became significant at such times. Patrilineality and succession through the male line ensured continuity just as it also reflected male authority, power and control over other key social institutions. Patrilineality was also the male way of harnessing for their own ends the power of women to bear children and to render that power less threatening. Sharma adds that women were also dominated to ensure the purity of the bloodline, as strict male control over women prevented miscegenation.⁸⁵ Kumkum Roy argues along similar lines when she writes that the consolidation of political authority in the monarchical state had an effect on gender relations in ancient India. Because of the changes in the position of the *gr̥hapati*, there were changes in the role and position of women within the households. An increasing attempt was made to regulate access to women who were defined as instruments of procreation.⁸⁶ However, political and social changes cannot be seen simply as pre-conditions for changes in the role/status of women or the way in which women were perceived. Rather, the Brahmanical view of women was an integral part of its total discourse on polity, economy, and society, and emerged from Brahmanism's desire to replicate its desired social order in reality.

⁸³ E. Sagan, 1986, pp. introduction, 291-4. The connection between authoritarian regimes and the control of women have been noted elsewhere (See for example J. Scott, 1986, p. 1072). Nancy Bonvillian similarly argues, that in India and China, ideological constructs supporting male dominance were intensified during historical periods of consolidation of state power. She asserts, albeit on the basis of little evidence, that the 'systematic codification of Hindu laws' in the post-Vedic period was responsible for giving 'official sanction to strengthened patriarchal rights' and the decrease in woman's status (1998, p. 132,134).

⁸⁴ A. Sharma, 1987, p. 9.

⁸⁵ A. Sharma, 1987, pp. 10-5, 17.

⁸⁶ K. Roy, 1994, p. 290.

The threat to the *varṇa* system, one of the pivots of Brahmanism, affected the political as well as the social fabric of the time. For, if there was *varṇasaṅkara*, the rights and privileges of the *brāhmaṇas* and the *kṣatriyas* would be affected. The establishment of caste purity and, therefore, the prevention of miscegenation became more important than ever before. However, this could not be achieved without closely guarding women.⁸⁷ At the same time, the growth of territorial kingdoms and private property necessitated the transfer of land and kingdoms through the blood line. In other words, the purity of the patriline became essential and a lineage was deemed 'corrupted' if it was not continued by children of that blood. In addition, a large number of women were attracted to Buddhism and were possibly unwilling to uphold the Brahmanical principles of land, family and ancestor worship. Consequently, Brahmanism became increasingly preoccupied with controlling the sexuality of individuals, particularly women. It was the recognition that Brahmanism was dependent upon women for the perpetuation of its envisioned moral and social order that possibly made the ideologues of Brahmanism confront the question of women's sexuality. In controlling women's reproductivity/fertility, the *brāhmaṇas* perhaps hoped to bring about their envisioned social reproduction.⁸⁸

The Brahmanical discourse on women had two parts. The first part, discussed in this section, explicitly expressed in the *dharmaśāstras* and illustrated in the epics, created a 'natural' woman. This 'natural' woman was fundamentally a problematic category. She was unruly, with a voracious sexual appetite. A growing body of references in the literature portray women as ever eager for sexual intercourse and, therefore, sexually insatiable. This was not new: some of the earliest passages expressing similar opinions are found in the *Ṛg Veda*.⁸⁹ But there was a rapid rise in such references during the period of the composition of the *dharmaśāstras* and the didactic sections of the epics. The *Manusmṛti*, which assigns to women the bed and the seat, jewellery, lust, anger, crookedness, a malicious nature, and bad conduct, clearly states:

⁸⁷ Nur Yalman in an influential ethnographic study points out that even today there is an important relationship between female purity and purity of caste (cited in U. Chakravarti, 1993, p. 579). Michael Allen, citing the same, writes that wherever the caste system has proliferated there has been a parallel development of institutions concerned with the control of female sexuality. He continues that in India, where purity is the principal idiom of status differentiation, there is a major preoccupation with the maintenance of female chastity. For the purity of the caste is a direct function of the purity of its womenfolk. The male members of the caste are in large measure dependent for their status rating on the purity of their women—primarily on that of their sisters and daughters whom they give in marriage, and secondarily on that of the women they take in as wives. Hence, there is a rigorous control of female sexuality (1990, p. 6).

⁸⁸ By 'social reproduction' I do not mean biological reproduction or reproduction of the household, but the reproduction of the socio-political world of the *brāhmaṇas* with the maintenance of the ideological and political apparatus that ensured their continued class and caste domination. Henrietta Moore comments: 'The problem for societies, after all, is not just to reproduce sufficient babies ... the main difficulty is rather to produce and reproduce persons with particular social identities ... when societies reproduce individuals, they do not just produce biological individuals, they produce social and socialized persons' (1994a, p. 90).

⁸⁹ See for example, the Urvaśī-Purūravas conversation in the *Ṛg Veda*.

Good looks do not matter to them, nor do they care about youth: 'A man!' they say, and enjoy sex with him, whether he is good looking or ugly.
(Therefore) It is the very nature of women to corrupt men here on earth...⁹⁰

In the *Mahābhārata*, Bhaṅgāsavana, who had been transformed into a woman by Indra and later granted a boon by the same God, chooses to remain a woman. The reason she/he gives is that women experience greater pleasure in sexual intercourse than men.⁹¹ In the story of Aṣṭāvakra and the old woman in the *Mahābhārata*, the latter repeatedly makes advances to the former and explains:

There is no greater pleasure than that which a woman derives from a person of the opposite sex.

Indeed, women are fond of sexual intercourse.

Under the influence of passion, they do not care about father, mother or family, or about husbands or sons or the husband's brother.

Even old women are tormented by the desire for sexual union.⁹²

Bhīṣma comments that Brahmā had bestowed upon women the ability to enjoy sexual union: women never missed an opportunity to do so. He explains to Yudhiṣṭhira: 'Women are like destructive *mantras*. Even when they have agreed to live with one, they are prepared to abandon him to join others. They are never satisfied with one person'.⁹³ It was a woman's desire for sexual intercourse that made her not only fickle but also cunning. This is again a oft-repeated theme in the Brahmanical literature of this period. From the desire for sexual union emerged the fickleness and inconsistency of women: another hallmark of their dangerous sexuality. According to the *Mahābhārata* 'fickleness is the norm in women'.⁹⁴ The *Manusmṛti* declares: 'By running after men like whores, by their fickle minds, by their natural lack of affection these women are unfaithful to their husbands even when they are zealously guarded here... . Knowing that their very nature is like this, ... a man should make the utmost effort to guard them'.⁹⁵ Pañcacuḍā, in her conversation with Nārada, recounts:

Women are fickle. They constantly seek new (sexual) partners ... they are not satisfied with the love (of one person) ... as soon as they see a handsome man they begin to show signs of passion on their bodies.⁹⁶

⁹⁰ See *Manusmṛti* 9.14, 17; 2.213.

⁹¹ *Mahābhārata* 13.12.47. Leslie uses this Bhaṅgāsavana episode to illustrate that female sexuality did not always have a negative aspect. She writes: 'This story makes a virtue of the much-maligned sexuality of women' (1996b, p. 89). While this is true, this story nevertheless reflects the widespread belief that women enjoyed sexual intercourse more than men.

⁹² *Mahābhārata* 13.20.53-4,58-9,64-6; 13.22.5.

⁹³ *Mahābhārata* 13.40.9; 13.43.22-3.

⁹⁴ *Mahābhārata* 5.36.56.

⁹⁵ *Manusmṛti* 9.15-6.

⁹⁶ *Mahābhārata* 13.38.24,26. See the entire chapter for the conversation between Nārada and Pañcacuḍā (*Mahābhārata* 13.38). The *Rāmāyaṇa* echoes with similar sentiments: 'Unpredictable as lightning are women, sharp as swords, and quick to fly as Garuḍa or the wind' (3.12.6). Or, 'this is the nature of women the world over: women care nothing for righteousness, they are flighty, sharp-tongued and divisive' (3.43.27). See also *Rāmāyaṇa* 2.39.236-240, 3.3.6.

In the *Bandanamokka Jātaka*, the king's wife lays down strict conditions of fidelity upon her husband, but later, herself displays uncontrollable lust. The chaplain excuses the queen by stating that she was acting merely according to her innate nature.⁹⁷

Because women were deemed to be sexually voracious, fickle and often cunning,⁹⁸ they were also portrayed as essentially wicked. Yudhiṣṭhira asks Bhīṣma to elucidate on the essential nature of women, who were said to be the root of all evil. Bhīṣma replies:

Woman is more sinful than any other creature, O son. She is (like a) burning fire, an illusion that was created by Māyā. She is (like the) edge (of a blade), (she) is poison, (she is like) a snake. She is all of this in the same body.⁹⁹

In the *dharmasāstras*, Manu states the well-established opinion that women have no virile strength and no Vedic verses. Therefore, they are recognized as falsehood.¹⁰⁰

It is apparent that Brahmanical discourse constructed woman as unruly, sexually insatiable, fickle/inconsistent, cunning and, therefore, wicked. Several reasons are given for the proliferation of sayings on the essentially sexual and sinful nature of women in the literature of this period. One is the growing importance of asceticism in Brahmanical thought. Women were regarded as a hindrance to male asceticism. The motif of the seductive temptress disturbing the *tāpas* of the male ascetic is common in ancient Indian literature. Asceticism also helped to popularize the concept of seminal retention as a symbol of male power and control. Women, by contrast, had no command over the discharge of their bodily fluids. Their bodies were uncontrolled, undisciplined and unruly. Jamison suggests that all these statements on women's sexuality serve to define an 'area of anxiety' about women. This anxiety could have originated from the premium placed on male chastity and the value given to the ascetic practice of seminal retention. She writes: 'The ideological effort to preserve the image of man as the desire-less ascetic leads to locating *active sexuality* in the female, who chooses her unwitting partner, pursues, badgers, and seduces him, and enjoys sex all by herself'.¹⁰¹ Asceticism did play an important role in the construction of women as sexual and sinful. However, the discourse on the sinful nature of women cannot be attributed wholly to asceticism. The primary

⁹⁷ Cited in U. Chakravarti, 1993, p. 582. For other references to the inherent nature of women (*strīsvabhāva*), see U. Chakravarti, 1993, p. 582; J. Leslie, 1995, pp. 246-72; 1996b, pp. 88-9; S. Jamison, 1996, pp. 12-5. For similar references to the wicked nature of women in Buddhist texts, see B. C. Law, 1927, pp. 38-60; R. Gross, 1993, pp. 40-8; and D. Paul, 1985, pp. 3-50. But I would argue that this emphasis in Buddhist traditions stemmed from its preoccupation with asceticism and the monks' Order. But under Brahmanism this was part of the general discourse on women that enabled it to control women and classify them according to their reproductive abilities.

⁹⁸ The *Abhijñānaśākuntalam* includes: 'Intuitive cunning is seen in even in the females of lower creatures: what then of those endowed with reason and understanding' (5.23).

⁹⁹ *Mahābhārata* 13.40.4. See also *ślokas* 8,9. In this context, Pañcacuḍā is supposed to have said to Nārada: 'Nothing else that exists is more wicked than women'. *Mahābhārata* 13.38.1,12. See also *ślokas* 11,17,20.

¹⁰⁰ *Manusmṛti* 9.18.

¹⁰¹ S. Jamison, 1996, pp. 15-7 (emphasis in the original).

consideration of the *brāhmaṇa* ideologues appear to have been the establishment of control over women's sexuality and reproductivity due to the imperatives of *varṇa*, land, lineage, and family. But before such control could be established and women's procreative abilities channelled into the service of Brahmanism, it was necessary to establish that women needed to be controlled. This was done by stating that women were sexual, dangerous and sinful.¹⁰² Therefore, the construction of women as sexually dangerous was linked to the ideological structure of Brahmanism and was not simply the result of a concern with asceticism. It was only by establishing women as unruly and dangerous that Brahmanism could seek to control women and harness their sexual services.

2.5. The Brahmanical classification of women according to their procreative abilities as a system of control

This brings me to the second part of the discourse. How was the natural woman, sexual and dangerous, to be regulated and controlled? Uma Chakravarti is of the opinion that the various mechanisms of control were the *pativrata* *dharma* rhetoric, the authority of male kinsmen, and, as the last resort, the right to use physical punishment.¹⁰³ Undoubtedly these three were effective means of control. However, I suggest that the primary method of regulation that appears to have evolved in Brahmanical discourse was a system of classification/categorization of women on the basis of their reproductive function. All women were subtly categorized into what I call 'mothers' and 'others'. The former were women who had fulfilled their function and given birth to children, preferably male children. The primary classification was therefore, on the basis of completed motherhood. The latter category was subdivided into women who were potential mothers and women who were 'non-mothers'. This secondary classification was determined by the sexual accessibility to the woman in question. Potential mothers were associated with monogamous sexuality while non-mothers were those who were sexually available to many men or to none at all.

In all forms of classification, those who control the parameters of classification enjoy obvious advantages. As Brian Smith comments, all knowledge is power and knowledge is the product of categorization. He suggests that usually a classification system is the invention of a specific group of people, whose power and privileges are in part based on their ability to seize the 'enunciative function' and expound on how the universe is organized. But those who generate the categorical system also place themselves at the forefront of it. There is, therefore, a social and political dimension to a classificatory system which is presented as pure knowledge.¹⁰⁴ Keeping in mind that

¹⁰² For similar arguments on the need to regulate and control the unruly, sexual, 'natural' woman in Victorian England, see C. Smart, 1992b, pp. 7-32.

¹⁰³ U. Chakravarti, 1993, pp. 582-3.

¹⁰⁴ B. K. Smith, 1994, p. 4.

in no religious systems women's dominant metaphors derive from characteristics other than their sexual and reproductive status, I argue that women on the basis of their reproductive functions were divided into procreative, non-procreative and potentially procreative categories.

Here it must be pointed out that women in ancient India do not appear to have been classified according to the other male criteria of *varṇa* or *āśrama*. The *dharmaśāstras* provide minute details of the criteria according to which men were classified. The first criterion was whether or not men were *dvijas* (twice-born). The ascription of *varṇa* (i.e. whether a man was a *brāhmaṇa*, *kṣatriya*, *vaiśya* or a *sūdra*) was equally important, as was the characterization of men according to the *āśrama* (*brahmacārya*, *gṛhastha*, *vanaprastha* and *parivrājaka/saṃnyāsa*) they occupied. Sometimes men were classified according to their age (*yuva* or *vṛddha*), or their profession (hunters, washermen, minstrels, bards, actors). Kin terms, while not entirely absent for men, were rare, the most common one being the father (appearing singly as *pitṛ* or in a compound, *mātāpitarau*) followed by the paternal and maternal grandfathers, the paternal and maternal uncles and the brother. In contrast, women generally exist as an undifferentiated body. The generic terms for women—*strī*, and sometimes *nārī* and *yoṣit*—are the most frequently employed. At times, and this tendency increases from the *dharmasūtras* to the *dharmaśāstras*, women are all lumped together and equated with *sūdras*, especially in the references to purification by *ācamana* and penances for intentional killing.¹⁰⁵

Āśrama or *varṇa* do not appear to have been important criteria for the classification of women. According to Olivelle, the options of Vedic studies and renunciation (*brahmacārya* and *saṃnyāsa*), by the time of the *dharmaśāstras*, do not appear to have been available to women.¹⁰⁶ The *Manusmṛiti* emphatically decrees that for women, *upanayana* (which marked the beginning of Vedic studies for twice-born men) is to be equated with marriage.¹⁰⁷ By the text's time a woman's potential for intellectual and spiritual fulfilment is no longer¹⁰⁸ recognized and the independent, religious path of renunciation is regarded as inappropriate for her.¹⁰⁹ It is generally thought that the *āśrama* of *gṛhastha* was open to women but Patrick Olivelle disputes this and suggests:

¹⁰⁵ For example, the *dharmasūtras* of both Vasiṣṭha (3.34) and Baudhāyana (1.5.8.23) maintain that *sūdras* and women become pure merely by touching water with their lips. See also *Yājñavalkyasmṛiti* 1.21; *Baudhāyanadharmasūtra* 1.5.8.22, 3.8.17; *Viṣṇusmṛiti* 62.9.

¹⁰⁶ P. Olivelle, 1993, pp. 185-9.

¹⁰⁷ *Manusmṛiti* 2.67; *Viṣṇusmṛiti* 22.32; *Yājñavalkyasmṛiti* 1.13 and the *Mitākṣarā* on *Yājñavalkyasmṛiti* 1.15.

¹⁰⁸ I use the term 'no longer' as many historians argue that in the Vedic period women could participate in certain spiritual, intellectual and religious activities at par with men. Such parity gradually declined after the Vedic age. Olivelle suggests that there is a body of evidence for female Vedic initiation and study in the ancient period (1993, p. 188).

¹⁰⁹ The category of the independent female renouncer is discussed in chapter six.

...it is highly unlikely that the married state of a woman would have been regarded in brahmanical tradition as constituting an *āśrama*. At the most, the wife could be regarded as participating in her husband's *āśrama*, just as she participates in other religious actions of her husband.¹¹⁰

Nor could women become forest hermits. According to the *dharmaśāstras*, the *vanaprastha āśrama* is for men. They are advised either to take their wives along with them or leave them behind under the care and supervision of their sons. Therefore, at the most, women accompanied their husbands to the forests. Their primary objective remained wifely service and devotion to their husbands and not their own spiritual fulfilment.¹¹¹

Like *āśrama*, *varṇa* or caste or even the twice-born status played a relatively less important role in the classification of women. At the most it can be said that some women technically enjoyed twice-born and caste status only through their paternal kin affiliation and not through their ritual rebirth from Vedic initiation. In the didactic texts, women are rarely referred to by their caste names and there was virtually no distinction between *dvija* and non-*dvija* women. However, there are some exceptions. The caste names and status of women, namely the feminine forms of the masculine ones, are employed in some specific instances such as during discussions on marriage, questions of inheritance and the caste status of sons resulting from mixed-caste marriages.¹¹² For example, it is emphasized that a twice-born man should marry a woman who not only came from a good family, was young, a virgin and not a *sapinda* but, more importantly, one who belonged to the same caste (*savarṇā*).¹¹³ Again, it is mainly in the context of marriage that a differentiation is made between twice-born and *śūdra* women (referred to as *śūdrā* and less frequently as *caṇḍālī*, *vṛṣālī* and *kṛṣṇavarṇā*), with marriage with the latter being frowned upon.¹¹⁴ Therefore, *śūdra* women were singled out as unacceptable marriage partners for twice-born men. Even when such marriages did take place, it is recommended that the offspring or son (*śūdrāputra*) of a *śūdra* mother be denied a share in the twice-born father's patrimony.¹¹⁵ The caste of women is mentioned again in the sections dealing with the inheritance of sons. If the *dharmaśāstras* are to be believed, the caste of the mother played a significant role in determining the amount each son was entitled to. The *dharmaśūtra* of

¹¹⁰ P. Olivelle, 1993, p. 188.

¹¹¹ For a discussion of women and the *āśrama* of *vanaprastha*, see chapter six.

¹¹² In addition, the *Vasiṣṭhadharmasūtra* recommends that the punishment for killing a woman should be determined according to the caste of the woman (20.37-40) as also punishment for adultery (21.1-5).

¹¹³ *Manusmṛti* 3.4-5. See also *Vasiṣṭhadharmasūtra* 8.1-2; *Arthaśāstra* 4.12.15; *Gautamadharmasūtra* 4.1; *Yājñavalkyasmṛti* 1.90; *Āpastambadharmasūtra* 2.6.13.1-2 as well the *Kāmasūtra* 1.5.1. For a detailed explanation, see *Manusmṛti* 3.12-3.

¹¹⁴ *Baudhāyanadharmasūtra* 2.2.4.13-14, 2.3.6.32, 4.6.6.7, 2.1.2.7. See also *Manusmṛti* 3.14-7,19.

¹¹⁵ See *Vasiṣṭhadharmasūtra* 17.38; *Bṛhaspatismṛti* 25.31; *Gautamadharmasūtra* 28.39; *Arthaśāstra* 3.6.22; *Manusmṛti* 9.154-5.

Vasiṣṭha recommends that if a *brāhmaṇa* had sons from *brāhmaṇa*, *kṣatriya* and *vaiśya* women, then the patrimony was to be divided: the son of the *brāhmaṇa* mother would receive three shares, that of the *kṣatriya* two shares and the others would inherit equal shares.¹¹⁶ Another instance where women are mentioned by their *varṇa* affiliations was during the discussion of the offspring of mixed-caste marriages. Although the simplest set of recommendations is found in the *Viṣṇusmṛti*, other *dharmaśāstras* give more detailed descriptions of the product of mixed-caste marriages during which they refer to women by their caste names.¹¹⁷

It is therefore, fair to conclude that *varṇa* and *āśrama*, the two most important classificatory systems of Brahmanism, were not conceived as important for women in the *dharmaśāstras*. In the *dharmaśāstras*, women are sometimes identified by their physiological and bodily functions. For example, there are many passages that refer to women as menstruating, pregnant or confined. The largest proportion of such references are on the menstruating woman, who is variously called *rajasvalā*, *uḍakvā* and sometimes *ṛtumañ*.¹¹⁸ A woman who has bathed after the fourth day of her period, and is restored to her position of ritual purity (after her temporary unclean phase), is called an *ātreyī*. A pregnant woman is often referred to as *garbhīṇī* and the one who is confined is a *sūtikā*.¹¹⁹ However, such references are not many in number and occur mainly in the context of rules and regulations for purity-pollution or in the context of certain concessions granted to pregnant women. This reinforces my argument that reproductive ability was the most important classificatory category for women. This system of classification established motherhood as the main normative function. Women who could not or did not become mothers were regarded as deviants for failing to live up to the norm and socially marginalized. The potential mothers occupied a transitory zone between the two poles. The way women were categorized and represented in the dominant Brahmanical discourse in turn influenced how women perceived themselves and how they reacted to the dominant discourse.

¹¹⁶ *Vasiṣṭhadharmasūtra* 17.47-50. See also *Baudhāyanadharmasūtra* 2.2.3.10; *Viṣṇusmṛti* 18.1-33; *Arthaśāstra* 3.6.17; *Manusmṛti* 9.149,151-3; *Brhaspatismṛti* 25.27-30 and *Mahābhārata* 13.47.11-6.

¹¹⁷ *Viṣṇusmṛti* 16.1-3. See also *Baudhāyanadharmasūtra* 1.8.16.6, 2.2.3.29-30, 1.8.16.7-12, 1.9.17.1-15; *Gautamadharmasūtra* 4.29, 4.18-21,26; *Vasiṣṭhadharmasūtra* 18.1-6,9; *Arthaśāstra* 3.7.20-34; *Manusmṛti* 10.6-40. Also refer to the *Mahābhārata* 13. 48.4-17 and *Yājñavalkyasmṛti* 1.92-5.

¹¹⁸ To give just a few examples, *Manusmṛti* 3.239, 4.40-1,57,208, 5.66,108, 11.17,88,174; *Baudhāyanadharmasūtra* 1.5.11.32; *Āpastambadharmasūtra* 1.3.9.13; *Gautamadharmasūtra* 14.30, 17.10, 23.34; *Vasiṣṭhadharmasūtra* 4.37, 5.6.

¹¹⁹ *Baudhāyanadharmasūtra* 2.2.3.25, 2.3.6.30; *Āpastambadharmasūtra* 1.5.16.19, 2.2.4.12; *Gautamadharmasūtra* 5.21, 14.30; *Vasiṣṭhadharmasūtra* 4.37; *Manusmṛti* 3.114,162, 9.283, 8.407.

2.6. Disseminating the Brahmanical world view

Having conceived of the woman as sexually dangerous and having established the mother as the primary normative category, the next concern would be to get this message across to women. How was this done? Traditionally the *brāhmaṇas* have been the creators, perpetuators and interpreters of the *smṛti* texts and they guarded this privilege fiercely. So how did the texts and the doctrines they contained become accessible to women and the common people? The *sūtras* were composed and compiled in Sanskrit in the Vedic *carāṇas* by *brāhmaṇas*. They were probably not meant for the entire Aryan community, but were rules of conduct for particular groups of *brāhmaṇas*.¹²⁰ In fact, until the *Manusmṛti*, a particular *sūtra* belonged to a particular Vedic school and was probably not shared by even all *brāhmaṇas*. Women and *śūdras* (and possibly *vaiśyas*) were excluded from such learning. The later *dharmaśāstras* enjoyed a wider audience. Most of the *dharmaśāstras* would have been available to the *brāhmaṇas* and the literate *kṣatriyas*. Although there was an expansion in the audience of the *śāstras*, women and *śūdras* were still excluded from listening to them.

However, both women and *śūdras* were important in the Brahmanical scheme of the world. The *śūdras* were the producing and the serving class and women, particularly upper-caste women, were a necessary part of the Brahmanical world view on kingship, land, caste and family. So how were these groups to be addressed? The Brahmanical takeover of the epics (and later the *Purāṇas*) provide an important clue. The redacted epics covertly or overtly illustrated dharmic principles. As Jamison suggests, there was an important correlation between the idealized rules of conduct in the law codes and the idealized narratives in which dharmic principles are applied.¹²¹ The function of the epic narratives became exemplary and provided an opportunity for the dissemination of Brahmanical social values. In fact, women and *śūdras* were specially exhorted to listen to recitation of the epics and *Purāṇas*. The act of listening was supposed to endow the listener with religious merit. The problem of the epics being composed in Sanskrit (the sacerdotal language) is solved if one remembers the Indian tradition of priests holding recitations in temples for women during which moral and dharmic ideals are illustrated with the help of epic stories. Julia Leslie, in the context of the *Strīdharmapaddhati*, an Indian text on the duties of women, writes: 'It is therefore not unreasonable to assume that Tryambaka's *Strīdharmapaddhati* was written precisely for this purpose: to be read aloud and expounded upon for the benefit of women of the Thanjavur court during their afternoon siesta period. The women themselves need not have been proficient in Sanskrit, or even literate. For the court pandit responsible for recitation would no doubt have

¹²⁰ G. Bühler, 1882, p. xiv. Lipner agrees: 'The *sūtra* form enclosed Establishment wisdom, enabling it to be unlocked only in appropriate circumstances. It was a vehicle and symbol of authority' (1994, pp. 81-2)

¹²¹ S. Jamison, 1996, p. 9.

translated freely and expansively into Marathi in order to bring these vital pronouncements concerning the proper behaviour of women to the attention of those for whom they were intended'.¹²²

Summary

To summarize, the period 500 BCE and 300 CE was one of turmoil and change and saw the emergence of the state, centralized monarchy, urbanization, money economy, private property and the ownership of land. There was also a strengthening of the *varṇa* system, with a clear demarcation of the rights and privileges of the two upper castes. Several heterodox sects emerged to challenge the principles and practices of the hitherto dominant religious tradition. Under the impact of all these, the dominant religious tradition (Vedism) underwent important changes. What emerged in its place is what I have called Brahmanism. Brahmanical thought expressed itself in the literature of this period—the epics and the *śāstras*—the texts used as evidence in this thesis. During the process of composition of this literature, Brahmanism became further re-systematized and clarified.

The Brahmanical discourse on women that emerged in this period was not simply the result of but an inseparable part of these changes. This discourse first created the 'natural' woman constructed as sexually insatiable and dangerous. She had to be controlled and her sexuality and fertility regulated to meet Brahmanical goals. The *brāhmaṇas* therefore, evolved a system of classifying women according to their procreative status. In this scheme of classification, the mother as the proven procreatrix occupied the supreme position. Wives and daughters were potential mothers, while the rest were non-mothers. This division of women ensured Brahmanical control over women's reproductive facilities. The Brahmanization of the epics and the *Purāṇas* helped to disseminate this construct among women and the lower castes.

¹²² See J. Leslie, 1995, p. 22.

THE INSTITUTIONALIZATION OF MOTHERHOOD: THE 'MOTHER' AS
PROCREATIVE, KIN AND ASEXUAL

I have previously argued that, from about the mid-first millennium BCE, certain historical conditions led to the 'reinvention' of Brahmanical thought and tradition. A significant part of this newly evolved Brahmanism was its vision of a politico-socio-moral order and the need to reproduce this order. In the reproduction of the envisioned social order, it was perceived that women, as biological reproducers, could play an important role. Therefore, the texts of this period reflect a concern with the sexuality and fertility of women. Both, if socialized and properly channelled, could benefit society.¹ This imperative led to the evolution of the Brahmanical world view on women, which first saw women as sexual and dangerous and then argued for their control and regulation through a system of classification on the basis of their reproductive abilities. In this chapter I focus on the primary normative category, the 'mother'. Through an examination of various themes, I demonstrate how Brahmanism, with its recognition of woman's role in reproduction, came to eulogize the woman who had become a mother. Motherhood also had an impact on a woman's kinship and sexual status, for with childbirth a woman ceased to be regarded as an overt sexual threat. But at the same time, as I discuss, Brahmanical thought also rejected certain aspects associated with birth, mothering and nurturance and, therefore, did not invest this category with substantial power or legal and other rights.

3.1. The mother again

The 'mother' is not a new category in the scholarship on women in ancient India. Many histories of women of this period include chapters or sections on the wife, the mother, the daughter and the widow or, at the very least, on marriage, motherhood, childhood/education and widowhood. This framework, which envisage women's history in terms of a description of the various stages in a woman's life, is first apparent in the work of Clarisse Bader² and, subsequently, in that of other historians.³ These works directly reflect the dharmasāstric injunctions on women, as, in the *dharmasāstras*, aside from the references that speak of women in general, the largest body of injunctions refer to women as the wife, mother, daughter

¹ I do not mean to imply that the *brāhmaṇas* consciously thought out and sought to create a world similar to that described in Margaret Atwood's *A Handmaid's Tale*. The texts reflect a concern with the perpetuation of particular values and a (Brahmanical) way of life and, consequently, elucidate the expected behaviour of both men and women. In this context, the sexuality and fertility of women are deemed important. My reading of the texts suggests that women appear to have been perceived in primarily in procreational terms.

² C. Bader (1867). The first section of Bader's book describes the role of women in religion. But the major part of the study is devoted to a description of women in ancient India as wives, mothers, daughters and widows.

³ For example, see A. S Altekar, 1938; R. M. Das, 1962; Manjushree, 1990; S. Shah, 1995.

and the widow.⁴ Therefore, these histories see women only in the context of the family—as daughters, wives, mothers and widows—without any corresponding structural analysis of the category or categories in question.⁵ Where woman as mother is concerned, most scholars using the nationalist paradigm, unhesitatingly follow the ancient Indian texts and remark on the ‘glorious and high position’ of the mother in ancient Indian thought. There is little attempt to see beyond the stereotypical eulogy in the Brahmanical texts. Moreover, these scholars focus only on the woman who is defined as wife, mother, daughter and widow, that is, on kin terms that emphasizes her relationship with men. While agreeing that these four terms (wife, mother, daughter and widow) are ‘kin’ and ‘familial’ in their content, I argue that the kinship factor, while important, is secondary. It is not the kinship status that gives meaning to these terms. Rather, a close analysis reveals that the terms reflect the procreative status of women, an issue not properly investigated by previous historians. As I explain below, the procreative status conditioned the kin content of these terms. In this context, it must be remembered that the *dharmaśāstras* also refer to the *veśyā*, *gaṇikā*, *puṅścalī*, *kulaṭā* (‘prostitute’), the *dāsī* (slave/servant woman) and the *parivrājikā* (woman ascetic),⁶ usually regarded as ‘non-kin’ women. This is perhaps why most studies of ancient Indian women exclude them from their accounts. But such women are as much a part of Brahmanical thought as the mother, the wife and the daughter and the widow. Therefore, an identification of women on the basis of their ‘kin’ or familial status and the exclusion of ‘non-kin’ and non-familial terms from a study is inadequate.

Recently, there have been attempts to analyse the woman as mother in Brahmanical texts. Sukumari Bhattacharji considers the eulogy of motherhood in ancient India and suggests that it was ‘an ideational and emotional compensation for reality’. She also tries to trace the socio-economic roots of this eulogy and concludes that women came to be regarded as the human counterpart of land in a patriarchally organized, agricultural society.⁷ Michael Allen argues that the *kṣatriyas* and *vaiśyas* valued women as mothers with corresponding negative implications for other female types because of their desire for a ‘large and prosperous lineage’. He comments that although motherhood was valued, it was nurturance rather than reproductivity

⁴ Quantitatively, the woman as wife (*bhāryā*, *jāyā*, *patnī*, *dāra*, *kuṭuṃbinī*) dominates, followed by the mother (*mātṛ*, *jananī*, *ambā*), then the daughter (*kanyā*, *kumārī*, *bālā*, *prajā*, *sutā*) and the widow (*vidhavā*, *mṛtapatnī*, *pretapatnī*). There are references to other ‘kin’ terms such as paternal and maternal grandmothers, paternal and maternal aunts (*mātulānī*), the mother-in-law, the daughter-in-law (*smuṣā*), and the sister (*svasṛ*, *bhaginī*). But these references are few in number and insignificant.

⁵ See U. Chakravarti, 1988c, p. 44.

⁶ Although the *veśyā*, the *dāsī* and the *parivrājikā* are not mentioned extensively, their inclusion in the *dharmaśāstras* and all the other texts of the period under consideration is significant and reflects the overall discourse of Brahmanism on women.

⁷ S. Bhattacharji, 1990, pp. 50-7. For an analysis of the relationship between land and women in Brahmanical discourse in a slightly later period, see M. Aktor, 1999 [in press].

that was venerated.⁸ As I will show in this chapter, the female role in biological reproduction is devalued, as is the mother's role in nurturance. This is because the mother, in the Brahmanical texts under consideration, is only a symbol of successful childbirth. Furthermore, Kumkum Roy comments that by the time of the *dharmasāstras*, the most common identity envisaged for women was wifehood, the notion of motherhood being less central. There was the occasional glorification of the woman as mother in the *Manusmṛiti*. But this was a 'token concession' that failed to develop into a perspective that interpreted motherhood as natural or empowering.⁹ However, while most of the references in the *dharmasāstras* relate to the wife, there are important qualitative differences in the nature of the references to the wife and mother. The wife is seen as a potential mother (see chapter four) and, therefore is a problematic category, requiring greater explanation. Woman as mother is a fulfilled procreatrix. Within the parameters established by Brahmanism, since giving birth was important, a mother demonstrated that she had successfully fulfilled her primary duty as a woman. Therefore, it appears that she was rewarded by a eulogy and subsequently overlooked. In order to understand why the woman as mother is eulogized and transformed into a symbol of successful procreation, in the next section, I analyse the importance of sons and ancestor worship in Brahmanical thought, *gṛhastha dharma* and women's role in reproduction.

3.2. *Putrān dehi*,¹⁰ ancestor worship, *gṛhastha dharma* and women's role in reproduction

The Brahmanical texts reflect an increasing desire for progeny, particularly sons. The preference for sons had been expressed in earlier texts, but the *dharmasāstras* and the epics go to great lengths to establish the absolute necessity for sons. The *Vasiṣṭhadharmasūtra* reads: "Endless worlds can be obtained by (a man) with sons. There is no place for one who does not have sons"—thus it is heard (from the *Vedas*?). "May the enemies not have offspring"—this is a curse (according to the *Vedas*?).¹¹ Elsewhere, it declares that all householders are to study the *Veda*, offer sacrifices and produce children, and finally, that the begetting of children is a duty which is common to all castes.¹² In the *Mahābhārata*, Vyāsa tells Vicitravīrya that, 'a son prevails as nothing prevails over a son'. He narrates the story of Surabhī and Indra, which proves that no other property, however valuable, is more important than a son. In the story,

⁸ M. Allen, 1990, pp. 17-8.

⁹ K. Roy, 1995, pp. 22-3.

¹⁰ Part of a *śloka* in *Yājñavalkyasmṛiti* (1.291) addressed to the Goddess Ambikā.

¹¹ *Vasiṣṭhadharmasūtra* 17.2-3.

¹² *Vasiṣṭhadharmasūtra* 8.11 and 4.4. Like the other *śāstras*, this text too equates children with sons. When the *śāstras* want to refer specifically to female progeny, the feminine forms like *putrā*, *sutā*, *santatī* are used, along with the terms for a daughter. In all other cases, the masculine form is employed whenever children are mentioned. This makes it clear that, in a *śāstra*, a child was a son, unless otherwise stated.

Indra himself apparently acknowledges that a son is greater than life itself.¹³ Śakuntalā, while trying to persuade Duṣanta to accept his son recounts:

A son stumbles and covered with dirt embraces his father—is there joy beyond that.
Of two-footed men the Brahmin is the best; of four-footed beasts the cow is the
worthiest; of respected men the *guru* is the first; and of all things to touch the son is the
choicest.
...ancestors call the son the foundation of family and lineage, the highest of all merits
of law—therefore one should never abandon a son.¹⁴

There are several explanations for the importance of male children. Aside from the economic factors, the son had a specific ritual significance in Brahmanical thought, linked to the predominance of ancestor worship and the concept of the three *ṛṇas*. Ancestor worship, always important, gains added significance during this period. Thus the *Manusmṛti* recommends: ‘Just a little water, given to [the ancestors], ...procures an incorruptible reward. It is more important for the twice-born to perform rituals to the ancestors than to perform rituals to the gods.’¹⁵ A man could discharge his debt to his ancestors only by begetting a son. The *Manusmṛti* continues: ‘By the study of the *Vedas*, by vows, by offering into the fire, by acquiring the triple learning, by offering sacrifices, by sons, ...the body is made fit for ultimate reality. As soon as his eldest son is born a man becomes a man with a son, and no longer owes a debt to his ancestors.’¹⁶ The *Mahābhārata* proclaims: ‘Sons give merit of law and a good name, they foster the happiness of their father’s hearts and, once born, save ancestors from hell like ferries of the Law.’¹⁷

The *Nārada-smṛti* explains more appropriately that fathers wish for sons so that they themselves can become free from worldly and sacred debts.¹⁸ Pāṇḍu regrets that because he does not have sons he has not been able to fulfil his debts to his ancestors.¹⁹ A son not only

¹³ *Mahābhārata* 3.10.4-5,17.

¹⁴ *Mahābhārata* 1.68.52, 1.68.55-6, 1.69.17. Bhīma, in *Madhyamavyāyoga*, gives expression to a popular sentiment, when he declares that fathers always yearn for sons (1.51).

¹⁵ *Manusmṛti* 3.202-3. The *smṛti* adds that, among the three *ṛṇas* (debts) that a man has to discharge in his lifetime, one is to the ancestors (*pitṛ*). A man can turn over everything to his son and retire only after he has discharged this debt (4.258). The *dharmasūtra* of Baudhāyana explains that a man is born with three debts, which he can discharge by studying, sacrificing to the gods and producing children (2.9.16.7). The story of Jaratkāru in the *Mahābhārata* is well known. During his travels, he comes across several of his ancestors hanging upside down in a cave. His ancestors explain that they are suffering in this way because he failed to produce children (and thereby discharge his debts towards them) (1.13.12-7). A similar story is narrated about Agastya in the *Mahābhārata* 3.94.11-15. For the story of Mandapāla, see *Mahābhārata* 1.220.11-4.

¹⁶ *Manusmṛti* 2.28, 9.106. It also refers to the number of generations of ancestors that offspring of particular marriages free from guilt (3.37-38) as does the *Yājñavalkya-smṛti* 1.58-60 and the *Viṣṇu-smṛti* 24.29-32. The *Baudhāyanadharmasūtra* writes something similar: ‘If a man worships the sages by studying the *Vedas*, Indra by Soma sacrifices and his ancestors by the procreation of children he rejoices in heaven, free from debt’ (2.9.16.5). the text continues that through the procreation of a virtuous son a man saves himself as well as seven in the ascending line and seven in the descending line from the fear of sin (2.9.16.8-9). See also the *Rāmāyaṇa* 2.4.14.

¹⁷ *Mahābhārata* 1.69.19.

¹⁸ *Nārada-smṛti* 2.1.4-5. Viśvāmitra, in the *Rāmāyaṇa*, tells his sons: ‘Fathers, seeking what is good, beget sons for the sake of their welfare in the next world’ (1.17.33).

¹⁹ *Mahābhārata* 1.111.11-6.

ensured freedom from debt, but also guaranteed immortality and access to all the 'worlds' to the father:

The father bestows his debts on his son and obtains immortality if he sees the face of a living son.²⁰

It is declared (in the *Veda*) that one's offspring is the cause of one's immortality (in the Verse)—'In your son you are born again, that mortal is (the cause of) your immortality.'²¹

Through a son he conquers the worlds, through a grandson he obtains immortality, but through his son's grandson he obtains the world of the sun.²²

In the *dharmaśāstras*, the most common term employed for the son is *putra*: 'Because the male child saves (*trāyate*) his father from the hell (*put*), therefore, he is called a son (*putra*) by the Self-existent one himself'.²³ This statement is often repeated.²⁴ Therefore, according to the *dharmaśāstras*, the birth of a son ensured freedom from the debt to one's ancestors, from the hell called *put*, and guaranteed immortality.

The narrative sections of the epics clearly illustrate this ritual significance of sons. Men, especially kings and sages, are portrayed as eager for sons. They are willing to undergo severe austerities and penance or to conduct extravagant sacrifices for this purpose. For example, Somaka sacrifices his only son to obtain a hundred sons, while Sāgara performs penance to obtain sons from Śiva.²⁵ Sages are requested to perform sacrifices to ensure the birth of sons to kings. For example, Bharadvāja performs sacrifices for Divodāsa so that he can obtain a son.²⁶ Perhaps the best-known example is Daśaratha. He mourns his sonless state and performs the *āsvamedha* and the *putreṣṭi* sacrifices to obtain sons.²⁷

²⁰ *Viṣṇusmṛti* 15.45. This is repeated in *Vasiṣṭhadharmasūtra* 17.1.

²¹ *Āpastambadharmasūtra* 2.9.24.1.

²² *Vasiṣṭhadharmasūtra* 17.5. This statement occurs again in *Baudhāyanadharmasūtra* 2.9.16.6 and *Viṣṇusmṛti* 15.46. The *Manusmṛti* reads: 'A man wins worlds through a son and he gains eternity through a grandson, but he reaches the summit of the chestnut horse through the grandson of his son' (9.137). For the importance of sons, see also *Mahābhārata* 14.93.37,45; 13.68.33.

²³ *Manusmṛti* 9.138.

²⁴ For example, in *Viṣṇusmṛti* 15.44; *Bṛhaspatismṛti* 25.36. In the *Mahābhārata*, Śakuntalā recounts a similar tale to Duṣanta (1.68.38) as do the gods to Mandapāla (1.220.13-4.). The *Nirukta* (2.11) provides a similar etymological origin of *putra* (cited in P. V. Kane, 1941, p. 561).

²⁵ See *Mahābhārata* 3.127.12-20, 3.128.1-6 and 3.104.1-15; *Rāmāyaṇa* 1.37.2,5,6-8. Bhīma of Vidharba is portrayed as sorrowful as he does not have sons (*Mahābhārata* 3.50.5-7). Other examples include Pulomā and Kālākā (*Mahābhārata* 3.170.6); Vinatā (*Mahābhārata* 1.27.24-6); Sṛnjaya (*Mahābhārata* 12.31.15), and so on. The only discordant note in this general eulogy of the son is struck in the *Arthaśāstra*, which warns a king that he should be on guard against princes; for they, having the same nature as crabs, devour their begetters (1.17.4-5).

²⁶ *Mahābhārata* 13.31.26-8.

²⁷ *Rāmāyaṇa* 1.8.1-2, 1.11.8, 1.15.17. Daśaratha tells Viśvāmitra: 'The acquisition of nectar, rain in the desert, a son born to a childless man by a proper wife ... your welcome is as welcome to me as all these things' (1.17.33). It is in this context of the importance of sons that Brockington makes an interesting observation. He is of the opinion that passages belonging to the chronologically earlier strata of the *Rāmāyaṇa* reflect an unaffected and natural desire for progeny. But in the chronologically later layers of the epic, the natural desire is replaced by an almost artificial, ritualized expression of that need (1984, p. 161).

Along with the importance of ancestor worship, the crystallization of the notion of the four *āśramas* added to the need for sons. According to Olivelle, it was around this time that the *āśrama* system also underwent a change.²⁸ The *āśramas* had originally been independent paths. An individual could choose any one option. Gradually, the element of choice disappeared and the *āśramas* became consecutive stages in the life of an individual: every man was expected to go through each stage in succession. Of the four *āśramas*, eventually the *gṛhasṭha āśrama* became established as the superior one because it was associated with the procreation of children and, therefore, with the regeneration of the world and the appeasement of the ancestors. A man could no longer bypass the *gṛhasṭha āśrama* and enter *saṃnyāsa* directly after *brahmacārya*. Some *smṛtis* openly favour the *āśrama* of the householder. The *Manusmṛti* explains: ‘Just as all living creatures depend on air in order to live, so do members of the other stages of life subsist by depending on the householder. Since people in the other three stages of life are supported everyday by the knowledge and the food of the householder, therefore the householder stage of life is the best.’²⁹

The religious importance granted to sons, ancestor worship and *gṛhasṭha āśrama* under Brahmanism created a fundamental dilemma. On the one hand, the texts recognized that only women could bear children.³⁰ As Śakuntalā in the *Mahābhārata* succinctly puts it, ‘Women are forever one’s sacred field of birth—are ever the seers able to have children without one?’³¹ The *Manusmṛti* maintains that women are created to bear children and carry on the line, an opinion repeated in the *Nāradaśmṛti*, the *Arthaśāstra* and the *Mahābhārata*. According to Bhīṣma, ‘the begetting of children, the nurturing of children when born (*utpādana, jātasya paripālana*) ... women are necessary for all of these’.³² Moreover, only a woman could identify the father of the child. But, women were also regarded as inherently sexually insatiable (see chapter two). The juxtaposition of the recognition of women’s role in reproduction, the awareness of women’s ability to name the father of the child, and the belief in women’s sexual appetites, led to major problems within the discourse. The success of ancestor worship, the fulfilment of *dharma* and the transfer of private property depended not on any kind of son but on a ‘biological’ son.³³ The purity of the lineage and caste and an uncorrupted bloodline was deemed essential. In other words, man’s son had to be biologically his own. Since women were

²⁸ P. Olivelle, 1993, pp. 3-16,

²⁹ *Manusmṛti* 3.77-8. See also *Manusmṛti* 6.89-90; *Vasiṣṭhadharmasūtra* 8.14.

³⁰ The concept of the mind-born son, the son created outside the womb, and the metaphor of male pregnancy frequently occur in the epics and will be discussed later in this chapter.

³¹ *Mahābhārata* 1.68.51.

³² *Manusmṛti* 9.96; *Nāradaśmṛti* 2.12.19; *Arthaśāstra* 3.2.42 and *Mahābhārata* 13.46.10.

³³ Several kinds of sons are mentioned in the *dharmaśāstras*, but the *śāstrakāras* are unanimous in proclaiming the *aurasa* as the best. An *aurasa* son was begotten by a man on his *savarṇā* wife, who had been married according to the dharmic forms of marriage.

regarded as having a more sexual nature than men, there was a fear of suppositious children, whose introduction would corrupt the lineage. This was reinforced by the fact that men could never be sure of the paternity of their children. For, as the *Mahābhārata* puts it, only the mother of a child would know its true biological father.³⁴ In the final analysis, the establishment of paternity depended on the mother/woman whose nature was already a source of anxiety to the *brāhmaṇa* ideologues. Therefore, partly to ensure that women followed Brahmanical norms and reproduced within the parameters prescribed by Brahmanism, and partly to 'reward' the woman who had done so and had become a mother, Brahmanical texts incorporate a eulogy for the woman as mother. These imperatives, if kept in mind, help to clarify the increasing but stereotypical eulogy of the mother found in the texts of this period. What did this eulogy consist of?

3.3. *The eulogy of the mother*

Childbirth was and is a biological process. But in ancient Indian texts, because of the value attributed to procreation, it was a social event, which transformed the woman undergoing the process. The woman had fulfilled her primary duty and as such she was sharply distinguished from the non-mother and even the potential mother. In the texts, therefore, there is a qualitative difference in the nature and content of the references to the mother. While most of these references are eulogistic in nature, some grant certain practical concessions to pregnant women, some highlight the ritual role of women as mother, and some mark the transformation in their kinship and sexual status. Let me examine each of these in detail.

The *dharmasāstras* and the didactic sections of the epics are unanimous in praising the mother. But this praise is expressed in a formulaic and stereotypical manner. First, the mother is represented as one of the three *atigurus*, equal to the *dakṣiṇatya* fire, devotion to whom leads to the attainment of this 'world':

A man has three *atigurus*. His father, his mother and his spiritual teacher.³⁵
 (The father, the mother and the teacher) are the three *Vedas* ... to the three gods ... to the three worlds and to the three sacrificial fires.³⁶
 The father is the household fire (*gārhapatya*), the mother is the southern fire (*dakṣiṇa*) and the teacher is the sacrificial fire (*āhavanīya*).³⁷
 By loving devotion to his mother he gains this world, by loving devotion to his father the middle world; and by obedience to his *guru*, the world of ultimate reality.³⁸

³⁴ The sage Cirakārin makes the assertion that the mother alone knows the family (*gotra*) into which the son is born as well as the father who has begotten him (*Mahābhārata* 12.258.33).

³⁵ *Viṣṇusmṛti* 31.1-2; *Rāmāyaṇa* 2.103.2.

³⁶ *Viṣṇusmṛti* 31.7. See *Manusmṛti* 2.229, where the *smṛti* adds the three stages of life to this list. See also the *Mahābhārata* 12.109.6,8.

³⁷ *Viṣṇusmṛti* 31.8; *Manusmṛti* 2.231; *Mahābhārata* 12.109.7.

³⁸ *Viṣṇusmṛti* 31.10; *Manusmṛti* 2.233. The *Yājñavalkyasmṛti* adds that by avoiding quarrels with one's mother and father and guests, and so on, a householder can conquer all the worlds (1.157-8).

The teacher is the physical form of ultimate reality, the father the physical form of the Lord of Creatures, the mother the physical form of the earth.³⁹

The trouble that a father and a mother endure in giving birth to human beings cannot be redeemed even in a hundred years. He should constantly do what pleases both of them...when these three [the teacher being the third] are satisfied, all inner heat is achieved.⁴⁰

As if the above eulogy was not enough, the *śāstrakāras* are at pains to clarify the matter further:

The teacher is more important than ten instructors, and a father more than a hundred teachers, but a mother more than a thousand fathers.⁴¹

There is no shelter like the mother, no refuge like the mother. There is no defence other than the mother, there is no one dearer than the mother.⁴²

The *Manusmṛti* emphasizes that the mother is the most important of all female kin.⁴³ This ideology of the didactic texts is further illustrated in the epics.⁴⁴

A second group of sayings relate to sanctions against the physical and verbal abuse of the mother, both of which are condemned. 'A teacher, father, mother and older brother should not be treated with contempt ... If a man calumniates his ... mother [among others] ... he is to be fined a hundred pennies [*paṇas*]'.⁴⁵ Vijñāneśvara quotes this verse in his commentary on the *Yājñavalkyasmṛti* and writes that whoever reviles his father and mother is reborn as a *khaṇḍakāra*.⁴⁶ The *Arthaśāstra* prescribes a more drastic punishment: 'For reviling these (the mother, father, brother, teacher or an ascetic), the cutting of the tongue (of the offender is recommended)'.⁴⁷ The *dharmasūtra* of Gautama clarifies that the mother and father are not to

³⁹ *Manusmṛti* 2.226.

⁴⁰ *Manusmṛti* 2.227-8.

⁴¹ *Manusmṛti* 2.145; *Vasiṣṭhadharmasūtra* 13.48; *Yājñavalkyasmṛti* 1.34-5; Atri 151, quoted in P. V. Kane, 1941, p. 580. According to the *Mahābhārata*, the mother is equal to ten fathers (13.105.14-5) and is to be respected like a *guru* (13.61.89). The *Gautamadharmasūtra*, which maintains that the *ācārya* is the highest among the *gurus*, is rather an exception (2.56).

⁴² *Mahābhārata* 12.258.29. Elsewhere, the *Mahābhārata* also states that some regard the mother as worthy of more respect and some the father; but the mother who rears her children performs a more difficult task and therefore is to be accorded greater respect (3.196.15).

⁴³ *Manusmṛti* 2.133.

⁴⁴ In the epics, Kāśyapa goes to heaven because of his obedience to his mother (*Rāmāyaṇa* 2.18.20). Rāma is of the opinion that righteousness lies in submission to the commands of the father and the mother (2.27.29; 2.69.27). He instructs Bhārata to forgive Kaikeyī, for the mother commands as much reverence as the father (2.97.17-8). In the *Mahābhārata*, Kadru curses her sons, the snakes, for not obeying her command. A mother's curse is dreaded as there is thought to be no cure. For example, Vāsuki declares: 'There is not a curse that has no cure, but, Snakes, one cursed by his mother has no escape' (1.18.6-8; 1.33.4-6; 1.37.4; see also 1.3.8-9 for Saramā's curse on Janamejaya). This sentiment is not restricted to the epics. For example, in *Madhyamavyāyoga*, Ghaṭotkaca is adamant that his mother's command is supreme and her wishes have to be carried out. Bhīma acknowledges that for a man, his mother is god and that the Pāṇḍavas are in their present condition because of having honoured their mother's instruction (1.37). But there are exceptions to this general rule of the supremacy of the mother's command and the effectiveness of her curses. The *Mahābhārata* records the unusual example of a mother, Vinatā, who is cursed by her son, Aruṇa, and condemned to slavery for five hundred years (1.14.16-21).

⁴⁵ *Manusmṛti* 2.225, 8.275. The *Mahābhārata* also condemns the verbal abuse of the mother (12.109.24-5; see also 12.109.16).

⁴⁶ *Mitākṣarā* on *Yājñavalkyasmṛti* 3.216; 2.204.

⁴⁷ *Arthaśāstra* 4.11.14.

be treated improperly under any circumstances.⁴⁸ Moreover, they are to be repeatedly honoured by rising up and saluting them.⁴⁹ Theoretically, physical abuse is not tolerated either. The *Arthaśāstra* recommends:

He shall cause to be slain, by setting fire to the skinless head, one who has killed his mother, father, son, brother, preceptor or an ascetic ... For wounding a limb, he shall be deprived of the (corresponding) limb.⁵⁰

In this *śloka* it may be noted that while among male kin, the father, son and brother are included, among female kin only the mother is mentioned. The *Mitākṣarā* writes that the mother and father are to be immune from any kinds of punishment/abuse and the *dharmaśūtra* of Vasiṣṭha prescribes loss of caste for those who strike their mother, father or *guru*.⁵¹

A third kind of prescription related to the issue of maintenance/abandonment of the mother. Some *śāstrakāras* insist that a mother who is not a *patitā* should not be abandoned. In fact, the rejection of the mother (when she is not an out-caste), or of the father, son, or *guru* is one of the many *pātakas* (sin or crime leading to loss of caste) mentioned in *Manusmṛti*. It is a punishable offence: 'Neither a mother, nor a father, nor a wife, nor a son deserve desertion; anyone who deserts them when they have not fallen shall be fined six hundred (pennies) by the king.'⁵² The rules are somewhat relaxed for an out-caste mother, but even she could not be totally abandoned. Significantly, unlike an out-caste father, a mother who had become an out-caste has to be maintained:

A father, who has committed a crime involving the loss of caste, has to be forsaken.
But a mother does not become an out-caste for her son.⁵³
An out-caste mother ought to be supported but one should not speak to her.⁵⁴

The *Āpastambadharmasūtra* attempts to justify this difference in treatment of an out-caste father and an out-caste mother. It comments that since a mother performs many acts (of love and various sacrifices) for her child, he must support her even if she becomes a *patitā*.⁵⁵ Therefore, a man who abandons his mother, father and *guru* (*mātā pitā guru tyāgi*) without

⁴⁸ *Gautamadharmasūtra* 21.15.

⁴⁹ *Vasiṣṭhadharmasūtra* 13.43.

⁵⁰ *Arthaśāstra* 4.11.13-14. Matricide is a heinous crime in the epics (*Mahābhārata* 12.109.18, 12.258.39; *Rāmāyaṇa* 2.72.21) notwithstanding the example of Paraśurāma, who kills his mother but later asks for the restoration of her life (*Mahābhārata* 3.116.14-8). Paraśurāma's is the only example of matricide in ancient Indian literature. Even Ajātaśatru, who wants to kill his mother, desists on the advice of his ministers. For details, see S. Bhattacharji, 1990, pp. 50-7.

⁵¹ *Mitākṣarā* on *Yājñavalkyasmṛti* 1.358; *Vasiṣṭhadharmasūtra* 15.19. See also *Manusmṛti* 4.162; 4.179-80.

⁵² *Manusmṛti* 8.389. According to the *Viṣṇusmṛti*, the abandonment of an out-caste mother is a crime in the fourth degree (37.6). The *Yājñavalkyasmṛti* denotes this offence as an *upapātaka* and the *Mitākṣarā* recommends that the *prāyaścitta* for *upapātaka* be performed if one has forsaken one's mother, father or son (2.237, 23.237). See also *Mahābhārata* 12.155.9, 12.159.57.

⁵³ *Vasiṣṭhadharmasūtra* 13.47. See also *Arthaśāstra* 2.1.28.

⁵⁴ *Baudhāyanadharmasūtra* 2.2.3.43.

⁵⁵ *Āpastambadharmasūtra* 1.10.28.9.

valid reason, is listed among those who are not to be invited to a *śrāddha*.⁵⁶ The *dharmasūtra* of Āpastamba adds that if a man accepts food from a motherless person, the recitation of the *Vedas* have to be interrupted for a day and an evening.⁵⁷ For the maintenance of the *gurus*, begging (normally looked down upon) was allowed in the *śāstras*. The *Mitākṣarā* makes it clear that the Sanskrit term *guru* refers to both the father and the mother.⁵⁸ Maintenance was also apparently extended to include funeral rites. A *snātaka* or student could assist in the funeral rites of his mother, father and *guru* (death normally being considered as polluting), without this affecting the condition of his student (*brahmacārya*) state.⁵⁹

Historians have also drawn attention to the role of the woman as mother in ritual. Chaudhuri argues that the mother continued to play an important role in various Vedic rites and rituals from early times.⁶⁰ Evidence from the *dharmasāstras* do not always support this contention. The *Yājñavalkyasmṛti* argues that the father, grandfather, brother and *sakulyas* as well as the mother are entitled to give the daughter in marriage. But the mother is placed lowest in the list, and the *Mitākṣarā* adds that she has to be in a 'normal condition' to do so.⁶¹ Nevertheless, the mother is the only woman included in this list of people entitled to perform *kanyādāna*. The *Manusmṛti* recommends that after the *upanayana* ceremony, a *brāhmaṇa* should beg from his mother first, or from his sister or maternal aunt, that is, from a woman who will not refuse him.⁶² The *Āpastambadharmasūtra* reads: 'One (a student who is returning after completing his studies) should not approach the mother, father, teacher or holy fire empty-handed and also the king (if he is meeting him for the first time). He should give whatever he obtains (by begging or otherwise) to his mother. She should give it to her husband'.⁶³ Among all women, the mother alone is allowed to participate in the ritual significance of her son's (the *snātaka*'s) homecoming. The mother's right to give away her son in adoption or reject him and cast him off is also emphasized. The former type of son is called

⁵⁶ *Yājñavalkyasmṛti* 1.224; *Viṣṇusmṛti* 82.29; *Manusmṛti* 3.157.

⁵⁷ *Āpastambadharmasūtra* 1.3.11.1.

⁵⁸ *Yājñavalkyasmṛti* 1.216 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 1.216. See also *Manusmṛti* 11.1; *Viṣṇusmṛti* 57.13; *Āpastambadharmasūtra* 2.5.10.1.

⁵⁹ *Viṣṇusmṛti* 22.86; *Yājñavalkyasmṛti* 3.15 (*Viṣṇu*'s verse is quoted in the *Mitākṣarā* in its commentary on this *śloka*). See also *Baudhāyanadharmasūtra* 2.1.1.24. But the *dharmasūtra* of Āpastamba is stricter, asking the student to desist from studying the *Vedas* for twelve days after his parents or teacher have died.

⁶⁰ J. Chaudhuri, 1938, pp. 822-30.

⁶¹ *Yājñavalkyasmṛti* 1.63 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 1.63. The *Viṣṇusmṛti* (24.38-9) and the *Nāradaśmṛti* (2.12.20-2) also list the people entitled to give a girl away in marriage. The former includes the mother, as does the latter, providing no one else is available and if the mother is not disqualified on any other ground. Kane explained that the mother came low down in the list because women were dependent. Moreover, the mother could not personally conduct the ceremony of *kanyādāna*; someone else had to perform it for her (1941, p. 502).

⁶² *Manusmṛti* 2.50.

⁶³ *Āpastambadharmasūtra* 1.2.8.23; 1.2.7.15-6.

a *dattaka* son and the latter *apavidha*.⁶⁴ But it appears that the mother did not have the power to make the decision on her own. For the *śāstras* also emphasize that the permission of both the mother and the father is necessary before a son could be cast off or given up in adoption. For example:

Man is formed from (uterine) blood and (virile) seed. He is created from his mother and father. Therefore, the father and the mother have the power to give, or abandon or sell their son. ... But a woman should not give or receive a son without her husband's permission.⁶⁵

Two stories in the epics deal with the question of the mother's right over her son's future. The first is the story of Śunaḥśepa recounted in the *Rāmāyaṇa*.⁶⁶ In it, Śunaḥśepa's mother states her preference for her youngest son and assents to the sale of Śunaḥśepa to the king. Her opinion is sought and heeded. She consciously chooses her younger son and rejects the middle one. The second story, from the *Mahābhārata* recounts the tale of Jantu and his father, king Somaka. Jantu is the only son and so his father is beset with anxiety. A *brāhmaṇa* recommends that Jantu be sacrificed in order to procure a hundred sons. Somaka agrees in spite of the sorrow and objections of Jantu's mother and the other queens.⁶⁷ In this story, the mother's wishes are firmly overruled by her husband, the boy's father.

References to pregnant women occur separately in the didactic literature of this period. While most of them are concerned simply with questions of purity and pollution (discussed below), some of the references are more positive in their nature. Many of the *śāstrakāras* recommend that pregnant women should be given food first, along with children, sick people, guests and so on.⁶⁸ On the road, way is to be made for a pregnant woman.⁶⁹ She is advised not to pay any toll at the ferry.⁷⁰ Killing a woman in this state is a grave offence.⁷¹ Neither could she, or a woman within one month of delivery, be tortured under any circumstances.⁷²

This then was the extent of the eulogy of the mother in narrative and didactic literature. While I agree it was expressed in conventional and stereotypical terms, it cannot be dismissed as mere 'token concessions'. Although some of them were in some sense token concessions, or

⁶⁴ *Vasiṣṭhadharmasūtra* 17.29,37. See also *Manusmṛti* 9.171,174; *Baudhāyanadharmasūtra* 2.2.3.20,23; *Viṣṇusmṛti* 15.18-9; *Yājñavalkyasmṛti* 2.130-1.

⁶⁵ *Vasiṣṭhadharmasūtra* 15.1,2,6. See also *Baudhāyanadharmasūtra* 4.7.7.2-3,6. The *Mitākṣarā*'s definition of an adopted son makes it clear that a son could be given in adoption by his mother only if she has the express permission of her husband or if the father is away on a journey or dead (on *Yājñavalkyasmṛti* 2.130-1).

⁶⁶ *Rāmāyaṇa* 1.60.16-8. See also *Madhyamavyāyoga* 1.20.

⁶⁷ *Mahābhārata* 3.128.1-5.

⁶⁸ *Yājñavalkyasmṛti* 1.105; *Manusmṛti* 3.114; *Viṣṇusmṛti* 67.39; *Āpastambadharmasūtra* 2.2.4.12.

⁶⁹ *Baudhāyanadharmasūtra* 2.3.6.30.

⁷⁰ *Manusmṛti* 8.407; *Viṣṇusmṛti* 5.132; *Arthaśāstra* 2.28.18.

⁷¹ *Viṣṇusmṛti* 50.8. If a man kills a pregnant or a menstruating woman, he is to perform the *mahāvṛata* penance for twelve years.

⁷² *Arthaśāstra* 4.8.17.

qualified by superior rights given to the father, only mothers, among all women, were granted these concessions. This can only be explained by the suggestion that the texts viewed the woman as mother as a procreatrix.

3.4. The kin and sexual status of the mother: integration into the conjugal lineage and the transformation of sexuality

In addition to the eulogy discussed above, the *śāstras* also hint at some significant changes that take place in the kinship and sexual status of a woman when she becomes a mother. Although not overtly expressed in the literature of this period, they are nevertheless implied. The dominant form of marriage in ancient India was patrilocal (although other examples can also be found). This entailed a woman's incorporation into a new patriline. If parallels can be drawn with contemporary ethnographic evidence, it is possible to conclude that the woman as a wife, in her new conjugal home, would have been the target of much suspicion and fear. Moreover, she could also have been regarded as a dangerous temptress and a threat to the male solidarity of the agnatic lineage.⁷³ This suspicion and fear could have stemmed partly from the ambiguous kinship status of the wife in her marital home, for she is kin yet peculiarly non-kin.⁷⁴ Marriage physically transfers her into her husband's patriline but she remains linked by blood to her natal one.

Once the woman becomes a mother (especially of a male child), a major change occurs in her kinship status. The child helps integrate the woman as mother into her husband's lineage by establishing a direct blood link between her and her conjugal relations. The child becomes the visible embodiment of this new blood/kinship link and, through him, the woman as mother becomes a full member of her husband's patriline. The new kin status of the woman is reflected in some legalistic injunctions found in the didactic texts. For example, it is recommended that a mother inherit if her son, the heir of her husband's patriline, dies without children.⁷⁵ The *smṛtis* are ambiguous about the performance of the *śrāddha* of the wife (whether her husband or father should perform it), and particularly about her *gotra* (whether she belongs to the husband's or father's *gotra*). However, when a woman who is a mother dies, it is clearly indicated that her *śrāddha* is to be performed by her son, who is a member of her conjugal lineage and *gotra*. Since *śrāddha* could only be performed by a *sagotra* and a *sapiṇḍa*, this injunction demonstrates the incorporation of the woman as mother into her husband's patriline via her son. Furthermore, when a mother dies, her property (*strīdhana*) is to be inherited by her daughters alone, or her sons and daughters together. Both are members of

⁷³ L. Bennett, 1983, pp. 125-6, 169-73; G. Raheja and A. Gold, 1994, p. 121.

⁷⁴ Refer to S. Jamison, 1996, p. 255. See also chapter four below.

⁷⁵ *Manusmṛti* 9.217; *Bṛhaspatismṛti* 25.63-4.

her conjugal lineage.⁷⁶ Compare this with the laws of inheritance relating to the property of a wife. If the wife dies childless, her husband is allowed to inherit her property if she was married according to the first four forms of marriage. But if she was married according to the last four forms of marriage, her property reverts to her father. These codes indicate that when a woman became a mother her exact kin relationship to her husband's patriline was no longer a subject of confusion. It was deemed as settled, especially with the child acting as the physical blood linkage between her and her conjugal lineage.

Julius Lipner, on the subject of the ambivalent Hindu attitude towards the female body, pertinently comments that the female body has negative and positive connotations. On the one hand, it can symbolize creativity, fertility, fidelity, protectiveness and nourishment, usually expressed in the context of the chaste wife or the goddess subordinate to her divine consort. On the other hand, the female body can also have negative connotations such as destructiveness, lust and deceit, expressed in the context of the unmarried woman and the goddess who dominates her consort.⁷⁷ Having hinted at the importance of the sexuality of women, Lipner, however, does not include a discussion of the mother. Susan Wadley does address this issue and argues that mothers, unlike wives, are in control of their sexuality: 'the mother is the woman in control of herself and her children'. But she also considers that the mother is dangerous and feared and continues: 'The norms for mothers are less explicit than those for wives. Whereas mythology and law books provide endless examples of the good wife, there are no prime examples of the good mother, ...the mother as a giving, loving individual, though sometimes cruel and rejecting, is present at a subconscious but critical level of Hindu thought. ... As such, the mother role is not acclaimed as proper or ideal behavior; rather, her danger is accepted because she is necessary'. Wadley has little to say about why the mother is feared: 'The mother more than the wife represents the polluting aspects of the Hindu female... . In her very biology—a biology necessary for motherhood but not for wifedom—the mother is a contradiction'.⁷⁸

While both the above views are commendable, they are not, in my view, fully adequate. The woman as mother was no doubt in control of her sexuality or, more precisely, her sexuality was perceived by the ancient Indian Brahmanical discourse to be under control. But Wadley's notion of the mother as feared is open to question. I argue that it is because she is perceived as one whose sexuality has been controlled and fruitfully channelled, that a woman who is mother is regarded as asexual and, therefore, benign. Moreover, it is surprising that Wadley is unable to find a single example of a good mother-son relationship or of a good mother. The Kṛṣṇa-

⁷⁶ *Vasiṣṭhadharmasūtra* 17.46; *Nāradaśmṛti* 2.13.2; *Manusmṛti* 9.131; *Baudhāyanadharmasūtra* 2.2.3.44; *Gautamadharmasūtra* 28.24-5; *Viṣṇusmṛti* 17.21.

⁷⁷ J. Lipner, 1994, p. 245.

⁷⁸ S. Wadley, 1988, pp. 34-5.

Yaśodā relationship would certainly fit the category. While I agree with Lipner's views on the positive and negative connotations of the female body, it is apparent that he has not given enough attention to the category 'mother'. I would argue that rather than the chaste wife and the goddess subordinate to her consort, it is the woman as mother who symbolizes the positive qualities of fertility, protectiveness and nourishment. Let me explain in some detail.

It has been mentioned before that women are regarded as dangerous and fickle and their sexuality is seen as destructive to men. Because of their perceived insatiable appetite for sexual intercourse, women are deemed to pose a threat to the virile strength of men. By their existence they encourage the opposite of seminal retention. Moreover, the bodily functions associated with their sexuality, particularly menstrual blood, are regarded as polluting. But there is a discernible change in attitude in some of the texts once the woman attains motherhood (especially in the case of a male child). On attaining motherhood, the dangerous sexuality of a woman appears to be partly transformed into auspicious fertility.⁷⁹ It is the occasion of birth or procreation that changes the perception of women from wife/woman to 'mother'. Concomitant with this is a 'desexualization' of the woman as mother. From a sexual woman/wife she is seen more as an asexual mother.

The didactic texts hint at this transformation. Although direct evidence is hard to come by, one is struck by the difference in the quality of references between those relating to the wife/daughter/woman in the *dharmaśāstras* and those relating to the mother. It is true that there are far more references to the wife/woman than to the mother. But qualitatively those regarding the mother are eulogistic in nature (see previous section) and, more significantly, they are covertly asexual in nature. The mother as a category seems to have been disassociated from the sexuality of women. References to the wife, on the other hand, display a preoccupation with issues of sexual intercourse, chastity (in the absence of the husband) and adultery. Those about the daughter remain concerned with her marriage (when she could participate in those reproductive processes for which she was destined). All of these are directly indicative of the sexuality of women and convey the impression of the wife, and the daughter to a lesser extent, as sexual persons. In contrast, the references to the mother lack overt sexual content. In addition, there are some references in the *dharmaśāstras* that help to establish her as an asexual person. Yājñavalkya's *smṛti* proclaims that a particularly vicious form of indecent (*aśīla*) verbal abuse is to say to a man, 'I will have or have had sexual intercourse with your mother or sister'. In such a case, the abuser is to be fined twenty-five *pañas*.⁸⁰ The *dharmaśūtra* of Baudhāyana recommends that if a man unintentionally marries a

⁷⁹ It is true that the woman remained impure for some time after delivery particularly because of the association of blood with delivery, but I am talking about sexuality and not about the states of purity and pollution here.

⁸⁰ Yājñavalkya's *smṛti* 2.205.

woman of the same *gotra* he has to maintain her, and treat her as he would a mother.⁸¹ In both these examples it is made clear that sexual intercourse is not to be associated with the woman who is a mother. These references seek to establish the mother as a, if not asexual category, then as a less sexual category than the woman/wife. In addition, the *smṛtis* make it clear that neither remarriage nor *niyoga* is approved for women who are already mothers, thereby discouraging the association of sexuality with the mother.⁸²

The narrative texts under consideration provide a clearer picture. In most of the stories, legends and myths, the role of the mother and the wife rarely overlap. A character is usually either a mother or a wife. That period in a woman's life in which she is both a wife and a mother is never adequately portrayed. Let me clarify by giving some examples from the epics. Mandapāla expresses the opinion that men should never trust women even if they are wives, for a wife who has sons does not always do her duty (to her husband).⁸³ Kausalyā, in the *Rāmāyaṇa*, is the rejected senior queen and very much the mother. She is not associated with any kind of sexual activity except for a reference to her role in the *aśvamedha* sacrifice in the *Bālākāṇḍa* (where she is asked to lie with the sacrificial horse). But one of the reasons behind the sacrifice is their (Kausalyā and Daśaratha's) desire to have children. Therefore, her sexuality is subdued and her primary identity is that of Rāma's asexual mother, rather like queen Dhāriṇī in the *Mālavikāgnimitram*, and the Kāśī *rājā kanyā*, the wife of Purūravas in *Vikramorvaśīyam*. Similar conclusions can be drawn about the other epic mothers. Kuntī's role as Pāṇḍu's wife is glossed over and she is primarily the mother of the five Pāṇḍavas. Kuntī's sexual interaction with Pāṇḍu is rather limited and she is portrayed as giving birth to the Pāṇḍavas through divine intervention. Even Gāndhārī, Dhṛtarāṣṭra's wife, after the birth of her sons, loses her sexuality. There is little reference to Gāndhārī's subsequent married life. Sītā gives birth to her children after her banishment by Rāma. Subsequently, she becomes primarily a mother and not Rāma's wife. A similar compartmentalization can be noticed in Kālidāsa's portrayal of Śakuntalā. Towards the end of the play, Śakuntalā and Duḥśanta are reunited, but there is no description of Śakuntalā's life as wife and mother. In contrast,

⁸¹ *Baudhāyanadharmasūtra* 2.1.1.38.

⁸² Of course, some references to the contrary are also found in the *smṛtis*. The *Manusmṛti* includes the mother in a list of women with whom a man should not sit in a deserted place for 'the strong cluster of sensory powers drag away even a learned man' (2.215). Most of the *smṛtis* refer to the crime of *gurutalpa* (the 'violation of the guru's bed') and recommend drastic punishment (*Baudhāyanadharmasūtra* 2.1.1.12-15, 1.10.18.8; *Manusmṛti* 11.104; *Āpastambadharmasūtra* 1.10.28.15,18, 1.9.25.1-2; *Gautamadharmasūtra* 23.8-10, 20.13-4; *Viṣṇusmṛti* 55.6; *Arthaśāstra* 4.13.30-1, 4.8.28, 3.14.37; *Nāradaśmṛti* 2.14.8-9). Since a father is included among the *gurus*, *gurutalpa* would have included incest with the mother. The *Yājñavalkyaśmṛti* (3.259-60, 3.133-40, 3.217-21, 3.313-28, 3.227, 3.209) and the *Viṣṇusmṛti* (34.1-2) characterize sexual intercourse with the mother as an *atipātaka* (a crime of the highest degree). 'Mother' did not always imply biological motherhood. The wife of a *guru* is also designated as a mother. Similarly, all the wives of a man's father would be regarded as his mothers, notwithstanding the fact that only one among them could be his biological mother. Nevertheless, these injunctions imply the possibility of sexual intercourse with a 'mother' and thus allude to her sexuality.

⁸³ *Mahābhārata* 1.224.30-1.

Draupadī is predominantly a wife. There is little on her interaction with her sons, who are unceremoniously dumped with her relatives early on in the epic.⁸⁴ And the sexuality associated with Draupadī is never in doubt.

All of the women mentioned above are mothers as well as wives, although only one aspect, usually that of the mother, is emphasized. In 'real life' their roles must have overlapped. In fact there are a few examples in the narrative texts that indicate the successful combination of the roles of sexual wife and an asexual mother. The example of Kaikeyī in the *Rāmāyaṇa* is most interesting. It can be said that she is an example of the merging of the roles of wife and mother: she is simultaneously sexual and the mother of Bharata (see chapter seven for more details regarding the combination of sexuality and fertility). While agreeing that the case of Kaikeyī cannot be simplified, I would however argue that Kaikeyī's portrayal can also be interpreted in the following manner. Initially, Kaikeyī is predominantly Daśaratha's wife, sexual and, as is evident later, dangerous. Daśaratha's passion for her is made evident.⁸⁵ The subtle motif woven of the old king ensnared by the wicked sexual charms of the beautiful and dangerous wife is evident throughout the *kāṇḍa*. Although Daśaratha is blamed for succumbing to the power of passion/lust,⁸⁶ Kaikeyī as the wife symbolizes all that is sexual and dangerous. It is her sexuality that gives her the power to bring about the change. In the beginning, she is certainly not maternal and has to be incited by Mantharā to intervene on her son's behalf. She does so by using her position as the much-loved wife. But after Daśaratha's death and Rāma's exile, there is a transformation. She ceases to be a wife and becomes fully a mother. She is then depicted as unthreatening, passive and asexual.⁸⁷ Thus, by subtly prioritizing one aspect of womanhood alone, the texts perhaps hint that motherhood entailed the transformation of a woman's sexuality. The occasion of childbirth meant that female sexuality had been harnessed for the benefit of male society. In the words of Uma Chakravarti, childbirth meant that the sexuality of women had been properly channelled 'into legitimate motherhood within a tightly controlled structure of reproduction which ensured caste purity (by mating only with prescribed partners) and patrilineal succession (by restricting mating only with one man)'.⁸⁸

⁸⁴ *Mahābhārata* 3.23.46.

⁸⁵ The epic emphasizes Daśaratha's sexual affection for his wife Kaikeyī. When Daśaratha finds her in a distraught state he says, 'tell me what hurts you, my lovely. Is there someone to whom you would have favour shown, or has someone aroused your disfavour? The one shall find favour at once. The other incur my lasting disfavour. Is there some guilty man who should be freed, or some innocent man I should execute? what poor man should I enrich, what rich man impoverish' (2.10.8-10).

⁸⁶ *Rāmāyaṇa* 2.43.4; 2.97.6,46; 2.72.4; 2.47.10; 2.55.16.

⁸⁷ In fact, after the scene with Bharata, Kaikeyī is rarely mentioned separately. She becomes a part of the 'mothers': as the *Rāmāyaṇa* explains, all the mothers travelled together in a single carriage delighted to be bringing Rāma back; all his mothers gazed at him, comforted him in his sorrow and then departed sorrowfully (2.77.6; 2.96.14; 2.96.15; 2.104.25).

⁸⁸ U. Chakravarti, 1993, p. 581.

When a woman became a mother she became a symbol of the successful management of female sexuality.

However, this problem of the transformation of a woman's sexuality with motherhood can be looked at from another viewpoint as Sally Sutherland has done. She argues that, in ancient Indian literature, there is a recurrent motif of the rejected senior wife and her rival, the husband's favourite, the junior wife. This situation is best exemplified in the *Rāmāyaṇa* (Kausalyā and Kaikeyī respectively), but there are other examples as well (Śarmiṣṭhā and Devyānī, Kuntī and Mādri, Keśinī and Sumatī). The senior wife is portrayed as good, righteous and dharmic, while the characteristic of the junior wife is her overt sexuality and her aggressive sexual behaviour. It is the influence of this latter, sexually active woman, that usually has tragic consequences. Although these stories, at one level, demonstrate that a woman's real emotional energies are tied up with her sons rather than her husband, at another level, the two wives represent the split personality and dual role of the wife. As Sutherland notes the wife comes to her husband as both a sexual partner—a role with which most men are uncomfortable because of the maternal associations—and, more important, as the mother of his children. 'The elder wife, who herself may have sexual desires, is the figure most closely tied with the mother image, and the one most feared by the husband; any expression of sexuality on her part is considered "deviant". The younger wife—although she may be a mother herself—is less tied up with the husband's image of his own mother and, therefore, can more easily be allowed a sexual life'.⁸⁹ According to this analysis, the senior wife fulfils the function of the mother and the younger wife fulfils the sexual role of the wife. If this argument is accepted, the division of roles between the senior and junior wife would further reinforce my arguments regarding the transformation of a woman's sexuality with motherhood.

3.5. The institutionalization of procreation and the devaluation of the female role in reproductivity and nurturance

I have tried to demonstrate that the textual eulogy of the mother and the changes in her kinship position and sexual status hinted at in the *śāstras* created the category mother as a procreatrix. However, the establishment of this category and its glorification was not meant to bestow any tangible benefits to woman who became a mother. For, alongside the eulogy, the Brahmanical discourse denigrated certain aspects of childbirth, mothering and reproductivity.

Based on the above evidence and on the frequent use of metonymics⁹⁰ in the epics, some scholars concluded that motherhood was the only aspect of womanhood glorified without

⁸⁹ S. Sutherland, 1992b, p. 36 and pp. 23-52. See also J. Leslie, 1991f.

⁹⁰ It is true that metonymics are employed in the epics, particularly in the *Mahābhārata*. But they are not the predominant or only form of identification. After all, the Pāṇḍavas are so called because of their father Pāṇḍu (though they are referred to as Kaunteyas also). Similarly the sons of Dhṛtarāṣṭra are called Kauravas (from their male ancestor Kuru) or the Dhārtarāṣṭras. In the *Rāmāyaṇa*, Lakṣmaṇa is commonly called Saumitri after his mother. But Rāma is rarely called *kausalyāputra*. His epithets are Rāghava, Aikṣvāku, Kākustha (derived from his

exception by the 'law givers' of ancient India.⁹¹ Others went a step further and speculated on the possibility of existence of 'pre-Vedic matriarchies'.⁹² But did this eulogy translate into any 'real' rights for the woman who became a mother? It is true that in some cultures childbirth and motherhood may lead to greater accessibility to social and political power of the women concerned. But this does not appear to have happened in ancient India. An examination of ancient Indian Brahmanical discourse reveals the overwhelming importance given to reproduction, particularly the reproduction of a male child. Therefore, the woman who gave birth to a son became a symbol of successful procreation. The eulogy of the mother in the texts is a celebration of that success in procreativity. The eulogy is for a symbol which marked a successful reproductive event. There are other references to women as mothers. They are not eulogistic injunctions. Rather they focus on the process of reproduction. The woman as mother does not fare too well in them. For descriptions of the process of reproduction reveal a privileging of the foetus, of semen and of the second birth, thereby relegating the woman as mother to the background. Furthermore, there is also an attempt to play down the nurturing role of the mother. These references turn the mother into a child-bearing vehicle, a baby incubator and, therefore, a mere procreative category. I examine these trends in some detail in this section.

I will first discuss the importance attached to the foetus/embryo in Brahmanical literature. The etymology of the various terms used for the mother; the nature of the pre-birth *saṃskāras*; the provisions for abandoning the mother; the reasons as to why a pregnant and menstruating woman could not be killed; the ancient Indian views on conception, childbirth and abortion; the notion of social motherhood as opposed to biological motherhood, all indicate the central position occupied by the foetus/embryo in the narrative.⁹³ This privileging of the foetus led to the marginalization of the woman as the mother, for the latter became a subject of the former. The etymology of the various terms used for the mother all attest to the characterization of the foetus as a person with its own demands, needs and satisfaction. For example, the *Mahābhārata* maintains that because the mother bears him, the son, in her womb she is called *dhātṛ*, for having given birth to him she is called *jananī*, for nursing him she is called *śuśrū*, for

male ancestors) and Dāśarathi (derived from his father). In Kālidāsa's *Raghuvamśam*, the patrilineal system of identification assumes greater importance. Interestingly, metonymics are rarely used for women. The prevalence or absence of metonymics cannot be accepted as indicative of the status of women as the mother.

⁹¹ Manjushree, 1990, pp. 46-7. For similar views, see R. Sharma, 1971, p. 91; S. Srimannarayana Murti, 1988, p. 32.

⁹² The term is used by K. Klostermeier, 1994, p. 364. Indian historians who postulate the existence of matriarchies on the basis of archaeological and anthropological evidence include N. Bhattacharya, 1975, pp. 7,10,20,24,31 and Tara Ali Baig, 1976, pp. 4-5. The references to *strīrājya* in the *Mahābhārata* and *Kāmasūtra* are often cited as indicative of the existence of matriarchal culture. For arguments for the existence of universal matriarchy, see R. Ruether, 1980, M. Gimbutas, 1982. For arguments against the existence of matriarchies see S. Binford, 1982, pp. 541-9.

⁹³ For a detailed discussion of the privileging of the foetus in modern-day narratives and sciences, see E. A. Kaplan, 1992.

rearing his small limbs she is called *ambā* and for giving birth to a child possessed of courage she is called *vīrāsu*.⁹⁴ All these terms imply the importance of the child and the corresponding supporting role of the mother.⁹⁵

To become a mother, more particularly the mother of a male child, was of supreme importance. Women were created for fulfilling this function. That is probably why most of the *smṛtis* recommend that women, unable to produce children, be abandoned after a reasonable period of trying. Even women who were mothers, in the sense that they had female children, could be abandoned to make way for the reproduction of male children (see also chapter four). Thus, the *Manusmṛti* reads: 'A barren wife may be superseded in the eighth year; one whose children have died, in the tenth; one who bears (only) daughters, in the eleventh.'⁹⁶ The *Arthaśāstra* makes it clear that, after the requisite years, a man could marry with the object of getting a son.⁹⁷ Therefore, it follows that if a woman gives birth to male children, she could not be abandoned with impunity.⁹⁸ The abandonment of women who are already mothers (of female children) or barren women reveals the importance of the male child in Brahmanical thought and the characterization of women as vehicles for the birth of sons. Furthermore, it is the event of birth of a male child rather than the process of birth *per se* that appears to have been important.

The *dharmasāstras* contain several injunctions against the killing of pregnant and menstruating women. The killing of both is regarded as sin equal to that resulting from the murder of a *brāhmaṇa* and necessitating the performance of the *mahāvṛata* penance.⁹⁹ At first glance, this would seem to imply a concern for the woman and a respect for her bodily functions. But this is not the case. A pregnant woman could not be killed simply because of the child she carried. She could be killed or tortured a month after her delivery, if she had committed an unpardonable offence. Similarly, restrictions on killing a menstruating woman resulted from little else than an overwhelming preoccupation with procreation. Menstruation, although polluting, symbolized the oncoming fertility/fertile season of women. Killing a

⁹⁴ *Mahābhārata* 12.258.30.

⁹⁵ In the *Rāmāyaṇa*, according to Brockington, the predominant term was *mātṛ*. *Janañī* was used too, while the term *ambā* was characteristic of those portions of the text that were composed later (1984, p. 160).

⁹⁶ *Manusmṛti* 9.81. See also the *Arthaśāstra* 3.2.38; *Baudhāyanadharmasūtra* 2.2.4.6 (but the years are ten, fifteen and twelve respectively); and *Yājñavalkyasmṛti* 1.73 (women who are barren and who bear female children are to be abandoned). The *Nāradaśmṛti* argues that one should not take pleasure in a wife who is barren, gives birth to female children, is of ill repute, or unpleasant (2.12.94).

⁹⁷ *Arthaśāstra* 3.2.39.

⁹⁸ The *Nāradaśmṛti* recommends that the king should punish such a man in order to make him resume his responsibilities to his wife (2.12.95). Āpastamba's *dharmasūtra* explains that a man could not marry again if his wife gives birth to sons (2.5.11.12-3).

⁹⁹ *Viṣṇusmṛti* 36.1; 50.8-9.

woman in such a condition meant the destruction of the potential embryo/foetus. This is apparent from the following recommendations:

For killing a woman (of the *brāhmaṇa* caste?) who is an *ātreyī*¹⁰⁰ (the same penance must be performed as for killing a *brāhmaṇa*).

(To explain the word *ātreyī*) it is declared that a woman who bathes after her periods is an *ātreyī*.

For if the husband has sexual intercourse with her, he will have offspring.¹⁰¹

The preoccupation with the end result of reproduction is also reflected in the severe condemnation of abortion in the didactic texts.¹⁰² The murder of an embryo (*bhrūṇa/garbha hatyā/vadha*), as it is referred to in the texts, is a great sin resulting in the loss of caste.¹⁰³ This punishment applies to the woman who undergoes the abortion (and possibly to any other man or woman who assists her in this act).¹⁰⁴ Other texts prescribe that the food offered or given by a person who has killed an embryo should not be accepted. The *Manusmṛti* denies the ritual of libation (*udakakriya*) with water to women who undergo abortions.¹⁰⁵ Some texts suggest harsher punishments. The *Arthaśāstra* recommends that a woman who kills her offspring (it does not specify whether foetus or child) should be torn apart by bullocks, while according to the Yājñavalkya's *śāstra*, she is to be deprived of her ears, hands, nose and lips.¹⁰⁶

It is little wonder that there are only two recorded cases of abortion in the narrative texts—that of Gāndhārī, who strikes her belly in anger and emits a great mass of clotted blood; and

¹⁰⁰ The word *ātreyī* can be translated as a woman who has bathed after her period. But because the term is etymologically derived from Atri, a *brāhmaṇa* sage, it is often translated as a *brāhmaṇa* woman who has bathed after her period. *Śāstrakāras* at times make a distinction between *ātreyī* and non-*ātreyī* and impose a lesser penance if a non-*ātreyī* is killed. See for example, *Gautamadharmasūtra* 22.12-3,17; *Vasiṣṭhadharmasūtra* 20.37; *Baudhāyanadharmasūtra* 1.10.19.3-5; and *Āpastambadharmasūtra* 1.9.24.9. However, I would argue that caste is not important here. *Ātreyī* principally meant a woman who, after her period, was in a fertile condition. This fertility had to be taken advantage of for the purpose of procreation. So it was recommended that she not be killed. In some texts, the *ātreyī* is more special only because she could bear a *brāhmaṇa* embryo.

¹⁰¹ *Vasiṣṭhadharmasūtra* 20.34-6. See also *Baudhāyanadharmasūtra* 2.1.1.11; *Gautamadharmasūtra* 22.12; *Yājñavalkyasmṛti* 3.251.

¹⁰² Here I refer to voluntary abortion and not to involuntary miscarriage. According to Lipner, ancient Indian thought distinguished between the two. The former was *garbha/bhrūṇahatyā* or *vadha* (killing) while terms for miscarriage referred to the falling or emission of the embryo. The *Gautamadharmasūtra* refers to a miscarriage as *sraṅsana* (falling or dropping) while the *Manusmṛti* and *Yājñavalkyasmṛti* call it *garbhasrāva* (the flow or issue of the embryo). The *Mitākṣarā* writes that in the fourth month, miscarriage is *srāva* (emission), *pāta* (fall) in the fifth/sixth, *prasufī* (issue) in the seventh and after that *sūtaka* (generation) in the tenth month. See J. Lipner, 1991, pp. 42-3.

¹⁰³ *Nāradaśmṛti* 2.12.26-7; *Bṛhaspatismṛti* 7.21; *Yājñavalkyasmṛti* 2.277 characterize abortion as a punishable offence while *Āpastambadharmasūtra* 1.7.21.7-8; *Gautamadharmasūtra* 21.9 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.298 write that it leads to loss of caste. See also *Mahābhārata* 1.1.205, 1.56.18, 1.78.31-3, 13.90.6, 12.20.8, 12.86.26, 12.56.31-2; and *Rāmāyaṇa* 2.66.38, 2.68.4, 2.69.24 for condemnation of abortion.

¹⁰⁴ The *smṛti* of Nārada recommends that a woman who undergoes an abortion be banished from the house (2.12.92) as does the *Yājñavalkyasmṛti* (1.72). The *Mitākṣarā* quotes Vasiṣṭha (28.7, 21.10) to the effect that the murder of an embryo, the murder of a foetus and the murder of a husband are the three main sins of women (on *Yājñavalkyasmṛti* 3.298).

¹⁰⁵ *Manusmṛti* 4.133, 5.90, *Viṣṇusmṛti* 51.17.

¹⁰⁶ *Arthaśāstra* 4.11.19; *Yājñavalkyasmṛti* 2.279. Elsewhere, the latter text recommends that a wicked woman, if not pregnant, be drowned in water with a stone tied on her (2.278). The *Mitākṣarā* explains that a wicked woman is one who destroys an embryo by causing herself to miscarry.

Diti, whose foetus is destroyed by Indra.¹⁰⁷ But while the first is justified by Gāndhārī's disappointment at the earlier birth of Yudhiṣṭhira (and, most important, Vyāsa is at hand to set matters right), the second example is in the realm of the divine: Indra fears that Diti's child would destroy him and he therefore smashes the foetus into seven pieces. Medical texts also suggest that abortion should be the last resort in case of complications in a pregnancy. The emphasis is on delivering the foetus alive. An abortion is recommended only if the mother's life is in severe danger. The medical texts, however, do not elucidate what happens to the woman afterwards or whether she is forced to undergo any form of punishment.¹⁰⁸ Lipner examines this evidence and argues that, from very early times, abortion was morally condemned as violating the personal integrity of the unborn. No other consideration, social or otherwise, was allowed to override this viewpoint. In ancient Indian thought, no distinction was made between a human being and a human person. In Hindu tradition, the foetus/embryo was accorded personal moral status throughout pregnancy. Therefore, he concludes, 'for the Hindus, pregnancy was a very special state and that the unborn had a (moral) status meriting protection'.¹⁰⁹ I suggest that the opposition to abortion in ancient India did not stem only from the belief in the moral right of the foetus. Rather, this 'right' was 'granted' to the foetus in order to safeguard reproduction and preserve the Brahmanical social order. Once granted this right resulted in a further privileging of the foetus. This is apparent from two things. First, from the fact that abortion is tolerated, if not actually condoned, if it is carried out in a female slave (*dāsī*). The *Arthaśāstra* writes that if a *dāsī* undergoes an abortion, she has to pay only a small fine.¹¹⁰ Second, killing a foetus whose sex was unknown is an even greater crime than aborting one whose sex was known.¹¹¹ For, as long as the sex of the foetus was not clear, the possibility of it being male remained and aborting a male child was out of the question. The *dharmasūtra* of Vasiṣṭha explains: 'Those embryos/ foetus whose sex is unknown (can) be male (children); therefore they can offer burnt oblations.'¹¹² Such statements perhaps unconsciously imply that abortion of female foetuses would not be met with such disapproval. These examples do not bear out Lipner's comments on the 'moral status of the unborn'.

¹⁰⁷ *Rāmāyaṇa* 1.45.3, 1.45.17-9.

¹⁰⁸ I make these comments on the basis of the *Suśrutasaṃhitā* (15.3,5,9,10-11); translation by and cited in J. Lipner, 1991, pp. 42-3, 49-50.

¹⁰⁹ See J. Lipner, 1991, pp. 44-59. Lipner suggests the following reasons for encouraging this view—advanced conscious experience in the developed foetus; the absence of linguistic evidence endorsing the abortibility of the embryo at one point in pregnancy rather than at another; the implications of the law of *karma* and rebirth; the dominant influence of the egg/seed motif as suggestive of new life; the need to preserve caste, line and race, the importance of the *śrāddha* rite; and the reverence for the principle of *ahiṃsā*.

¹¹⁰ See *Arthaśāstra* 3.20.17. The *Yājñavalkyasmṛti* fixes the amount of fine at a hundred *pañās* (2.236).

¹¹¹ See *Viṣṇusmṛti* 36.1; *Gautamadharmasūtra* 22.13; *Āpastambadharmasūtra* 1.9.24.8; *Vasiṣṭhadharmasūtra* 20.23.

¹¹² *Vasiṣṭhadharmasūtra* 20.24.

The pre-birth *saṃskāras*, or the Brahmanical rites of passage prevalent in ancient India, were meant primarily for the foetus. It is made clear that the pre-birth *saṃskāras* are necessary in order to wipe out the taint of the seed and the womb, which would otherwise affect the foetus/child.¹¹³ The first of these *saṃskāras* is the rite of *garbhādhāna* or the ceremony to cause conception. It is called *niṣeśakarman* in the *Viṣṇusmṛti*. Sometimes this *saṃskāra* is compared to the *caturthīkarma* mentioned in other texts. *Puṃsavana* is the second *saṃskāra*. The *śāstras* recommend that it be performed in the second or third month of pregnancy to beget a male child. *Anāvalobhanam*, another special ritual, is supposed to ensure that the male child remains undisturbed. The fourth is *sīmontannayana* or the parting of the hair of a pregnant woman.¹¹⁴ In addition, the writers recommend several others like *viṣṇubali* (to prevent the destruction of the foetus), *soṣyanfikarma* (in which prayers are offered for safe delivery) and *kṣipra-prasavana* (a rite to ensure safe delivery).

Most of these *saṃskāras* appear to have been for the welfare of the foetus rather than the woman. The ancient Indian thinkers appear to be aware of the distinction between the woman and the foetus for they distinguish between *garbha* and *kṣetra saṃskāras*. The former focus on the embryo and the latter on the *kṣetra* or field, that is, the woman.¹¹⁵ *Garbhādhāna* is a *garbha saṃskāra* and it has to be repeatedly performed to ensure conception.¹¹⁶ A controversy surrounds the *puṃsavana* rite. Most *smṛtis* maintain that it is to be performed during every pregnancy, making it a *garbha saṃskāra*. But the *Mitākṣarā* maintains that the *puṃsavana* and the *sīmontannayana* are both *kṣetra saṃskāras* and should be performed only once.¹¹⁷ *Smṛti* writers unanimously designate *sīmontannayana* as a *kṣetra saṃskāra*, to be performed just once. Therefore, it is correct to suggest that most of the pre-birth *saṃskāras* are *garbha saṃskāras* and are performed to ensure the long life and good health of the foetus/child. The relative absence of prayers and rites for the woman undergoing pregnancy, at a time when the parturition mortality rate must have been high, is in conformity with the general attitude of privileging the foetus. Moreover, the concern with the foetus (particularly if it is a male one) is reflected in other ways. A large section of the third book of the *Mahābhārata* describes in detail the various evil spirits that devour the foetus/child and the various ways and methods of

¹¹³ *Manusmṛti* 2.27; *Yājñavalkyasmṛti* 1.13.

¹¹⁴ For a description and list of the *saṃskāras*, see *Manusmṛti* 2.26-9; *Viṣṇusmṛti* 27.1-5; *Gautamadharmasūtra* 8.14; *Yājñavalkyasmṛti* 1.11-2. For a detailed study, see R. Pandey, 1949, pp. 79-115.

¹¹⁵ See J. Lipner, 1994, p. 264.

¹¹⁶ But Nanda Pandita on his commentary on the *Viṣṇusmṛti*, argues that it had to be performed just once, to consecrate the mother. Nanda Pandita cited in J. Jolly, 1880, p. 113, footnote 1.

¹¹⁷ *Mitākṣarā* on *Yājñavalkyasmṛti* 1.11. Nanda Pandita expresses a similar opinion and writes that this ceremony has the consecration of the mother and not the consecration of the foetus as its object; cited in J. Jolly, 1880, p. 113.

pacifying them.¹¹⁸ Some texts like the *Yājñavalkyasmṛti* discuss *dohada* or the desires of a pregnant woman and emphasize that they have to be fulfilled, not out of concern for the woman, but because the foetus would be deformed or dead otherwise. The *Mitākṣarā* adds that a pregnant woman is to avoid all forms of exercise to prevent harm to the foetus.¹¹⁹ The medical texts provide greater information on the proper care of the pregnant woman, but again this is done in order to ensure the safety of the foetus. Thus, throughout the foetus/embryo remains at the centre of the narrative.

While the foetus is privileged, all physiological processes associated with childbirth are regarded as inherently polluting. During this period there is an increasing popularity of the ascetic practice of seminal retention, due to a general belief that a man's virile strength and energy lies in his semen. Unnecessary and frequent ejaculation of semen leads to a depletion of a man's virility and brilliance. The Brahmanical ideology of this period, therefore, places a high premium on male chastity and there is an aura of distaste in the literature regarding sexual intercourse undertaken without the intention of reproduction. Sex is constructed as a duty for men, to be indulged in only for progeny and not for pleasure.¹²⁰ Chastity is recommended before any major event like *śrāddhas*¹²¹ and consecrations¹²² and most important, a man is asked to have sexual intercourse with his wife only in her fertile season, that is, when there is a possibility of successful reproduction. 'A man should have sex with his wife during her fertile season (only).'¹²³ 'A *brāhmaṇa* who approaches his wife in the proper season ... never falls from heaven'.¹²⁴ Even during a woman's fertile period, some nights are taboo:

A twice-born Vedic graduate should remain chaste on new and full moon days and on the eighteenth and fourteenth days (of each lunar fortnight) even during his wife's fertile season.

¹¹⁸ *Mahābhārata* 3.219.24-41.

¹¹⁹ *Yājñavalkyasmṛti* 3.79 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.79. The only description of *dohada* in the narrative texts is that expressed by Sītā during her pregnancy. But the description is short and Rāma utilizes the occasion to banish her (*Rāmāyaṇa* 7.41.22-5,27).

¹²⁰ The *śāstras* do not explicitly castigate sexual intercourse as polluting but imply it. For example, the *Manusmṛti* states that, after sexual intercourse, a man should purify himself by taking a bath (5.144; see also *Viṣṇusmṛti* 22.7; *Gautamadharmasūtra* 9.25). Parāśara recommends the same (quoted by the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.30). The *Vasiṣṭhadharmasūtra* maintains that while studying the *Veda*, a man should not wear garments that he had on during sexual intercourse (13.26). As the *Manusmṛti* eloquently remarks, 'there is nothing wrong in ... sexual union ...but disengagement yields great fruit' (5.56).

¹²¹ *Yājñavalkyasmṛti* 1.249. *Vasiṣṭha's dharmasūtra* states that if a man has sex after attending a *śrāddha*, his ancestors feed on semen for a month; and the child born subsequently is devoid of virility (11.37-8). The *Baudhāyanadharmasūtra* explains that a householder should refrain from sex before *bali* offerings (2.2.3.13). A *snātaka* is asked not to look at a woman who has indulged in sexual intercourse (*Yājñavalkyasmṛti* 1.135).

¹²² Rāma and Sītā are asked to practise chastity the night before Rāma's consecration (*Rāmāyaṇa* 2.4.23).

¹²³ *Manusmṛti* 3.45. See also *Yājñavalkyasmṛti* 1.79-81; *Gautamadharmasūtra* 9.28-9; *Baudhāyanadharmasūtra* 2.2.3.1, 3.1.24.

¹²⁴ *Vasiṣṭhadharmasūtra* 8.17, 12.21. See also *Mahābhārata* 13.107.142,81, 12.261.26.

A man who avoids women on the six disapproved nights and on eight other nights is regarded as chaste, no matter which of the four stages of life he is in.¹²⁵

The *brāhmaṇas* also appear to have feared that, while chastity is good, too much of it would endanger procreation. So alongside the above strictures, men are strongly advised not to ignore the fertile period in their wives. The *Arthaśāstra* states that if a woman conceals her periods or if a man fails to have sexual intercourse with her, then both are liable to a fine of ninety-six *paṇas*.¹²⁶ The *dharmasūtra* of Baudhāyana declares such a lapse on part of the husband to be a major crime and prescribes a penance.¹²⁷ Consequently, sexual intercourse was normally to be avoided by men, but at the same time they had the responsibility to ensure that a woman's fertile season was not wasted. This entire discourse about periodic male chastity served to associate only women with sexual intercourse, an act which according to the male world view was polluting. Moreover, the strictures against 'wasting' the fertile season of women, transformed the woman as mother into a vehicle for reproduction.

There is also a taboo against menstruation with menstrual blood regarded as the main agent of pollution. N. Bhattacharya comments that the notion of menstrual blood as impure appears to have been an universally held belief.¹²⁸ The *Vasiṣṭhadharmasūtra* reads: 'A woman during her periods is impure for three days and nights', and '(then she) should not apply collyrium to her eyes, nor anoint her body, nor bathe in water, ...she should sleep on the ground, ...not touch fire...'¹²⁹ The *dharmasūtra* of Āpastamba that explains that if a person about to study the *Veda* wishes to speak to a menstruating woman, he should speak to a *brāhmaṇa* first, then to her, and finally to the *brāhmaṇa* again.¹³⁰ Then, presumably, the contamination arising from the menstrual blood would not affect recitation of the *Vedas*. The *Manusmṛti* recommends that no one should carry on a conversation with a menstruating woman.¹³¹ Such women are advised not to watch *brāhmaṇas* as they eat, or be present at *śrāddhas*.¹³² Food that has been touched by

¹²⁵ *Manusmṛti* 3.50, 4.128. See also *Yājñavalkyasmṛti* 1.79; *Vasiṣṭhadharmasūtra* 12.21.

¹²⁶ *Arthaśāstra* 3.2.44. A husband is excused from approaching his wife only if she has sons or is barren, bears dead children or has stopped menstruating (3.2.45). The text continues that a woman has to approach her husband for the sake of bearing children even if he is leprous or insane (3.2.47). In the *Mahābhārata*, Śvetaketu remarks that any woman who refuses to have a child by her husband commits the sin of abortion (I.113.19)

¹²⁷ *Baudhāyanadharmasūtra* 4.1.18,19,21. The stories of Yayāti and Śarmiṣṭhā, of Utaṅka and his *guru's* wife, of the regeneration of the *kṣatriyas* after Paraśurāma had killed them off, all make use of this rhetoric—that a woman's fertile period should not be wasted. See *Mahābhārata* 1.77, 1.78, 1.78.31, 1.3.89-90, 1.58.5-6,9.

¹²⁸ N. Bhattacharya, 1968, pp. 8-11.

¹²⁹ *Vasiṣṭhadharmasūtra* 5.6-7. The idea of women's period as polluting is also found in the *Baudhāyanadharmasūtra* 4.2.21, 1.5.11.32 and the *Viṣṇusmṛti* 22.72-4. A woman becomes pure by bathing after the bleeding has stopped (*Manusmṛti* 5.66) or after four days from the start of her period (*Viṣṇusmṛti* 22.74.). A woman is to be treated as a *caṇḍālī* on the first day of her period, as a *brahmaghātini* on the second day, and as a *rajakī* on the third day. *Aṅgirasasmṛti* 35-9; *Parāśarasasmṛti* 7.19; cited in N. Bhattacharya, 1968, p. 10.

¹³⁰ *Āpastambadharmasūtra* 1.3.9.13.

¹³¹ *Manusmṛti* 4.57. For restrictions on interaction with a menstruating women, see also *Mahābhārata* 13.104.54, 13.107.22,82.

¹³² *Manusmṛti* 3.239; *Viṣṇusmṛti* 81.6; *Mahābhārata* 13.92.15.

them or given by them is not to be accepted.¹³³ Nor are such women to be touched or kissed.¹³⁴ Otherwise, a man has to purify himself by a bath.¹³⁵ The *Viṣṇusmṛti* argues that, if a woman in such a condition deliberately touches a twice-born man, she is to be whipped.¹³⁶ But the strictest injunctions are against sexual intercourse with a menstruating woman. For example:

Even if he is out of his mind with desire he should not have sex with a woman who is menstruating; he should not even lie down in the same bed with her.
A man who has sex with a woman awash in menstrual blood loses his wisdom, brilliant energy, strength, eyesight and long life.
If a man sheds his semen in a menstruating woman he has to perform the 'painful heating' penance'.¹³⁷

In addition to menstruation, childbirth was regarded as another source of pollution. The *Āpastambadharmasūtra* advises men not to eat in a house where a woman has given birth but has not yet emerged from the lying-in chamber.¹³⁸ If a man touches a recently confined woman, he has to purify himself with a bath.¹³⁹ A *brāhmaṇa* is advised not to look at a woman giving birth, nor accept food offered by such a woman. Otherwise the recitation of the *Veda* could not continue.¹⁴⁰ While the woman who has become a mother is definitely impure, there appears to be some confusion over the state of pollution of the father.¹⁴¹ Miscarriage is another cause of impurity affecting only the mother.¹⁴² These details are important for they demonstrate another

¹³³ *Viṣṇusmṛti* 51.16-7; *Yājñavalkyasmṛti* 1.168; *Manusmṛti* 4.208.

¹³⁴ *Yājñavalkyasmṛti* 3.229. See also *Mahābhārata* 13.107.100.

¹³⁵ *Manusmṛti* 5.85; *Gautamadharmasūtra* 14.30; *Vasiṣṭhadharmasūtra* 4.38; *Yājñavalkyasmṛti* 3.30; *Śaṅkhasmṛti* quoted in the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.290.

¹³⁶ *Viṣṇusmṛti* 5.105. An analogous example comes from sixteenth-century Italy, where it was felt that sexual intercourse with women when they were having their period, resulted in the birth of deformed/monstrous babies (O. Niccoli, 1990, pp. 1-25). See H. Moore for a analysis of how notions of pollution centred around natural bodily processes, reinforced the inferior symbolic position of women, and led to a closer identification of women with nature (1994b, pp. 14-21). For the equation of women with nature and men with culture and the implications of this dichotomy for women, see S. Ortner and H. Whitehead, 1992. For a history of menstruation and attitudes towards it, see J. Delaney, *et. al.*, 1988; M. Douglas, 1991 and B. Harrel, 1981.

¹³⁷ *Manusmṛti* 4.40-2; 11.174. The *Vasiṣṭhadharmasūtra* forbids a *snātaka* from having sexual intercourse with a menstruating woman (12.6), while that of Gautama gives the rules for purification, if the *snātaka* goes ahead and has sexual intercourse (23.34). The *Yājñavalkyasmṛti* adds that in addition to the *kṛccha* penance, the *snātaka* has to drink ghee at the end of the third day (3.288). But if the woman is his wife, the man could be purified by a bath (*Gautamadharmasūtra* 24.4-5). Thus, purification was nevertheless necessary.

¹³⁸ *Āpastambadharmasūtra* 1.5.16.19.

¹³⁹ *Gautamadharmasūtra* 14.30; *Manusmṛti* 5.85; *Vasiṣṭhadharmasūtra* 4.38.

¹⁴⁰ *Manusmṛti* 4.212,112,44.

¹⁴¹ The *Gautamadharmasūtra* maintains that the impurity of birth affects both the parents or the mother alone (14.15-6). The *Manusmṛti* initially writes that such impurity affects both the parents, but continues that it is just the mother who is actually impure; for the father becomes pure by a mere bath (5.58-62). The *Yājñavalkyasmṛti* opines that the impurity of birth, in the sense of untouchability for at least ten days, affects the mother alone (3.18-9), because of the appearance of blood. The *Baudhāyanadharmasūtra* argues that since both parents are connected with the event, both become impure (1.5.11.19-23). The *dharmaśūtra* of Vasiṣṭha disagrees. According to this text, the father does not become impure as long as he refrains from touching the woman. For, it is blood that is impure and that blood is not found in men (4.23).

¹⁴² If a woman miscarries, she is considered impure for the same number of nights as the months since conception; see *Manusmṛti* 5.66; *Baudhāyanadharmasūtra* 1.5.11.29; *Yājñavalkyasmṛti* 3.20; *Gautamadharmasūtra* 14.17. The last text adds that, at times, the impurity could last for only three days (14.18).

attempt by the male Brahmanical discourse to devalue the role of women in childbirth and at the same time to celebrate procreation. The process is impure (and so is the woman) but the result is pure (and so the son and the father are not deemed impure). The association of impurity with female biological processes connected to reproduction constituted a devaluation of the feminine role in procreation. This was further emphasized by the notion of auto-male reproduction discussed in the next section.

The paternalistic notion of a man's semen as seed (*bīja*) and of the woman as field (*kṣetra*) to be 'ploughed', 'sowed' and 'reaped' dominates the Brahmanical discourse on women and affects the procreative category of the mother. To give a few examples:

The woman is traditionally said to be the field, and the man is traditionally said to be the seed; all creatures with bodies are born from the union of the seed and field.¹⁴³
By their very nature women are regarded as *kṣetra* and men as *kṣetrajña* (knower of the field).¹⁴⁴

In Kālidāsa's play, Duṣanta remarks that he has left Śakuntalā like a field: sown, watered and abandoned at harvest. The symbolism of the plough/phallus and the metaphor of the woman as a field to be ploughed reflects an essentially unequal relationship and subtly underplays women's central role in reproduction. Dube is of the opinion that the concept of the seed and field 'provides the rationalization for a system in which a woman stands alienated from productive resources, has no control over her own labour power and is denied rights over her own offspring'.¹⁴⁵ This concept also leads to a stronger identification of women with 'nature'. As Wadley explains, the image of the woman as the field leads to a symbolization of women as 'nature' or *prakṛti*. 'Nature is the active female counterpart of the Cosmic Person, *purusa*, the inactive or male aspect. Moreover, Nature is Matter; the Cosmic Person is Spirit. But whereas *prakṛiti* represents the undifferentiated matter of Nature, *purusa* provides the Spirit, which is a structured code. The union of Spirit and Matter, code and non code, inactive and active, leads to the creation of the world... . Women, then, are automatically more Nature than men. The Nature and non structure in them dominates over coded Spirit and structure'.¹⁴⁶

The above notion also prepared the ground for the subsequent doctrine of privileging the semen or seed. It is thought that the seed has a greater role to play in reproduction than the womb:

Of the seed and the womb, the seed is said to be more important, for offspring of all living beings are marked by the mark of the seed. ... And since sages have been born in (female) animals by the power of the seed, and were honoured and valued, therefore the seed is valued.¹⁴⁷

¹⁴³ *Manusmṛiti* 9.33.

¹⁴⁴ *Mahābhārata* 12.206.8.

¹⁴⁵ L. Dube, 1986a, p. 44.

¹⁴⁶ S. Wadley, 1988, pp. 25-6.

¹⁴⁷ *Manusmṛiti* 9.35; 10.72.

The father is more important of the parents because of the obvious superiority of the seed.¹⁴⁸

...semen is the main cause of procreation for sons who are not born from wombs are mentioned in *śruti*.¹⁴⁹

The mother is the father's water sack—he is the father who begets the son.¹⁵⁰

From establishing the importance of the seed over the womb, it is a short step to the creation of the fiction of birth from the seed alone, birth not from wombs (*ayoni*, the son called *ayonija*) and occasionally, male pregnancies. The epics are full of such examples. The 'power' of the seed is visible in the story of the birth of Skanda,¹⁵¹ of Kṛpa and Kṛpī,¹⁵² of Śuka¹⁵³ and others.¹⁵⁴ Elsewhere, Vaiśampāyana obtains a hundred sons from Śakra as a reward for penances, all without the involvement of women.¹⁵⁵ The fiction of non-womb births can also be noticed in the stories relating to the births of Droṇa, Śrucavatī, Dhṛṣṭadumna and Draupadī. Bharadvāja collects his semen in a trough from which Droṇa is born. It is because of this that Droṇa is frequently called *kumbhayoni*. Śrucavatī is born from the seed of Bharadvāja collected in a cup made from tree leaves. Dhṛṣṭadumna and Draupadī are born from sacrificial fires.¹⁵⁶ Even when a woman does become pregnant, there is an attempt in the texts to establish the male role as central. This is apparent from the stories of Gāndhārī's pregnancy and that of Sāgara's wives. When Gāndhārī hears about Yudhiṣṭhira's birth, she 'aborts her belly' and a great mass of clotted blood comes out. Vyāsa, who can foresee the future, douses the mass with cold water so that it breaks into a hundred pieces, and places each embryo in a pot filled with ghee. Later they become the Dhārtarāśtras. The Vaidharbhi queen of king Sāgara gives birth to a pumpkin. The king is advised (by a male voice) to take the seeds from the pumpkin, put them

¹⁴⁸ *Nārada-smṛti* 2.1.33.

¹⁴⁹ *Baudhāyanadharmasūtra* 1.5.11.19-20.

¹⁵⁰ *Mahābhārata* 1.69.29.

¹⁵¹ Agni and Śvahā lie together. The latter collects the seed that Agni spills in a golden basin. 'The spilled seed, gathered together in heat, engendered a son who was worshipped by the seers; and the spilled seed became Skanda'. *Mahābhārata* 3.214.6,12,16.

¹⁵² The sage Gautama sees the *apsarās* Jalapadī and spills his seed on a reed stalk. The stalk splits into two and gives birth to Kṛpa and Kṛpī (*Mahābhārata* 1.120.10-2).

¹⁵³ Vyāsa sees the *apsarās* Ghṛtācī and spills his seed. This leads to the birth of Śuka (*Mahābhārata* 12.311.5-9). See also *Mahābhārata* 12.329.38(1) for the birth of Agastya.

¹⁵⁴ For example, it is written that a mare drinks the water containing the semen of Vibhāṇḍaka. She becomes pregnant and gives birth to a human baby (*Mahābhārata* 3.110.14-6). Adrikā, in the form of a fish, gives birth to human twins after she swallows the semen of Vasu (*Mahābhārata* 1.57.48-9).

¹⁵⁵ *Mahābhārata* 13.18.5-6. In the *Rāmāyaṇa*, the seer Culin engineers the birth of a son, Brahmadata, from his mind (1.32.18).

¹⁵⁶ Droṇa—*Mahābhārata* 1.121.3-5; Śrucavatī—*Mahābhārata* 9.47.57-8; Dhṛṣṭadumna and Draupadī—*Mahābhārata* 1.155.37-8,41-2. See also the story of the birth of the seven sages (*Mahābhārata* 9.37.30-1), and that of Kunigargā who is created by the power of her father's mind (*Mahābhārata* 9.51.3). Sitā is described as sprung from the earth and not born from a womb (*Rāmāyaṇa* 1.32.18).

in pots filled with ghee and thus obtain 60,000 sons.¹⁵⁷ As for the gods, they could beget children by thought alone or by word, or by touch or by sight.¹⁵⁸

But most interesting are the tales of male pregnancies. The best known is the legend of Māndhātara, told in the *Vana* and *Śānti parvans*. King Yuvāśnava, by mistake, drinks the potion formulated to ensure his wife's pregnancy. He becomes pregnant. After a hundred years, his son comes out by splitting open the left side of his body. In place of his mother's nipples the son sucks Indra's finger and is thus called Māndhātara (from *mām dhāta*).¹⁵⁹ The usurpation of the female reproductive function was not peculiar to ancient India. Nancy Demand gives examples of male surrogate parentage attributed to the gods in ancient Greek thought. Homer knew Zeus as the birthing parent of Athena. Zeus also took over Semele's pregnancy, nurturing the infant in his thigh. 'In both cases, the father of the Gods maintained control [over reproduction] by usurping the female role of childbearing'.¹⁶⁰ The fiction of the primacy of semen in conception and of 'masculine auto-reproduction' is significant. Their existence in a culture that values procreation and eulogizes the mother constitutes both a recognition and a demolition of a woman's role in procreation.¹⁶¹

The last attempt at devaluing the female birthing process and female parentage was the characterization of initiation as the second and more important birth. The *Manusmṛiti* states: 'According to the command of the revealed canon the first birth of a twice-born man is from his mother; the second is in the tying of his belt of rushes and the third is in his consecration for the sacrifice'.¹⁶² Of these, that which is marked by *upanayana* is the Vedic birth. This is the most important:

Between the one who gives him birth and one who gives him the *Veda*, the one who gives the *Veda* is the more important father; for a priest birth through the *Veda* is everlasting.

That his father and mother produced his body through mutual desire he should regard as his mere coming into existence ... but the birth that a teacher ... produces for him ... is real free from old age and free from death.¹⁶³

¹⁵⁷ *Mahābhārata* 1.107.10-2, 18-20 and 3.104.17-21. See also *Rāmāyaṇa* 1.38.17-8.

¹⁵⁸ *Mahābhārata* 15.38.21.

¹⁵⁹ *Mahābhārata* 3.126.23-6, 12.29.74-9.

¹⁶⁰ N. Demand, 1994, p. 134.

¹⁶¹ Moira Gatens suggests that there is a general feeling that a body that is motherless is also immortal. 'Our cultural consciousness is littered with examples that suggest that those *not* born of women have awesome powers. Macbeth, ... can only be slain by the unbirthing Macduff. The motherless Athena can fearlessly confront the furies... . Unmothered, such beings are autonomous, immortal and quintessentially masculine' (1988, p. 63) (emphasis in the original).

¹⁶² *Manusmṛiti* 2.169. See also *Viṣṇusmṛiti* 28.36-7; *Āpastambadharmasūtra* 1.1.1.16; *Gautamadharmasūtra* 1.8.

¹⁶³ *Manusmṛiti* 2.146-8. See also *Āpastambadharmasūtra* 1.1.1.18; *Viṣṇusmṛiti* 30.44-8; *Mahābhārata* 13.108.18, 12.109.17.

In this select second birth, Sāvitrī is the mother and the *ācārya*, the father.¹⁶⁴ The ceremony of *upanayana* has to take place by a certain time in a child's life. For a *brāhmaṇa* it is in the eighth year since conception, for a *kṣatriya* in the eleventh year and for a *vaiśya* in the twelfth year.¹⁶⁵ The endowment of a greater importance to the second birth and the early age for its occurrence has two significant implications. On the one hand it directly undermines the nurturing role of the woman as mother. She is left with a negligible role in her male child's upbringing. None of the epic mothers play a significant role in the rearing of their children.¹⁶⁶ The early age of male initiation (it is further lowered in the *Manusmṛiti*)¹⁶⁷ constitutes an rejection of the mother and the woman's world. The attribution of value to male initiation means that men after their physical birth have to be culturally reborn and introduced into the adult, masculine order of men. This abrogation of 'higher' birthing processes by men naturally implied the devaluation of female birthing.¹⁶⁸

Summary

The Brahmanical preoccupation with ancestor worship, the purity of the patriline and *gr̥hastha dharma*, as well as the importance granted to male children, resulted in the perception of the woman as mother as the ultimate symbol of womanhood. The woman as mother was the procreatrix. Therefore, the mother as an idealized 'role' became the object of much praise and eulogy, and the recipient of some concessions. In addition, there were significant changes in a woman's kinship position and sexual status with motherhood. The child integrated her fully into her conjugal lineage. Although sometimes the roles of the mother and wife overlapped, the woman as mother ceased to be regarded as an overt sexual threat. But the eulogistic tone is offset by various processes that devalued the feminine role in childbirth, reproductivity and nurturance, with the end result that of reproduction—the foetus/child—was assigned the greatest importance. Therefore, it appears that the eulogy was not for the woman as mother in the sense of her reproductive and nurturing role. Rather, the mother was seen as a vehicle for

¹⁶⁴ *Manusmṛiti* 2.170; *Vasiṣṭhadharmasūtra* 2.3-4. This is why the *śāstras* of both Baudhāyana (1.11.21.13) and Vasiṣṭha (2.5) comment that a learned *stotriya* is never without offspring. Through that which lies below his navel, children of his body are produced and through that which lies above his navel his offspring are produced. Pāṇini mentions two types of lineage: *vidyāsambandha* (spiritual lineage) and *yonisambandha* (biological lineage); the former is more important than the latter (Pāṇini 4.3.77, 6.3.23; cited in V. Agrawala, 1953, pp. chapter 3).

¹⁶⁵ *Manusmṛiti* 2.36; *Āpastambadharmasūtra* 1.1.1.19; *Gautamadharmasūtra* 1.5,11; *Viṣṇusmṛiti* 27.15-7; *Vasiṣṭhadharmasūtra* 11.49-51; *Baudhāyanadharmasūtra* 1.2.3.8-10; *Yājñavalkyasmṛiti* 1.14.

¹⁶⁶ Perhaps the only exceptions are Gaṅgā and Hiḍimbā. But then one was divine and the other a *rākṣasī* and neither was expected to conform to human/Brahmanical norms. See S. I. Pollock, 1991, pp. 68-84 for a discussion on the construction of the *rākṣasa* as the 'other'.

¹⁶⁷ *Manusmṛiti* 2.37.

¹⁶⁸ For an analysis of the significance of male puberty rites, see R. Ruether, 1985, p. 63. In practical terms, this meant that the father and the father's world commanded greater authority and respect. One just has to see the examples of Rāma's, Paraśurāma's, and Purū's obedience to their father.

procreation. All these factors studied together imply not only the importance of procreation in Brahmanical discourse but also the institutionalization of motherhood.

Chapter Four

THE WIFE AND DAUGHTER: THE SECONDARY NORMATIVE CATEGORY AS POTENTIALLY PROCREATIVE, KIN YET NON-KIN, SEXUAL AND DANGEROUS

As I have shown, under Brahmanical discourse, the woman as mother was the primary normative category. The nature of references to the mother separated this category from other women. She was the procreatrix, asexual and kin. I argue in this chapter, through an examination of various themes—the terms used for a wife and daughter and their meanings, the development of the category wife as a field of reproduction, the issues of adultery and chastity, the *pativrata* rhetoric, the significance of marriage and premarital virginity, and the ambiguous kinship position of the daughter and wife—that among other women, wives and daughters formed the secondary normative category, that of the potential mother. Their sexuality was also regarded as threatening. I focus first on the wife and then the daughter.

4.1. Traditional scholarship on the category 'wife'

In this section, I consider some of the themes that have dominated discussions on the category 'wife' in ancient India. The age of marriage is an important issue in all debates pertaining to the portrayal of the wife in ancient Indian texts. Nationalist scholars emphasize that post-pubertal marriages were popular, particularly in the Vedic period. Pre-pubertal marriages became common during 300-1000 CE. The change is usually attributed to the premium placed on chastity, the equation of a woman's marriage to *upanayana*, the decline in women's education and the rise of asceticism.¹ While nationalist sentiments are easy to understand, this historiography is unable to fully establish the important link between puberty and reproduction.² Second, it is slow to take into account the corresponding changes in the didactic discourse which begins to portray women as a mere vessel for the reproduction of male children, or the influence of this discourse on the construction of the category 'wife'.

Description of marriage—the types of marriage, the various rites and procedures associated with it, its obligatory nature and dowry—is virtually mandatory among the traditional scholars in any discussion on the wife.³ Although interesting, such accounts are not always successful in highlighting the structural links between marriage, reproduction, sexuality and kinship. More recently, Susan Wadley and Lynn Gatwood have described marriage as an institution that leads

¹ See A. S. Altekar, 1938, pp. 63-73; S. Sastri, 1953, pp. 1-45, 81, 112-4; S. Jayal, 1966, pp. 45-7, Manjushree, 1990, pp. 66-7.

² Altekar does mention that women were married off early so that they could give birth soon after marriage, but does not elaborate on his statement (1938, p. 67). Jayal too refers briefly to the fact that child marriage meant that a woman's *ritu* (fertile season) would not be wasted (1966, pp. 46-7).

³ For example, A. S. Altekar 1938, pp. 35-98; P. V. Kane, 1941, pp. 427-541; S. Jayal, 1966, pp. 35-67.

to the transfer and establishment of control over a woman's dangerous sexuality.⁴ However, I argue that marriage was significant as it transformed a woman into a wife: a potentially procreative category. This was because sons were important in ancient Indian Brahmanical discourse. Among sons, the best kind was one (*aurasa*) begotten within a legal marriage, on a virgin woman of a similar caste. Thus men and women, particularly the latter, were under an obligation to marry and reproduce. The procreation of sons preferably had to be within the confines of marriage.⁵ Women were exhorted to exercise their reproductive abilities within the perimeters of marriage in the interests of lineage and caste purity, and the transfer of private property within the patriline. Marriage established individual ownership over a woman's body and her reproductive abilities. Therefore, marriage 'formally' initiated a woman's procreative phase and imposed a legal-cum-religious sanction on a woman's duty to reproduce. Additionally, marriage also established a relationship of exchange between lineage groups. These aspects of marriage have been generally overlooked by the traditional scholars. But, as Stephanie Jamison remarks, marriage was the fundamental exchange relation in ancient India, a relation that allowed women to serve in symbolic exchange roles throughout the religious sphere. Jamison continues that marriage was crucial in the formation of linkages. It provided synchronic social cohesion by linking together noncontiguous portions of the Aryan community. By providing for the continuation of the family it established diachronic linkages. A marriage, therefore, linked the males of the Aryan community in vertical and horizontal bonds.⁶

A third typical area of concern in any study of the wife in ancient India was the treatment of the wife in her marital home and the economic and religious rights she enjoyed. According to the nationalist school, although the husband remained the 'senior partner', the wife's position was one of 'honourable subordination' (see chapter one). *Strīdhana* dominated any discussion of the economic rights of the wife, while her earlier religious right to participate in sacrifices with her husband (in the Vedic period) was emphasized.⁷ Such descriptions constituted an oversimplification of the complex nature of the husband/wife relationship as portrayed in

⁴ Wadley emphasizes the duality in Hindu definitions of femaleness and argues that women were seen as fertile/benevolent and aggressive/malevolent. The issue of benevolence and malevolence depends on the control of their sexuality. When women marries, the control of their sexuality is transferred to their husbands and they are seen as benevolent (1988, pp. 23-43). For similar arguments, see C. Thompson, 1993, p. 123. Gatwood argues that, in the divine realm, the spousification of the Goddesses served a similar purpose (1991, pp. 52-72, 183, 185).

⁵ Premarital pregnancy was not unknown. In the *Mahābhārata*, Satyavatī gives birth to Vyāsa and Kuntī to Karṇa (1.99.10-6, 1.104.10-4). But significantly, Satyavatī's son leaves her and Kuntī abandons Karṇa. The *dharmaśāstras* refer to sons (*kanīna*) born of a virgin woman before her marriage, as well as sons received along with the pregnant bride (*sahoḍha*). But an *aurasa* son enjoyed superior rights.

⁶ S. Jamison, 1996, p. 207. She also discusses the different exchange relations that were established by *rākṣasa* and *gandharva* marriages (pp. 210-50).

⁷ A. S. Altekar 1938, pp. 110, 111-117; S. Jayal, 1966, pp. 99ff; Manjushree, 1990, pp. 104, 116-7; B. S. Upadhyaya, 1968, pp. 187-90. For an innovative analysis of the role of wives in *śrauta* ritual, see S. Jamison, 1996.

ancient Indian texts and overlooked the numerous socio-religious imperatives that underlay the construction of 'wife' in this discourse. It did not take into account the related issues of violence as a means of enforcing social and sexual control over women. Nor did it analyse the emphasis on chastity (both pre- and post-marital) and the exhortations against adultery, particularly with a *śūdra* man. Therefore, Brahmanical attempts to establish control over a woman's sexuality and procreative abilities and the Brahmanical need to secure the purity of caste and patriline (as expressed in the texts) were not fully investigated. Moreover, by presenting a picture of a happy and well-treated wife in her conjugal home, traditional historiography overlooked the ambiguous status of the wife in her new home. Current ethnographic studies have shown that, while the wife is regarded as auspicious, she is also treated with suspicion and hostility in her new conjugal home, until she bears a son (details below).⁸ While I do not wish to use ethnographic evidence to arrive at conclusions regarding ancient Indian society, some parallels can be drawn between the past and the present, particularly in South Asia, characterized as it is by a continuity of tradition in many matters.

A fourth area of concern to traditional historians has been the description of the 'good' wife or the *pativrata* and an exposition of the norms of behaviour that would qualify a wife for this position.⁹ In ancient Indian texts, particularly in the two epics, there are descriptions of the wife devoted to her husband to the exclusion of everything else, the merit that accrues to the wife from such behaviour and the powers and attributes of such a wife (several of the *Purāṇas* also include legends on the last theme). But these descriptions should not be accepted as reflective of social reality. Rather, it is more pertinent to interpret the *pativrata* concept as a powerful ideology for the establishment of control over a woman's sexual and reproductive facilities.¹⁰ The epics and the *Purāṇas* appear to have been convenient instruments for the dissemination of this ideology (for women and *śūdras* could listen to them). This ideology, by extolling the powers and attributes of the sexually chaste and devoted wife, aimed at retaining her procreative abilities solely for her husband's family, and therefore ensured the purity of his lineage. The *pativrata* doctrine helped reinforce the image of the wife as a potentially procreative category.

⁸ K. Young, 1987, p. 81; L. Bennett, 1983, pp. 125-6, 169-73; G. Raheja and A. Gold, 1994, p. 121; S. Kakar, 1988, pp. 60, 63. Kakar writes: 'The new bride constitutes a real threat to the unity of the extended family'.

⁹ The *pativrata* rhetoric has fascinated historians. Bader wrote eloquently on Sītā, Sāvitrī and Damayantī (1964, pp. 222, 300). Meyer discussed the powers attributed to the *pativrata* wife and studied Sītā, Śāṅḍilī, and Gāndhārī (1930, pp. 340-58, 427-35). See also A. S. Altekar 1938, pp. 117, 121; P. V. Kane, 1941, pp. 550-2; P. Mukherjee, 1978, pp. 15-7, 19-47, 50-1.

¹⁰ Some historians recognize the *pativrata* concept as an ideology designed to establish control over women. Shalini Shah writes: 'It was an ingenious ideology which eschewed the necessity of applying physical coercion over women in an oppressive patriarchal household' (1995, pp. 82-3). Uma Chakravarti argues: 'That... the *pativrata* dharma was a rhetorical device to ensure the social control of women, especially chastity, is now well accepted' (1993, pp. 582-3). For explanations on the popularity of this ideal, see S. Sutherland, 1989, pp. 63-79; C. P. Agrawal, 1978, pp. 33-7; S. Kakar, 1988, pp. 52-61; P. Mukherjee, 1978, pp. 50-1; V. Akhujkar, 1991, pp. 324-33.

More recently, Werner Menski has argued that the image of positive female fecundity found in the Vedic texts gradually disappeared and the womb was increasingly portrayed as a mere vessel. He continues that women's unique power in giving birth was recognized in Vedic society but, in the classical period, this realization received less importance and women came to be seen as a liability rather than a precious asset.¹¹ While I agree that women, particularly the wife (who was yet to give birth), were increasingly characterized as vessels for reproduction, I am unable to subscribe to the view that classical texts gave less importance to women's reproductive capacities. Instead, I would argue that women's reproductive powers were not *celebrated* in classical texts. Brahmanical discourse recognized that an essential part of a woman was her reproductive powers. But the discourse also recognized that this ability to reproduce had to be exercised under certain conditions that would serve the other Brahmanical imperatives of caste and lineage purity. Therefore, reproduction continued to be of importance but it was reproduction under circumstances that fulfilled other Brahmanical criteria. In this scheme, as I will show below, the wife and daughter were viewed as potential mothers.

4.2. The terms for the wife and the creation of a dependent, reproductive category

In the *dharmasāstras*, the wife is commonly referred to as *strī*, *bhāryā*, *dāra*, *jāyā*, *patnī*, *dampati*, *kuṭuṃbinī* and *yoṣit*. The etymology of these words and the frequency of their use is significant. The popularity of some and the declining use of others indicate a change in the conceptualization of the role of the wife. I argue in this section that the initial economic and religious significance of the terms *kuṭuṃbinī*, *dampati* and *patnī* changed and the frequency of their use declined. They were replaced by *bhāryā* and *dāra*, which emphasized the essentially dependent status of the wife.

By far the most commonly used Sanskrit words for a wife are *bhāryā* and *dāra*. These are frequently found in the *dharmasāstras* and in the plays of Bhāsa and Kālidāsa. According to Brockington, in the *Rāmāyaṇa*, *bhāryā* and *dāra* are used to refer to a wife, although other terms like *patnī* and *yoṣit* are present as well.¹² Correspondingly, the most common terms for the husband are *bhartṛ*, *pati*, *svāmī* and sometimes *nātha*. *Bhāryā*, from the root *bhṛ*, means someone or something that has to be borne, nourished, supported and maintained. *Bhartṛ* usually refers to the person (in this case the husband) undertaking the supporting and maintaining. Similarly, the use of *pati*, *svāmī* or *nātha* with their associations of ownership, overlordship and mastery implies the growing characterization of the wife as dependent upon and needing sustenance from her husband.¹³ The terms themselves establish the husband as the

¹¹ W. Menski, 1991a, p. 49.

¹² J. Brockington, 1984, p. 165. For the use of kin terms in the *Mahābhārata*, see I. Karve, 1943-4, pp. 61-48.

¹³ The use of *pati*, *nātha* or *svāmī* became more common with the rise of the monotheistic movements which preached total and exclusive devotion to a supreme deity, usually Śiva or Viṣṇu. The devotee's relation to this

dominant partner in the husband-wife dyad. This is reinforced by the declining use of the terms *dampatī* and *kuṭuṃbinī* for the wife. The word *dampatī* highlights the complementarity between the husband and the wife. Originating from the word *dam* meaning 'house', it denotes the husband and wife as joint masters of their house. Similarly, *kuṭuṃbinī* (from the male *kuṭuṃbin*, which denotes one who takes care of everything) means the wife of the householder and the mother of the whole family. Both terms lack the overtly dependent connotations associated with *bhāryā* and *dāra* and indicate a degree of economic independence for the wife within her marital home or, at least, recognize the wife as a valued economic asset. It is significant that the *dharmaśāstras* use the terms *kuṭuṃbinī* and *dampati* mainly in an economic context. The *Āpastambadharmasūtra* argues that both husband and wife (*kuṭuṃbinau*, glossed by the commentary as *dampatī*) have power over their common property.¹⁴

The growing use of the terms which designated the husband as the provider and the wife as the economic dependent is reinforced by other *dharmaśāstric* dicta. First, the *dharmaśāstras* emphasize the husband's duty to provide for the maintenance of his wife. It is decreed that a man should donate his property only after he has provided for his family, especially his son and his wife.¹⁵ The *Yājñavalkyasmṛti* recommends that a person should accept gifts (*dāna*) from anybody (a practice normally not recommended) for the purpose of maintaining his dependents. The *Mitākṣarā* explains dependents as primarily a wife and a son.¹⁶ The arbitrary abandonment of one's wife is discouraged. A wife is to be forsaken only under certain conditions (see below).¹⁷ Even when a man adopts the path of *vanaprastha*, he has to make arrangements for his wife: either let her accompany him or leave her in the care of his sons.¹⁸ Second, the concomitant dependence of the wife on the husband is repeatedly emphasized. In

supreme god was characterized by total submission. This development was reflected in the corresponding tendency to characterize the husband as the main object of his wife's devotion. Thus *pati*, *nātha* or *svāmī* could mean either husband or god (the terms were used interchangeably); in the domestic sphere, they could refer to the husband as god.

¹⁴ *Āpastambadharmasūtra* 2.11.29.3. The *smṛti* of Nārada uses the term *kuṭuṃbinī* while referring to the wives of certain men like hunters, fishermen, and so on, that is, women who might have helped their husbands economically (2.1.16). See also *Arthaśāstra* 3.11.21. However, there are some exceptions to the use of the term *dampatī* solely in an economic context. See, for example, *Vasiṣṭhadharmasūtra* 11.11; *Yājñavalkyasmṛti* 1.74; *Nāradasmṛti* 2.12.89.

¹⁵ *Bṛhaspatismṛti* 15.5; *Nāradasmṛti* 2.4.4-5; *Yājñavalkyasmṛti* 2.175. The *śāstras* of Nārada and Yājñavalkya clarify that a man could not give his wife or son away. The *Bṛhaspatismṛti* includes the wife and the son among the eight kinds of property that should not be given away (15.2).

¹⁶ *Yājñavalkyasmṛti* 1.216 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 1.216. See also *Vasiṣṭhadharmasūtra* 14.13. The *Nāradasmṛti* refers to the husband's duty to provide for his wife (2.13.26). The *Arthaśāstra* states that the husband has to maintain his wife, by regular cash payments or by providing food and clothing (3.3.3).

¹⁷ The *dharmaśāstra* of Āpastamba states that a man who has unjustly forsaken his wife is to put on an ass's skin and beg in seven houses for six months (1.10.28.19). The *smṛti* of Viṣṇu recommends that the holy fire, one's father, mother, wife and son should not be abandoned (37.6). The *śāstra* of Yājñavalkya makes such abandonment a punishable offence (2.237). See also *Arthaśāstra* 3.20.18. If the husband remarries, the superseded wife too has to be maintained. See *Yājñavalkyasmṛti* 2.148, 1.74, 1.76; *Arthaśāstra* 3.3.5.

¹⁸ *Yājñavalkyasmṛti* 3.45. See also *Manusmṛti* 6.3; *Viṣṇusmṛti* 94.3.

Pratimānāṭakam, Lakṣmana states: ‘women entirely depend on their husbands’.¹⁹ In fact, women were never supposed to be independent. According to the *śāstras*, her father protects her when she is a daughter (in her childhood), her husband after she is married (or in her youth) and her sons in her old age. In the absence of these, the *jñātis* are to protect her.²⁰ The *Nāradaśmṛti* goes a step further and equates wifedom to slavery (*dāravād dāsatā matā*), recalling that independence ruins women, even those born into a good family.²¹ Third, the texts emphasize the dependent status of the wife by disapproving of a woman/wife’s ownership of any property except *strīdhana*.²² The *śmṛtis* of Nārada and Manu are categorical that three persons could not own property: a wife, a slave and a son. Whatever they have belongs to the one who owns them.²³ The *śmṛtis* point out that *strīdhana* is the only property to be enjoyed by the wife and define what constitutes *strīdhana*.²⁴ The husband usually has no right over his wife’s *strīdhana* except under certain exceptional circumstances. The wife could use it to maintain herself, if no provision has been made when her husband is away.²⁵ The wife is also increasingly prevented from entering into any independent economic transaction, particularly if it involves a land or a house. The *Nāradaśmṛti* reads:

Except in distress, transactions undertaken by women are invalid, especially the giving, pledging, or selling of a house or field. Even these transactions are valid if the husband assents; or, in the absence of a husband, the son; or in the absence of either a husband or a son, the king.²⁶

A wife, after her husband’s death, is free only to give away whatever she has been given by her husband out of affection; she cannot give away immovable property.²⁷ The commentary

¹⁹ *Pratimānāṭakam* 1.25. The wife’s dependence on her husband is also demonstrated in Kālidāsa’s play. As Sāradvata tells Duḥṣanta, ‘This then, is your wife, accept her, or abandon her; a husband’s dominion over his wife is absolute’ (5.29).

²⁰ *Yājñavalkyaśmṛti* 1.85. See also *Baudhāyanadharmasūtra* 2.2.3.45-7; *Vasiṣṭhadharmasūtra* 5.1-3; *Nāradaśmṛti* 2.13.31; *Manuśmṛti* 9.3, 5.147-8; *Viṣṇuśmṛti* 25.13.

²¹ *Nāradaśmṛti* 2.13.30 and 2.5.37. Elsewhere, the *śmṛti* adds that women, slaves and other retainers are always dependent (2.1.29-30).

²² Some *śmṛtis* acknowledge the wife’s usufructory rights over her dead husband’s property, especially if he had no son (*Gautamadharmasūtra* 18.21; *Yājñavalkyaśmṛti* 2.135-6; *Viṣṇuśmṛti* 17.4; *Bṛhaspatishmṛti* 25.48-9,54-5). But this right was one of use and did not give her the right to sell any immovable property. The *Āpastambadharmasūtra*, which states that a husband and wife have power over their common property and that no division takes place between the husband and wife, particularly with respect to the acquisition of wealth, is an exception (2.11.29.3, 2.6.14.16,19).

²³ *Nāradaśmṛti* 2.5.39. See also *Manuśmṛti* 8.416. The *Mitākṣarā* quotes this verse on *Yājñavalkyaśmṛti* 1.49.

²⁴ For descriptions of what constituted *strīdhana*, see *Nāradaśmṛti* 2.13.8-9; *Arthaśāstra* 3.2.14-5; *Āpastambadharmasūtra* 2.6.14.9; *Manuśmṛti* 9.194-8,131 *Yājñavalkyaśmṛti* 2.143-5; *Viṣṇuśmṛti* 17.18-21 *Gautamadharmasūtra* 28.24.

²⁵ *Arthaśāstra* 3.2.16-8,35. See also *Yājñavalkyaśmṛti* 2.147.

²⁶ *Nāradaśmṛti* 2.1.22 -3.

²⁷ *Nāradaśmṛti* 2.1.24.

<i>text</i>	<i>kuṭumbinī</i>	<i>dampati</i>	<i>patnī</i>	<i>jāyā</i>	<i>bhāryā</i>	<i>dāra</i>	<i>others</i>
<i>Gautama</i>					7	2	<i>nārī</i> -1, <i>yuvai-</i> 1; otherwise <i>strī</i> .
<i>Āpastamba</i>	1		1	2	4	12	<i>satī</i> -1; otherwise <i>strī</i> .
<i>Baudhāyana</i>			8	1	5	2	<i>strī</i> .
<i>Vasiṣṭha</i>		1	3		6	6	<i>ramā</i> -1, <i>nārī</i> -1, <i>pativratā</i> -1; otherwise <i>strī</i> .
<i>Manu</i>			6	3	17	18	<i>yoṣit</i> -6, <i>sādhvī</i> -2, <i>pativratā</i> -2; otherwise <i>strī</i> .
<i>Nārada</i>	1	1			9	5	<i>nārī</i> -1, <i>yoṣit</i> -2; otherwise <i>strī</i> .

Figure 5: The use of terms denoting the wife in some *dharmasāstras*

defines immovable property as houses or fields. The wife is entitled to enjoy them for the duration of her life but she cannot donate them or give them away.²⁸ Thus changes in the terms used for the wife also indicate the institutionalization of her dependency. The establishment of the model/norm of economic subservience for the wife was an effective means for ensuring her sexual subordination, which in turn guaranteed and channelled her procreative capacities in the service of a Brahmanical, patriarchal society.

The case of the term *patnī* shows the decline in the religious role of the wife. Earlier, texts emphasized the joint role of the husband and wife in Vedic ritual.²⁹ The wife's ability to participate in Vedic ritual was indicated by the use of the term *patnī*. The use of the word *patnī* implied and established the wife as an equal partner in the performance of sacrifices with her husband. Sastri comments that the *patnī* (partner in the performance of rituals and *yajña*) characterized women's role in the *Rg Veda*.³⁰ According to Gharpure, the etymology of the word itself implied connection with religious rites:

According to Pāṇini 4.1.33, a *patnī* is a wife who takes part in sacrifices of her husband. A strict interpretation of this rule would mean that only the eldest or the one who sacrifices with the husband is a *patnī*. But this is not so. It is the capacity to take part in a sacrifice that determines the title of *patnī*. Technically speaking, the wife of a *śūdra* should not be entitled to the title as her husband does not perform sacrifices.³¹

Though the *dharmasāstras* vaguely refer to the religious role of the wife, the usage of the term gradually declines and the meaning of *patnī* changes from one who is an equal partner in her

²⁸There are some exceptions to the woman/wife's inability to own property except her *strīdhana*. A *śloka* in *Āpastambadharmasūtra* seems to indicate that women could own cattle (1.1.3.26). Moreover, in the *dharmasāstras*, husbands are asked not to pay the debts incurred by their wives, unless it is for the purpose of the family. Similarly, the wife could not pay her husband's debts unless they are contracted with her assent. See *Bṛhaspatismṛti* 11.50; *Nāradasmṛti* 2.1.15,10,13; *Viṣṇusmṛti* 6.31-2; *Yājñavalkyasmṛti* 1.49; *Arthaśāstra* 3.11.23. Therefore, a wife was legally recognized as capable of paying her own and her husband's debts; whether it would have been from her *strīdhana* or other property is not known.

²⁹ See J. Leslie, 1995, pp. 109-10.

³⁰ S. R. Sastri, 1953, p. 16.

³¹ J. R. Gharpure, 1936-42, p. 1066. See also J. Leslie, 1995, p. 110.

husband's religious activities to one who is merely the legally wedded wife.³² The association of religious rights with the term is played down or it is explained as a woman who is espoused by the performance of nuptial rites.³³ In the *dharmasāstras*, *patnī* is rarely used to refer to the wife in her capacity as a religious partner.³⁴ Alongside the change in its meaning, the frequency of its use in the *dharmasāstric* literature of this period declines. It comes to be replaced by *bhāryā* and *dāra* or simply *strī*.³⁵ The *dharmasāstras* also specify that the woman/wife has no independent religious role to play, and thus transform the wife into a junior and subordinate partner at best. They add that only the *savarṇā* wife could participate in rites and rituals, if at all,³⁶ and thereby eliminate the large number of *asavarṇā* wives (polygamy was accepted in society) from the domain of religion. The *dharmasūtra* of Āpastamba makes it clear that a woman (on her own) could not offer oblations to the fire (*na juhūyāt*), while that of Gautama states that a woman/wife is not independent regarding the fulfilment of *dharma* (*asvatantrā dharme striyaḥ*). The *smṛti* of Viṣṇu maintains:

A woman should not participate in sacrifices or undertake fasts or penance except along with her husband. To serve (*śuśrūṣā*) her husband is the only means for a woman to obtain heavenly bliss. A woman who keeps fasts and penance in the lifetime of her lord (*svāmī*) deprives her husband of his life and she will (thus) go to hell.³⁷

Such strictures in the *dharmasāstras*, together with the use of the male gender only while describing the religious duties of the householder, helped to popularize the view that the wife had no part to play in Vedic religion and rites. The changing perception of the wife's religious role is reflected in the narrative texts. For example, the first act of *Daridrācārudattam* shows the hero Cārudatta worshipping the household deities. Significantly, his wife is nowhere on the scene. This portrayal can be contrasted with the *Rāmāyaṇa*, where Kausalyā, being informed of Rāma's coronation, worships the deities and sacrifices to Viṣṇu; and Sītā participates in all the rites leading to the coronation, as well as during Daśaratha's *śrāddha*. However, in the

³² This change reflects the reduction of the wife's role in sacrificial activities; she becomes an adjunct to her husband (see J. Leslie, 1995, pp. 111-5).

³³ *Mitākṣarā* on *Yājñavalkyasmṛti* 2.128, 2.135-6.

³⁴ The *smṛtis* of Āpastamba and Baudhāyana are exceptions. The former specifically states that all Vedic rites have to be performed in conjunction with a wife (*patnī*) while the latter describes the role of the sacrificer's wife (*yajamanaḥ patnī*) (*Āpastambadharmasūtra* 2.9.23.9; *Baudhāyanadharmasūtra* 1.6.13.5, 1.7.15.10, 1.7.15.17). The *Manusmṛti* uses the term *patnī* when it refers to the wife's sacrificial offerings in the evening with sanctified food (3.121). It is used in the sense of a religious partner just once more in the text (9.96). In all other *ślokas*, *patnī* is merely a synonym for wife (8.354 [*parasya patnī*], 9.57 [*guru patnī*], 10.5 [*rakṣatayoni patnī*] and 9.183).

³⁵ For the frequency in the use of this term, see above and *Viṣṇusmṛti* 17.4, 22.19; *Yasīṣṭhadharmasūtra* 19.33, 19.24; *Yājñavalkyasmṛti* 3.45, 2.135-6.

³⁶ 'In the presence of a *savarṇā* wife, religious acts could not be performed by another (woman). If (a man has) several *savarṇā* wives, then religious acts are to be performed only by the eldest; in her absence by any other' (*Yājñavalkyasmṛti* 1.88). See also *Viṣṇusmṛti* 26.1-7, *Manusmṛti* 9.86.

³⁷ *Viṣṇusmṛti* 25.15-6. See also *Gautamadharmasūtra* 18.1; *Āpastambadharmasūtra* 2.6.15.17; *Manusmṛti* 5.155 and J. Leslie, 1995, p. 108.

same text, Rāma is content to sacrifice with the golden image of Sītā besides him.³⁸ The increasing economic dependency of the wife coupled with the decline of her role in religious rites left her suited and free for only one task, reproduction.

Another term used for the wife was *jāyā*. The use of this word was the final stage in the development of the semantics used to denote the wife as a potential mother. It carried with it a special significance. The *Manusmṛti* explains that the husband metamorphically ‘enters’ his wife (through his semen), is transformed into an embryo, and, is therefore born again in his wife (as the son). Consequently, because the husband is born (*jāyate*) again in her, the wife was called *jāyā*.³⁹ The *dharmasūtra* of Āpastamba does not use the word *jāyā* but states that a man is reborn in his son.⁴⁰ The other *smṛtis*, with the exception of Yājñavalkya,⁴¹ use this term without explaining its meaning.⁴² The epics reflect the śāstric meaning of the term. In the *Mahābhārata*, Śakuntalā declares in the court of Duḥṣanta:

A husband enters his wife and is reborn from her—thus the old poets know this as the wife’s wifehood.

She is a wife who is handy in the house, she is a wife who bears children .

A son, the wise men say, is the man himself born from himself...⁴³

The origins of the word *jāyā* and its use in the *dharmasāstras* and the epics confirmed the transformation of the wife into a potentially reproductive category. Her wifehood was deemed to arise from the fact that she had the potential to give birth. The husband was reborn in her. The withdrawal of economic and religious duties, as shown in the changing meanings and usage of *dampati* and *patnī*, allowed the wife to concentrate on what was now regarded as her main duty: reproduction. This was further reflected in the meaning of the term *jāyā*.

4.3. The wife as a field for reproduction

Other themes in the texts also establish the wife as a suitable field/vessel for reproduction and emphasized her development as a vehicle of potential reproduction. These include the direct characterization of the wife as a vessel for reproduction, the recognition granted to a *kṣetraja* son, the insistence on marital sexual intercourse and the rejection of sexual intimacy and the ‘remarriage’ of wives. I have already mentioned the concept of *kṣetra*, under which a woman was characterized as a *kṣetra* or field to be sowed and ploughed by the man’s semen or *bīja*

³⁸ *Rāmāyaṇa* 7.91.25.

³⁹ *Manusmṛti* 9.8. See also 4.184.

⁴⁰ *Āpastambadharmasūtra* 2.9.24.1-2.

⁴¹ *Yājñavalkyasmṛti* (1.56) uses the verb *jāyate* while expressing its disapproval of a twice-born man taking a *śūdra* woman as a wife for ‘he is born in her himself’ (*yaśmāt tatra svayaṇi jāyate*). The *Mitākṣarā* cites a statement found in the *Āitereya Brāhmaṇa* (7.13.10) to clarify that a wife becomes a real wife (*jāyā*) only when her husband is born again in her.

⁴² See for example, *Āpastambadharmasūtra* 2.6.14.16; *Baudhāyanadharmasūtra* 1.5.9.6.

⁴³ *Mahābhārata* 1.68.36,39,47. See also 3.13.62.

(see chapter three).⁴⁴ At times, this designation of women as *kṣetra* was not left in the realm of generalities and the wife was specifically designated as her husband's field. In a *gāthā* that expresses disapproval of the practice of procreating *kṣetraja* sons, the wife is explicitly referred to as a *kṣetra*. A man is advised to watch over the procreation of his children, in order to prevent the seed (semen) of strangers (other men) from being sowed in his field (*kṣetra*).⁴⁵ There is another passage in two of the *smṛtis* in which the wife (*strī*, often used as a synonym for wife) is blatantly characterized as a vessel that contains the curds for the sacrifice.⁴⁶ This allegory re-emphasized the dharmasāstric dicta on the necessity of wives to bear sons, for women were created for the sake of offspring and men to carry on the lineage.⁴⁷

The concept of the wife as a field for the production of children was reinforced by the definition of, and the recognition given to, a *kṣetraja* son, one of the twelve kinds of sons mentioned in the *dharmasāstras*. A man who did not have a male child, could request another man (preferably without a son) to beget a child on his own legally wedded wife. Such a son is called *kṣetraja*, born (*jāta*) in the wife, the husband's field (*kṣetra*). According to the *smṛti* of Yājñavalkya,

The son who is begotten (by appointment), on the field of another man (*para kṣetra*), by someone who himself has no male issue, is the heir of both men and the giver of funeral oblations (of both men).⁴⁸

Kṣetraja sons therefore, are those produced in the wives when their husbands are (usually) alive.⁴⁹ The most obvious example is the birth of the Pāṇḍavas, although later commentators on the *Mahābhārata* try to gloss over the fact by emphasizing divine intervention.

However, examples of *kṣetraja* sons produced when the husband is alive are rare in later literature. This reveals the basic dilemma that Brahmanical discourse was confronted with. On the one hand, sons were vital and it seemed perfectly reasonable that when a man died or was unable to impregnate a woman, his family or he himself got a son procreated on his wife, the

⁴⁴ *Nāradaśmṛti* 2.12.19; *Manusmṛti* 9.33.

⁴⁵ *Āpastambadharmasūtra* 2.6.13.6; *Baudhāyanadharmasūtra* 2.2.3.34-35; *Vasiṣṭhadharmasūtra* 17.9.

⁴⁶ *Baudhāyanadharmasūtra* 2.1.2.10-1. See also *Āpastambadharmasūtra* 1.10.29.13-4.

⁴⁷ See *Nāradaśmṛti* 2.12.19; *Manusmṛti* 9.96; *Arthaśāstra* 3.2.42. The *Arthaśāstra* writes: 'In the case of indulgence in women there is the begetting of offspring and the protection of oneself with wives at home...' (8.3.59) and imposes a fine on the person who influences a woman to renounce her home (2.1.29), as this would interfere with her reproductive functions.

⁴⁸ *Yājñavalkyaśmṛti* 2.127. The *Mitākṣarā* adds that if the man who has begotten the child is himself childless, then the son produced on the wife belongs to both fathers and is called *dvyamusyayana*. If, however, the man appointed to beget the child already has a son, then the son begotten belongs to the owner of the field and not to the owner of the seed. According to the *Gautamadharmasūtra*, the child normally belongs to the biological father, unless the woman's husband is alive or an agreement to the contrary has been made. (28.9-11-4.). See also *Nāradaśmṛti* 2.12.58; *Viṣṇusmṛti* 15.3; *Vasiṣṭhadharmasūtra* 17.14; *Arthaśāstra* 3.7.7; *Baudhāyanadharmasūtra* 2.2.3.17-9; *Manusmṛti* 9.162-5,167,32,42-5,48-56. *Kṣetraja* sons could also be reproduced in widows, for a man's widow remained his *kṣetra* and his family could use that *kṣetra* to raise a child for the benefit of the lineage.

⁴⁹ Interestingly, the *Arthaśāstra* recommends that an old or diseased king should request his mother's kinsmen, or a member of his own family or a neighbouring virtuous prince to beget a son in his wife (1.17.50).

kṣetra. As the owner of the *kṣetra*, he and his family were entitled to do so. On the other hand, it became no longer sufficient to have any son. The son had to be of the same blood as the father. When lineage and caste purity assumed greater importance, the incidence of *kṣetraja* sons declined.⁵⁰ This reinforces my argument that although the wife was a vessel for reproduction, gradually this reproduction had to be carried out under conditions that ensured the purity of caste and lineage.⁵¹ Nevertheless, the initial recognition of the existence of *kṣetraja* sons demonstrated the importance of sons and the characterization of the wife as a field for reproduction.

The wife as a potential mother was supposed to have two important qualifications. She had to be of the same caste as her husband (*savarṇā*) and she had to be a virgin. Both of these were linked to the growing importance of caste and lineage purity. A *savarṇā* wife ensured that the son was of the same caste as the father, while premarital virginity removed all doubts regarding the paternity of subsequent children. The importance of the virgin wife is emphasized in the *Arthaśāstra*. Kauṭilya is normally against the revocation of marriages in which the hand-clasping ceremony has been completed, the only exception being the discovery of *doṣam aupasāyikam* in the girl, which is explained by the commentators as the loss of virginity or the discovery of sterility.⁵² If the bride is not a virgin at the time of her marriage, a fine is imposed on her.⁵³ Almost all the *smṛtis* emphasize that a man should marry a *savarṇā* woman. Only then could he produce sons who would continue his lineage.⁵⁴ The *śāstra* of Gautama clearly states that virtuous sons, that is, those who continue their father's family, are born from virgin wives (*na anya purvā bhāryā*) of the same caste (*savarṇā*), who have been married according to the approved forms of marriage.⁵⁵ Narrative literature is replete with examples of the need for a wife to be a virgin, most of them from the *Mahābhārata*. Satyavati

⁵⁰ Some *śāstrakāras* record their objections against the *kṣetraja* son. See *Āpastambadharmasūtra* 2.6.13.6; *Baudhāyanadharmasūtra* 2.2.3.34-5; *Vasiṣṭhadharmasūtra* 17.9. For further objections against *kṣetraja* sons, see the *dharmasūtra* of Āpastamba (2.10.27.2-4) which states that the practice of begetting *kṣetraja* sons had been prevalent before, as the wife was given to the family and not the man. But due to the weaknesses of men it could not be sanctioned any longer. The *Bṛhaspatismṛti* is categorical that only the *aurasa* son and the *putrikāputra* continue the family and are entitled to inherit; the *kṣetraja*, *sahoḍha* and *gūḍhaja* sons are to be despised (25.33,35,37,41).

⁵¹ Although *gūḍhaja* (a son secretly produced in the house of the husband) and *sahoḍha* (the son received with the pregnant bride) are also known (*Yājñavalkyasmṛti* 2.129,131, *Baudhāyanadharmasūtra* 2.2.3.25,27; *Arthaśāstra* 3.7.8,11; *Vasiṣṭhadharmasūtra* 17.24,27; *Nāradasmṛti* 2.13.16,43-5; *Viṣṇusmṛti* 15.15-7), they do not enjoy the same privileges as *aurasa* or *kṣetraja* sons. See *Gautamadharmasūtra* 18.32-3; *Baudhāyanadharmasūtra* 2.2.3.31-2; *Viṣṇusmṛti* 15.13-4; *Vasiṣṭhadharmasūtra* 7.25-6,38.

⁵² *Arthaśāstra* 3.15.12. This reinforced the construct of the wife as a reproductive category. Both the reasons given for revocation were linked to her capacity to bear a child—one directly, the other indirectly. Sterility would obviously negate the possibility of childbearing while the loss of virginity would put the paternity of any subsequent child in question.

⁵³ *Arthaśāstra* 4.12.15. See the *Nāradasmṛti* for lack of virginity as one of the flaws in a girl to be married (2.12.4, 2.12.36).

⁵⁴ *Yājñavalkyasmṛti* 1.90. This emphasis on a *savarṇā* wife is also found in *Arthaśāstra* 1.3.9.

⁵⁵ *Gautamadharmasūtra* 4.29,1. See also *Manusmṛti* 3.4-5; *Vasiṣṭhadharmasūtra* 8.1.

and Kuntī both insist, before embarking on premarital sexual encounters, that their virginity be restored afterwards. Draupadī becomes a virgin before going to live with each of the Pāṇḍava brothers, as does Mādhavī before she is given to each of the four kings by Gālava.⁵⁶ Devyanī's marriage to Yāyati, Urvaśī's to Purūravas, Śakuntalā's to Duḥṣanta are the few exceptions of inter-caste marriages noted in the narrative texts.

The concept of the wife as merely a vessel for future reproduction was reinforced by Brahmanical ideas on sexual intercourse between a husband and a wife. The husband is virtually commanded to approach his wife sexually on particular days, so that they can beget children together.⁵⁷ Conjugal sexual intercourse to procreate a son is considered a basic duty for men and women. According to the *Baudhāyanadharmasūtra*, if the husband fails to fulfil this command, he is guilty of the serious crime of *bhrūṇahatyā* (the slaughter of an embryo).⁵⁸ The texts appear to be obsessed with the desire to ensure that a woman's fertile season (*ṛtu*) did not go waste (see also chapter three). For example, during *ṛtu*, a woman is permitted to approach other men for sexual intercourse if her husband is not present. This is to prevent her fertile season from being 'wasted'.⁵⁹ It follows that if the wife failed to have children she could be abandoned. Almost all the *dharmaśāstras* recommend abandoning the wife if she is barren.⁶⁰ Since the wife was a vessel, her abandonment, if barren, was justified.

Sexual intercourse for procreation was the only form of 'intimacy' prescribed for the married couple. All other forms of emotional and sexual closeness were discouraged. For example, it is recommended that the only suitable time for sexual intercourse is the night.⁶¹ Immediately after sexual intercourse the husband has to leave the wife. Sleeping with the wife throughout the night is not permitted.⁶² During the day, the husband could not decorate himself

⁵⁶ *Mahābhārata* 1.99.13, 1.104.12, 1.190.14, 5.114.10.

⁵⁷ *Vasiṣṭhadharmasūtra* 12.21,8.17; *Viṣṇusmṛti* 69.1-16; *Baudhāyanadharmasūtra* 2.2.3.1, 3.1.24, 1.11.21.20; *Āpastambadharmasūtra* 2.2.5.16, 1.1.32.1; *Manusmṛti* 3.45,50, 4.128; *Yājñavalkyasmṛti* 1.80.

⁵⁸ *Baudhāyanadharmasūtra* 4.1.17-21. See also *Arthaśāstra* 1.3.9 for the characterization of conjugal sexual intercourse as a primary duty of the householder.

⁵⁹ *Mahābhārata* 1.3.89, 1.77.6-13 The *Arthaśāstra* imposes a fine on the wife if she fails to inform her husband of her periods and on the husband if he fails to have sexual intercourse with her (3.2.44-7,3.3.12).

⁶⁰ *Baudhāyanadharmasūtra* 2.2.4.6; *Nāradasmṛti* 2.12.94; *Yājñavalkyasmṛti* 1.73; *Manusmṛti* 9.81; *Arthaśāstra* 3.2.38-9; *Āpastambadharmasūtra* 2.5.11.12-3, 1.7.21.9. What was the fate of the barren wife, of the one who frequently miscarried and of the one who gave birth to daughters? The *smṛtis* do not provide details. Presumably, the barren wife would be viewed as a biological non-mother and the other two as social non-mothers. It is probable that such women would have three options available to them. They could be maintained in their husbands' households as superseded older wives. Or they could become *veśyās* or wandering women ascetics (although such examples appear to be rare). Finally, they could also return to their natal households and be given in marriage again (for example, Isidāsī in the *Therīgāthā*), provided their inability to bear children was not well known.

⁶¹ *Āpastambadharmasūtra* 2.1.1.16-7. See also *Yājñavalkyasmṛti* 3.291; *Viṣṇusmṛti* 69.9. See also *Mahābhārata* 13.107.100 which forbids sexual intercourse during the day.

⁶² *Āpastambadharmasūtra* 1.11.32.2. The text also recommends that the husband and wife should separate after sexual intercourse and have a bath (2.1.1.21-3). The *Viṣṇusmṛti* maintains that a *snātaka* should not sleep among women (*na nārī madhye*) (70.15).

or adorn himself for the pleasure of his wife.⁶³ A second set of restrictions applied to the husband eating with his wife. The *smṛtis* of both Viṣṇu and Vasiṣṭha maintain that a *snātaka* should not look at his wife while he is himself eating (*na patnīm bhojanasamaya*) nor should he eat with her. If he does so, his children will lack virility.⁶⁴ The *Gautamadharmasūtra* adds that a man should not look at his wife while she decorates herself.⁶⁵ A householder, in the presence of his teacher, is not to embrace, kiss or speak tender words to his wife (*dāra*) and children.⁶⁶ The normative ideal was to discourage emotional ties between the husband and wife: ideally, the husband-wife relationship was to be a sexual one for the sole purpose of reproduction.⁶⁷ There were two reasons for the development of this ideal. First, it was encouraged by ascetic principles that emphasized male seminal retention and the idea that men should not indulge in sexual intercourse unless it was for procreation. Second, the discouragement of conjugal intimacy lessened the threat the wife, with her dangerous sexuality, was perceived to pose to the unity and integrity of her male agnatic kin and the joint family structure.

The concern for using wives for procreation is also demonstrated by the issue of the question of the 'remarriage' of women/wives whose husbands were alive but unable to impregnate them for a variety of reasons. If earlier historians are to be believed, widows were allowed to remarry, especially in the Vedic age. But most historians gloss over the issue of the remarriage of wives because it was problematic.⁶⁸ Confusion is apparent in the didactic texts. If a woman is prevented from remarrying when the husband is unable to impregnate her, her reproductive capabilities are lost to society. So some *smṛtis* sanction a type of 'remarriage' for wives whose husbands are away.⁶⁹ The *Nāradaśmṛti* states that remarriage on the part of the

⁶³ *Āpastambadharmasūtra* 2.11.32.5-6

⁶⁴ *Viṣṇusmṛti* 71.25; *Vasiṣṭhadharmasūtra* 12.31; *Manusmṛti* 4.43. The *Yājñavalkyaśmṛti* adds that a *snātaka* should not sit in the sight of his wife (*bhāryā*) (1.131). The *Mitākṣarā* explains that this is out of fear of begetting 'unvirile' offspring. See also the *Mitākṣarā* on *Yājñavalkyaśmṛti* 3.290. Among the peculiar practices prevalent in the South, the *Baudhāyanadharmasūtra* mentions the custom of eating in the company of one's wife (1.1.2.3).

⁶⁵ *Gautamadharmasūtra* 9.32. See also *Manusmṛti* 4.44.

⁶⁶ *Āpastambadharmasūtra* 2.2.5.10.

⁶⁷ This does not mean that texts do not portray idealized pictures of conjugal intimacy. The *Rāmāyaṇa* is full of hyperbolic descriptions of the married life of Rāma and Sītā. In *Pratimānātakaṃ*, Rāma calls Sītā his companion in all states of life (5.2). In another play, Bhāsa paints a beautiful picture of the intensity of love between Rāma and Sītā (*Abhiṣekhanātakaṃ* 2.21). Even didactic texts emphasize that harmony should prevail between the husband and wife. According to *Yājñavalkyaśmṛti*, a householder could conquer all worlds by avoiding dispute with one's wife (among others) (1.158). It also states that the three *vargas* prosper when there is harmony between the husband and wife (*dampatī*) (1.74). Elsewhere, the householder is asked to be wife-loving (*bhāryā rati*) (1.121).

⁶⁸ An exception is R. Lariviere, 1991, pp. 37-43.

⁶⁹ According to the *śāstra* of Gautama, a wife has to wait for six years if her husband has disappeared, but is to go to him as soon as he is located. If her husband is a *brāhmaṇa*, who has gone to another country for studying, she has to wait 12 years. But if her husband has renounced domestic life, she should not have sexual intercourse with other men (18.15-7). If the husband dies before the consummation of the marriage, the woman, being a virgin, should get married again. If the husband has gone away, the wife could either go to look for her husband or act as if her husband was dead. The *brāhmaṇī* is to wait for five years if she has a child; if not for four years. The *kṣatriyā* has to

woman/wife is not a crime under certain conditions: if the husband disappears, dies, renounces the world, or becomes an eunuch or an outcaste.⁷⁰ The reason given for granting such a concession was significant: 'Prajāpati created creatures so that they might have offspring; therefore, if a woman goes to another man under these circumstances there is no sin entailed'.⁷¹ However, this was not 'remarriage' in the strict sense of the term.⁷² A wife was simply allowed to cohabit with another man for the sake of producing children, though the exact status of such children was always ambiguous. *Brāhmaṇas*, with their notions of caste and lineage purity, appear to have been uneasy with this practice. It was difficult to establish the caste or paternity of children born of remarried women. Gradually, this practice is discouraged and the *paunarbhava* (the son of a *punarbhū*)⁷³ is disapproved of. It is recommended that he not be invited to a *śrāddha*.⁷⁴ But the fact that some of the *smṛtikāras* consider the 'remarriage' of wives indicates their concern about the utilization of the reproductive abilities of the wife.

4.4. *The purity of jāti and kula and sexual accessibility of the wife*

The construction of the wife in Brahmanical theology as a potentially procreative vessel, as a field to be 'sown' for reproduction, is apparent from the etymology and meaning of the words used for a wife and from the actual designation of the wife as a *kṣetra*. An anxiety to control women's reproductivity and sexuality to ensure that women, with their special abilities, could benefit society seems to be reflected in the texts of this period. Marriage marked the transfer of a woman's sexuality and reproductive abilities from one patriline to another. And when she had a male child the continuation of the lineage was assured. However, increasingly, for the fulfilment of dharmic obligations, the son had to be the direct blood descendent of the conjugal patriline. In other words, the purity of the patriline and caste had to be maintained. Therefore, the issue of procreation became fundamentally linked to the maintenance of kinship and caste.

wait for five and three years, the *vaiśyā* for four and two years and the *śūdrā* for three and one year respectively. If a member of her husband's lineage is alive, she should not go to another man (*Vasiṣṭhadharmasūtra* 17.74-8,80). See also *Nāradaśmṛti* 2.12.98-102; *Arthaśāstra* 3.4.24-9,31-40; *Manusmṛti* 9.76.

⁷⁰ *Nāradaśmṛti* 2.12.97. Elsewhere, the text recommends: 'If a man was impotent with his wife and not with another woman then again the wife could take another husband, for women were created for the sake of offspring'(2.12.18-9). It adds that even non-virgin wives should leave their outcaste or impotent husbands and marry again (2.12.15-6). The *Arthaśāstra* also allows remarriage for the women under different circumstances (3.4.30-5,37-40; 3.2.48).

⁷¹ *Nāradaśmṛti* 2.12.102. The *Arthaśāstra* similarly argues: 'For, frustration of the period is the destruction of sacred duty' (3.4.36).

⁷² A woman who married again, whether a virgin or not, was called a *punarbhū*. Or she could be a *svairiṇī*. For a definition of *punarbhūs* and *svairiṇīs*, see *Nāradaśmṛti* 12.45-9; *Yājñavalkyaśmṛti* 1.67; *Baudhāyanadharmasūtra* 2.2.3.27; *Mitākṣarā* on *Yājñavalkyaśmṛti* 1.52; *Viṣṇuśmṛti* 15.8-9; *Vasiṣṭhadharmasūtra* 17.19-20.

⁷³ *Baudhāyanadharmasūtra* 2.2.3.27, *Viṣṇuśmṛti* 15.7; *Vasiṣṭhadharmasūtra* 17.18; *Manusmṛti* 9.175.

⁷⁴ According to *Yājñavalkyaśmṛti*, the son of a remarried woman (*paunarbhava*), the son of an adulterous woman (*kuṇḍa*) or the son of a widow (*golaka*) could not be invited to a *śrāddha* (1.222). According to *Manusmṛti*, both the son and the husband are to be excluded (3.155,166). The former is also not an heir and generally considered degraded (3.181, 9.160).

In this structure of norms and expectations, the wife as the newly arrived member of the conjugal household occupied an ambiguous position. As a potential procreatrix and as a vehicle for ensuring the continuation of her husband's lineage, the wife was welcomed as auspicious. But there was also a fear of her sexuality and sexual appetites. This could affect her husband's family in two ways. By 'ensnaring' her husband she could destroy the unity among her agnatic male kin. Or, by indulging in sexual intercourse with other men, she could introduce suppositious children into her husband's lineage, thereby, destroying its purity and caste status. The ambiguous position of the wife stemmed from her ambivalent kin status. She is not recognized as a full-kin member of her conjugal lineage. The *smṛtis* hint at her continuous links with her natal home, and her brother, or the maternal uncle is a popular figure in narrative texts.⁷⁵ However, Brahmanical texts do not approve of close natal ties on the part of the wife. Once she enters a normative virilocal marriage,⁷⁶ the wife is expected to be loyal and faithful to her conjugal household. Kālidāsa puts into words what is implied in the didactic discourse. In *Abhijñānaśākuntalam*, Śārṅgarava says: 'The world suspects even the most virtuous woman as otherwise, when with her husband living, the parental home becomes her sole resort: hence, her kinsfolk wish that she be beside him [the husband]'.⁷⁷ Close natal ties constitute a threat to such loyalty. Therefore, the dichotomy between the prescribed theoretical integration of the wife into her husband's family and the practicalities of the situation remained. Beside the question of loyalty to her new home, the wife is rarely referred to explicitly as kin. Some *smṛtis* recognize her usufructory right over her husband's property after his death (especially if he has no son).⁷⁸ While this would make her an heir, it did not necessarily transform her into kin. Moreover, when a childless wife dies her *strīdhana* is to be inherited by her husband as kin, only if she has been married according to the first four rites of marriage. Significantly, if she has been married according to the last four rites of marriage, her *strīdhana* reverts to her natal family.⁷⁹ In addition, there is some uncertainty over the *gotra* and *sapīṇḍa* status of the wife. With marriage, the wife's *gotra* supposedly changes to that of her husband. But there is no clear dictum on this. For example, when a childless wife dies, the *smṛtikāras* are in a quandary regarding the performance of her cremation and water libation. Should it be performed by her husband or her father? Some avoid this complicated issue by not

⁷⁵ See chapter seven for details.

⁷⁶ Exceptions to patrilocal marriages are that of Jaratkāru, Hiḍimbā, Ulūpī, Citrāṅgadā in the *Mahābhārata*. But these could be examples of remnants of earlier practices. Moreover, out of these women, Jaratkāru and Ulūpī are *nāgas* while Hiḍimbā is a *rākṣasī*. *Rākṣasas* and *nāgas* were considered to be outside the pale of Aryan society.

⁷⁷ *Abhijñānaśākuntalam* 5.19.

⁷⁸ *Gautamadharmasūtra* 18.21; *Yājñavalkyasmṛti* 2.135-6, 2.115; *Viṣṇusmṛti* 17.4; *Bṛhaspatismṛti* 25.48-9,55.

⁷⁹ *Yājñavalkyasmṛti* 2.145; *Viṣṇusmṛti* 17.19-20; *Manusmṛti* 9.196-7; *Arthaśāstra* 3.2.36-7 (However, the *Arthaśāstra* does not add the qualification on the four forms of marriage.)

referring to the subject at all, while others remain undecided.⁸⁰ The *dharmasūtra* of Āpastamba comes closest to describing the wife as kin when it refers to her as *sagotrasthānīyam*.⁸¹ A similar ambiguity is apparent in the designation of the wife as a *sapiṇḍa* of her husband. A wife is called a *sapiṇḍa* of her husband, but *sapiṇḍa* implies some degree of consanguinity. The *Mitākṣarā* offers an ingenious solution to this dilemma. It argues that the wife becomes a *sapiṇḍa* to her husband as they together produce one body, their son.⁸² Therefore, as long as the wife did not become a mother her status remained uncertain.

The wife was regarded as the ‘foundation’ of her husband’s lineage,⁸³ responsible for its continuity through her reproductive abilities. Since the wife, because of her inherent sexual nature, could be tempted to have sexual intercourse with men other than her husband, she threatened her husband’s lineage with suppositious children. The *dharmasāstras* reflect a desire to control this threat in three ways. First, they emphasize the need to protect women and to guard them. All the verses that refer to the perpetual dependence of women use the verb *rakṣati*. Another word used in similar contexts is *gupta*. Both convey a sense of anxiety possibly felt by the *sāstrakāras* on this subject. According to the *Baudhāyanadharmasūtra*, the wives of men of all castes are to be guarded more carefully than wealth.⁸⁴ The *smṛti* of Bṛhaspati suggests that it is the duty of the relatives to restrain the wife from the slightest transgressions. It is felt that the best safeguard against outside influences is to keep her immersed in housework.⁸⁵ The *Manusmṛti* reads:

The wife brings forth a son who is just like the man she makes love with; that is why he should guard his wife zealously, in order to keep his progeny clean.
For by zealously guarding his wife he guards his own descendants, practices, family, and himself, as well as his own duty.⁸⁶

⁸⁰ The *Yājñavalkyasmṛti* recommends that a man can perform the libation with water for his married daughter (*prattāh*), if he so desires, but the husband has to cremate her (1.89). However, if the wife has resorted to another man (other than a *śūdra*) then the husband has to observe impurity for only one day and night even though there is a *sapiṇḍa* relationship between the husband and wife. But if she has gone to a *śūdra* then the husband is not responsible for observing any impurity (3.4, 3.25 and the *Mitākṣarā* on that). The *Gautamadharmasūtra* states, that if a man dies, his *sapiṇḍas* are to offer water libations for him and his womenfolk (presumably his wife and daughters) (14.34-6). The *Āpastambadharmasūtra* recommends that when a man’s wife dies, he is to fast and display other signs of mourning (2.6.15.5-6). In this *śloka*, the wife is classed with other *param gurus*: the *ācārya*, mother and father. See also *Viṣṇusmṛti* 22.20,33-4.

⁸¹ *Āpastambadharmasūtra* 2.10.27.2. The commentary explains that the wife changes from her father’s *gotra* to that of her husband’s.

⁸² *Mitākṣarā* on *Yājñavalkyasmṛti* 1.52.

⁸³ *Abhijñānaśākuntalam* 6.27. *Yājñavalkya*’s text recommends that wives be treated well, for they ensure continuity in this world (*lokānanyam*). The *Mitākṣarā* explains this word as the non-interruption of the family line and the attainment of heaven through sons, grandsons and great grandsons (1.78).

⁸⁴ *Baudhāyanadharmasūtra* 2.2.4.3. *Yājñavalkyasmṛti* reiterates that because wives/women ensure the continuity of the lineage they are to be attended to and well-guarded (*surakṣitaḥ*) (1.78,81).

⁸⁵ *Bṛhaspatismṛti* 24.2.4. See also *Manusmṛti* which recommends that a husband keep a wife busy by encouraging her to look after household expenses, engage in purification, attend to her duty, cook food and look after furniture (9.11).

⁸⁶ *Manusmṛti* 9.5,9,7.

The need to protect the wife appears to have been linked to concerns regarding the purity of the bloodline. Three of the *dharmasūtras* quote a *gāthā*,⁸⁷ which states that men should guard their wives in order to keep away the seed (semen) of other men. The *gāthā* ends with a warning to men to watch over the procreation of children to ensure that the purity of lineage is not contaminated. It can be argued that this obsession with guarding the wife and the emphasis on her role in the continuation of the lineage would have been unnecessary if the wife had not been perceived as a field for potential procreation.

Second, the texts display a concern with the issue of adultery and the question of the chastity of the wife. The majority of the references to the wife in the *dharmasāstras* relate to adultery. These would have been redundant unless one saw the wife as the instrument for establishing the continuity of lineage and caste through future reproduction. The *Mitākṣarā* quotes the *Nāradaśmṛti* (2.14.5) to the effect that the worst kind of *sāhasa* includes ‘assault’ on another man’s wife.⁸⁸ Adultery was a very serious offence. The *Nāradaśmṛti* gives a detailed description of what constitutes adultery and what does not.⁸⁹ The *Viṣṇuśmṛti* characterizes adultery with another man’s wife (*paradāra*) as a major offence and recommends the performance of the *mahāvratā* penance. A man who commits adultery is to be regarded as one of the six types of assassins (*ātātāyin*).⁹⁰ The *Yājñavalkyaśmṛti* states that intercourse with the wives of others is an *upapātaka*, and outlines the repercussions an adulterer faces in his next birth.⁹¹ It also advises a *snātaka* not even to step on the shadow of another man’s wife (*parastrī*), while *Āpastamba’s dharmasūtra* recommends that a man who beds such a woman should not be invited to a *śrāddha*.⁹² If a man approaches a woman who is not married to him, or has been married before or belongs to a different caste, for sexual intercourse, they are both held guilty of sin. Any child born of such intercourse is not to be accepted.⁹³ Severe punishment is prescribed for a man in an adulterous relationship. The *Āpastambadharmasūtra* also

⁸⁷ *Āpastambadharmasūtra* 2.6.13.6; *Baudhāyanadharmasūtra* 2.2.3.34-5; *Vasiṣṭhadharmasūtra* 17.9.

⁸⁸ *Mitākṣarā* on *Yājñavalkyaśmṛti* 2.230. *Sāhasa* is defined as the forcible taking away of property that belongs to another person or other people. See also *Bṛhaspatismṛti* (12.1) on adultery as *sāhasa*.

⁸⁹ *Nāradaśmṛti* 2.12.60-8. If the woman in question comes to the man’s house or is an abandoned wife or the wife of a eunuch, and has initiated the sexual relationship, it is not adultery. See also *Bṛhaspatismṛti* 23.1-9; *Yājñavalkyaśmṛti* 2.283-4.

⁹⁰ *Viṣṇuśmṛti* 37.9, 53.2, 5.192; *Vasiṣṭhadharmasūtra* 3.16.

⁹¹ *Yājñavalkyaśmṛti* 235, 3.136, 3.212. See also *Viṣṇuśmṛti* 44.41,45. The *Manuśmṛti* states that doting on another person’s wife shortens one’s own life (4.134). *Gautamadharmasūtra* recommends chastity as a penance for a man who commits adultery (22.29-32). For the condemnation of adultery, see *Mahābhārata* 13.110.9,46, 13.132.11, 13.23.61, 13.107.20, 13.13.3.

⁹² *Yājñavalkyaśmṛti* 1.152. See also *Gautamadharmasūtra* 9.48. *Āpastambadharmasūtra* 2.7.17.21. Elsewhere, the latter makes it clear that, if a man has any sexual connection with a woman married to another, he is to be regarded as fallen (1.7.21.9). See also *Gautamadharmasūtra* 15.17.

⁹³ *Āpastambadharmasūtra* 6.13.3-4. *Yājñavalkya’s śmṛti* decrees that a son born as a product of an adulterous union is to be avoided at a *śrāddha* (1.222). See also *Gautamadharmasūtra* 15.18.

recommends that if a man has intentional sexual intercourse with another man's wife (*paradāra*), his penis and testicles should be cut off.⁹⁴ The *Arthaśāstra* states that if a prince exhibits passion for the wives of others, suitable steps are to be taken to discourage this habit. But if an ordinary man carries off another man's wife (*parasya bhāryā*), he is to be arrested. The king is repeatedly advised to avoid married women and the example of Rāvaṇa, who perishes for not restoring the wife of another, is cited.⁹⁵ The seriousness of the offence is also demonstrated by the fact that the *smṛti* of Yājñavalkya states that, in cases of adultery, theft, insult and *sāhasa*, any man could be a witness. The usual qualifications for a witness do not apply. On the other hand, a man who has committed adultery cannot be a witness in any legal dispute.⁹⁶ Even the *aśīla* abuse of other men's wives is deemed an offence that leads to a fine while; if she is physically attacked, the punishment is far more severe.⁹⁷ A man who condones adultery is regarded as guilty, particularly if he is the husband of the adulterous woman in question. In fact, if he repeatedly tolerates adultery on the part of his wife, it is regarded as akin to prostituting one's own wife.⁹⁸ The husband is then to be despised as a man who lives off his wife (*strījīvinam*). Vasiṣṭha's *dharmasūtra* cites a verse that states that an adulterous wife (*bhāryā upacāriṇī*) casts her guilt on her negligent husband⁹⁹ while the *Yājñavalkyasmṛti* maintains that the food given by a man who tolerates his wife's lover in his house, is not to be accepted; nor is such a man to be invited to a *śrāddha*.¹⁰⁰ Many of the references on adultery refer to the woman but seem to address the man. This could be because women were expected to be sexually voracious and unrestrained. Men, deemed 'naturally' inclined to self-control, were asked to restrain themselves. For if they committed adultery with the wives of other men, they were responsible for harming another lineage. In order to preclude the possibility of the establishment of an adulterous relationship, a man is asked to address the wife of another (*parapatnī*) as mother, sister or daughter, even if he does not know her.¹⁰¹

⁹⁴ *Āpastambadharmasūtra* 2.10.26.18-20. Apparently, only a *brāhmaṇa* is exempt from corporal punishment, if charged with adultery (*Baudhāyanadharmasūtra* 2.2.4.1). See also *Manusmṛti* 8.359,379.

⁹⁵ *Arthaśāstra* 1.17.35, 2.28.20, 1.7.2, 1.6.8. A king in *Abhijñānaśakuntalam* gives voice to these notions. Duḥṣanta states that it is improper to stare at another man's wife. Elsewhere, he makes it clear that a man who has his passions under control shies away from the touch of another man's wife (5.15,31).

⁹⁶ *Yājñavalkyasmṛti* 2.72. The *smṛti* of Viṣṇu also states that, in cases of adultery, witnesses need not be examined closely (8.6). See also *Arthaśāstra* 3.11.30; *Manusmṛti* 8.72; *Bṛhaspatismṛti* 7.30.

⁹⁷ *Yājñavalkyasmṛti* 2.206, 2.213-4.

⁹⁸ See *Viṣṇusmṛti* 37.25; *Yājñavalkyasmṛti* 3.240-2; *Mitākṣarā* on *Yājñavalkyasmṛti* 2.290 and *Manusmṛti* 4.216.

⁹⁹ *Vasiṣṭhadharmasūtra* 19.44. See also *Manusmṛti* 8.317.

¹⁰⁰ *Yājñavalkyasmṛti* 1.164. See also *Viṣṇusmṛti* 51.16; *Vasiṣṭhadharmasūtra* 14.6,11; *Gautamadharmasūtra* 15.17 and *Manusmṛti* 3.155. If a man plays down adultery and charges an adulterer as a thief, then he has to pay a fine of 500 (*paṇas*). On the other hand, he who takes money and lets the adulterer go, has to pay eight times that amount (*Yājñavalkyasmṛti* 2.301). See also *Arthaśāstra* 4.12.34.

¹⁰¹ *Viṣṇusmṛti* 32.7; *Manusmṛti* 2.129.

The wife is not totally exempt from the strictures on adultery, for to the ancient Indian *brāhmaṇas*, *saṅgrahaṇa/sāhasa* is a serious matter. Vasiṣṭha's *dharmasūtra* describes what constitutes adultery for women: as well as physical relationship, even mental infidelity or having an improper conversation with a man is regarded as adulterous.¹⁰² The *Gautamadharmasūtra* argues that if a wife strays too much she is to be guarded (*gupta*), that is, kept in seclusion but given food, while the *smṛti* of Viṣṇu writes that she too has to perform the *mahāvṛata* penance.¹⁰³ According to the *Āpastambadharmasūtra*, food given by an unfaithful wife should not be accepted.¹⁰⁴ Even the possibility of an adulterous sexual relationship was not to be condoned. Rāma rejects Sītā simply because she had lived in the house of another man.¹⁰⁵ Where it was not possible to be certain, it was deemed better to abandon the wife, so that the paternity of any subsequent child and the purity of the lineage could never be in doubt.

That the entire question of the adultery of women was linked to the issue of reproduction was made obvious by the fact that even an adulterous relationship is apparently condoned if it does not result in reproduction. When a wife has her periods, it is a clear indication that she has not conceived even though she might have had an adulterous relationship. Therefore, the *dharmasūtra* of Vasiṣṭha recommends that a wife tainted (by adultery) need not be abandoned. Her husband should wait until her periods (before making the decision to abandon her). (For she is purified by them.¹⁰⁶ This is significant, for the *śāstra* continues that, even after adultery with a *śūdra* man, a twice-born wife could be purified only if no child is born.¹⁰⁷

The concern of the *brāhmaṇas* ideologues about the question of adultery is reflected in the often horrific punishment recommended for the man and the woman who are deemed guilty. A woman could be shaved, stripped naked and paraded on a public road.¹⁰⁸ The *smṛti* of Yājñavalkya goes to the extent of denying a period of mourning or the libation with water to

¹⁰² *Vasiṣṭhadharmasūtra* 21.6-8. The punishment varied according to the degree of the crime. The best example of mental adultery and the punishment meted out to an offending woman is that of Renukā, the mother of Paraśurāma.

¹⁰³ *Gautamadharmasūtra* 22.35, *Viṣṇusmṛti* 53.8. According to Baudhāyana's *dharmasūtra*, women who violate their duty towards their husbands have to perform a *kṛccha* penance. The term violation obviously implies sexual intercourse with another man. The *dharmasāstra* continues that, if women continue to violate their duty, the intensity of the penance would depend on the caste of the man they commit adultery with (2.2.3.49, 2.2.3.50-1).

¹⁰⁴ *Āpastambadharmasūtra* 1.6.9.14. Alms given by an adulterous wife could not be accepted either (*Vasiṣṭhadharmasūtra* 14.19).

¹⁰⁵ *Abhiśekhanāṭakam* 6.22; *Rāmāyaṇa* 6.117.14-5, 6.103.17. See also 7.42.16-8 for later rumours regarding Sītā's chastity among the people of Ayodhyā.

¹⁰⁶ *Vasiṣṭhadharmasūtra* 28.2-4, 5.4. A woman's periods were regarded as the means of 'purification'. The *smṛti* continues that a woman is purified by her monthly period and that periods are an unrivaled means of purification (3.58, 28.4). See also *Baudhāyanadharmasūtra* 2.2.4.4.

¹⁰⁷ *Vasiṣṭhadharmasūtra* 21.12. See also *Āpastambadharmasūtra* 2.10.27.10; *Yājñavalkyasmṛti* 1.72. A woman whose thoughts have been impure can also be cleansed by her monthly period according to *Viṣṇusmṛti* 22.91. See also *Manusmṛti* 5.108.

¹⁰⁸ *Vasiṣṭhadharmasūtra* 21.1-5.

women/wives who have had unlawful sexual intercourse (*kāmagāḥ*).¹⁰⁹ If an Aryan woman has a sexual relationship with a *śvapaka* man, her ears and nose are to be cut off. But she is to be put to death if the man involved is a slave, servant or pledged man.¹¹⁰ If a woman enters into an adulterous relationship when her husband is away, on his return and with his assent, her ears and nose are to be cut off and her lover put to death; or, if the husband agrees, both can be freed.¹¹¹ If the woman as wife herself initiates the adulterous relationship, her ears, nose and lips are first to be cut off and then she is to be publicly paraded and, finally, drowned or devoured by dogs.¹¹² The *Yājñavalkyasmṛti* is categorical in stating that killing a woman who has misbehaved (glossed in the *Mitākṣarā* as adulterous women) requires only the donation of a leather bag, a bow, a goat, or a sheep (in the order of the castes) for purification.¹¹³ The *Nāradaśmṛti* decrees that wives who violate customary rules (a cardinal customary rule being fidelity to the husband) are to be immediately beaten, physical assault in such cases not being a crime.¹¹⁴ It is unclear whether these punishments were often put into practice, but their existence in the texts must have acted as a deterrent. What also seems apparent from the above account is that the prevention of adultery seems to have been the responsibility of the husband/conjugal family. Hence, the corresponding sanctions were meant for men. However, once the act was committed, women were perceived to be at fault and punished.

As well as the purity of lineage, adultery also had a bearing on the purity of caste, the other main concern of the *brāhmaṇas*. Therefore, the punishment for adultery was also regulated according to the caste of the partners. If the man and the woman belonged to different castes, the punishment was greater, particularly if the man was a *śūdra* and the woman twice born. Some *smṛtis* recommend that the woman who commits adultery with a lower-caste man is to

¹⁰⁹ *Yājñavalkyasmṛti* 3.6. See also *Manusmṛti* 5.90.

¹¹⁰ *Arthaśāstra* 4.13.35,31. If a woman is caught in an adulterous act, her ears and nose are to be cut off, or she has to pay a fine of 500 *paṇas* (*Arthaśāstra* 4.10.10). If a married woman converses with a man in a suspicious place, she is to be either whipped or fined (*Arthaśāstra* 3.3.27-9).

¹¹¹ *Arthaśāstra* 4.12.32-3.

¹¹² *Bṛhaspatismṛti* 23.16; *Manusmṛti* 8.371. See also *Viṣṇusmṛti* (5.11), for a king ordering the death of an adulterous woman.

¹¹³ *Yājñavalkyasmṛti* 3.268. However, if the woman is 'not extremely misbehaved' (*apraduṣṭam strīyam*) then the man has to perform the same penance as for killing a *śūdra*.

¹¹⁴ *Nāradaśmṛti* 2.15.12-3. Elsewhere, the text clarifies that an adulterous woman is to be made to sleep on the ground, given bad food and torn garments, and assigned the task of removing waste (2.12.9). See also *Yājñavalkyasmṛti* 1.70, 2.277-8; *Vasiṣṭhadharmasūtra* 21.8-9. It is possibly only the *Āpastambadharmasūtra* that makes a distinction between rape and consensual adultery. If a married woman is raped, the king has to support and protect her from further harassment. After she has performed the prescribed penance, she could be entrusted to her guardians (2.10.26.22-4). See also *Bṛhaspatismṛti* (23.10-1) for the punishment inflicted on the man for violating an unwilling woman. But this *smṛti* shows no sympathy for the woman in question, recommending that she be guarded, given a bare maintenance and made to perform penance. If, however, she has been raped by a lower-caste man, she is to be abandoned or put to death (23.13-4).

be devoured by dogs in a public place and the man is to be put to death.¹¹⁵ The *dharmasūtra* of Baudhāyana puts forth different penances for an adulterous wife depending on the caste of the man in question.¹¹⁶ According to Vasiṣṭha's *dharmasūtra*, if a *brāhmaṇī* has sexual intercourse with a *śūdra*, she is to be shaved, anointed with butter, placed on the back of a black donkey and paraded on the high road. She then becomes pure.¹¹⁷ Similar gruesome punishments were recommended for other cases of inter caste adultery. Among men, if a *kṣatriya* has a relationship with a *brāhmaṇī* who is not guarded, the highest fine is to be imposed, but if a *vaiśya* does so, his property is to be confiscated. If the offender is a *śūdra*, he is to be burnt in a fire of straw.¹¹⁸ The establishment of caste purity had by this time, become important in Brahmanical thought. So adultery, with its potential for conception, had to take into account the caste of the partners. As the *Manusmṛti* reads, the king has to take steps to prevent adultery as this gives rise to the confusion of castes (*varṇasaṃkara*) which in turn affects the foundation of society and works for the destruction of everything.¹¹⁹

Finally, the textual insistence on the chastity of the wife, the future mother, was another way of ensuring the purity of lineage and caste. Chastity was such a serious issue that even the sonless wife (*aputrā*) (of impotent and other disqualified persons) deserved to be maintained if she was chaste. Conversely, a *vyabhicāriṇī* or a *pratikulā* (both adulterous wives) were to be expelled (*nirvāsyā*) from the family, presumably even though they had sons.¹²⁰ Chastity was not simply the fidelity of the wife to her marriage bed; it included a wider range of behaviour. The *smṛti* of Viṣṇu states that a wife should not seek out the houses of strangers when her husband is away, or stand in the doorway/window of her house. She should not decorate herself with ornaments while her husband is away nor act independently in any matter.¹²¹ The

¹¹⁵ See *Manusmṛti* 8.371-2. The *smṛti* of Yājñavalkya maintains that, if a woman commits adultery with a lower-caste man, he is to be put to death and the woman's ears cut off (2.286). See also *Gautamadharmasūtra* 24.14-6, 12.2; *Nāradaśmṛti* 2.12.69; *Bṛhaspatismṛti* 23.12; *Vasiṣṭhadharmasūtra* 21.16-7; and *Viṣṇusmṛti* 5.40-3. According to the *dharmasūtra* of Āpastamba, the *ārya* wife who commits adultery with a *śūdra* man, is to be starved. The commentary adds that she could be purified by fasts and penances, providing she does not conceive (2.10.27.10). Vasiṣṭha's *dharmasūtra* states that purification is possible for twice-born wives who commit adultery with a *śūdra*, providing no child is born (21.12).

¹¹⁶ *Baudhāyanadharmasūtra* 2.2.3.50-1.

¹¹⁷ *Vasiṣṭhadharmasūtra* 21.1.

¹¹⁸ For example, see *Vasiṣṭhadharmasūtra* 21.1-5; *Manusmṛti* 8.374-9; *Arthaśāstra* 14.13.32,35; *Baudhāyanadharmasūtra* 2.2.3.53. The *Āpastambadharmasūtra* (2.10.27.9) prescribes capital punishment to a *śūdra* who has an adulterous relationship with an *ārya* wife.

¹¹⁹ *Manusmṛti* 8.352-3.

¹²⁰ *Yājñavalkyasmṛti* 2.142.

¹²¹ *Viṣṇusmṛti* 25.9-12. See also *Bṛhaspatismṛti* 24.5,7,9. *Yājñavalkyasmṛti* recommends that a wife in similar circumstances (*proṣita bhārtikā*) should not indulge in sport, or decorate herself, witness festivities or go to other houses (1.84). The *Arthaśāstra* gives a list of fines to be imposed on a woman who goes on pleasure trips, leaves home repeatedly, refuses to open the door to her husband, converses with a man with the intent of sexual intercourse or leaves the house of her husband without permission. If she goes to another village with a man, with whom sexual

Mitākṣarā stipulate that a wife should not go out without an upper garment, nor walk fast, nor speak with strange men (except a grocer, recluse or physician), nor expose her navel, nor indulge in loud laughter. Nor could she associate with harlots, *abhiśārikās*, nuns and fortune-tellers. These restrictions applied to a woman only after her marriage as before initiation she could do what she liked.¹²²

From these strictures it is apparent that the definition of chaste behaviour was linked to the concept of a 'public domain'. The restrictions were intended to exclude the wife/woman from this domain. It would be simplistic to talk of the increasing alienation of the wife from the public domain as an example of the growth of purdah or seclusion. The more important question is: why were women/wives denied access to public space? I argue that the growing concern with caste and lineage purity was reflected in the Brahmanical desire to reduce sexual availability of the wife to men other than her husband. If the wife was denied access to public areas, other men would find it difficult to approach her for sexual intercourse. This was why women/wives were restricted from the public domain. Interestingly, 'standing in the doorway' was an important identifying trait of the prostitute, who was deemed accessible to all men (see chapter six). However, according to the *Pratimānāṭakam*, women/wives could be looked at without sin at a sacrifice, marriage ceremony, in calamity and while living in the forest.¹²³ If a wife violated these norms, she was liable to punishment. According to the *Arthaśāstra*, a man can sexually enjoy a woman he finds in or rescues from a 'public' place even if she is another's wife.¹²⁴ The same text continues, that if a jailer or prisoner violates a married Aryan woman, he is not to be punished if she is caught at night (that is, when she is not supposed to wander around).¹²⁵ Similarly, a wife was asked not to adorn herself when her husband was away, so that neither she, nor other men could succumb to temptation. This would prevent her from becoming sexually attractive and curb the wife's perceived desires and appetites. Thus, the questions of adultery, chastity, the protection of the wife and her sexual availability to other men were all governed by the Brahmanical need to ensure 'proper' reproduction. As the wife was a potential reproducer, most of these strictures were addressed to her.

4.5. *The pativrātā rhetoric*

Much has been written on the *pativrātā* wife. The epics are full of examples of such women and their powers. But the '*pativrātā* rhetoric' should not be studied in isolation. It was an

intercourse is possible, she is to lose all her rights, except that of maintenance and conjugal sexual intercourse (3.3.21-5, 3.4.1-6, 9,13,17,21).

¹²² *Mitākṣarā* on *Yājñavalkyasmṛiti* 1.87. The *smṛiti* of Nārada prescribes that a dissolute wife be banished. Bhava defines her as one who drinks, attends fairs and consorts with low-caste women (2.12.93).

¹²³ *Pratimānāṭakam* 1.29.

¹²⁴ *Arthaśāstra* 4.12.38-40.

¹²⁵ *Arthaśāstra* 4.9.24-6.

integral part of the general Brahmanical discourse on the wife discussed above. I would like to explain. An analysis of the contents of the rhetoric reveals that it revolved around three issues. First, the wife's contribution to and preoccupation with housework was emphasized. It is recommended that a wife be cheerful, alert and not extravagant, that she take care of the household utensils, be respectful towards her mother-in-law and totally devoted to her husband.¹²⁶ She is supposed to look after all the expenditure, the preparation of food, the preservation of the domestic utensils and the care of the household fire. She is also supposed to rise before others, pay reverence to the elders and use a low seat and bed, and avoid liquor, sleeping by day and wandering about.¹²⁷ The description that Draupadī gives to Subhadrā, about her duties, in the Draupadī/Subhadrā *saṃvāda* includes what is already written in the *smṛtis*.¹²⁸ This recommended immersion in housework had a practical purpose: by keeping her occupied, it prevented the wife from embarking on sexual adventures with other men.¹²⁹

The second issue around which the *pativrata* doctrine revolved was that of the wife's devotion and obedience to her husband. It is recommended that a wife worships her husband even if he has no redeeming qualities, just as a king should always be revered by his subjects.¹³⁰ The *Yājñavalkyasmṛti* suggests that a woman should never resort to another man whether her husband be dead or living. In this way, she obtained glory in this world and enjoyed the company of Umā.¹³¹ Wives should try to fulfil their husband's word; that alone was the main duty of women.¹³² The *Bṛhaspatismṛti* comments that a wife is said to be devoted to her husband if she is afflicted when he is afflicted, pleased when he is happy, mournful when he is away, and if she dies when he dies.¹³³ Epic stories also illustrate this ideal of wifely devotion and sexual fidelity. Śvetaketu, seeing his mother being approached (for sexual intercourse) by a man other than his father, rules that a woman's unfaithfulness to her husband would be sin equal to 'aborticide', an evil that would bring misery. He continues that seducing a chaste and constant wife would also be a sin on earth.¹³⁴ Kuntī remarks to Pāṇḍu, 'not even

¹²⁶ *Yājñavalkyasmṛti* 1.83.

¹²⁷ *Bṛhaspatismṛti* 24.4,6-7. See also *Viṣṇusmṛti* 25.2-8; *Mahābhārata* 13.11.11-3, 13.134.33-51. For detailed comments, see J. Leslie, 1995, pp. 58-68,156-69,210-34.

¹²⁸ *Mahābhārata* 3.222.15-35, 3.223. 1-10.

¹²⁹ *Bṛhaspatismṛti* 24.2.

¹³⁰ *Nāradaśmṛti* 2.18.22. The *Pratimānāṭakam* (2.15,2.4, 2.14) repeatedly emphasizes Sītā's chastity and devotion to her husband. See also *Rāmāyaṇa* 2.110.9.

¹³¹ *Yājñavalkyasmṛti* 1.75.

¹³² *Yājñavalkyasmṛti* 1.77.

¹³³ *Bṛhaspatismṛti* 24.8. See also *Manusmṛti* 5.156,154; 9.29.

¹³⁴ *Mahābhārata* 1.113.15-9. It is acknowledged that the situation was different in the 'olden days': 'Then women went uncloistered, ...they were their own mistresses who took their pleasure when it pleased them. From childhood on they were faithless to their husbands, but yet not lawless, for such was the law in the olden days. But in the present world the rule was laid down...' (1.113.4-9).

in my thoughts shall I go to any man but you'.¹³⁵ A housewife tells a *brāhmaṇa*: 'The Law [*dharma*] that I must obey one husband is a pleasing one to me'.¹³⁶ The relationship between devotion to a husband and the establishment of caste and lineage purity is apparent and needs no further explanation.

Part of the *pativratā* rhetoric was the promise of reward to the conforming wife. Some of the *smṛtis* openly state this, while the epics with their myths and legends seek to demonstrate the powers enjoyed by *pativratās*.¹³⁷ Women (presumably when they were chaste) are to be honoured by their parents, in-laws, brother, *jñātis* and *bandhus* with ornaments, clothes and food. For, as the *Mitaksarā* explains, women, when respected, help develop religious merit, wealth and fulfilment of desires.¹³⁸ Yājñavalkya's *smṛti* reads that a wife who is devoted to the pleasure and satisfaction of her husband, who is virtuous and restrained in her actions, obtains fame in this world and, after death, obtains an exalted position.¹³⁹ The *dharmasūtra* of Baudhāyana maintains that those women who do what is pleasing to their husbands obtain a place in heaven.¹⁴⁰ The *Bṛhaspatismṛti* remarks that a wife who is devoted to her lord, chaste, self-controlled and liberal goes to heaven even if she has no son.¹⁴¹ The three components that constitute the *pativratā* rhetoric in texts reveal that the rhetoric cannot be treated in isolation from the general discussion on the wife. Seen in isolation, the rhetoric imparts a misleading and decontextualized sense of the 'privileges' given to wives. But, as I have shown, the rights and privileges were available in this world and the next only if wives conformed to the behaviour designated for them. Since the wife was yet to reproduce, this rhetoric sought to establish control over her sexuality and potential fertility so that the prerequisites of Brahmanical reproduction—caste and lineage purity—were met. If the wife had not been a potentially reproductive category, this rhetoric would have been redundant.

4.6. *Duhitṛ or kanyā: the daughter as a potential mother*

Like the wife, the daughter is prominent in every historiographical account of the subject of women in ancient India, from Altekar to Shalini Shah; though the latter uses the more

¹³⁵ *Mahābhārata* 1.112.5.

¹³⁶ *Mahābhārata* 3.197.28.

¹³⁷ For example, the stories of Sāvitrī and Śaṅḍilī, *Mahābhārata* 5.281, 13.124.8-19. A woman could obtain heaven through service to her husband (*Mahābhārata* 13.46.12, 13.72.2). See also *Rāmāyaṇa* 2.110.10.

¹³⁸ *Yājñavalkyaśmṛti* 1.82 and the *Mitākṣarā* on that. The *Manusmṛti* recommends the same and explains that unless the wife is satisfied she does not stimulate the man; when the husband is not stimulated, it is not possible to produce children and thus the lineage and family suffer (3.59,61-2.).

¹³⁹ *Yājñavalkyaśmṛti* 1.87.

¹⁴⁰ *Baudhāyanadharmasūtra* 2.2.3.48.

¹⁴¹ *Bṛhaspatismṛti* 24.10. See also *Viṣṇusmṛti* 25.17.

politically correct 'female child'.¹⁴² In this historiography, the daughter is not considered an independent category. On the contrary, a description of childhood/daughterhood seems to have been considered mandatory only to arrive at a proper delineation of the adult woman's position in ancient India. The main concern has always been the adult woman, with the description of the daughter generally included as a kind of introduction. While I agree that, to an extent, the characterization of daughterhood as a kind of preparatory stage to wifehood and motherhood is inevitable, previous historians have laid too much emphasis on this connection. As I will explain in this section, the daughter was not just a potential wife but also a consciously constructed would-be mother.

Moreover, as in the case of the wife, the history writing on the daughter in ancient India has been dominated by certain stereotypical themes. These include debates on whether the female child in ancient India was exposed and left to die,¹⁴³ and whether the birth of the daughter was a welcome event.¹⁴⁴ The extent of female education in ancient India and the conditions under which it 'declined' was looked into and finally, there were debates on the age of marriage in the past: was it pre-pubertal or post-pubertal?¹⁴⁵ These themes are important and continue to be relevant to post independence Indian state and society struggling to confront the issues of female infanticide and female education. Little wonder that such themes continue to dominate historical writing well into the nineties.¹⁴⁶ But while certain aspects of the construction of the category 'daughter' remain important, the overall logic behind such a construction has not been attempted. I argue that in the texts, the category 'daughter' is seen primarily as a sexual and potentially procreative category. As in the case of the wife, evidence is provided by the terms used for the daughter, from the emphasis on premarital virginity and its association with

¹⁴² S. Shah, 1995, pp. 62-6.

¹⁴³ For example, Altekar and Chaudhuri maintain that the practice of exposing daughters did not exist in ancient India, the confusion having arisen due to a misinterpretation by Western scholars of a passage in the *R̥g Veda*. See A. S. Altekar, 1938, pp. 8-9; J. B. Chaudhuri, n.d. pp. 36-7. But Shah argues to the contrary, citing the examples of Pramadvārā and Śakuntalā (1995, p. 64).

¹⁴⁴ Nationalist historians argued that, contrary to accepted opinion, the birth of a daughter was not unwelcome in the Vedic age because she could be initiated, could offer sacrifices and could even remarry. But circumstances changed around the third century BCE. As child marriage came into vogue, the emphasis on the *sañi*, exogamy and ancestor worship increased and levirate and widow remarriage were banned, the growing anxiety over the future of a daughter made her birth an unwelcome event. See A. S. Altekar, 1938, pp. 4-9. More recently, others have explained the economic and religious circumstances that made the birth of a daughter unwelcome. See, for example, S. Kakar, 1988, pp. 45-9. See also L. Bennett, 1983, pp. 165-8 and G. Raheja and A. Gold, 1994, p. 75.

¹⁴⁵ The nationalist scholars made an effort to prove that, at least in the Vedic age, marriage was post-pubertal. They argued that pre-pubertal or pubertal marriage became common from the period of the *dharmasāstras*. A wide ranging variety of reasons are given for the change in the age of marriage, ranging from asceticism to foreign invasions. See A. S. Altekar, 1938, pp. 58-73.

¹⁴⁶ However, not all historical writings have been dominated by the above themes. Jamison discusses *gandharva* marriage and interestingly concludes that the existence of this form of marriage implied a recognition of the girl's legal independence that was explicitly denied in other parts of legal texts: '...the implications of affording women this legal standing are important, de-stabilizing and subverting the superficial consensus about women's place and behaviour' (1996, p. 250). Roy argues that the daughter was not a significant category in the *dharmasāstra* texts (1995, pp. 22-3).

the 'honour' of the natal lineage, the characterization of the first four types of marriages as dharmic, the institution of the *putrikāputra*, the growing urgency for pubertal marriages and the peculiar kinship position of the daughter, whereby she is regarded as a temporary guest in her own family.

It is common for historians and scholars to translate the terms *kanyā* or *kumārī*, when they occur in the didactic texts, as 'daughter'. But is the daughter, in the English sense of the word, present in ancient Indian texts? Can *kanyā* and *kumārī* be properly translated as daughter? Or have Western translators, particularly those in the nineteenth century, been guilty of uncritically transposing contemporary western notions of the 'daughter', with its kinship connotations, on to ancient Indian texts: an inclination that perhaps continues even today. I would argue that the term 'daughter', as it is commonly used in the English language, with its lack of overt sexual content but with its connotations of kinship occurs rarely in the didactic discourse. Rather, the Sanskrit terms in the didactic discourse that are usually translated as 'daughter' have an overt sexual content and, therefore, indicate the procreative potential of the category 'daughter'.

Some of the most common terms for 'daughter' in Sanskrit are *duhitṛ*, *kanyā* and *kumārī*. The first, an archaic word, occurs in the *Rg Veda*.¹⁴⁷ *Putrī* (or *putrā*), on the other hand, is the feminine form of the masculine *putra*, the etymology of which has been discussed in chapter three (*putra* is a son who rescues his father from the hell called *put*). Both *putrī* and *duhitṛ* lack sexual connotations and come nearest in meaning to the word daughter. But surprisingly, *duhitṛ* or *putrī* are rarely used in Brahmanical didactic texts. Even when they are employed they are used in only certain contexts. For example, *duhitṛ* is most common in dharmaśāstric discussions on the inheritance of the mother's *strīdhana* by daughters¹⁴⁸ and on the right of the daughter to inherit the property of her sonless father.¹⁴⁹ The word also occurs in descriptions of incest,¹⁵⁰ but its occurrence in the context of marriage is rare.¹⁵¹ *Putrī* (or *putrā*) is less frequent

¹⁴⁷ According to Monier-Williams, *duhitṛ* is etymologically derived from *duh* which means 'to milk' or 'to enjoy milk'. Therefore, *duhitṛ* could mean 'the milker' or one 'who draws milk from the mother/cow'. Such an etymological origin would indicate the primeval bond between a mother and her child. However, this etymology is uncertain and recent scholars have preferred not to link *duhitṛ* with *duh*. See R. L. Turner, 1973, p. 370.

¹⁴⁸ See *Yājñavalkyasmṛti* 2.117; *Mitākṣarā* on *Yājñavalkyasmṛti* 2.145; *Viṣṇusmṛti* 18.35; *Baudhāyanadharmasūtra* 2.2.3.44; *Nāradaśmṛti* 2.13.2. *Vasiṣṭhadharmasūtra* employs the non-specific term *strīyaḥ* to refer to daughters dividing up their mother's nuptial present after her death (17.46).

¹⁴⁹ *Nāradaśmṛti* 2.13.47, *Āpastambadharmasūtra* 2.6.14.4.

¹⁵⁰ *Viṣṇusmṛti* 34.1. But the *Yājñavalkyasmṛti* writing on the same subject uses the term *kumārī* (3.231).

¹⁵¹ In the context of marriage, the term *kanyā* is predominantly used. In fact *kanyā dāna* or the gift of a virgin is part of the marriage ceremony. However, the *Baudhāyanadharmasūtra*, in the context of marriage, writes that a father who sells his *duhitṛ* gives away a part of his merit (2.1.2.15) while the *śāstra* of Āpastamba argues that a householder should not give his *duhitṛ* to a man who belongs to the same *gotra* (2.5.11.15). Elsewhere, in the context of the six forms of marriage, the latter uses the words *duhitā* (2.5.11.182.5.12.2) and *prajā* (2.5.11.17) instead of *kanyā*. These appear to be exceptions.

then *duhitṛ*. It occurs mainly in discussions of the *putrikāputra*.¹⁵² Therefore, *duhitṛ*, *putrī/putrā* appear to have been used only in certain contexts pertaining mainly to inheritance. Although these terms are gender specific, they lack overt sexual ramifications and emphasize the familial aspect of daughterhood. But their occurrences in the texts are rare.

On the other hand, two words, *kanyā* and *kumārī*, which are also usually translated as daughter, are frequently mentioned in the ancient Indian didactic texts.¹⁵³ Monier-Williams gives the meaning of *kanyā* as a young girl, a virgin, and a daughter. Similarly, *kumārī*, too, is defined as a young girl between the ages of one and twelve, a maiden and a daughter. In the *tantras*, a *kumārī* is any virgin up to the age of sixteen, or any virgin before her menstruation has commenced.¹⁵⁴ The meaning of both the words stresses youth on one the hand, and, virginity on the other. In some contexts, both words are synonymous with the unmarried state. Since both words emphasize virginity and youth and, at times, the unmarried state, the daughter seems to have been constructed primarily as an unmarried virgin. I consider this to be the sexual construction of the daughter in ancient Indian texts for the emphasis is on her sexuality and sexual status and not on her relationship with her family or her kinship position within the structure of the family. Therefore, the meaning of the terms used to refer to a 'daughter' hint at her sexual and potentially procreative status.

Such a characterization of the daughter is further demonstrated by the anxiety displayed in Brahmanical writing about premarital virginity, an essential qualification for marriage (the recognized arrangement within which procreation had to take place). The *dharmaśāstras* prescribe severe punishments for the man who deflowers a virgin (*kanyā*) before her marriage. The *Baudhāyanadharmasūtra* states that corrupting virgins/daughters (*kanyā dūṣāṇam*) is an *upapātaka* resulting in the loss of caste.¹⁵⁵ The *Arthaśāstra* narrates the story of the Bhoja king Daṇḍakya, who on entertaining a sinful desire for a *brāhmaṇa* maiden (*kāmād brāhmaṇa kanyām*), perishes with his kinsmen and kingdom.¹⁵⁶ According to the *dharmaśāstra* of Āpastamba, if a young man enters a place where a daughter/virgin (*kumārī*) sits, he is to be

¹⁵² The institution of the *putrikāputra* will be discussed later in the chapter. The *Viṣṇusmṛti* uses the word *putrī* when the text decrees that when a man meets another man's wife he is to address her as sister, or daughter (*putrī*) or mother depending on her age (32.7).

¹⁵³ Brockington writes that, in the *Rāmāyaṇa*, *duhitṛ* and *sūnu* were most uncommon, and even rarer were the terms *tanujā*, *dārakā* and *putrakā*. In fact, separate terms for the daughter were rarely used. Daughters and sons were together referred to as *putra* and *sūta* (1984, p. 160). In Kālidāsa's plays, particularly in the *Abhijñānaśākuntalam*, and in Bhāsa's plays, *kanyā* is the most common term for daughter. In *Bālacaritam*, *dārikā* is used.

¹⁵⁴ See M. Monier-Williams, 1987, pp. 249,292.

¹⁵⁵ *Baudhāyanadharmasūtra* 2.1.2.5. See also *Yājñavalkyasmṛti* 3.238. The *Mitākṣarā* adds that *kanyā dūṣāṇam* would include breaking the hymen with the finger and not merely sexual intercourse.

¹⁵⁶ *Arthaśāstra* 1.6.5. The *Arthaśāstra* prescribes physical punishment for a man who kidnaps a virgin or a fine of nine hundred *paṇas* (4.10.14). See also *Arthaśāstra* 4.12.1-5; *Manusmṛti* 8.364,368 and *Yājñavalkyasmṛti* 2.287. If a woman deflowers a virgin, both have to pay a fine. If a *kanyā* deflowers herself, she becomes the king's slave. See *Arthaśāstra* 4.12.20-2; *Manusmṛti* 8.369-70.

reprimanded. If his entry is intentional and with a sinful purpose, he is to be punished. But if he has sexual intercourse with the virgin, he is to be banished and his property confiscated.¹⁵⁷ A similar punishment is to be imposed on the girl in question if she is a willing participant in the act. According to the *Arthaśāstra*, if the virgin/daughter (*kanyā*) consents to sexual intercourse, the man has to pay a fine of fifty-six *paṇas* and the woman half that.¹⁵⁸ Moreover, if the virgin is willing, her punishment too is to be determined by her caste and profession. If she is of equal or inferior caste, then there is to be no punishment. In the *Arthaśāstra*, the fines for deflowering a *gaṇikā* or slave's daughter are much less, ranging from twelve to fifty-six *paṇas*.¹⁵⁹ This dictum is significant. By favouring virgins of higher or equal castes and by excluding virgin daughters of lower castes, *veśyās* and slaves, the punishments reinforced the importance of caste/lineage purity and the perception of the daughter/virgin as a potentially procreative category. The importance of premarital virginity is also revealed by the fact that a girl's parents are fined if a non-virgin is given as a virgin in marriage.¹⁶⁰ Conversely, if the woman is falsely accused of not being a virgin, the accuser has to pay a fine.¹⁶¹ Premarital virginity of the *kanyā* was essential in establishing the paternity of any subsequent child.

The notion that the 'honour' of the natal lineage was linked to the virginity of the girl given in marriage (by it) is present in the texts. This is clear from didactic emphasis on virginity (already discussed) and the importance attached to *kanyādāna* (the gift of a virgin: the marriage ceremony). There is an increasing feeling that the gift of a girl, who is not a virgin, would result in dishonour to the lineage. It becomes the duty of the girl's family to see that no dishonour falls on them. The narrative descriptions of the budding sexuality of young girls, the depiction of their 'natural propensity' for sexual intercourse, and of the anxieties of their families also reinforce the association of honour with the daughter's premarital virginity. In the *Abhijñānaśākuntalam*, Duṣṇanta remarks that although they (*kanyās*) are eager and long for the pleasure of sexual union, they are fearful of yielding their bodies.¹⁶² Yaśodhara, in his commentary on the *Kāmasūtra*, cites Manu's opinion (not found in the extant text) that from a very young age, girls should be kept immersed in housework and the pounding of wheat. This

¹⁵⁷ *Āpastambadharmasūtra* 2.10.26.18-9,21. Interestingly, the punishment for the perpetrator seems to have been graded according to his caste. The *Mitākṣarā* recommends that the perpetrator perform the *candrāyana* penance for two or three months depending on his caste (on *Yājñavalkyasmṛti* 3.289).

¹⁵⁸ *Arthaśāstra* 4.12.6.

¹⁵⁹ *Arthaśāstra* 4.12.26-8. In the *Yājñavalkyasmṛti* (2.287-8) and in the *Manusmṛti* (8.364-7), the punishment for defiling a virgin is determined by her caste and in *Nāradaśmṛti* by her caste and consent (2.12.70-1).

¹⁶⁰ *Viṣṇusmṛti* 5.45 states that a man has to pay a fine of 100 *karṣapaṇas* for giving a *kanyā* in marriage without mentioning her defects. The commentator explains defects as the loss of virginity or disease. See also *Nāradaśmṛti* 2.12.36. According to the *Arthaśāstra*, if the bride is not a virgin, the fine is to be fifty-four *paṇas* and the return of the dowry and marriage expenses. For substituting other blood, the fine is to be two hundred *paṇas* (4.12.15).

¹⁶¹ *Yājñavalkyasmṛti* 2.289; *Nāradaśmṛti* 2.12.34; *Manusmṛti* 8.225; *Arthaśāstra* 4.12.17.

¹⁶² *Abhijñānaśākuntalam* 3.27-8.

would help keep their natural sexual impulses under control.¹⁶³ Thus, young unmarried girls, because of their budding sexuality, are perceived as a threat not only to the honour of their natal families but also to that of their future husbands' families. Indeed, in the *Avimārakam* it is said in the context of the king's worries over the marriage of his nubile daughter Kuraṅgī: 'A woman through her passions can destroy two families, much as a flooding river can destroy both its banks'.¹⁶⁴ According to Shah, 'the virginity of girls implies control over her (sic) behaviour by her kinsmen. Loss of virginity is therefore a loss of prestige for them'.¹⁶⁵ The association of a family's honour with the premarital virginity of its daughters is a notion that is confirmed by current ethnographic studies. Why was there such an emphasis on virginity? As desire for male children increased and the fear of suppositious children loomed large, the need for an unblemished lineage became paramount. Premarital virginity of daughter, the potential mothers, would have helped in establishing the parentage of the child subsequently born.

4.7. Menarche and the beginning of reproduction: the desire for pubertal marriages

The emphasis on virginity and its association with honour led to the advocacy of pre- or pubertal marriages in the didactic texts. I do not wish to enter into arguments about the existence of child marriages. I am concerned with the advocacy of this ideal in the texts of the period. The *Gautamadharmasūtra* recommends that a girl be given in marriage before she starts menstruating.¹⁶⁶ The *Arthaśāstra* writes that a woman attains majority at the age of twelve years. After this, if she fails to carry out marital duties, she has to pay a fine of twelve *paṇas*.¹⁶⁷ But, more important, if the father fails to marry off his daughter by the time she has her first period, he would be at fault. For each period is regarded as an occasion for fertilization. Therefore, a period missed constituted a potential (male) child lost. The father is then considered guilty of murdering an embryo every time his unmarried daughter had her

¹⁶³ Yaśodhara on *Kāmasūtra* 1.2.20.

¹⁶⁴ *Avimārakam* 1.3, 4.2. The *Pratijñāyauḡandharāyaṇam* expresses similar sentiments: 'An unmarried virgin is a source of shame and, when engaged, a source of anxiety' (2.7).

¹⁶⁵ S. Shah, 1995, p. 63. Gerda Lerner writes that in a patriarchal society, men, who could not protect the sexual purity of their wives, sisters and daughter, were characterized as impotent and dishonoured. The concept of honour was for men only as they had the power to dispose of themselves. Women, in contrast, had no individual right to 'honour' due to the belief that their honour resided in their virginity and the fidelity of their sexual services to their husbands (1986, p. 80).

¹⁶⁶ *Gautamadharmasūtra* 18.21. Elsewhere, the text recommends that a girl be given in marriage before she wears clothes (18.23). The *Vasiṣṭhadharmasūtra* argues that the father should marry off his daughter when she still runs about naked. For, if the daughter is married after puberty, he incurs the sin of the murder of an embryo (17.70). See also *Nāradaśmṛti* 2.12.26-7 and *Baudhāyanadharmasūtra* 4.1.12. The *Manusmṛti*, surprisingly, puts forth a contrary opinion: 'it would be better for a daughter, even after she has reached puberty, to stay in the house until she dies than for him (the father) ever to give her to a man who has no good qualities' (9.89).

¹⁶⁷ *Arthaśāstra* 3.3.1-2.

periods.¹⁶⁸ The *Bṛhaspatismṛti* then prescribes that such a father deserves to be punished.¹⁶⁹ This concern over giving a 'daughter' (*kanyā*) in marriage, as soon as she reaches puberty, is reflected in narrative literature. Parents, particularly the father, are portrayed as concerned about the marriage of their daughters. In *Avimāarakam*, the king worries over the marriage of his young daughter and states that the father of a young virgin must worry forever.¹⁷⁰ In the *Rāmāyaṇa*, Sītā recounts to Anasūyā her father's anxiety when she and her sister reach the appropriate age for marriage.¹⁷¹ With the marriage of their virgin daughters, fathers became free of their duty and free from all possible sin.

Similarly, the girl or more specifically, the virgin is asked to give herself to a man if she has started menstruating, but has not yet been married. As the *śāstra* of Gautama clarifies, a virgin who has reached the age of marriage, but who has not yet been given in marriage, should allow three monthly periods to pass and then (sexually) unite herself with a blameless man, forfeiting the ornaments given to her by her father.¹⁷² According to Viṣṇu's *smṛti*, if an unbetrothed/unmarried virgin (*kanyā*), while living at her father's house, starts menstruating, she is to be regarded as a degraded woman (*vṛṣālī*). A man commits no wrong by taking her (*haran*) without the consent of her kinsmen.¹⁷³ In such a situation, the girl/virgin, by giving herself, incurs no sin. In the epics, there are well-known examples of women who start to menstruate in their father's house and are ashamed of it, or who take matters into their own hands and approach men for sexual intercourse.¹⁷⁴

My argument is that the primary factor that led to the emphasis on pubertal marriages was the identification of menarche or the beginning of menstruation as the beginning of the reproductive phase of the girl in question. If a girl remained unmarried beyond her menarche, valuable reproductive time was perceived to have been lost. This was important, as in that age life expectancy could not have been very high, and a woman's childbearing phase was short. This coupled with the possibility of miscarriage, and of the birth of female children instead of the all-important male heir, made it necessary for a woman to become pregnant as quickly as

¹⁶⁸ See *Gautamadharmasūtra* 18.22; *Vasiṣṭhadharmasūtra* 17.69-71; *Baudhāyanadharmasūtra* 4.1.13-4; *Yājñavalkyasmṛti* 1.64.

¹⁶⁹ *Bṛhaspatismṛti* 4.3.

¹⁷⁰ *Avimāarakam* 1.2. See also *Pratijñāyagandharāyaṇam* 2.4-5

¹⁷¹ *Rāmāyaṇa* 2.110.33. In the *Mahābhārata*, there are several examples of fathers desirous of getting their daughter married off (3.51.8, 1.160.11, 3.277.32-6). Mātali tours the world to find a husband for his daughter (*Mahābhārata* 5.95.10-20).

¹⁷² *Gautamadharmasūtra* 18.20. The *Viṣṇusmṛti* recommends the same (24.40) and adds that after three periods have passed, the virgin (*kanyā*) has the full power to dispose of herself in this manner. See also *Yājñavalkyasmṛti* 1.64; *Arthaśāstra* 4.12.10-1. But in the *Arthaśāstra*, *Vasiṣṭhadharmasūtra* (17.67-8), *Manusmṛti* (9.90-3) and the *Baudhāyanadharmasūtra* (4.1.15-6), the period of waiting is three years and not three months.

¹⁷³ *Viṣṇusmṛti* 24.41.

¹⁷⁴ For example, Kuntī (*Mahābhārata* 3.290.3) and Śarmiṣṭhā (*Mahābhārata* 1.77.6).

possible. So there was an increasing desire for pre-pubertal or pubertal marriages and an unprecedented right was granted to a maiden to dispose of herself if her father failed to do so. The logic behind the desire clearly revealed the emphasis on the daughter's procreative significance.

4.8. The gift of a virgin and the transfer of reproductive rights

Giving the 'daughter' in marriage at the proper time also facilitated the acquisition of merit resulting from the gift of a virgin on the part of the father. This brings me to the third important context in which the daughter/virgin is mentioned in ancient Indian texts: marriage. Some scholars suggest that marriage was the fundamental exchange relation in ancient India.¹⁷⁵ The basic function of marriage as an exchange of women between kin groups remained unchanged throughout ancient India. But during the period under consideration, the *brāhmaṇa* writers recognized the importance of this exchange and gave a religious tenor to it.

First, marriage is designated as essential and mandatory for women. The options of the spinster or the nun do not seem to have been available to women in ancient India. The *Rāmāyaṇa* and the *Mahābhārata* contain references to women ascetics, but the latter also includes the significant story of Kunigargā, who is forced to marry before she is allowed to ascend to heaven.¹⁷⁶ Second, the emphasis on pubertal marriages, while facilitating early reproduction, also served other functions. It gave the male head of the family, the patriarch, powers to exchange the blood women of his lineage with those of other lineages. This power is given a religious slant by the decrees about the murder of an embryo. In addition, to reinforce the patriarch's right to dispose of the women of his family and to provide marriage with a religious sanction, great importance is attached to the notion of *kanyādāna* or the gift of a virgin in marriage. According to the *dharmaśāstras*, not only does the donor acquire religious merit,¹⁷⁷ but also, if the *Manusmṛti* is to be believed, the act of giving creates the bridegroom's mastery over the bride.¹⁷⁸ It is significant that the *prājāpatya*, *daiva*, *brahma* and *arṣa* forms of marriage include the ceremony of *kanyādāna*.¹⁷⁹ The *Nārada-smṛti* writes that the first four and the *gandharva* marriages are recommended as they involve a gift, but the others do not

¹⁷⁵ S. Jamison, 1996, p. 207.

¹⁷⁶ *Mahābhārata* 9.51.5-14,21.

¹⁷⁷ 'If a gift of a thousand oxen fit to draw a carriage is made to a worthy man, that gift is equal to the giving of a virgin (*kanyādāna*)' (*Vasiṣṭhadharmasūtra* 29.18). In the *Mahābhārata* too, the significance of *kanyādāna* is emphasized. One who gifts a virgin is entitled to the fruits of *dharma* (*Mahābhārata* 13. App.15.3349-3351).

¹⁷⁸ *Manusmṛti* 5.152. The father's role in giving the girl or *kanyā* is also emphasized in *Nārada-smṛti* 2.12.20.

¹⁷⁹ See *Viṣṇusmṛti* 24.18-27, *Yājñavalkyasmṛti* 1.58-61, *Baudhāyanadharmasūtra* 1.11.20.1-9, *Manusmṛti* 3.20-1,27-34, *Gautamadharmasūtra* 4.6-13, *Arthaśāstra* 3.2.2-9, *Nārada-smṛti* 2.12.38-43, *Mahābhārata* 1.67.8-9 for the eight forms of marriage. For dharmic and adharmic forms of marriage, see *Arthaśāstra* 3.2.10; *Nārada-smṛti* 2.12.44; *Mahābhārata* 1.67.9.10-3; *Manusmṛti* 3.23-7,36-9,41; *Viṣṇusmṛti* 24.33-7. *Āpastambadharmasūtra* refers to six forms of marriage excluding the *prājāpatya* and the *paiśāca* (2.5.11.17-20, 2.5.12.1) and continues that the first three rites are praiseworthy (2.5.12.3), as does the *Vasiṣṭhadharmasūtra* (1.28-35).

necessarily involve such gift.¹⁸⁰ Thomas Trautman argues that all forms of marriage involving *kanyādāna* established the superiority of the groom's family. This helped to sever all connections between the bride and her natal family, firmly established patrilocality, and created an indissoluble bond between the husband and wife.¹⁸¹ In addition, a marriage that included *kanyādāna* marked the transfer of the bride from her paternal to her conjugal domain and formally established an exchange relationship between the paternal and conjugal parties.¹⁸² The significance attached to *kanyādāna* and the emphasis on pre-pubertal/pubertal marriages also made it impossible for women to enjoy any right they might otherwise have had over the disposal of their own bodies. By giving his daughter, the father reinforced his patriarchal right over the female members of his lineage and his right to make an exchange. Therefore, in narrative literature, girls often state that they are not the mistresses of their own bodies, when wooed by their would-be lovers. Fourth, a marriage that included *kanyādāna* was an official/formal exchange between two lineages. So it followed that a daughter once given in this manner could not be taken back into her natal family.¹⁸³ From the above description, it is apparent that marriage marked the formal transfer of the 'daughter/virgin' and, therefore, her reproductive potential from her own family to another. This reproductive potential was to be made use of by her conjugal family. Therefore, an analysis of marriage also demonstrates the construction of the daughter as a field for potential reproduction.

A daughter's reproductive potential was usually transferred to another lineage through marriage. But there was a way by which a daughter's reproductive abilities could be used for the benefit of her own family. This was through the institution of *putrikāputra* and, less significantly, through that of the *kanīna* son. According to the *dharmasūtra* of Baudhāyana, the *putrikāputra* is the first, male child born of a man's married daughter, after an agreement has been made that he would belong to the mother's natal family.¹⁸⁴ All the *smṛtis* agree that

¹⁸⁰ *Nāradaśmṛti* 2.12.29. Some forms of marriage were deemed adharmic probably because there was no formal exchange involved and therefore, they challenged the patriarch's control over the female members of his family. Of these types, the *rākṣasa* and the *gandharva* were usually followed by a formal ceremony, which while not actually signifying the gift of a virgin, made a pretense of fulfilling Brahmanical norms. See *Avimāarakam* 6.14; *Abhijñānaśakuntalam* 5.16. Thus, *gandharva* and *rākṣasa* marriages were allowed to the *kṣatriyas* (*Viṣṇuśmṛti* 24.28; *Baudhāyanadharmasūtra* 1.11.20.12; *Manuśmṛti* 3.26; *Mahābhārata* 1.67.4,11-3,25-6). According to Jamison, *rākṣasa* marriage allowed the *kṣatriyas* to follow the structure of ordinary marriage. They could therefore interact, albeit violently, with the bride's family, and participate in reciprocal social exchange. She continues that the *paiśāca* marriage was condemned as it established no relations of exchange. Since bride-price would truncate exchange relations rather than establish them, *asura* marriage was rejected by the *brāhmaṇas* (1996, pp. 235,212,215).

¹⁸¹ T. Trautman, 1981, p. 26.

¹⁸² See S. Jamison, 1996, pp. 208,212.

¹⁸³ *Yājñavalkyaśmṛti* 1.65 and 2.146. See also *Viṣṇuśmṛti* 5.160-1, *Nāradaśmṛti* 2.12.32. The *śmṛtis* recommend that the suitor be punished, particularly if it is not the girl's fault (*Viṣṇuśmṛti* 5.162; *Yājñavalkyaśmṛti* 1.66; *Nāradaśmṛti* 2.12.35).

¹⁸⁴ *Baudhāyanadharmasūtra* 2.2.3.15. According to the same *śmṛti*, the *putrikāputra* has to offer the first funeral cake to his mother, the second to his mother's father and the third to his father's father (2.2.3.16). The *Viṣṇuśmṛti*

the best kind of a son is the *aurasa* one. But the son of an appointed daughter is regarded as equivalent to an *aurasa* son.¹⁸⁵ Bṛhaspati's *smṛti* reads that, of the thirteen kinds of sons mentioned, only the *aurasa* and the *putrikāputra* continue the family and are entitled to inherit.¹⁸⁶ There was another way by which a paternal lineage could benefit from a daughter's reproductive ability. This was through the *kanīna* son, born of an unmarried woman (who had been a virgin) in her father's home. He is usually considered by the *śāstrakāras* to be the son of his maternal grandfather.¹⁸⁷ Therefore, under certain circumstances, the daughter's procreative powers could be used by her natal family.

4.9. *Paragāminī: the kinship position of the daughter*

Ethnographic studies have shown that in south Asia, daughters are often regarded as temporary guests in their own family.¹⁸⁸ This notion stems from the belief that the daughter is destined for marriage, after which she enters a new home. Therefore, her stay in her own home is of a transient nature. There are some implicit references in the *dharmasāstras* and narrative texts that can be construed as referring to the temporary status of the daughter in her own family. For example, the *Vasiṣṭhadharmasūtra* argues that, unlike male children, the female offspring of outcastes did not become outcastes. For they enter the family of others (*paragāminī*).¹⁸⁹ Therefore, daughters were exempt when their families became outcaste as they were considered destined for others. The *Arthasāstra* writes that the daughter is of use to others only.¹⁹⁰ It was probably because of her temporary position in her father's home that the *Manusmṛti* recommends, that, if abused by her, one should bear it without resentment, as one's daughter is the supreme object of pity.¹⁹¹ It is openly recognized that a father's responsibility towards his daughter ends with her marriage. The *smṛti* of Nārada states that daughters (*sutāḥ*)

clarifies that a *putrikāputra* is born of a woman who has been given in marriage with the words: 'the son she bears will be mine' (15.4-5). See also *Bṛhaspatismṛti* 25.38; *Manusmṛti* 9.127,140.

¹⁸⁵ *Yājñavalkyasmṛti* 2.128. The *Mitākṣarā* adds, citing Vasiṣṭha (17.15), that the daughter herself could be the second kind of son. For the latter maintains that the second kind of son is the appointed daughter herself. But it is the only one among the *smṛtis* to characterize the daughter and not the daughter's son as *putrikāputra*.

¹⁸⁶ *Bṛhaspatismṛti* 25.33,35,37. See also *Viṣṇusmṛti* 15.47; *Manusmṛti* 9.131-4,136; *Arthasāstra* 1.17.49.

¹⁸⁷ *Yājñavalkyasmṛti* 2.129. See also *Baudhāyanadharmasūtra* 2.2.3.24; *Vasiṣṭhadharmasūtra* 17.21-3; *Viṣṇusmṛti* 15.10-1. The *Mitākṣarā* adds that the *kanīna* son belongs to the maternal grandfather if his mother was unmarried at the time of his birth. But contrary to the *Yājñavalkyasmṛti* and *Vasiṣṭhadharmasūtra*, the *Viṣṇusmṛti* maintains that the child belongs to the man who marries the girl and not to his maternal grandfather (15.12).

¹⁸⁸ Bennett writes that the daughter is never regarded as a full member of her own lineage. In fact, there is a common saying: 'Daughters go to another's house and repair the walls of that house' (1983, 165-8). See also G. Raheja and A. Gold, 1994, p. 75.

¹⁸⁹ *Vasiṣṭhadharmasūtra* 13.51-52. See also *Yājñavalkyasmṛti* 3.261.

¹⁹⁰ *Arthasāstra* 7.17.16. The *brāhmaṇa* in Ekacakra comments that his daughter has been left with him in trust for her husband (*Mahābhārata* 1.145.35).

¹⁹¹ *Manusmṛti* 4.185.

are to be maintained only until they are wedded to their husbands.¹⁹² Marriage, therefore, at least theoretically, severed all links between a daughter and her family. As in the case of Ambā, even if rejected by her husband, it might not have been possible for the daughter to return to her father.¹⁹³

The fragility of the daughter's links with her own kin group is also demonstrated in the *smṛtis*. For they display a lack of concern about her funerary rites and right to inheritance. The *Baudhāyanadharmasūtra* states that when unmarried virgins (*aprattāsu kanyā*) die, funeral cakes or water libations are not to be offered, nor are they to be cremated. Instead of the customary long period of pollution, relatives of such women become pure in just three days.¹⁹⁴ As for inheritance, daughters could only inherit their mother's property (*strīdhana*, that is only movable property) after her death.¹⁹⁵ The *Mitākṣara* explains that since the female seed predominates in female children, the *strīdhana* goes to the daughter.¹⁹⁶ Such reasoning served to distance the daughter from her male natal kin. Even when the *dharmasāstras* recognize the daughter's right to inherit her father's estates, this right is qualified by many preconditions. The daughter could inherit her father's property when the father did not have a son or a wife, provided she was of the same caste as her father, virtuous, submissive and married. For, as *Bṛhaspatismṛti* writes, the daughter, like the son, is born from each member of a man. Therefore, while she lives, no other man could inherit her father's property.¹⁹⁷ Nārada's *śāstra* too agrees with that of Bṛhaspati. According to it, the daughter is as much a part of her father's lineage as the son. Both continue the lineage of their father. However, according to commentators like Bhava, the daughter could not inherit in her own right, but only through the institution of the *putrikāputra*.¹⁹⁸ Therefore, the daughter's position within her own family was a matter that was never properly settled. Her inconclusive kinship position reinforced her similarity to the wife, the other potential procreatrix.

¹⁹² *Nāradasmṛti* 2.13.260. See also *Yājñavalkyasmṛti* 2.141. There are few descriptions of intimate and loving daughter-parent relationships in the narrative texts. For example, see *Bālacaritam* 1.20, 2.15; *Pratiññāyagandharāyaṇam* 2.5-6; *Abhijñānaśakuntalam* 4.9 and *Mahābhārata* 1.71, 1.73.

¹⁹³ *Mahābhārata* 5.174.11-2.

¹⁹⁴ *Baudhāyanadharmasūtra* 1.5.11.5-6. The *Yājñavalkyasmṛti* writes, that if a virgin (not given in marriage, *adattā kanyā*) dies, purification could be obtained in one day (3.24). The *Mitākṣarā* adds, citing Āpastamba, that immediate purification is possible if a maiden (*kanyā*), on whom tonsure has not been performed, dies. But if she is betrothed but unmarried, impurity lasts for three days on her father's side and that of her husband to-be. The *Vasiṣṭhadharmasūtra* disagrees and states that, if the virgin is unmarried, she belongs to her father alone (17.72).

¹⁹⁵ *Yājñavalkyasmṛti* 2.117. See also *Vasiṣṭhadharmasūtra* 17.46; *Nāradasmṛti* 2.13.2; *Viṣṇusmṛti* 17.21; *Manusmṛti* 9.131. According to The *Baudhāyanadharmasūtra*, the daughters inherit the ornaments of their mother (2.2.3.44).

¹⁹⁶ *Mitākṣarā* on *Yājñavalkyasmṛti* 2.117.

¹⁹⁷ *Bṛhaspatismṛti* 25.55-7. See also *Yājñavalkyasmṛti* 2.135-6, *Viṣṇusmṛti* 17.4. However, in Āpastamba's list the daughter (*duhitā*) comes after the sons, *sapiṇḍas* and the spiritual teacher (2.6.14.4).

¹⁹⁸ *Nāradasmṛti* 2.13.47. These sentiments are repeated in *Manusmṛti* 9.130-1.

Summary

In this chapter I argue that Brahmanical discourse saw the wife and daughter primarily as potential mothers. An analysis of the terms used to denote a wife reveals the shift from the conceptualization of this role as an envisaged joint owner of property and religious partner to one in whom the husband is reborn as the son. Furthermore, the explicit designation of the wife as *kṣetra*, the importance of *kṣetraja* sons, the emphasis on sexual intercourse but the rejection of marital intimacy, the 'remarriage' of wives indicate that the wife was little more than a body for potential reproduction at the disposal and service of her husband and his family. The anxiety to ensure that reproduction (of the male child) fulfilled the Brahmanical criteria of caste and lineage purity is reflected in the textual references to adultery and chastity. The stoppage of adultery and the establishment of the wife's chastity was deemed vital for ensuring an uncorrupted lineage and for preventing *varṇasaṃkara*. The *pativrata* rhetoric too, was a tool to enforce the wife's chastity.

In the second part of this chapter I argue that the daughter was rarely seen as a kin category. Rather, the few references to the category 'daughter' convey the overt sexuality and potential fertility associated with her. This is clear from the terms used for her, the association of menarche with the beginning of reproduction, the characterization of marriage as an occasion for the transfer of reproductive rights and the peculiar kinship position of the daughter, whereby from birth she was regarded as destined for others. In the next chapter, I address the question of another potential mother, the widow, who was gradually transformed into a non-procreative category.

FROM A POTENTIAL MOTHER TO A NON-MOTHER: THE
TRANSFORMATION OF THE WIDOW IN ANCIENT INDIA

The wife and the daughter are the secondary normative categories in the ancient Indian texts under consideration. They are perceived primarily as potential mothers, that is, women whose reproductive abilities would be of use to Brahmanism. In the Brahmanical perception, the wife, being married, is regarded as a step closer than the daughter to the possible reproduction of the much-valued male child. This brings me to the category 'widow' (variously called *vidhavā*, *mṛtapatnī*, *apati*, *pretapatnī*) in these texts. It would be fair to say that this is the most problematic category of woman in ancient India. To begin with, the Brahmanical texts, particularly the *dharmaśāstras*, have little to comment on this category of womanhood. This is in stark contrast to the voluminous material available on the wife and the mother. This reticence is probably reflective of the ambiguity and changes within Brahmanical thought which, on the one hand, emphasizes the procreative powers of women and on the other, seeks to regulate reproduction for the benefit of caste and lineage purity. These conflicting aims are expressed in the ambiguous construction of the widow in the Brahmanical texts of this period. In fact, it would be correct to surmise that, during this period, the position of the widow undergoes a transformation. From a woman who is recognized as a potential mother even after her husband's death, the widow is transformed into a non-procreatrix. The texts with their confusing and often contradictory dicta reflect this period of transition.

If one understands the widow as a woman whose husband has died, the category would certainly include women who already have had sons by their deceased husbands. Therefore, ordinarily a widow would be a widow with sons (that is a widowed mother) or a sonless widow. However, I would like to clarify that by the 'widow' in this chapter I mean specifically the sonless widow. This is because, in the context of the *dharmaśāstras*, the term widow is used almost invariably to refer to a young, sonless widow, who is regarded as a problematic sub-category. My discussion of this category reflects the predominant dharmaśāstric trend. A widow whose husband died after she had male children would be seen primarily as a 'mother'. For example, both Kaikeyī and Kausalyā, after the death of Daśaratha, are portrayed primarily as mothers of Rāma and Bharata rather than as widows of the dead king. In this chapter, I first focus my attention on the emergence of the widow as an important category of womanhood in previous scholarship. Then I discuss the dharmaśāstric dicta on *niyoga* and widow remarriage to demonstrate how the widow is transformed from a potential mother to a non-procreatrix. Finally, I examine the options that are made available to the widow by the *śāstrakāras* after *niyoga* and remarriage are discouraged.

5.1. *The widow and the 'position of woman' in ancient India'*

I have already mentioned the colonial criticism of traditional Indian culture (see chapter one). The main focus of this critique was on the degenerate condition of contemporary Indian women and on the evils associated with the caste system. However, while it was agreed that the position of Indian women was generally degraded, special attention was given to the miserable plight of the Hindu widow. This was because British colonial administrators were appalled by the incidence of suttee¹ and the existence of child widows. These two factors, together with the restrictions on widow remarriage and the tonsuring of widows, not uncommon in eighteenth-and nineteenth-century India, were seen as practices that confirmed imperialist/utilitarian views on the barbaric nature of Hinduism. To suppress these customs the British government in India introduced legislation to abolish the practice of suttee and legalized widow remarriage. In this they were actively encouraged by Indian social reformers such as Rammohan Roy and Ishwarchandra Vidyasagar. However, some Indians (for example, Radhakanta Deb) perceived the new laws as unnecessary 'interference' by the British in Indian customs and traditions and pleaded for the status quo. During the course of the controversy surrounding the legislation, both the anti-reformists and the pro-reformists looked towards the ancient Indian texts to bolster their arguments. Those in favour of reformation argued that widow remarriage had existed in ancient India, while suttee had not. Therefore, British legislation had not introduced anything new. It was in the context of this controversy that the widow in ancient India came into academic prominence. Even after this particular controversy had died down, nationalist historians continued to follow the pro-reformist line and emphasized the high 'position' of the widow in ancient Indian society. Their arguments became part of their nationalist defence of the status of women in ancient India.

Because the widow as a subject of scholastic discourse emerged during the controversy described above, scholars in pre- and post-independence India have remained preoccupied with four issues—the question of widow remarriage, the existence of *niyoga*, the tonsure of widows and perhaps most importantly, the practice of suttee—irrespective of the fact that these issues were important mainly in the context of nineteenth century reformist/nationalist India. For example, both Kane and Altekar limit their discussion of the widow in ancient India to these four aspects only (with a small section devoted to a widow's right of inheritance). They are especially interested in the question of widow remarriage. Both argue that widow remarriage existed in ancient India, quoting a verse from the *Atharva Veda* to support this view. Furthermore, they maintain that the practice continued well into the period of the *dharmaśāstras*, but gradually fell

¹ Suttee is a word coined by the British colonial administrators to refer to the *practice* of a widow burning herself on her husband's funeral pyre. *Sati*, the Indian word, refers to the *woman* who accompanies her husband on his funeral pyre.

into disfavour.² They cite examples from the epics and repeatedly emphasize one historical example: the marriage of Candragupta Vikramaditya to Dhruvadevī, his elder brother Rāmagupta's widow.³ Regardless of the historical truth of their assertions, they are unable to provide valid reasons for the discontinuation of this practice beyond alluding rather vaguely to the influence of asceticism and the doctrine of the *pativrata*.

Suttee/*sañ* is another important issue discussed *ad nauseam* in any history of the position of women in ancient India. Historians are quick to emphasize that the practice was not common in the past, as the *Vedas* do not refer to it.⁴ Manjushree, writing in 1990, agrees that there is no evidence for suttee/*sañ* in the Vedic period. Neither do the *dharmasāstras* refer to it. Although the *Mahābhārata* includes some examples—those of the wives of Pāṇḍu, Kṛṣṇa and Vasudeva—the *Rāmāyaṇa* does not refer to the practice and the *Manusmṛti* and the *Yājñavalkyasmṛti* do not authorize it. Therefore, Manjushree reiterates the conclusion already drawn by Altekar that *sañ* must have been a custom that began in medieval India.⁵ There is also a tendency to attribute this practice to outside influences. For example, one historian argues that *sañ* was introduced into India by foreigners who had come through the north-western passes.⁶ This absolved Hinduism of any responsibility for its introduction. Moreover, no attempt is made to explain why Brahmanical discourse should have taken to sanctioning this practice, if it was foreign in origin. Manjushree writes of the possible rape of queens by victorious foreigners and other economic motives, while Dutt maintains that *sañ* was introduced to prevent moral lapses among widows after remarriage and *niyoga* had been banned. Altekar refers to the development of this practice among the Rajputs when faced with invading Muslim armies and the gradual spread of its popularity.⁷ Although historians are at pains to prove that suttee/*sañ* was not an indigenous institution, surprisingly, the underlying sentiment in their description of *sañ* is not far from admiration. This can be seen in Altekar, and even in later historians like Manjushree.⁸ In post-independence India, the debate on

² P. V. Kane, 1941, pp. 608-23, A. S. Altekar, 1938, pp. 176-80. See also M. Ahuja, 1996, pp. 3-7.

³ See above and also N. K. Dutt, 1938, pp. 663-5.

⁴ A. S. Altekar, 1938, pp. 135-67; P. V. Kane, 1941, pp. 624-36.

⁵ Manjushree, 1990, pp. 174-5. See also M. Ahuja, 1996, pp. 11-3; P. V. Kane, pp. 624-9. Historians emphasize that the earliest historical example of this practice is recorded on the Eran stone inscription of 510 CE. This date is accepted as early medieval or at least post-dharmaśāstric, in which case 'Hindu' society is not held responsible for the introduction of this practice.

⁶ Manjushree, 1990, p. 173. See also P. V. Kane, 1941, p. 625.

⁷ Manjushree, 1990, p. 180; N. K. Dutt, 1938, p. 677; A. S. Altekar, 1938, pp. 153-5.

⁸ Altekar writes that the vast majority of widows became *sañis* out of genuine love for and devotion to their husbands. Therefore, 'naturally society held them in reverence and immortalized their memory' (1938, pp. 161-2). In the 1957 edition of his book, Altekar mentions with pride his sister who became a *sañ* in 1946 despite nursing a child (p. 137). See also Manjushree, 1990, p. 184.

suttee/*safī* continues and receives fresh impetus every time an incident occurs. The last recorded case of a woman becoming a *safī* was that of Roop Kanwar in 1987. It provoked a strong reaction among Western and Indian scholars alike and led to new literature that offered new interpretations of this institution and its historical genesis.⁹

Niyoga or the appointment of the widow (or wife if the husband was impotent or an eunuch) to beget a son for the benefit of the husband and his lineage, by sexual intercourse with an appointed male, was thought to have been prevalent in ancient India. Almost all nationalist historians writing on the position of women in the past acknowledge the existence of this practice and give detailed descriptions of the conditions under which it prevailed.¹⁰ But such scholars agree, with a sense of relief, that the custom came to be viewed with disfavour from the time of the *dharmaśāstras*, and gradually died out. However, they are unable to arrive at any conclusion regarding the reasons for the disappearance of this custom. As for the tonsure of widows, historians are of the opinion that this was a medieval practice that was not common in ancient India. According to Kane, there is only one passage in the *Skanda Purāṇa* (a comparatively late text) that expressly requires the tonsuring of widows.¹¹

A concern with the above issues also predominates the works of more recent historians who find it difficult to break away from this set paradigm.¹² While it is important to trace the gradual development of these institutions, I argue that a fresh look is necessary. It is time to move away from such a simplistic view of history based on decontextualized references and unresolved issues. To my mind, the most important questions are: Why were *niyoga* and widow remarriage permitted by Brahmanical discourse in the first place? After being sanctioned, why were these practices discontinued? After the discontinuation of these practices what were the options available to the widow? Answers to these questions will reveal the logic behind the construction of the category of widow as it appears in the texts under consideration.

5.2. *The widow as a potential procreatrix*

In seeking to answer these questions I first turn to the customs of *niyoga* and widow remarriage. It is difficult to arrive at definite conclusions regarding the existence of these practices but the *dharmaśāstras* are certainly aware of both customs. The *Vasiṣṭhadharmasūtra* recognizes the

⁹ See J.S. Hawley, 1994; V. Talwar Oldenburg, 1994; L. Harlan, 1994; A. Nandy, 1994; J. Leslie, 1991b.

¹⁰ For a detailed description of the custom of *niyoga*, see A. S. Altekar, 1938, pp. 158-76; P. V. Kane, 1941, pp. 599-607; M. Ahuja, 1996, pp. 7-9.

¹¹ P. V. Kane, p. 592. See also P. V. Kane, pp. 587-593 and A. S. Altekar, 1938, pp. 188-91 for additional information on the tonsuring of widows.

¹² For exceptions, see footnote 10 and J. Leslie, 1991c and 1991e.

custom of *niyoga* and gives a detailed description of the procedure that is to be followed. Immediately after the death of her husband, the (presumably childless) widow is advised to sleep on the ground for six months, practise religious vows and abstain from spicy food and salt. At the end of this period the widow is asked to bathe and then offer funeral oblations to her husband.¹³ It is at this point that the widow's father or brothers are requested to assemble the *gurus* and the relatives of the dead man. This male 'congregation' is to decide whether the widow's reproductive capacities are to be used to beget a child for her dead husband. If the male kinsmen agree, the widow is to be asked to proceed.¹⁴ The *Manusmṛti* emphasizes that a widow can be 'appointed' to procreate a child if her dead husband's lineage is in danger of dying out.¹⁵ Thereafter, according to the *smṛtis*, the woman/widow is to be called *niyuktā* or one who has been 'appointed' to bear a male child for her dead husband's family. A particular man (usually a brother-in-law or a *sagotra* or a *sapiṇḍa*) is singled out and identified as the one given the task of biologically fathering the child. The *Yājñavalkyasmṛti* too refers to this practice and recommends that sexual intercourse be permitted by the *gurus* between a sonless widow/wife (*aputrā*) and her husband's younger brother or a *sapiṇḍa* or a *sagotra* for the purpose of begetting a son. The widow could be approached only in her fertile season and sexual intercourse could continue till conception. The son born under these conditions would thus be the dead husband's *kṣetraja* son.¹⁶ But the *smṛti* also imposed some restrictions. A widow who is mad, unchaste, diseased, old or sickly could not be appointed.¹⁷ The *śāstras* of Gautama, Nārada and Baudhāyana also emphasize the role of the male *gurus*/elders in arriving at a decision regarding *niyoga* and the 'formal appointment' of the widow to the task of procreating.¹⁸ According to the *smṛtis*, if the widow agrees to *niyoga*, she can obtain expenses for food, clothes and other necessities from the estate of her dead husband. The *smṛtis* thus make it clear that a widow required permission from her male kinsmen before she could reproduce a male

¹³ *Vasiṣṭhadharmasūtra* 17.55. The *Baudhāyanadharmasūtra* recommends that the widow avoid honey, meat, liquor and salt and sleep on the floor for a year after her husband's death. It, however, admits that according to Maudgalya this period could be reduced to only six months (2.2.4.7-8).

¹⁴ *Vasiṣṭhadharmasūtra* 17.56.

¹⁵ *Manusmṛti* 9.59. See also 9.190.

¹⁶ *Yājñavalkyasmṛti* 1.68-9. See also *Yājñavalkyasmṛti* 2.127. In the *Manusmṛti*, the son born of an appointed widow is called a *kṣetraja* son (3.174) and is given certain rights of inheritance (9.145,165,167). However, the same text clarifies that if the rules of *niyoga* are not been properly followed or if the widow is not formally appointed, the son could not inherit (9.143-4). *Gautamadharmasūtra* maintains that a widow appointed to procreate sons in such a manner (by *niyoga*) should not have more than two sons (18.8).

¹⁷ *Vasiṣṭhadharmasūtra* 17.57-60. The *Baudhāyanadharmasūtra* gives a similar list: a woman who is barren, past childbearing age, who already has sons, whose children have died and who is unwilling could not be appointed (2.2.4.10). See also *Nāradasmṛti* 2.12.82.

¹⁸ *Baudhāyanadharmasūtra* 2.2.4.9; *Gautamadharmasūtra* 18.4-5; *Nāradasmṛti* 2.12.79-80. The *Gautamadharmasūtra*, elsewhere, does not deny to the widow the right to beget a son for her dead husband unilaterally, that is without the consent of her kinsmen (18.22).

child after the death of her husband. If a widow decided to go ahead on her own, that is if she had not been duly 'appointed', then, according to the *smṛtis*, the son produced from such sexual intercourse 'belonged' to the biological father. On the other hand, if the widow had been properly 'appointed' the child 'belonged' both to the dead husband and the biological father (see below). The *śāstras* warn against any appointment made with an eye to obtain the estate.¹⁹ The man who is appointed to have sexual intercourse with the widow is advised to approach her at the proper *muhurta* only. He is not supposed to 'dally' with her, or abuse and ill-treat her.²⁰ The first choice is her brother-in-law. In his absence, a *sapiṇḍa*, *sagoṭra*, *samānapravara* or a man who belongs to the same caste can be selected.²¹ In the narrative texts, there are several examples of the birth of sons through *niyoga* (both when the husband is dead and when he is alive).²² What happened to the young widow after she had sons through *niyoga*? The texts are not very clear on this subject, other than stating that she is expected to lead a celibate and chaste life. Presumably, she would continue to live with her conjugal relatives and would be seen not only as a widow, but also, as a 'mother' of sons.

The *śāstrakāras* appear to be familiar with the institution of widow remarriage but their statements on it are even more confusing. This is partly because their discourse on widow remarriage was part of their general discourse on the remarriage of women (the *punarbhūs* or twice-married women), whether wives or widows, and partly because by remarriage the *śāstrakāras* appear to have meant cohabitation with another man for the sake of children and not the repeat performance of the sacramental marriage ceremony. According to author of *Vasiṣṭhadharmasūtra*, widow remarriage is sanctioned only for the virgin widow. The text continues that if a virgin is forcibly abducted and not wedded according to sacred texts, or if a woman's husband dies without consummating the marriage, she can remarry.²³ However, elsewhere in the same *smṛti*, the provisions on widow remarriage do not explicitly state that the

¹⁹ *Vasiṣṭhadharmasūtra* 17.62-5.

²⁰ *Vasiṣṭhadharmasūtra* 17.61. See also *Nāradaśmṛti* .12.81; *Manusmṛti* 9.60.

²¹ *Gautamadharmasūtra* 18.6. The text adds that according to some, a widow could not cohabit with a man other than her brother-in-law (18.7). It continues that if the dead husband's brother is alive, then the son begotten on the widow by another relative is to be excluded from inheritance (18.23). *Baudhāyanadharmasūtra* mentions only the brother-in-law as the man who should be appointed to have sexual intercourse with the widow (2.2.4.9) as does *Nāradaśmṛti* (2.12.79-80). The *Manusmṛti* specifies that only a brother-in-law or a *sapiṇḍa* can be asked to have sexual intercourse with the widow with the purpose of procreation (9.59).

²² In the *Mahābhārata*, both Ambikā and Ambālikā give birth to male children after they have been widowed. Following the rules of *niyoga*, they are persuaded to have sexual intercourse with Vyāsa, technically their step brother-in-law (1.100.1-19). In the same text Bhīṣma narrates the story of the widows of the *kṣatriyas* killed by Paraśurāma, who have sexual intercourse with *brāhmaṇas* to beget children (1.99.4-6). The best example of a wife who is asked to beget children (from other men) when her husband is alive (but impotent) is Kuntī.

²³ *Vasiṣṭhadharmasūtra* 17.73-4. See also *Manusmṛti* 9.69-70 on the 'remarriage' of a virgin widow.

widow has to be a virgin. For, the *Vasiṣṭhadharmasūtra* describes a *punarbhū* (a twice-married woman) as a woman who leaves the husband of her youth, lives with another man, and then re-enters her first husband's family or as a woman who leaves an impotent, outcast or mad husband or who after the death of her husband takes another man as her lord.²⁴ From the list of *punarbhūs* and *svairiṇīs* given in the *Nāradaśmṛti*,²⁵ it appears that that the first type of *punarbhū* is a virgin widow who is allowed to undergo the sacrament of marriage again. The last type of *punarbhū* is also a widow, but presumably a non-virgin. For, she is described as one who has no brothers-in-law but who is given by her relatives to an *asapiṇḍa* man of the same caste for the purpose of procreation.²⁶ But it is doubtful whether the last type of *punarbhū* underwent a second sacrament of marriage. In the *śmṛtis*, the *svairiṇī* does not always appear to have been a widow. According to the *Nāradaśmṛti*, a woman who willfully abandons her own husband and starts living with another man belonging to her own *varṇa* can be called one type of *svairiṇī*. In Nārada's description, only the second type of *svairiṇī* is explicitly referred to as a widow. She is the one who rejects her brother-in-law and takes up with some other man out of passion. She also probably did not go through a second marriage ceremony.²⁷ Therefore, it appears that the remarriage of widows, whether virgin or not, is recognized although the second marriage may not have been sacramental.

The *Arthaśāstra* proclaims:

The wife of a man who has gone away on a long journey or has become a wandering monk or is dead shall wait for seven periods (if she does not have children) or for one year if she has borne children. After that she may approach for marriage a full brother of her husband... in the absence of these, even one who is not a full brother, a *sapiṇḍa* or a member of the family who is near. Among these, this alone shall be the order (of preference). In case she marries setting aside these heirs of her husband, (or) in case she has a lover, the lover, the woman, the bestower (of the woman) and the man who marries her receive the penalty for adultery.²⁸

On the other hand, some *śāstrakāras* are more liberal in permitting the 'remarriage' of women whose husbands are regarded as technically dead. In such cases, the death of the husband is assumed and does not have to be proved. For example, the *śmṛti* of Vasiṣṭha maintains that the wife of an emigrant is to wait five years. After that she should go and seek her husband. However,

²⁴ *Vasiṣṭhadharmasūtra* 17.19-20. See also *Manusmṛti* 9.175-6. The *Manusmṛti* describes a remarried woman (*punarbhū*) as one whose husband having died or one who having been deserted by her husband willingly remarries and has a child. If she is a virgin she could undergo the transformative ritual of marriage with her new husband. According to the *Yājñavalkyaśmṛti*, a *punarbhū* is one on whom the sacrament of marriage has been performed twice regardless of whether or not she is a virgin (1.67).

²⁵ *Nāradaśmṛti* 2.12.45-52.

²⁶ Lariviere writes: 'Presumably, this would be an instance of levirate marriage in which the new husband serves as a substitute in the absence of brothers-in-law' (1989, p. 151).

²⁷ See R. Lariviere, 1991, p. 41.

²⁸ *Arthaśāstra* 3.4.37-8,40-2.

if she is unwilling to do so, then she is to act like a widow, that is in a manner as if her husband is dead. It is recommended that a wife belonging to the *brāhmaṇa* caste wait for five years if she has children. If not, she should wait for only four years. Similarly, a *kṣatriya* wife is asked to wait for five and three years, a *vaiśya* wife for four and two years and a *śūdra* wife, three and one year respectively.²⁹ After that, the wife, now technically a ‘widow’, could approach (*gamyā*) a man for sexual intercourse (marriage?). However, the wife/widow could only sexually approach a man who is related to her husband either by birth, or by funeral cake, or by libations of water, or by descent from the same family. The woman is advised against approaching a stranger as long as a member of her dead husband’s lineage (*kūlina*) remains alive.³⁰ The above set of provisions did not extend to the wife of a man who renounced domestic life to become an ascetic. For he is not regarded as technically dead. His wife is not seen as a widow but as a wife. Therefore, the *śāstras* recommend that she remain chaste and not indulge in sexual intercourse with other men.³¹

The narrative literature of this period too contains a few examples of what can be called ‘widow-remarriage’. Arjun is said to have married the widowed daughter of the Nāga king,³² while Damayantī contemplates remarriage when Nala has not been heard of for a long time.³³ In the *Rāmāyaṇa*, after the death of Vālin, his brother Sugrīva assumes ‘kingship’ over Vālin’s widow Tārā.³⁴ Similarly, even Buddhist texts contain several references to widows remarrying.³⁵ And there is the supposedly historical example of Dhruvadevī and Candragupta.

The above description of *niyoga* and remarriage from a wide range of texts reveals several important issues that are generally overlooked. The custom of *niyoga* indicates that a childless widow—her body and her reproductive potential—was deemed to be at the service of her husband’s family. Even after her husband’s death, her procreative potential could be used by her conjugal lineage and she could be appointed to bear a child for her dead husband.³⁶ The widow herself appears to have had little say in the matter, the decision to ‘appoint’ her usually being

²⁹ *Vasiṣṭhadharmasūtra* 17.75-8. See also *Arthaśāstra* 3.4.24-30; *Nāradaśmṛti* 2.12.98-101; *Gautamadharmasūtra* 18.15-7.

³⁰ *Vasiṣṭhadharmasūtra* 17.79-80.

³¹ *Gautamadharmasūtra* 18.16 or if the husband is a royal servant (*Arthaśāstra* 3.4.28).

³² *Mahābhārata* 6.86.6-9.

³³ *Mahābhārata* 3.68.20-2.

³⁴ *Rāmāyaṇa* 4.35.5.

³⁵ N. K. Dutt, 1938, pp. 670-1.

³⁶ All the *dharmaśāstras* recognize the *kṣetraja* son, a son begotten on the wife/widow of a man who may be dead or impotent or not present by a kinsman appointed to do so. See for example, *Vasiṣṭhadharmasūtra* 17.14; *Arthaśāstra* 3.7.6; *Baudhāyanadharmasūtra* 2.2.3.17-8; *Manusmṛti* 9.159,167; *Yājñavalkyaśmṛti* 2.128. The *kṣetraja* son is recognized as a legal heir (in the absence of an *aurasa* son).

made by her male relatives (both conjugal and natal).³⁷ The man chosen to have sexual intercourse with her was in most cases her brother-in-law or a *sapiṇḍa* of her husband. This is important as it ensured that the child born of *niyoga* belonged to the same lineage and blood as the dead husband. Sexual intercourse, too, was strictly regulated. Only if all the rules had been followed was the resultant son regarded as the *kṣetraja* son of the dead husband and allowed to inherit.

What is apparent in discussions on *niyoga* in the texts of this period is the importance granted to sons. Even after a man died, he needed sons to continue his lineage so that his ancestors did not suffer and he obtained a place in heaven. The formal allotment to the man's widow the task of childbearing (by a male of the same lineage) was the only way available to the family of the man. The *Manusmṛti*, in general, adopts a rather disapproving tone on the practice of *niyoga*, yet it agrees on the effectiveness of this practice in ensuring the survival of a lineage:

When the line of descendants dies out, a woman who has been properly appointed should get the desired children from a brother-in-law or a co-feeding relative. The appointed man, silent and smeared with clarified butter, should beget one son upon the widow in the night, but never a second.³⁸

Even sexual intercourse with an elder or younger brother's wife, which is condemned by the *smṛtis*, is allowed in order to continue the family. The *smṛti* of Nārada makes it clear that this sexual relationship is allowed for the sake of offspring, particularly if the elder/younger brother is the only man left in the family. In fact, the king is asked to order the brother-in-law to have sexual intercourse with the woman for the sake of preserving the family lineage.³⁹ Tryambaka, writing (several centuries later) on the duties of women, reiterates these feelings: *niyoga* is necessary to produce a son for, without a son a man could not enter heaven and his ancestors suffered. A *kṣetraja* son sufficed in the absence of an *aurasa* son or a *putrikāputra*.⁴⁰ Thus, the emphasis was on the preservation and continuation of the lineage, on duty not lust, and on the benefits accruing

³⁷ In the *Mahābhārata*, both Ambikā and Ambālikā are told to expect their brother-in-law at night, for the sake of continuing their family. Their assent is taken for granted. However, when Ambikā is asked to have sexual intercourse with Vyāsa again, she sends her *dāsī* in her place (1.99.45-7, 1.100.1-5, 15-6, 22). The widow herself usually could not make the decision to beget a child for her dead husband. If she did, the child so begotten (*utpanna*) was not entitled to inherit her dead husband's property. According to the *Manusmṛti*, the son of a woman who has not been appointed and the son fathered by the brother-in-law when the widow already has a son could not share the inheritance, for, 'the former is a child of an adulterer and the latter, a child of lust' (9.143-4). See also *Nāradaśmṛti*, which recommends that the son of a widow, who has not been formally given the task of procreating for the benefit of the husband's family, is a bastard and not entitled to inherit (2.12.83).

³⁸ *Manusmṛti* 9.59-60; see also 9.61-3. In verse 190, the text expressly states that the widow of a childless man should have a son by a member of the same lineage. Whatever property comes from his estate is to be handed over to this son. See also *Nāradaśmṛti* 2.12.87.

³⁹ *Nāradaśmṛti* 2.12.85-6.

⁴⁰ *Strīdharmapaddhati* 47(1)r.2, 47[1]r.2-3, 47(1)r.2, 47(1)r.3-4, 47[1]r.5.5-9, 47[1]r.5-6. The text cites the story, recorded in the *Mahābhārata*, of the widows of *kṣatriyas* killed by Paraśurāma approaching *brāhmaṇas* to produce sons for their husband's benefit, as well as the stories of Kuntī, Ambikā and Ambālikā (47[1]r.9-13 -14). All citations and translations from J. Leslie, 1995, pp. 300-2.

to the husband's family. This would mean utilizing the reproductive capacities of the woman who had been given in marriage to a family regardless of the fact that her husband had died.

Widow remarriage is also accepted by the *śāstrakāras*, but this is clearly not remarriage in the legal sense of the word. It is rather a permission for permanent cohabitation with another man without the performance of a second sacramental marriage ceremony. Interestingly, this is comparable to the kind of widow remarriage present in contemporary north India. Here 'remarriage' of widows is regarded as an inferior marriage and is referred to by terms (*nataru* in Gujarat, *sagai* in Uttar Pradesh and *sangha* in West Bengal) which are unrelated to those used for the first, the sacramental marriage (*lagan*, *shadi* and *biye*). Usually childless widows remarry, for, this is the only accepted path to motherhood. Remarriage of widowed mothers is rare.⁴¹ The remarriage of widows referred to by the *śāstrakāras* appears to be somewhat similar to the above. Therefore, the second marriage for the widow was not sacramental and it was preferred that the widow 'marry' either a brother-in-law or a *sapiṇḍa*. If the widow did not marry her brother-in-law the status of the son born after her remarriage was confusing. Although the *paunarbhava* is recognized as one of the twelve kinds of sons in ancient India, he does not enjoy the same rights as a *kṣetraja* son born of *niyoga*.⁴² It is not made clear in the texts whether a widow could be forcibly remarried or could choose herself. But what is apparent is that only widows who are childless could 'remarry', and that expressly for the purpose of bearing children. The *Arthaśāstra* states that a widow could marry again if she is desirous of having children. If she remarries solely to have children, she retains what was given to her by her previous father-in-law and her late husband, even after she remarries.⁴³ Moreover, if she is approached for remarriage in a legitimate manner and fulfils all the conditions, her new partner has to protect her *strīdhana* from her first marriage.⁴⁴ However, if a widow already has sons, she forfeits all rights to her *strīdhana* upon remarrying.⁴⁵

The above description makes it clear that both *niyoga* (for the widow of a man who died without children) and 'remarriage' of (childless) widows were sanctioned for one predominant

⁴¹ See M. Chen and J. Dreze 1992, pp. 18-9, footnote 20. See also P. V. Kane, 1941, p. 615.

⁴² In the *dharmasāstric* lists, the fourth (or the third) kind of son is the *paunarbhava*, or the son of a *punarbhū*. See *Vasiṣṭhadharmasūtra* 17.18; *Arthaśāstra* 3.7.12; *Manusmṛti* 9.160,175; *Nāradaśmṛti* 2.18.43-4; *Yājñavalkyaśmṛti* 2.130. In some *dharmasāstras*, the *paunarbhava* is included among the list of heirs and kinsmen (*Vasiṣṭhadharmasūtra* 17.25).

⁴³ *Arthaśāstra* 3.2.21. But if the widow remarries against the wishes of her father-in-law she forfeits what has been given to her by her dead husband's family (3.2.23).

⁴⁴ *Arthaśāstra* 3.2.25.

⁴⁵ *Arthaśāstra* 3.2.28. The sons are to receive her *strīdhana* (3.2.29). See also 3.2.31-2. However, the *Arthaśāstra* allows a young widow with children to remarry for the sake of maintaining her sons. In these circumstances, she does not forfeit her *strīdhana* (3.2.30).

reason: to enable the woman/widow to fulfil her childbearing potential. Throughout this entire discourse on *niyoga* and the remarriage of widows the primary consideration was the procreation of sons. The widow continued to be seen as a potential childbearer even after her husband died, particularly if she was childless. Therefore, at least initially, she was a potential procreatrix.

5.3. From potential mother to a non-mother: transformation in the reproductive status of the widow

Gradually, the Brahmanical textual discourse also began including strong objections to *niyoga* and widow remarriage, leading to the discontinuation of both. I now examine some of these objections. The *Bṛhaspatismṛti* categorically rejects *niyoga*: ‘On account of the successive deterioration of the (four) ages of the world, it must not be practised by mortals (in the present age) according to law’.⁴⁶ The *Manusmṛti* expresses its disapproval of *niyoga* and widow remarriage in stronger terms:

The appointment of widows is never sanctioned in the Vedic verses about marriage, nor is the remarriage of widows mentioned in the marriage rules.

Twice-born men should not appoint a widow woman to (have a child with) another man, for when they appoint her to another man they destroy the eternal religion.⁴⁷

In fact, the text attempts to provide an ingenuous solution to the problems raised by the practice of *niyoga*, which must have existed in some form during this period. It recommends that this practice be applicable only to a girl who is betrothed, but whose husband to-be dies before the formal marriage ceremony takes place. In such circumstances, the brother-in-law should have sexual intercourse with her, once during each of her fertile seasons, till she bears a child.⁴⁸ The *Mitākṣarā* supports this view, stating that permission for *niyoga* could be granted only to a virgin, whose betrothed dies before marriage.⁴⁹

The main reason for the rejection of the practice of *niyoga* and widow remarriage was the growing feeling that sons begotten on a man’s widow through these practices would be of little ‘use’ to the dead husband’s family. This was because, gradually, mere reproduction of a male child was deemed insufficient. If spiritual benefit was to accrue to a man and his family through the birth of a male child, it was essential that that child fulfil the criterion of caste and lineage

⁴⁶ *Bṛhaspatismṛti* 24.12. Elsewhere, the *smṛti* refers to the ‘highly reprehensible custom’ found in some countries of a brother living with his deceased brother’s wife and the delivery of a ‘marriageable’ girl to the family of her husband-to-be, presumably even after he is dead (27.20).

⁴⁷ *Manusmṛti* 9.64-5. It continues that men who appoint widows to raise children are to be despised (9.68).

⁴⁸ *Manusmṛti* 9.69-70.

⁴⁹ *Mitākṣarā* on *Yājñavalkyasmṛti* 1.68-9. Elsewhere (on *Yājñavalkyasmṛti* 2.127), the *Mitākṣarā* reiterates that *niyoga* could be undertaken by women who were betrothed and not childless widows. So *niyoga* was forbidden to a wife sanctified by marriage but not to a woman betrothed. When a man died his uterine brothers could have sexual intercourse with his betrothed till she had a child. Such a ‘marriage’ (*vindheta* or ‘to know her’) was nominal and the child belonged to the man the woman was supposed to have married.

purity, that is, he had to be of the same caste and blood as the dead/absent husband. However, if a childless widow was allowed to remarry or practice *niyoga*, miscegenation and the introduction of suppositious children into the lineage was a distinct and threatening possibility. Thus, the *smṛtis* increasingly reject the *kṣetraja* son (see previous chapter) and the son of the remarried wife/widow. The *Bṛhaspatismṛti* admits that previously sons could be begotten on a widow. But in the present age, such sons do not fulfil the functions for which they are begotten as they are 'destitute of power'.⁵⁰ This obviously made the practice of *niyoga* redundant. The *Manusmṛti* argues that sons born in a widow, that is in another man's field (*kṣetra*), cause offerings to the gods and ancestors to be lost.⁵¹ Various restrictions are imposed on sons begotten by *niyoga* and on the remarried woman/widow. In *śloka* nineteen of its chapter entitled *strīpuruṣādharma*, the *Nāradaśmṛti* recommends that even natural born sons do not share in their father's estate, if they are outcasts, impotent, or guilty of minor sin. This rule is more firmly applicable if they are the sons of an appointed widow.⁵² According to *Viṣṇusmṛti*, neither remarriage nor *niyoga* are available as options to the (childless) widow. Instead, the widow should either preserve her chastity or ascend the funeral pyre after her husband.⁵³ Tryambaka is also categorical in his opposition to *niyoga* in the current Kali age: only two kinds of sons are acceptable in the Kali age, the *aurasa* and the *dattaka* son.⁵⁴

In the texts, opposition to *niyoga* is matched by the increasing disapproval of widow remarriage. The *Mahābhārata* records the story of Dīrghatamas, the blind seer, who decrees that a woman must remain faithful to one man, whether dead or alive and, therefore, not remarry.⁵⁵ The *Yājñavalkyaśmṛti* recognizes the existence of *svairiṇīs* and *punarbhūs*, but recommends that a man should marry only an *ananyapurvā* or a woman who has not been (sexually) possessed by another man. Therefore, it makes its disapproval of the practice of widow remarriage clear: 'Whether her husband be alive or dead, she who does not go to another (man), enjoys glory in this

⁵⁰ *Bṛhaspatismṛti* 24.14.

⁵¹ *Manusmṛti* 3.175.

⁵² *Nāradaśmṛti* 2.18.19-20.

⁵³ *Viṣṇusmṛti* 25.14. See also 25.17

⁵⁴ *Strīdharmapaddhati* 47[1]r.14-47[1]v.2. Tryambaka concludes by stating that a virtuous widow goes to heaven even if she has no son (47(1)v.7) According to Leslie, the main question was whether or not a sonless widow could have sexual intercourse with another man to produce a son for her dead husband. On the one hand, the widow was advised not even to mention the name of a man other than her husband, let alone have sexual intercourse with him. On the other hand, a barren woman was condemned and a sonless man could not enter heaven, thus making his ancestors suffer (for examples, the stories of Jaratkāru and Agastya in the *Mahābhārata*). All translation and citations from J. Leslie, 1995, pp. 300-1.

⁵⁵ *Mahābhārata* 1.App.56.11-7.

world (*iha*, 'here') and (later, in the other world) frolics (enjoys happiness) in the company of Umā.⁵⁶ The *Manusmṛti* suggests:

No (legal) progeny are begotten here by another man or in another man's wife; nor is a second husband ever prescribed for women.⁵⁷

Therefore, women who violated their vows to their late husbands out of their desire for children were to be rejected. The *Manusmṛti* also does not permit women to remarry even if their husbands have gone away. Rather, if they have been provided for, they are to lead chaste lives. Otherwise, they are to make their living by approved crafts.⁵⁸ Other *śāstrakāras* discourage the practice of widow remarriage by placing restrictions on the property, *strīdhana* and other gifts the widow could have access to after her second marriage. According to the *Arthaśāstra*, the widow is entitled to all these only if she leads a pious and chaste life.⁵⁹ Writing much later, Tryambaka does not refer to the subject of widow remarriage at all. While I do not assert that widow remarriage categorically ceased to exist in society, it is apparent that, by the medieval period, it was no longer the subject of serious discussion in dharmaśāstric or similar texts.

This brings me to the fundamental question: why were these practices discouraged by Brahmanism, particularly when they utilized the reproductive services of woman for the benefit of Brahmanism and led to the birth of the all important male child? The answer is not to be found in external factors, such as the influence of asceticism, as has been hinted at by some historians, but in changes taking place within Brahmanism itself. *Niyoga* was discouraged because of the confusion over the ownership of the son so reproduced. Did the son belong to the husband or to the begetter? Did he belong to the natural father or to the dead husband of the woman concerned? This confusion is reflected in the texts. The *Manusmṛti* is unable to provide a definite answer,

⁵⁶ *Yājñavalkyasmṛti* 1.75.

⁵⁷ *Manusmṛti* 5.162. See also 5.161. In this context, the *smṛti* puts forth a rather revolutionary statement. It maintains that chaste wives go to heaven even if they do not have sons, as did many sonless priests before them (5.159-60). Among the other *śāstrakāras*, Āpastamba is of the opinion that a man commits a sin if he marries a woman who has been married before (2.6.13.4). This presumably included the widow. The etymology of the words used for a widow reveal that the *brāhmaṇa* theologians were not entirely happy with the notion of a woman remarrying. Some of the earlier *dharmaśāstras* use the words *pretapatnī* (*Vasiṣṭhadharmasūtra* 17.55) or *mṛtapatnī* (*Baudhāyanadharmasūtra* 2.2.4.7) or *apati* (*Gautamadharmasūtra* 18.4) to describe a widow. All three words denote a woman who is married to a dead man or a woman who is without her husband. Therefore, whether the husband was dead or alive does not appear to have been important. This indicates the growing opinion among the *śāstrakāras* that a woman could be married only once.

⁵⁸ *Manusmṛti* 9.75. However, in the next *śloka*, it recommends that if a man goes on a journey to fulfil some duty, his wife is to wait for eight years, if he goes to obtain learning and fame then six years, for pleasure three years (9.76). But the *smṛti* does not clarify what the wife is supposed to do after that: whether she should go to look for him, take another husband or go on maintaining herself by crafts.

⁵⁹ See above, and *Arthaśāstra* 3.2.26-8,33. Remarriage of the widow is taken into consideration when the settlements of the debts of the dead man are considered. The *Bṛhaspatismṛti* and the *Yājñavalkyasmṛti* maintain that the dead man's debts devolve onto the man (*yoṣidgrāha*) who takes (*grahaṇ*) the widow (11.52 and 2.51 respectively). See also *Nāradasmṛti* 2.13.18-21.

suggesting in one passage that the child belongs to the husband and elsewhere, that the child belongs to the possessor of the seed.⁶⁰ The *dharmasūtra* of Gautama states that a child begotten at the request of a living husband belongs to the husband.⁶¹ Then, by implication, a widow's son, born after *niyoga*, would belong to the begetter/biological father. There appears to have been three distinct views on this issue. According to some, if there had been an arrangement between the begetter and the husband or the elders in charge of the widow, then the child belonged to the husband. The second view was that the child belonged to both the begetter and the wife/widow's husband and husband's family. And the third view was that the child born of *niyoga* belonged to the biological father alone.

If indeed there were doubts regarding the benefits of a *niyoga* son, then the very purpose for which this custom had been started was called into question. *Niyoga* had never been for the benefit of the widow, but for the benefit of her dead husband's family. But gradually the efficacy of a *kṣetraja* son came to be questioned. It was no longer enough to just have a son, the son had to be an *aurasa* son in order to be a true descendant of his father and to render spiritual benefits to his father's ancestors. If the son's position/status as the true descendant of the widow's husband's lineage was in doubt, there was no need for this custom to continue, even if it meant not utilizing the wife/widow's reproductive potential. For, the widow's procreative potential was a means to an end, not an end in itself.

Similarly, widow remarriage was discouraged due to fundamental changes in Brahmanical perception. Previously it had been necessary to utilize a woman's reproductive capacities to the full, particularly at a time when infant mortality and post-parturition mortality must have been high. Therefore, if a woman was given in marriage to a family, and her husband died, it was acceptable for her to remarry from among her brothers-in-law, *sagostras* or *sapiṇḍas*. But gradually, the purity of lineage and caste assumed greater importance than merely utilizing the reproductive functions of women. This found expression in the doctrine of *pativrata* and the increasing emphasis on the chastity of the wife. For example, the *Manusmṛti* recommends:

When her husband is dead she may fast as much as she likes, living on auspicious flowers roots and fruits, but she should not even mention the name of another man. She should be

⁶⁰*Manusmṛti* 9.42-43, 48-52. See also 9.145-6.

⁶¹ *Gautamadharmasūtra* 18.10-1. The *Vasiṣṭhadharmasūtra* argues that the son of an widow who has not been appointed belongs to the begetter/biological father. But if the widow has been appointed, then the son belongs to the dead husband and the begetter/biological father (17.63-5). The *Nāradaśmṛti* expresses the opinion that sons born to a woman, who has not been appointed, do not share in their mother's husband's estate. They are the sons of their begetter, offer funerary rites to the impregnator, and share in his estate (2.13.18). The *śmṛti* continues that if the mother has been paid for her favours, the son has to offer funerary rites to his begetter. If not, then to her (dead) husband (2.18.19). The *Āpastambadharmasūtra* appears to reject *niyoga* on the ground that the spiritual benefit rendered by a *kṣetraja* son goes to the biological father (2.6.13.6). See also *Manusmṛti* 9.53; *Gautamadharmasūtra* 18.13; *Nāradaśmṛti* 2.12.58; *Yājñavalkyaśmṛti* 2.127 and P. V. Kane, 1941, pp. 605-6.

long-suffering until death, self-restrained, and chaste, striving to fulfil the unsurpassed duty of women who have one husband.⁶²

It is apparent from these strictures that the widow was initially viewed as a potentially procreative category. However, when the imperatives of caste and lineage became as important as the reproduction of sons, widows were no longer seen as future mothers. They were transformed into a non-procreative category. The contradictory pronouncements of the *dharmasāstras* reflect this period of transition of the widow from a potential procreatrix to a non-procreatrix.

5.4. Celibacy or ritual death for the non-procreative widow: the problem of her sexuality and kin status

If a widow could not undertake *niyoga* or remarry, what were the options available to her? Once the disadvantages associated with these two customs were perceived, Brahmanical discourse had to include viable alternatives to the widow. It gradually came up with two choices: as the *Viṣṇusmṛti* explains, a widow could either lead a chaste and celibate life or join her husband on his funeral pyre.⁶³ But this recommendation of *sañi* as an option is rare among the *dharmasāstras*. For the only other *sāstrakāra* to refer to this practice at all or recommend it is Bṛhaspati.⁶⁴ Vidya Dehejia comments that a possible reason for the rejection of *sañi* in the earlier texts could have been the Vedic and early classical expectations of women's roles which emphasized progeny. Immolating a fertile women would violate dominant expectations.⁶⁵ However, Vijñāneśvara, a late commentator on *Yājñavalkyasmṛti*, approves the practice of *sañi*.⁶⁶ He quotes the same verse from *Viṣṇusmṛti* cited above but adds that the woman/widow can obtain great merit (*abhyudaya*, 'prosperity' because of the merit acquired by cremation along with the husband) from ascending the funeral pyre with her husband. He illustrates his argument with legends and stories to emphasize the merit supposedly gained by the *sañi*. He cites extensively from Śankha, Aṅgīrasa and Hārīta and concludes:

One who becomes afflicted when her husband is afflicted, who feels delighted when her husband is delighted, who, when her husband has gone abroad, remains without a adornment and becomes emaciated and who, when her husband dies, dies, that woman should be regarded as a *pativrata*.

The *Mitākṣarā* continues that, by its time, it is generally accepted that *sahamaraṇa/anugamana* is the general duty of all women whose husbands have died. It concludes that for women who desire

⁶² *Manusmṛti* 5.157-8. See also the earlier part of this chapter.

⁶³ *Viṣṇusmṛti* 25.14.

⁶⁴ *Bṛhaspatismṛti* 24.11,8.

⁶⁵ Vidya Dehejia cited in W. Menski, 1998, p. 76.

⁶⁶ *Mitākṣarā* on *Yājñavalkyasmṛti* 1.86.

to obtain heaven, *anugamana/sahamaraṇa* is proper (apart from some exceptions such as women who are pregnant, women who are nursing their children and *brāhmaṇa* women). Narrative texts too, gradually include examples of *sañī*. The *Mahābhārata* records the stories of Mādri, the wives of Vasudeva and of Kṛṣṇa, who join their husbands on their funeral pyre.⁶⁷ Kālidāsa recounts the story of Ratī, who is grief-stricken at the death of her husband and desires to throw herself on his burning body.⁶⁸ However the most concise treatment of *sañī* is found in the *Strīdharmapaddhati* of Tryambakayajvan. Although a product of the mid-seventeenth century Maratha court of Tanjore, it is based on the *śāstras*. Therefore, a brief survey of what it has to say on *sahagamanavidhiḥ* or the practice of literally ‘going with the husband’ would be pertinent. The author of this text (meant for women) obviously supports the practice of *sahagama* for women and cites two *ślokas* in support. The first one, ‘May you be one who accompanies her husband (always,) when he is alive and even when he is dead’, is also found in the *Skanda Purāṇa* (III.2.7.52). The second one, ‘If, when her husband has died, a woman ascends with him (*samārohe[t]*) into the fire, she is glorified in heaven as one whose conduct is equal to that of Arundhatī’, is cited in the *Mitākṣarā* on *Yājñavalkyasmṛti* 1.86 and ascribed to Śankha. Tryambaka considers the objection that *sahagama* is a form of suicide and therefore, not to be recommended and dismisses it. He argues that the prohibition on suicide is a general rule (*sāmānyavacana*) and is therefore, open to modification by supplementary rules giving the exceptions to it (*viśeṣa*). Some of these exceptions are the suicide of an ascetic who kills himself in order to go to heaven, the deliberate courting of death by a warrior in battle and the self-immolation of the widow on her husband’s funeral pyre. Tryambaka further argues that the practice of dying with the husband is a *kāmya* and not a *naimittika* act. It is recommended for women because it brings great rewards. He outlines some of the rewards in store for the widow who dies in such a manner. He finally considers the prohibition of this act to *brāhmaṇa* women and concludes that the practice of dying with one’s husband is applicable to all women whether *brāhmaṇa* or not.⁶⁹

Celibacy, the other option available to the widow after the discontinuation of *niyoga* and remarriage, is also celebrated in the Brahmanical texts. According to the *Bṛhaspatismṛti*, a wife who practises religious austerities, fasts, preserves her chastity and is self controlled and liberal,

⁶⁷ *Mahābhārata* 16.8.24-5,71. In the *Rāmāyaṇa*, Tārā, the widow of Vālin, decides to fast to her death at the place where Vālin lies dying (4.21.25). Later she is persuaded not to.

⁶⁸ *Kumārasambhava* 4.33,45,35-6,20-2.

⁶⁹ *Strīdharmapaddhati* 42r.3-45r.5; 42r. 4-5; 42r.5-6; 42r.8-42v.8; 42v.5-6; 42v.6; 42v.6-7; 42v.7-943r.1-2; 43r.4-5; 43r.5-6; 43r.6-7; 44v.3-4; 44v.4-5; 44v.9-45r.1; 45r.5. All translations and citations from J. Leslie, 1995, pp. 291-298.

always goes to heaven regardless of whether she has a son or not.⁷⁰ The *Manusmṛti* had already emphasized this point and in fact went to the extent of admitting that many *brāhmaṇas* who have been *brahmacāriṇs* from boyhood (*kumāra-brahmacāriṇām viprāṇām*) go to heaven without begetting sons.⁷¹ The *Bṛhaspatismṛti* continues that the widow should recite the *dhumavāsānika* prayer in the evening, bathe frequently, and pay no regard to dwelling, food, or clothing after her husband's death.⁷² Thus, some of the *smṛtis* emphasize that even a childless widow can go to heaven if she leads a virtuous and chaste life. This was important, as the attainment of heaven as the reward for celibacy was promised in spite of the obvious shortcoming of not having a son.

According to the *Strīdharmapaddhati*, the primary option available to the widow is to die with her husband. But, if for some reason she cannot do so,⁷³ she has to lead a life of virtue. 'For, if her virtue is lost, she falls down (to hell). More importantly, her loss of virtue (*śīlam*) causes her husband to fall from heaven (*svargāt patiḥ patati*; that is into hell), and her parents and brother too.'⁷⁴ Tryambaka then outlines how a widow is supposed to behave: for the rest of her life she has to remain celibate and be subdued, avoid the ornamentation and the outward signs of happiness of the married woman, mortify her body by living on flowers, roots and fruits, eat once a day, perform severe fasts, wear undyed garments, not wear bodices or perfumes or unguents, not bind her hair on the top of her head, sleep on the ground, and not mention the name or have any sort of contact with another man. Even after her husband's death, a widow should continue to be devoted to her husband. If she is sonless, she could make daily offerings to her husband or to his father and grand-father or she could make offerings to Viṣṇu, providing it did not interfere with her meditation on her late husband.⁷⁵ Leslie comments: 'In fact, her lifestyle is repeatedly compared with that of the ascetic or Vedic student. ... In other examples, the parallel is made by specifically by calling the widow's way of life (*vidhavāvrata*) "renunciation"... or, in the widest sense, "the celibate life". But the widow may never leave home as a true renunciate.' Tryambaka reiterates

⁷⁰ *Bṛhaspatismṛti* 24.10. See also *Viṣṇusmṛti* 25.14 which prescribed celibacy or *sañi* (mentioned above).

⁷¹ *Manusmṛti* 5.159-60. See also previous section.

⁷² *Bṛhaspatismṛti* 25.71. But this verse appears suddenly out of context and the translator Jolly admits that the meaning of the verse is not clear. The *Yājñavalkyasmṛti* (1.75) which also recommended chastity, has been mentioned before.

⁷³ The reasons being her own pregnancy, her periods or the care of small infants. See *Mitākṣarā* on *Yājñavalkyasmṛti* 1.86. See also *Raghuvamśam* 19.54-6. These verses refer to the death of the king and make it apparent that his widowed queen is obliged to keep away from the funeral pyre of her husband because she is pregnant.

⁷⁴ *Strīdharmapaddhati* 45r.7-8. All translations and citations from J. Leslie, 1995, p. 298.

⁷⁵ *Strīdharmapaddhati* 45r.9,45v.10; 45r.1-3; 46r.6-8; 46r.545v.4-5; 45v.10-11; 45v.11-46r.1; 45v.5-6; 45v.7-8; 45v.9-10. All translations and citations from J. Leslie, 1995, pp. 299-300.

this point when he writes that a widow who lives independently after the death of her husband incurs condemnation.⁷⁶

The two paths—celibacy and that of the *sañ*—prescribed for the widow after *niyoga* and remarriage are discouraged, could not have been suitable options, especially for a young and sonless widow in the prime of her sexual and reproductive life. Therefore, Brahmanical texts also address the problem of the perceived active sexuality of the young widow.⁷⁷ The unharnessed sexuality of the widow would have been a contentious issue to the *śāstrakāras*. When widows are discouraged from bearing children, their dangerous sexuality could not be transformed into auspicious fertility. The sexual danger that comes to be associated with a widow is aggravated by her ambiguous kinship status and the lack of comprehensive laws relating to her inheritance. The system that appears to have been common, particularly among the higher castes, is that of patrilocal residence and patrilineal inheritance. Patrilocality could and in most cases did include virilocality, that is the husband stays with his father after his marriage. Thus, after the husband's death, where is the widow to stay and who is to be in charge of her welfare? In the study carried out in contemporary India, 85% of the widows continued to live in their dead husband's home after his death, but did not share a common hearth with the in-laws.⁷⁸ This appears to have been the case in the past too. The *Nāradaśmṛti* writes that the husband's family is to be given the charge of his sonless widow. They have the authority to appoint, protect, and maintain her. If the husband's family is extinct, or is destitute or is devoid of males, then her father's family is her master. In the absence of both families it is up to the king to maintain her and to prevent her from going astray.⁷⁹ According to the *Bṛhaspatismṛti*, if the widow inherits her dead husband's property, she has the duty of performing his monthly, six-monthly and annual *śrāddhas*, propitiating his ancestors with funeral oblations, looking after her husband's paternal uncles, *gurus*, daughter's sons, sister's sons, and maternal uncles, and making generous donations to old and helpless people, guests, and women (belonging to the dead husband's family).⁸⁰ But the

⁷⁶ J. Leslie, 1995, pp. 299-300. See also J. Leslie 1991b, pp. 49,51,55-7. Leslie continues that essentially there were two paths available to the widow, *sañ* and that of the widow-ascetic. Both were sanctioned by the *śāstras*. The heroic path of ritual suicide was seen as more appropriate for the warrior class, the ascetic path more appropriate for the *brāhmaṇas*.

⁷⁷ The *dharmasāstras* do not openly address this issue but there are some hints about the sexual threat posed by the widow. The *Arthaśāstra* recommends the use of attractive young widows to entice men and sow dissent among the chiefs of an enemy oligarchy (11.1.42). The *Yājñavalkyaśmṛti* states that if a man wantonly consorts with a widow, he is to be fined a hundred *pañas* (2.234). The *Kāmasūtra* (which, of course, belongs to a different genre of texts) recognizes the widow/remarried woman as a suitable partner for an extra-marital sexual relationship. It also refers to them living as the mistresses of kings and wealthy men (1.5.3, 4.2.39,42-5)

⁷⁸ M. Chen and J. Dreze, 1992, p. 14.

⁷⁹ *Nāradaśmṛti* 2.18.27-9.

⁸⁰ *Bṛhaspatismṛti* 25.50-1. Elsewhere, the *śmṛti* clarifies that when a man dies, the *piṇḍa* and water oblations have to be offered by his son; in his absence, the widow could do so as well (25.65-6).

widow's natal family is also deemed important. For example, a widow's natal kinsmen have to grant permission for *niyoga* (see before) and provide maintenance if her husband's family is unable to do so. The *Yājñavalkyasmṛti* argues that a woman without a husband (*bhartṛ vinā*, this could denote a widow or a woman whose husband is temporarily away) should keep the company of her father, mother, son, brother, mother-in-law or her maternal uncle, or she becomes liable to censure.⁸¹ Nevertheless, it appears that the widow usually continued to live with her conjugal family. There, her presence, on the one hand, reinforced the sense of loss experienced by her husband's family at his death and, on the other, introduced her as a potential sexual threat to the younger males of the family. Therefore, the widow came to be regarded as a disruptive and, later on, an inauspicious influence.⁸² This also could have been the reason why tonsuring was introduced (though this was a much later phenomenon). In addition to mortifying the body, tonsuring, it was hoped, would transform the widow into a non-sexual person (in addition to reinforcing her celibate status and ascetic association) and thereby diminish the sexual threat she posed to her agnatic kin.

The problem of the widow is compounded by the fact that most *śāstrakāras* do not make adequate provisions for her maintenance. The *smṛtis* of Baudhāyana and Āpastamba reject a widow's claim to a share of her husband's property. The *Nāradaśmṛti* believes in the succession by the brothers to a dead man's estate, even though his childless wives are alive. At the most, the brothers are asked to maintain these wives, provided they remain chaste and celibate.⁸³ This would mean that ordinarily a widow could not inherit. The *Manusmṛti* is even more categorical.⁸⁴ But some *dharmaśāstras* include provisions for the widow. The *Bṛhaspatismṛti* is adamant that the widow should inherit the property of her dead husband:

Although kinsmen (*sakulyas*), although his father and mother, although his uterine brothers be living, the wife of him who dies without male issue shall succeed to his share.

⁸¹ *Yājñavalkyasmṛti* 1.86.

⁸² Tryambaka addresses the issue of impurity and inauspiciousness associated with widows and quotes several examples. But he is of the opinion that these passages refer to the widow who does not behave as she ought to. If the widow follows the prescriptions laid down for her, she is, according to Tryambaka, both happy and auspicious. All translations and citations from J. Leslie, 1995, p. 303. Tryambaka's explanation is rather simplistic for impurity and inauspiciousness came to be associated with all widows irrespective of their behaviour. However, there are no references in the *dharmaśāstras* to indicate that widows were considered inauspicious. Although, some narrative texts recount the custom of keeping widows away from auspicious occasions (*Kumārasambhava* 4.1 and *Svapnavāsavadattam* Act 3).

⁸³ *Nāradaśmṛti* 2.13.25. See also 2.13.49 and *Manusmṛti* 9.188-9 for the rule of escheat to the king of the property of a man who dies without relatives even though he is married. In *Abhijñānaśakuntalam* there is a reference to the merchant Dhana-Vṛedhi who dies. Duḥṣanta, in a compassionate mood, enquires whether any of his wives are pregnant. If so, he orders the merchant's property to be kept for the son instead of being escheat to the king (6.25). This shows that the property of a man who died without relatives was escheat to the king. Evidently the man's widow did not count as his relative.

⁸⁴ According to the *Manusmṛti*, the father and brothers share the estate of a man who has died without a son, even though he has a wife (9.185).

...but if the husband dies before the wife, she takes his property if she has been faithful to him. This is the eternal law.⁸⁵

The author's logic is that since the wife is recognized as half of her husband's body, as long as she is alive, nobody could take his property. The *Yājñavalkyasmṛti* also supports the idea of a sonless widow inheriting the property of her dead husband.⁸⁶ Although theoretically the widow is granted certain rights to her husband's property in the later *smṛtis*, it is impossible to conclude whether she enjoyed them in practice.

Summary

Previous scholarship on the widow emerged under the shadow of colonialism and nationalism. It remained focused on a decontextualised interpretation of four issues—the remarriage of widows, the *safī*, *niyoga* and the tonsuring of widows. While these issues were important then and some remain significant even today, it is necessary to move away from a preoccupation with the legal aspects of these issues. I have shown that these issues were important in the context of Brahmanical discourse's concern with the procreative abilities of the (young and sonless) widow. Initially remarriage and *niyoga* were allowed and the widow was viewed by the texts as a procreative category. However, *niyoga* and remarriage were gradually discouraged. Due to changes within Brahmanical thought, the producing of children became less important than reproduction that ensured the purity of caste and patriline. The widow ceased to be viewed as a potential mother and came to be seen as a non-mother. However, the problem of the young widow's sexuality remained. The texts attempted to deal with this problem through the encouragement of celibacy, *sahagamana* and tonsuring for widows. Above all, the Brahmanical texts of this period are ambiguous on the subject of the young widow as they reflect a transitory phase from the 'usefulness' of the widow to the 'uselessness' of the widow as procreatrix. Later texts like that of Tryambaka show more clearly what emerged out of this phase of transition.

⁸⁵ *Bṛhaspatismṛti* 25.46-49,55. But the widow could not inherit immovable property. 'A wife, though preserving her character and though partition has been made, is unworthy to obtain immovable property. Food or a portion of arable land shall be given to her at her will' (25.53-4). According to *Vasiṣṭhadharmasūtra*, the wives of dead kings should receive food and clothes; or if they are unwilling, they could depart (19.33-4). According to the *Arthaśāstra*, when the husband dies, the widow immediately receives all endowments, ornaments and the remainder of the dowry, but only if she leads a life of piety and chastity (3.2.19). But if, after receiving these, she marries again, she has to return everything with interest (3.2.20).

⁸⁶ *Yājñavalkyasmṛti* 2.135-6. The *Mitākṣarā* supports this injunction and quotes extensively from Vṛddha Manu, Vṛddha Viṣṇu and Bṛhaspati, though it agrees that views to the contrary are to be found in Nārada, Manu and Śankha. In contemporary India, women as daughters have rights in their father's property. But when they get married they lose their status as a co-parcener in their natal households. But if their husbands are uxorilocal residents they retain this right. Most importantly, although widows have rights in their husband's estate, they are use rights as opposed to ownership rights. See M. Chen and J. Dreze, 1992, pp. 15-6.

Chapter Six

THE SOCIAL REJECTION OF MOTHERHOOD AND THE CONSTRUCTION OF THE NON-MOTHER: THE *VEŚYĀ* AND THE *PARIVRĀJIKĀ*

As has been shown, Brahmanical discourse consciously or perhaps unconsciously constructed and classified women according to their sexuality, specifically their reproductive abilities. In this construction the highest accolades were reserved for the institution of motherhood. The mother was seen as the procreatrix who had fulfilled a woman's primary function by ensuring reproduction. Wives and daughters were potential mothers waiting to fulfil their designated role. But procreation in order to be successful under Brahmanical terms had to be within the confines of marriage, which established family/lineage ownership of a woman's body and her reproductive services. Therefore, marriage assumed importance as an institution not only for establishing kinship and exchange relations, but also for regulating and ensuring the sexuality and sexual services of a woman for one man. Within marriage, in the interests of caste and lineage purity, conjugal fidelity on part of the wife was emphasized. She was expected to be *ekapatnī*, not to indulge in adulterous intercourse, and to 'know' no other man except her husband. It was this preoccupation with caste and lineage purity that later led to the gradual discouragement of widow remarriage and *niyoga* and the widow was transformed into a non-mother.

Included in this discourse, though ostensibly not a part of it, were some other women. Like the mother, the wife, the daughter and the widow, these women were also classified on the basis of their sexuality and reproductivity. But they were characterized by qualities opposite to that of a procreatrix and potential procreatrix. Within this group were included women whose sexuality and sexual services were either available to all, that is to the public (contrary to dharmaśāstric injunctions), or to no one at all (in which case their ability to reproduce could not be utilized for the benefit of society). Because of their sexual accessibility/inaccessibility, such women were regarded as non-procreative, even though they were biologically capable of reproduction. They were also women who were independent (*svatantrā*) and, contrary to *Manusmṛti* and the others, lacked male kin control (see chapters three and four). Forming a part of this broad category were the *veśyā* (usually translated as 'prostitute' or 'courtesan') and the *tāpasī* (translated as 'woman ascetic'). The former is more clearly defined in the texts, while the latter is more problematic. In the first part of this chapter, I concentrate on the *veśyā* and discuss previous scholarship on 'prostitution' in ancient India and its shortcomings. Then I argue, through an analysis of terms used, that the *veśyā* was defined more by her sexual behaviour than by monetary exchange. In the subsequent sections, I demonstrate how this emphasis on the sexual behaviour of the *veśyā* along with her association with the 'public sphere' transformed her into a socially non-procreative and non-kin category. The second part of the chapter discusses the *tāpasī* and undertakes, first, an examination of the various types of woman ascetics in ancient India. Then it focuses on the

independent, wandering, renunciatory woman ascetic, the *parivrājikā*, and analyses whether this form of asceticism was condoned by Brahmanical discourse.

6.1. *The prostitute in ancient India*

The subject of prostitutes/courtesans in ancient India does not appear to have interested many historians. Of the few works that are available, Moti Chandra's *The World Of Courtesans*,¹ although a descriptive account of prostitution in ancient India as recorded in various texts, is the most authoritative. It is a collation of the information from the texts on the origin, sources, classification, economic rights and privileges and the social 'status' of prostitutes. There are two more descriptive articles on this subject by Sternbach² on prostitution as depicted in the *Arthaśāstra* and by Bhattacharji on prostitution in ancient India.³ Sternbach discusses the various terms used for prostitutes in the *Arthaśāstra*, their meanings and the legal and economic rights of prostitutes as portrayed in the text. Bhattacharji focuses on the origin of prostitution, the economic and social status and the vilification of prostitutes in didactic texts.

Two important drawbacks in the existing literature pertinent to this study may be pointed out here. First, the courtesan/prostitute in ancient Indian texts is treated in isolation. There is no attempt to situate the courtesan within the general discourse on women in ancient India.⁴ This trend is endemic. There is a flood of literature on women in ancient India (that is on women as wife, mother, daughter, and widow), however, very few of them include prostitutes within the general category 'women'.⁵ Altekar has little to say about them beyond this:

...courtesans had a peculiar position in ancient India. As persons who had sacrificed what was regarded as specially honorable in a woman, they were held in low estimation...but society treated them with some amount of consideration as custodians of fine arts which had ceased to be cultivated anywhere in society.⁶

Some scholars of social history do include courtesans in their accounts of the status of women in ancient India, but usually under sections entitled 'morality'.⁷ Are historians unconsciously reflecting the bias of ancient Indian textual traditions, which constructed the courtesan as a category in opposition to the good wife and mother, without understanding the basis or social

¹ M. Chandra, 1973. S. Sinha and N. Basu also discuss the history of prostitution in ancient India, but their history lacks proper textual references and displays a reforming zeal (1933). H. Chakladar's study of social life in Vatsyāyana's *Kāmasūtra* suffers from a similar drawback and merely rephrases chapter six of *Kāmasūtra* to provide an account of courtesans in ancient India (1954).

² See L. Sternbach, 1951, pp. 25-60.

³ See S. Bhattacharji, 1987, pp. 33-60.

⁴ Even Chakladar's study (1954), which focuses on society in the age of the *Kāmasūtra*, does not include an account of the activities of the courtesans in its description of the general status of women in society. The courtesans are discussed in a totally separate section: chapter three. This seems to be an attempt to keep the 'good woman' and the 'bad woman' apart, even in the pages of a book.

⁵ For example, see S. Sastri, 1953; R. Dikshit, 1964; Manjushree, 1990. None include prostitutes in the category women.

⁶ A. S. Altekar, 1938, pp. 181-2.

⁷ For example, see Y. Singh, 1981, pp. 75-102 and B. S. Upadhyaya, 1968, p. 213.

meaning behind the construct? Or are their works informed by current notions of prostitutes as degrading and, therefore, not to be included with good wives and mothers?

Second, most historians have remained concerned with the 'status' of prostitutes in ancient India. The first to express this academically was Meyer who remarked: 'The Hindu has always sung the praises of the 'public' woman as the very type and embodiment of perfect womanhood'.⁸ Before Meyer, colonial officers had expressed their surprise at the high position occupied by the prostitute in contemporary Indian society. One commented: 'The life of a professional courtesan in India is not of the same degraded character as that of a prostitute in England, nor are prostitutes as a class looked down upon by other sections of the community...they are not the same objects of mingled aversion and commiseration as persons who resort to a similar means of livelihood in more civilized countries.'⁹ Even now, many scholars continue to argue that, notwithstanding the *smṛti* strictures, *veśyās* once had and indeed still have a respected position in society.¹⁰ Thus, N. Bhattacharya writes:

Roughly from the beginning of the Christian era, prostitution came to be looked down upon but it took many centuries to dislodge them from their higher social position. In early Buddhism prostitution was accorded a high place and the social utility of prostitutes... was recognized with respect... . In Kauṭilya's time an ambivalent attitude towards prostitution must have developed, but that was not sufficient to overthrow them from their privileged position.¹¹

On the other hand, some historians have focused on the low position of prostitutes in the *smṛtis*. The recommendation of the *smṛti*'s that food offered by prostitutes was unacceptable and that one needed to perform the *prājāpatya* penance after visiting a prostitute have been duly quoted as examples of the kind of social vilification that prostitutes faced.¹² Others have preferred a psychoanalytical explanation for the low status of prostitutes in society.¹³

In my opinion the debate about the high or low status of prostitutes is simplistic. It is more relevant to view prostitutes and courtesans as part of the general discourse on women in ancient India, notwithstanding the reticence of the *smṛti* texts on this subject. A close reading of the *smṛti* texts reveals that *veśyās* were constructed as the 'other' and demarcated from mothers, wives, daughters on the basis of the criteria which were the opposite of those used to establish the 'wife'

⁸ J. Meyer, 1930, vol. 1, p. 264.

⁹ Home Judicial File no. 48, p. 1145, cited in R. Chatterjee, 1992, p. 7.

¹⁰ Such views have found support in recent writings on prostitution in modern India. Scholars argue that it was British colonialism that drastically affected the status of prostitutes in Bengal and Lucknow, turning them into virtual outcasts, whereas previously they had enjoyed the high esteem of indigenous society. See R. Chatterjee, 1992, pp. 1-8 and V. Talwar-Oldenburg, 1990, p. 284.

¹¹ N. Bhattacharya, 1975, pp. 94-5.

¹² See S. Bhattacharji, 1987, pp. 43-54.

¹³ Obeyesekere, explaining the vilification of prostitutes (1984, p. 454), argues that a male may be inhibited in his sexual relations with his wife because of the equation 'wife-mother' and the incest taboo. So he turns to the harlot to satisfy his sexuality. Cited in K. Young, 1987, p. 90. Young continues: '...then one may surmise that association with harlots and their impurity because of lack of chastity may have instilled a sense of anxiety on part of the upper-caste male...' (1987, p. 90).

and the 'mother'. Unlike the sexually faithful potential and actual procreatrix, the prostitute in ancient India was defined as *sarvagamyā*¹⁴ (approachable by all and therefore, sexually unfaithful) and non-procreative. In fact, ancient Indian prostitution had a constructed social meaning that had developed in opposition to that of wifehood and motherhood. If the mother and the wife/daughter were the norm, the *veśyā* was certainly the deviant. They represented the reverse side of the same discourse. The definition of deviancy was intended to reinforce the normal. Prostitution in ancient India was, therefore, associated with a particular kind of sexual and reproductive behaviour. This is apparent from the meaning and context of the words used to denote a prostitute; from the fact that marriage did not prevent a woman from being branded a prostitute/unchaste woman if she was unfaithful; from the designation of a prostitute who lived with a single man for some time (*avarodhā*, *bhujjīṣyā*) as 'wife-like' since she was sexually monogamous for a certain period; from myths regarding the origins of prostitution which were not merely risqué but delightful products of Brahmanical imagination, but which focused on a woman's promiscuity in labelling her as a prostitute; from the relegation of such women to the public sphere and the inclusion of dancers (*nartakī*), actresses (*naṭī*) and women workers (*śilpakārikā* and *kaśīkastrī*) among them; and, most important, from the wide-spread refusal to recognize their reproductive role. The Brahmanical construction of a prostitute needs to be interpreted within this framework.

6.2. Monetary transaction or sexual polygamy: the definition of a *veśyā*

Prostitution is generally defined as the exchange of money or valuable materials in return for sexual activity and the relatively indiscriminate availability of such a transaction to individuals other than spouses or friends. In ancient Indian Brahmanical discourse, prostitution did not necessarily involve monetary transaction. Exchange of sex for money was recognized by some texts, particularly the *Kāmasūtra* and the *Arthaśāstra* (see below). Nevertheless, in a society that defined and attributed social value to gender roles according to premarital virginity, conjugal fidelity and motherhood, the sexual accessibility of a woman was of primary importance in labelling her as a prostitute. Almost all legends and myths emphasize that a wife (a potential mother) was expected to be faithful to one man—her husband—and placed a premium on premarital chastity and post-marital fidelity. In contrast, all the myths regarding the origin of prostitution emphasize multiple or at least more than one sexual relationship. The legends about the *apsarases*, the divine counterparts of the human courtesan, convey a similar impression. Some of the origin myths are discussed below.

The most interesting story is recorded in the *Mahābhārata*. It is the tale of Dīrghatamas, the blind seer, who apparently disgusted his wife and contemporaries by his unnatural sexual

¹⁴ I borrow this phrase from Meyer, who refers to prostitutes as 'public women' or *nārī prakāśa sarvagamyā* but does not give any textual reference for this phrase (1930, vol. 1, p. 264).

activities. Finally, abandoned by his sons,¹⁵ he ordains that women are to have sexual intercourse with one man only. However, if women (particularly wives and those who are unmarried) do have several sexual liaisons, then the men involved have to give them money. But such women could not profit from the pleasure, for such sexual adventures would bring dishonour and shame to them.¹⁶ While this story establishes that the exchange of money was an important aspect of prostitution, it also emphasizes that a woman's sexual behaviour, particularly her sexual polygamy, was important in characterizing her as a prostitute.

The *Matsya Purāṇa* (a later text) narrates that Kṛṣṇa curses his wives to be raped by robbers and reduced to a state of shame from which they would be rescued by Dālbhya. Apparently, Kṛṣṇa's wives, in their previous birth, had been Hutāśana's daughters, cursed by Nārada that they would be raped and forced to take to prostitution.¹⁷ It appears that since Kṛṣṇa's wives had been raped (through no fault of theirs) and therefore, had sexual intercourse with more than one man, they were doomed to lead the lives of prostitutes. A similar story is recounted by Dālbhya in the same chapter of the *Matsya Purāṇa*. Here *asura* women are raped and subsequently advised by Indra to work as prostitutes in the king's palace or in the temple. They are asked to provide sexual services to men who visit them with fees, and to entertain *brāhmaṇas* free of charge on Sundays. Among the *smṛtis*, only the commentary *Mitākṣarā* discusses the origins of prostitution. It suggests that there is a *veśyā* caste that derives its livelihood from sexual intercourse with men (*puruṣa saṁbhoga vṛttir veśyātī*) and quotes the *Skanda Purāṇa*:

There were certain *apsarases* called Pañcacuḍā; their offspring is known as the *veśyā* who are regarded as the fifth 'caste' (*jāti*). They are not obliged to marry and remain faithful to one man. Therefore, if they go (for sexual intercourse) to men of an equal or superior class (*samāna utkṛṣṭa puruṣa abhigamane*) there is no sin, nor (is any) penalty (incurred)...¹⁸

The legend in the *Rāmāyaṇa* regarding the origin of the *apsarāses*, the celestial courtesans, is equally pertinent. While the *Manusmṛti* credits the seven Manus with the creation of the *apsarases*¹⁹ and the *Mahābhārata* designates them as the offspring of Prāvā,²⁰ Viśvāmitra in the *Rāmāyaṇa* tells Rāma that at the churning of the ocean of milk:

¹⁵ *Mahābhārata* 1.98.19.

¹⁶ *Mahābhārata* 1. App. 56.11-7.

¹⁷ *Matsya Purāṇa* chapter 70. Cited in M. Chandra, 1973, pp. 6-7. A version of this story is found in the *Mahābhārata*, but the story here ends with the capture of the Andhaka-Vṛṣṇi women by the robbers and Arjuna's dejection at his inability to prevent their abduction. It does not refer to the subsequent fate of the women (16.8.38-9,44-9,57-61). The elaboration of the *Mahābhārata* story in the *Purāṇa* demonstrates the increasing crystallization of Brahmanical thought on prostitution as defined by the sexual activities of the women.

¹⁸ *Mitākṣarā* on *Yājñavalkyasmṛti* 2.290. The *Mitākṣarā* continues to cite the *Skanda Purāṇa* and states that *veśyās* have been present for a long time. They earn their livelihood from sexual intercourse with men. Originally, they were courtesans called Pañcacuḍās, who lived in the city of gods. During a performance they insulted the sage Durvāsa, who cursed them to live on earth. When these women came down to live on earth, being wanton and addicted to sensuality, they sexually serviced the *dvija* castes. The progeny of these women are known as *veśyā* (translation mine).

¹⁹ *Manusmṛti* 1.37.

²⁰ *Mahābhārata* 1.59.46-8.

The first things to appear were the physician Dhanvantari and the resplendent *apsarases*. Since, best of the sons of Manu, these last, the most resplendent of women, were born of the churning in the waters (*apsu*), from the elixir (*rasa*), they came to be known as *apsarases*.

But neither the gods nor the *dānavas* would accept them. So, because they were not accepted, they are said to belong to everyone.

After this, ...Vāruṇī was born ... she, too, wished to be accepted.

Heroic Rāma, the sons of Diti would not accept Śurā, the daughter of Varuṇa, but the sons of Aditi did accept her, for she was irreproachable.²¹

Though divine *apsarases* and earthly *veśyās* cannot be equated, the fact that *apsarases* became 'heavenly courtesans' because they were not irreproachable (in their behaviour?) and because they were seen as belonging to all, is significant.

A consideration of the words used for prostitutes in the texts corroborates that sexual availability was an important distinguishing feature of the prostitute. A number of terms are used to refer to prostitutes in ancient Indian texts. *Sādhāraṇī* or *sādhāraṇa strī* or *sāmānyā*²² literally means a woman who is 'common', 'a woman not possessed by one man'.²³ In Sanskrit dramas, there are three kinds of heroine or *nāyikā*. The first kind is *sviyā* or one's own wife, the second kind is *parakiyā* or one who belongs to another and the third kind is *sāmānyā*. The last is defined as a woman who is common to all, and is categorized as a prostitute.²⁴ The words *sādhāraṇa strī* continue to be used in later texts and lexicons²⁵ in the sense of a woman sexually available to many men. Therefore, the words used for prostitutes in ancient Indian texts allude to their sexual promiscuity. The other synonyms for a prostitute in ancient India also support this argument.

The commonest word for a prostitute is *veśyā*.²⁶ It is frequently used in the *Arthaśāstra*, as well as in the *Kāmasūtra*.²⁷ The origin of the term itself is interesting as it hints at the kind of sexual behaviour implied. According to Bhattacharya, the term comes from the same root as *viśya* and probably denoted a woman who dwelt in a house common to many men.²⁸ However, Sinha and Basu are of the opinion that prostitutes were themselves originally called *viśyā* and were created to minister to the male *viś* or *vaiśya* caste. Afterwards, they were made available to all men

²¹ *Rāmāyaṇa* 1.44.18,20-2.

²² *Sādhāraṇī* is first mentioned in the *Ṛg Veda*, when the Maruts are asked to become associated with lightning in the same way that a young man becomes associated with a *sādhāraṇī* (*Ṛg Veda* 1.167.4); cited in M. Chandra, 1973, p. 2). See also N. Bhattacharya, 1975, p. 36 and S. Bhattacharji, 1987, p. 36.

²³ S. Bhattacharji, 1987, p. 33.

²⁴ S. N. Shastri, 1969, p. 213. See also A. B. Keith, 1924, p. 308.

²⁵ *Mitākṣarā* on *Yājñavalkyasmṛiti* 2.290. See also Hemacandra in *Abhidhānacintāmaṇi*; cited in L. Sternbach, 1951, p. 26.

²⁶ The other synonyms, *gaṇikā*, *rūpaṭvā*, *kumbhadāsī*, *kulaṭā*, *svairiṇī*, *pumścalī*, *naṭī*, *śilpakārikā*, *paricārikā*, *prakāśavinaṣṭā*, *prakaśanārī*, *bandhakī*, are used more to refer to social divisions/ranks within prostitutes as a class, although of course, each is also associated with promiscuous sexuality (see below).

²⁷ The sixth chapter of the *Kāmasūtra*, which is on prostitution, is called *vaiśika* (from *veśyā*). Here *veśyās* (*Kāmasūtra* 6.1.1) are defined as women who approach men sexually to obtain pleasure (*rati*) and the means of livelihood (*vṛtti*). Throughout the text, Vātsyāyana uses the word *veśyā* when referring to prostitutes in general. The *smṛtis* of Nārada (2.18.11-2), Viṣṇu (53.7), and Gautama (22.27) frequently use the word *veśyā* to refer to prostitutes.

²⁸ N. Bhattacharya, 1975, p. 94.

irrespective of caste.²⁹ Others have suggested that *veśyā* is derived from the root *viś*, meaning ‘to enter’, ‘to pervade’. Therefore, a *veśyā* was something or someone who could be ‘entered’ at will. All three definitions provide the connotation of sexual accessibility. In Bhāsa’s *Daridrācārudattam*, when Vasantasenā, a courtesan, refuses to submit to Śakāra, his friend remarks:

This is contrary to the ways of your house (occupation). It is (generally) believed that a prostitute’s house is a refuge to young men. Remember, Courtesan, you are like the creeper that is born by the road ... (so) Woman, equally serve the man you like and the man you dislike³⁰.

The *Mitākṣarā* comments that there is no rule for *veśyās* to marry and remain with one man.³¹ According to the *smṛti* of Nārada, men are freely permitted to have sexual intercourse with *veśyās* (along with some other categories of women) without committing any sin, even if the woman belongs to a caste lower than that of the man.³² Vātsyāyana frankly suggests:

On the other hand, that (i.e. sexual relations) is forbidden with a woman of a higher caste and one previously enjoyed by another, though she be of the same caste. With a lower-caste woman, with a woman exiled from her caste, with a prostitute (*veśyā*) and with a *punarbhū*, sexual relations are neither recommended or condemned because (in such instances) the main aim is pleasure (*sukha*).³³

Therefore, although monetary transaction was important, the *veśyā* was primarily defined as a woman whose sexual services were available to several men. Prostitutes were also designated by some other specialist terms.

A *gaṇikā* was an accomplished *veśyā*, respected by kings and virtuous/learned men. She was an object of universal respect and much sought after by everybody.³⁴ According to the *Arthaśāstra*, she is the best among the prostitutes.³⁵ Originally, the term *gaṇikā* probably derived from the word *gaṇa*, variously translated as a ‘tribe’, an ‘oligarchy’ or an ‘association of men’.³⁶ The *śāstrakāras* frequently mention the *gaṇa* and the *gaṇikā* together in the same *śloka*.³⁷ Therefore, the *gaṇikā* appears to have been a beautiful woman whose charms were regarded as the common property of the *gaṇa* men.³⁸ According to Chanana, it is possible that when a dispute

²⁹ S. Sinha and N. Basu, 1933, p. 29.

³⁰ *Daridrācārudattam* 1.17.

³¹ *Mitākṣarā* on *Yājñavalkyasmṛti* 2.290.

³² *Nāradaśmṛti* 2.12.77.

³³ *Kāmasūtra* 1.5.2-3.

³⁴ *Kāmasūtra* 1.3.20-1.

³⁵ According to the *Arthaśāstra*, a *gaṇikā* can be appointed if she is richly endowed with beauty, youth and arts (1.27.1). The *gaṇikās*, evidently constituted the elite among the *veśyās*. But Sternbach is of the opinion that the primary distinguishing factor between a *gaṇikā* and the other *veśyās* is the fact that the former was a paid servant of the state, while the latter were not (1951, pp. 25-60). From the *Arthaśāstra*, it does appear that the *gaṇikā* was not independent, but usually appointed by the state and supervised by the *gaṇikādhyakṣa*. See *Arthaśāstra* 2.27.19.

³⁶ See J. Brockington, 1998, p. 214 for the association between *gaṇa* and *gaṇikā*.

³⁷ *Viṣṇusmṛti* 51.7; *Mitākṣarā* on *Yājñavalkyasmṛti* 3.290.

³⁸ H. Chakladar, 1954, p. 140.

arose in an oligarchy over a beautiful girl, elders asked her to become a *gaṇikā*, in order to make her ‘accessible to all (*sabbesāmvoharikā*)’ and so prevent infighting.³⁹ These views are supported by Buddhist stories. The *Vinayavastu* of Mūlasarvastivāda records the plight of Mahānāma who, bewildered by the number of suitors for his beautiful daughter Ambapālī and fearing the anger of those who would be rejected, calls a meeting of the *gaṇa*. The *gaṇa*, to prevent fighting among the men, decides that she should be made available to all the men of the *gaṇa*. Consequently, Ambapālī becomes a *gaṇikā*.⁴⁰ The word *gaṇikā*, being derived from *gaṇa*, suggests the plurality of sexual relationships that the woman as *gaṇikā* was expected to have. The meanings of the other synonyms for prostitutes—*rūpajīvā*,⁴¹ *kumbhadāsī*, *rūpadāsī*, and the *gaṇikādāsī*⁴²—are not endowed with much significance.

The connotations of another word used as a synonym for the prostitute also shows how such women were defined by their sexual activities. The term *puṃścalī*, first mentioned in the *Atharva Veda*, occurs frequently in the Brahmanical literature of this period. Derived from *puṃś* (men) and *calī* (moving), it essentially means a woman who runs after men, although it is usually translated as an ‘unchaste woman’ or a ‘woman of bad character’. Chandra is of the opinion that the *puṃścalī* was a ‘low-grade prostitute in the category of a whore’.⁴³ The association of the *puṃścalī* with several men is clear from the following context. During the *mahāvratā* rite of the *gavāyamana* ceremony a student (*brahmacārī*) has to engage in a lewd dialogue with a *puṃścalī*. The student says to her ‘Fie on you, ... a washer of penis of man after man’.⁴⁴ It appears that the *puṃścalī* might not have been a prostitute in the technical and western sense of the term since some *smṛtikāras* mention a *gaṇikā* and a *puṃścalī* separately, but in the same context.⁴⁵ If *gaṇikā* and *puṃścalī* had meant the same, the use of both terms in the same context would have been unnecessary. Therefore, there was a difference in meaning. There is reason to believe that the term

³⁹ D. Chanana, 1958, pp. 306-1. On the other hand N. Bhattacharya argues that the *gaṇikā* was derived from ‘group wives’(?). N. Bhattacharya, 1975, p. 94. See also J. Brockington, 1998, p. 214.

⁴⁰ The *Vinayavastu* of Mūlasarvastivāda and the *Mahāvāgga* 8.1.1. Cited in M. Chandra, 1973, pp. 25-6.

⁴¹ The maximum number of references to the *rūpajīvā* are in the *Arthaśāstra* (1.20.20, 2.32.2, 3.20.15, 2.4.11, 10.1.10, 2.36.8, 2.27.27, 4.13.38, 7.17.38). The *Kāmasūtra* also mentions her in its classification of prostitutes (6.6.54). According to Yaśodhara’s commentary, she is not as accomplished in the various arts as the *gaṇikā*. See also L. Sternbach, 1951, p. 28.

⁴² Yaśodhara on *Kāmasūtra* 6.6.54 explains that the *kumbhadāsīs* are those characterized by lowly tasks (*nikṛṣṭa karnopalakṣaṇam*). According to Bhattacharji, *rūpadāsīs* were unaccomplished but beautiful women in the personal employment of wealthy men, who could, if they desired, entertain other men in their own time (1987, p. 37). Bhattacharji defines a *gaṇikādāsī* as a slave/worker in the establishment of a *gaṇikā*, who was expected to serve male clients sexually, but who could also set herself up as an independent prostitute (1987, p. 37).

⁴³ M. Chandra, 1973, p. 45.

⁴⁴ ‘...*puṃścalī dhik tvā jāraṇ parasya janasya nirmājani puruṣasya puruṣasya śnepraṇajanīty...*’ in *MSS* vii.2.7.13. See also *KSS* xiii .3 .6; *ASS* xxi .17 .18; *VarSS* iii .2 .5 .30; *JB* ii.105. All citations and translation from S. Jamison, 1996, pp. 96-7.

⁴⁵ For example, see *Viṣṇusmṛti* 51.7 and 51.10; *Manusmṛti* 4.209 and 4.220; *Yājñavalkyasmṛti* 1.161-2; *Vasiṣṭhadharmasūtra* 14.2,10

puṃścalī denotes the sexually promiscuous married woman to whom monetary gain is secondary.⁴⁶ Since prostitution is associated with the sexual activities of a woman, *puṃścalī* is used as a synonym for ‘prostitute’ or at least to denote prostitute-like behaviour in a woman.

There are three other common terms for ‘prostitutes’: *bandhakā*, *kulaṭā*, *svairiṇī*. All three terms are problematic and appear to have been used to refer to sexually active married women. They also do not contain any implication of monetary exchange in their definitions. Bhattacharji is of the opinion that the *bandhakā* was a housewife turned whore.⁴⁷ This opinion appears to be confirmed by the context in which the word is used. Kārṇa in the *Sabhā Parvan* says: ‘The gods have laid down that a woman shall have one husband, scion of Kuru. *She* [Draupadī] submits to many men and assuredly is a whore [*bandhakā*].’⁴⁸ Kuntī, when pressed by Pāṇḍu (who was presumably impotent) to have more children, replies: ‘They do not speak of a fourth son even in times of distress; after three she is loose, after four she is a harlot [*bandhakā bhavet*].’⁴⁹ It is impossible to confirm whether the term *kulaṭā* denoted an adulteress or a prostitute or a married woman who had left home to become a public woman.⁵⁰ Literally, it means a woman who destroys her lineage. There was only one way she could do this: by her unsanctioned sexual behaviour. This would affect her reproductive abilities and threaten her lineage with suppositious children. The *Mitākṣarā* explains that a *kulaṭā* is one who wanders from one *kula* to another,⁵¹ while Yaśodhara on the *Kāmasūtra* defines her as one who, out of fear of her husband, goes to another house or has secret relations with another man and is licentious (*bhraṣṭa śīlā*).⁵² The status occupied by one who was *svairiṇī* is even more ambiguous. Daniélou, in his translation of the *Kāmasūtra* and Yaśodhara’s *Jayamaṅgalā*, translates *svairiṇī* as lesbian.⁵³ But this does not seem to be quite correct. The *Nāradaśmṛti* writes that among the seven other types of wives, four are *svairiṇīs*:

The first type of *svairiṇī* is a woman whose husband is still alive, and who, whether or not she has children, takes up with another man. When a widow rejects her brothers-in-law, even though they are suitable, and takes up with someone else out of passion, this is the second type. A foreigner, one who was purchased as a slave, or one suffering from hunger or thirst and who comes forward, saying, ‘I am yours’—this is the third type. A woman

⁴⁶ This is perhaps hinted at in the *Yājñavalkyaśmṛti*, when the *Mitākṣarā* on 1.162 explains a *puṃścalī* as an adulteress or *vyabhicāriṇī*. In the *Manusmṛti* too, the term is used in the context of a wife’s adultery. It asks men to zealously guard their wives (9.9). Otherwise, it writes: ‘By running after men like whores (*puṃścalī*), by their fickle minds, by their natural lack of affection, these women are unfaithful to their husbands even when they are zealously guarded here’ (9.15).

⁴⁷ S. Bhattacharji, 1987, p. 37.

⁴⁸ *Mahābhārata* 3.61.35 (emphasis in the original).

⁴⁹ *Mahābhārata* 1.114.65.

⁵⁰ S. Bhattacharji, 1987, p. 37. Interestingly, the masculine *kulaṭa* means a person who could be anyone else’s offspring but not one’s own.

⁵¹ *Mitākṣarā* on *Yājñavalkyaśmṛti* 1.215.

⁵² Yaśodhara on *Kāmasūtra* 6.6.54 and 2.9.21.

⁵³ A. Daniélou, 1994, pp. 188,482.

who has been raped and then given to another man by her elders in accord with local custom is the last type of *svairiṇī*.⁵⁴

Significantly, the *Kāmasūtra* writes that one could indulge in love affairs with a consenting married woman (*pakṣikī*). If she agrees, she is considered a *svairiṇī*. Since her virtue has already been ruined by many others, a relation with her is similar to that with a *veśyā*. Even if she is of a higher caste, there is no sin involved.⁵⁵ Vātsyāyana quotes the followers of Babhravya, who are of the opinion that a woman who has been enjoyed by five men is no longer subject to any prohibitions. Yaśodhara explains that if she has slept with five men besides her husband, she is approachable by all: a *svairiṇī*, or a *bandhakā* according to Parāśara.⁵⁶ Therefore, the terms *svairiṇī*, *kulaṭā* and the *bandhakā* appear to denote married women who have been unfaithful to their husbands. The texts are not very clear as to whether their extra-marital liaisons involved the exchange of money. Nevertheless, the *Kāmasūtra* includes *bandhakā*, *kulaṭā*, and *svairiṇī* among prostitutes and the *Nāradaśmṛti* permits free sexual intercourse with a *svairiṇī* if she is not of a higher caste.⁵⁷ Therefore, it appears that marriage did not preclude a woman from being called 'prostitute-like' in her behaviour if she had sexual relations with several men.⁵⁸ The exchange of money for sex was not the important factor. This was because promiscuous sexuality in a married woman meant she was out of control. In such cases, there could be no guarantee of the caste of her offspring or of the purity of her husband's lineage.

That the sexual behaviour of a woman played an important role in characterizing her as a prostitute is demonstrated by other interesting examples. Here I discuss women who, although they were prostitutes, were granted the status of wives, because they lived (however temporarily) with one man. This is a reversal of the examples of wives who live as prostitutes. Such prostitutes could be of two types: *avaruddhā/avarodhā* and *bhujīṣyā*. According to the *Mitākṣara*, the term *avaruddhā* denotes a woman (who could be a prostitute but is more commonly a servant, *dāsī*) in the exclusive keep of a man, that is, she is prohibited from having intercourse with other men and is required to stay in the home of her master (*svāmī*).⁵⁹ A woman who is restricted in the matter of

⁵⁴ *Nāradaśmṛti* 2.12.49-52. Bhava in his commentary explains that the last type of *svairiṇī*, though not guilty in any moral sense, is not eligible for a normal marriage since she has been sullied. However, if local practice allows, she can be still married to some man.

⁵⁵ *Kāmasūtra* 1.5.5-6.

⁵⁶ *Kāmasūtra* 1.5.33 and Yaśodhara's commentary on it. It is obvious that the number five is used to overcome the difficulty of Draupadī's polyandrous marriage.

⁵⁷ *Kāmasūtra* 6.6.54 and 2.9.21; *Nāradaśmṛti* 2.12.78.

⁵⁸ Devadatta Shastri in his Hindi commentary on the *Kāmasūtra* makes a similar point. He quotes *Brahmavaiivarta Purāṇa* (1.31.) and writes: 'A woman who has only one husband is a model wife (*pativrata*). She who has two husbands is called *kulaṭā* (stray). She who has three husbands, *ṛṣaḥī* (broad viewed), she who has four husbands, *puṃścaḥī* (shameless). Those who have five, six, or more husbands are called prostitutes (*veśyā*). Those who have seven or eight husbands are known as *yūṇīmī* (public women), and those who have even more husbands are super-whores (*mahāveśyā*), for the satisfaction of all castes'. He continues that according to the *Purāṇa*, a woman was called virtuous according to whether she had one, two or three husbands. Cited in A. Daniélou, 1994, p. 467.

⁵⁹ *Mitākṣarā* on *Yājñavalkyaśmṛti* 2.290.

sexual intercourse to a particular man but does not physically live in that man's house is called a *bhujīṣyā*. If *veśyās*, *svairiṇīs* and *sādhāraṇa strī* live as *avaruddhā* or *bhujīṣyā*, other men are not permitted to have sexual relations with them, although they are all technically equally approachable (*gamyā*) by men. The *Nāradaśmṛti* maintains that ordinarily intercourse is permitted with *veśyās* and *svairiṇīs*, but, if they are *bhujīṣyās*, then the crime would be the same as if they were other men's wives. For, even though it is permitted to have sex with *bhujīṣyās*, they should not be approached if they belong to someone else.⁶⁰ The *śāstrakāra* Yājñavalkya argues that although *avaruddhā dāsī* and *bhujīṣyā* may be approached (*gamyā*) for sexual intercourse, if a man has sexual intercourse with them, he must pay a fine of fifty *paṇas*.⁶¹ The *Arthaśāstra* agrees.⁶² In the *Kāmasūtra* there is an entire chapter that encourages a prostitute to live with a single man and behave like a wife. In this context she is called *ekacāriṇī* or *ekaparigraha*.⁶³ It was this aspect of confining one's sexual activities to one man, even if temporarily, that distinguished an *avaruddhā* and a *bhujīṣyā* from the ordinary prostitute. So, even a prostitute, if she is *ekacāriṇī*, is praised as one who lives like a wife. Yaśodhara comments that when a courtesan attaches herself to a single man, she becomes like his wife. Even though she is not the wife of a single man, by binding herself to a steady lover and by having sexual relations with him only, she behaves like a faithful wife.⁶⁴

Monetary exchange, though relatively unimportant in defining a woman as a prostitute, is mentioned in the texts. Certainly some sexual relationships between men and women involved financial gain on part of the woman or her pimp. The *bandhakīpoṣaka* in the *Arthaśāstra*, for example, is a man who lives off the earnings of a *bandhakā*.⁶⁵ Whether he is the pimp or the husband is not clear. In other texts, there are references to the sale of a wife (*bhāryāṅvikrayaḥ*) and to men living on the earnings of their wives/women.⁶⁶ Elsewhere, the importance of monetary transaction is not overlooked. The *Yājñavalkyaśmṛti* proclaims that a *veśyā* cannot refuse to have

⁶⁰ *Nāradaśmṛti* 2.12.78-9. Although Lariviere translates *bhujīṣyā* as a 'maidservant' (1989, p. 158), if the *Mitākṣarā* is to be believed, this does not seem to be an adequate description of her status. For, if she had been just the maidservant, then the term *dāsī* would have been used. But the *dāsī* is distinguished from the *dāsī bhujīṣyā*. I argue that the main difference lay in the sexual services that were expected from a *bhujīṣyā*.

⁶¹ *Yājñavalkyaśmṛti* 2.290.

⁶² '...for one going to a prostitute in the exclusive keeping of another ... the fine shall be forty eight *paṇas*' (*Arthaśāstra* 3.20.15). See also *Arthaśāstra* 2.36.41.

⁶³ Yaśodhara on *Kāmasūtra* 1.4.43, 6.5.1. A prostitute who has sexual relations with only a few men is called *anekaparigraha*. If she is not tied to anyone, she is *aparigraha*.

⁶⁴ Yaśodhara on *Kāmasūtra* 6.2.1.

⁶⁵ *Arthaśāstra* 5.2.21, 12.2.11, 5.2.28.

⁶⁶ *Arthaśāstra* 2.27.25; *Manusmṛti* 8.362 and 11.64 in which living off one's wife is characterized as a *upapātaka*. See also the *Mitākṣarā* on *Yājñavalkyaśmṛti* 3.289, 3.216, 3.238-41. On the last *śloka*, the *Mitākṣarā* clarifies that *strījīvanam* or living off one's wife could mean either employing the wife as a marketable commodity and living upon gains from her or maintaining oneself on the wife's property. *Viṣṇuśmṛti* too condemns *strījīvanam* (37.25).

sexual intercourse with a man if she has been paid.⁶⁷ The *Mitākṣarā* explains that a *gaṇikā* is a *paṇyastrī*, a woman who is like goods on sale. Fees or payment for services is also mentioned in the context of the *puṇṣcalī*.⁶⁸ However, among the texts, it is only the *Kāmasūtra* that emphatically associates prostitution with the issue of financial gain. It reads: 'For prostitutes, money (*artha*) (is the most important of the three aims in life, like it is for the king).'⁶⁹ An analysis of the meaning and connotation of the different terms used for a prostitute establishes beyond doubt that multiplicity of sexual relations was the primary factor in determining the characterization of a woman as a prostitute, notwithstanding the fact that some texts emphasize monetary transaction.

6.3. The allocation of the public sphere to the *veśyās*

Having defined prostitutes primarily on the basis of their sexually availability, Brahmanical discourse sought to reinforce this definition by spatially and often physically assigning to them a separate, 'public' domain. This helped demarcate them from 'normal' women who were sexually monogamous and thus 'private'. It is significant that some texts recommend that prostitutes occupy a particular part of the city. According to the *Arthaśāstra*, prostitutes and dancers are to live in the southern quarter of the town (regarded as the preserve of Yama, the god of death).⁷⁰ Upon agreeing to become a *gaṇikā*, Ambapālī's first precondition is that she should be allowed to reside in the best part of the town, and presumably not in the southern part.⁷¹ Though the *smṛtis* do not comment on this issue, the *Purāṇas* reiterate this point forcefully and some later texts go to the extent of mentioning particular streets where prostitutes should live.⁷² Confinement of prostitutes to the southern quarter might not have been successful in practice but such textual references indicate how Brahmanical theology provided, at least in theory, for easy access to the prostitute by demarcating the areas where she should live. In the process, the prostitute also became separated from normal wives and mothers. The relegation of the prostitute to a distinctly public domain is hinted at in several other texts. For example, traders and courtesans are told to 'sell their wares' only along highways so as to be accessible to all. In *Avimāarakam*, the hero

⁶⁷ *Yājñavalkyasmṛiti* 2.292. In the *Arthaśāstra*, it is made clear that a *gaṇikā*, who is paid 1,000 *paṇas* by the state, could not refuse to have sexual relations with a man if commanded to do so by the king. Moreover, if, after having received payment, she refuses to entertain a man she is to be fined double the amount of money she has been paid; and if she cheats, she has to pay eight times the amount of fees paid to her (2.27.19-21).

⁶⁸ In the *Arthaśāstra*, it is recommended that a *puṇṣcalī* be paid a fee in accordance with the indications of the sexual union; but if she demands an exorbitant fee or shows evil-mindedness or lacks modesty, she is to lose it (3.13.37).

⁶⁹ *Kāmasūtra* 1.2.17. See also 6.1.1, 6.1.10, 6.1.19, 6.5.20, 6.4.44, 6.2.57.

⁷⁰ *Arthaśāstra* 2.4.11.

⁷¹ *Vinayavastu* of Mūlasarvastivāda. Cited in M. Chandra, 1973, p. 26.

⁷² The *Agni Purāṇa* (107.7) recommends that the houses of the prostitutes and those who live by dancing should be in the south (*dakṣiṇe nṛtyavṛttīṇām veśyāstrīṇām gr̥haṇi*). The *Daśakumāracaritam* (80.15-8), *Bhojaprabandha* (86.19), the *Kuṭṭānimātā* and the *Sāmāyamātrkā* mention that prostitutes' houses were located on particular streets. All citations from L. Sternbach, 1951, p. 47-8. Though these texts belong to a slightly later period than the ones under study, they were a part of Brahmanical discourse and perhaps represented its more evolved.

notices public women strolling on the road, but takes recourse to magic to enter the private apartments of the princess he is in love with.⁷³ The *Kāmasūtra* advises a chaste wife not to go out in public.⁷⁴ She is to be fined twelve *paṇas* if she goes to another village with a man, especially if the man is not a kinsman.⁷⁵ In contrast, one of the hallmarks of a woman who is sexually available and thus a prostitute, is that she stands on her doorstep. She is frequently seen by people on the royal road.⁷⁶ Vimalā *therī*, in the *Therīgāthā*, recounts how she stood at her doorway to solicit custom:

Lo! I made my body, bravely arrayed, deftly painted,
Speak for me to the lads, whilst I at the door of the harlot
Stood, like a crafty hunter weaving its snare, ever watchful.
Yea, I bared without shame my body and wealth of adorning...⁷⁷

According to the *Jātakas*, the signs of wickedness in a housewife include exposing oneself shamelessly to passers-by, standing at the door, frequenting gardens, pleasure parks, and drinking.⁷⁸ Signs of wickedness in a wife were in fact the signs of a prostitute.

If the *Arthaśāstra* and the *Kāmasūtra* are to be believed, a similar demarcation between the wife and the prostitute within the king's residence appears to have been the general practice. According to the former, prostitutes are not to enter the inner quarters of the queens (*antaḥpura*). Only some (*rūpajīvā*) are allowed, after they have bathed and put on fresh clothes.⁷⁹ In the latter, the king is advised to greet first his wives (the queens), then the *punarbhūs* and finally the prostitutes (*veśyās*) and the dancers who live in his palace.⁸⁰ According to Yaśodhara's commentary, the *antaḥpura* consists of three concentric circles. In the middlemost, and thus shielded from all public eye, live the queens. The *punarbhūs* live in the outer chamber (*bāhiḥ kakṣa*) and the *veśyās* live outside (*bāhirveśyānām*). The *Kāmasūtra* also recommends that a *nāgaraka*'s house should have inner and outer apartments. The commentary explains that the outer chamber is meant for work and for love games (*rati arthena*) with *veśyās*.⁸¹ As well as being physically separated from prostitutes, 'good women' are also enjoined not to mix socially with

⁷³ *Avimāarakam* 2.9.

⁷⁴ *Kāmasūtra* 4.1.15.

⁷⁵ *Arthaśāstra* 3.4.16,17,19.

⁷⁶ Prostitutes are advised by Vātsyāyana to decorate themselves and stand at the doorstep of their houses so that they can be seen by passers-by on the royal street, for they are like a commodity on sale (*Kāmasūtra* 5.1.5, 6.1.17).

⁷⁷ *Therīgāthā* no. 39.

⁷⁸ *Kunāla Jātaka* V, pp. 433-5. Cited in B. C. Law, 1927, pp. 38-9.

⁷⁹ *Arthaśāstra* 1.20.20.

⁸⁰ *Kāmasūtra* 4.2.78-9.

⁸¹ *Kāmasūtra* 1.4.4. and Yaśodhara on *Kāmasūtra* 1.4.4 and 1.4.5. According to Meyer, the prostitutes were further differentiated from other women by the fact that they had to wear red clothes. He bases his arguments on two verses in the *Mahābhārata* and one in the *Daśakumāracarita* (1930, vol. 1, pp. 264-5). While these *ślokas* would further confirm the physical differentiation of the chaste and the unchaste women that I am arguing for, I do not believe that one can generalize on the basis on these three references.

prostitutes. Vātsyāyana asks the chaste wife not to interact with the unchaste woman (*kulaṭā*) and Daśarūpa's rules on Sanskrit drama lay down that, even in a play, a *gaṇikā* could not meet a *kulaṭā*.⁸²

Courtesans and prostitutes were also associated with certain activities which were deemed 'public' as they involved fraternization with men. For example, it was their duty to welcome publicly a victorious king on his return or a visiting dignitary. Uttara in the *Mahābhārata* as well as Kuśika are greeted by courtesans upon their return, as are Kṛṣṇa and Śuka.⁸³ *Veśyās* and *gaṇikās* were also apparently allowed to attend public ceremonies like coronations⁸⁴ and accompany the army or the king's retinue.⁸⁵ Strabo, quoting Megasthenes, writes that courtesans follow the army and sometimes ride on chariots, horses and elephants.⁸⁶ Normally, wives and mothers did not move with the army. The Pāṇḍava and the Kaurava queens are described as residing away from the battlefield.⁸⁷ The *Strī Parvan* describes their arrival there after the end of the battle. Moreover, courtesans could attend hunting parties or raids⁸⁸ and according to the *Arthaśāstra*, act as informers or help to entrap enemy chiefs.⁸⁹ Thus, spatially and by the communal and unrestricted nature of their activities, the sexually available prostitute was demarcated from the 'private', secluded, and sexually chaste mother, wife and daughter.

Operating in the public domain was such an important determinant of a woman being defined as a prostitute, that even women who were engaged in other public professions were *ipso facto* regarded as prostitutes. Thus, professional women—actresses (*natī*, *raṅgavaiṭārī*), dancers (*nartakī*) and workers (*śilpakārikā*, *kauśikastrī*), and wives of actors, artisans and dancers—were considered akin to prostitutes and therefore, sexually available.⁹⁰ Vatsyayana includes the

⁸² *Kāmasūtra* 4.1.9. Daśrūpa cited in L. Sternbach, 1951, p. 32. This is borne out by the plot of *Daridrācārudattam*. Moreover, according to Sternbach, a *gaṇikā* in a drama spoke Sanskrit, but a wife could not (1951, p. 32). Even a late text like the *Strīdharmapaddhati*, exhorts wives not to have social intercourse with courtesans (*gaṇikās*), women who gamble (*dhūriā*), who meet lovers in secret (*abhiśārīṇī*), and female renouncers (*pravrajitā*). *Strīdharmapaddhati*, 22v.1-3. Cited in and translated by J. Leslie, 1995, p. 171.

⁸³ For Uttara, Virāta, Kuśika, Kṛṣṇa, and Śuka see *Mahābhārata* 4.63.25-9; 4.32.50; 13.53.64; 5.84.15-6, 5.83.14; 12.312.36.

⁸⁴ *Rāmāyaṇa* 2.13.11.

⁸⁵ *Rāmāyaṇa* 2.85.14-6,23; 2.32.3; *Mahābhārata* 5.196.17-8, 5.149.53. The *Arthaśāstra* acknowledges that prostitutes accompany armies (10.1.10), are used to test the loyalty of soldiers (5.3.47), and trap officers who commit treason (5.1.29).

⁸⁶ Strabo cited in L. Sternbach, 1951, p. 32.

⁸⁷ An exception is Kaikeyī who went into battle with Daśaratha when he fought for the gods against the *asuras*. But this was not the norm: it provided Kaikeyī with the occasion to demand Rāma's exile (*Rāmāyaṇa* 2.9.9-11).

⁸⁸ Curtius cited in M. Chandra, 1973, p. 43. See also *Mahābhārata* 3.228.27.

⁸⁹ *Arthaśāstra* 2.36.8, 4.8.15, 11.1.34, 7.17.44, 12.2.11. See *Mahābhārata* 3.110.30-1, 3.113.6-9 and *Rāmāyaṇa* 1.9.5,31 for the story of the *gaṇikā* who is sent to seduce Ṛṣyaśṛṅga. In the realm of the divine, *apsarases* were frequently sent by Indra to entice and seduce powerful *ṛṣis* who were deemed to pose a threat to his powers.

⁹⁰ In general, the professions of acting, singing, dancing and story telling are viewed with contempt by most of the *smṛtikāras*. Baudhāyana (2.1.2.5) writes that acting, singing and dancing and living by the stage is an *upapātaka*. The *Yājñavalkya-smṛti* (1.165, 1.70-1) maintains that food cannot be accepted from a *bandhinaḥ* (*stavaka* or bard) and that a

śilpakārikā and *naṭī* in his classification of *veśyās* and incorporates *kuśilava bhāryā* among women who could be available for sexual intercourse. Yaśodhara explains that wives of musicians (*kuśilava*), dancers (*nartaka*) and actors (*naṭa*) are frequently prostitutes (*veśyā*).⁹¹ The rules prescribed in the chapter on *gaṇikādhyakṣa* in the *Arthaśāstra* are also meant to apply to the women of actors, dancers, singers, musicians, story-tellers, bards, rope-dancers, showmen and wandering minstrels.⁹² While men are discouraged from having conversations with married women, the *Manusmṛti* writes: ‘This does not apply to the wives of strolling actors [*cāraṇa*] or of men who live off their own (wives), for these men have their women embrace (other men), concealing themselves when they do the act.’⁹³ This is repeated in the *Baudhāyanadharmasūtra*, which decrees that corporal punishment should not be inflicted for adultery with wives of minstrels (*cāraṇa*) and actors (*raṅgāvatāra*) for such men encourage their women to have sexual intercourse with others.⁹⁴ Interestingly, in ancient India, though husbands are not required to pay for the debts of their wives, this rule did not apply to the wives of vintners (*saunḍika*), herdsmen (*gopa*), dancers/actors (*śailusa*), and hunters (*vyādha*),⁹⁵ as such men lived on the earnings of their wives, who were considered in these contexts to be engaged in harlotry.⁹⁶ Since such women were associated with unsuitable and public professions they were deemed readily available to men and regarded as a kind of prostitute by the *smṛtikāras*.

Besides characterizing a woman who worked in the public sphere as a prostitute, Brahmanical discourse, with its notions of reproduction, ideal womanhood and moral order, perceived the prostitute— because of her association with promiscuous sexuality, the public sphere and monetary transactions— as a threat. Therefore, she is frequently classed with gamblers, thieves, and cheats as the scum of society. The king is asked to keep a strict watch over her activities in order to maintain moral and social order.⁹⁷

raṅgāvatāra is an incompetent witness. The *smṛti* of Viṣṇu (51.7,13) recommends a penance if one accepts food from a singer or dancer. This is repeated in the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.290.

⁹¹ *Kāmasūtra* 6.6.54, 5.1.52 and Yaśodhara’s commentary on the last verse.

⁹² *Arthaśāstra* 2.27.25. Kauṭilya also comments that accompanying a man on the way is no offence in the case of (the woman of) dancers, wandering minstrels, fishermen, fowlers and others who give freedom to their women (3.4.22).

⁹³ *Manusmṛti* 3.362. Medhātithi’s commentary explains that the term *cāraṇa* includes dancers, singers and actors; *ātmojīvīsu* denotes those wives who live on their own beauty (that is, on themselves); *sajjayanti* means causing men to unite their wives with other men; and *nigudhaḥ* means not in the open market. Manu’s statement is cited in the *Mitākṣarā* on *Yājñavalkyasmṛti* 2.285.

⁹⁴ *Baudhāyanadharmasūtra* 2.2.4.3.

⁹⁵ *Yājñavalkyasmṛti* 2.48; *Viṣṇusmṛti* 6.37; *Bṛhaspatismṛti* 11.53; *Nāradasmṛti* 2.1.16.

⁹⁶ L. Sternbach, 1943-4, p. 168.

⁹⁷ *Manusmṛti* 4.85, 9.259, 9.264; *Mahābhārata* 5.37.28, 12.89.13; *Bṛhaspatismṛti* 22.9; *Nāradasmṛti* 2.19.2-3; *Arthaśāstra* 4.6.2.

6.4. The *veśyā* as a socially non-procreative category

As *veśyās* and *gaṇikās* were regarded as sexually promiscuous and of the 'public' domain, they were also deemed socially non-procreative. Since the paternity and the caste of their children could not be established beyond doubt, their reproductive abilities were of no use to the Brahmanical world order. Of course, biologically, prostitutes could be mothers, but this is not acknowledged by the Brahmanical discourse. Their non-reproductive status was the predominant factor in demarcating them from the potentially procreative wife/daughter and the procreative mother. Yaśodhara recommends that a woman who is 'forbidden' (he includes prostitutes and remarried women in this category) could not to be married or should be married for 'pleasure' only. If a man marries such a woman, the begetting of children is not the primary object of the marriage.⁹⁸ For, according to the *Kāmasūtra*, *savarṇā* virgins, married according to the *śāstras*, are for begetting children.⁹⁹ Yaśodhara continues that recourse to *veśyās* or married women who behave like *veśyās* is a matter of pleasure and money only. Having sexual relations with such women does not bring the joy of children.¹⁰⁰ While describing the courtesan who has a single lover and behaves like a wife, Vātsyāyana recommends that she should pretend to want a child by him but not actually have one.¹⁰¹ Kauṭilya similarly writes: 'In the case of indulgence in women there is begetting of an offspring and protection of oneself with wives at home, the opposite of this with outside women.'¹⁰² The *smṛtis* make no comments on prostitutes as mothers or on their children.¹⁰³ The epics are equally reticent on this subject.¹⁰⁴ The silence of the *smṛtis* is especially significant, since they emphasize a woman's reproductive capacities and designate motherhood as the chief goal of women. In this context Spensky's comments are extremely relevant:

Gender relations were articulated around the control of women's bodies in order to ensure male reproduction... Women's bodies were not their own. Men owned them on a private basis to ensure the continuation of their lineage through marriage and collectively through the organization of prostitution which provided them [men] with non-procreative pleasure. The women who did not fall into the category wives [private women] necessarily fell into the category prostitutes [public women] who were not supposed to procreate.¹⁰⁵

Therefore, it appears that women who were prostitutes in ancient India were regarded as socially unproductive and deviant by Brahmanical discourse. Consequently, the *smṛtis* remain silent on their biological ability to procreate.

⁹⁸ Yaśodhara on *Kāmasūtra* 1.5.2-3.

⁹⁹ *Kāmasūtra* 1.5.1.

¹⁰⁰ Yaśodhara on *Kāmasūtra* 1.5.2-3 and 5.1.1.

¹⁰¹ *Kāmasūtra* 6.2.23.

¹⁰² *Arthaśāstra* 8.3.59.

¹⁰³ The *Yājñavalkyasmṛiti* argues that it is sin to assist a female slave to abort her baby (2.234). But this *śloka* specifically mentions the female slave and not the prostitute.

¹⁰⁴ Perhaps the sole exception is Yuyutsu: when Gāndhārī is pregnant, a *veśyā strī* caters to the sexual needs of Dhṛtarāṣṭra; Yuyutsu is the product of this union (*Mahābhārata* 1.107.35-6).

¹⁰⁵ M. Spensky, 1992, p. 101. Although Spensky writes about the 1950s, her comments are pertinent.

The non-procreative status of the prostitutes is reinforced by the Brahmanical attitude towards the children of such 'public' women. The children of *gaṇikās/veśyās* are treated very differently from those produced in a regular marriage. Since biological paternity or caste could not always be established, the sons of prostitutes (*gaṇikāputra, puṃścālya*) are not glorified or even welcomed. If the *Arthaśāstra* is to be believed, a pre-determined fate awaited them. Kauṭilya recommends that they be trained as musicians or actors or dancers (all degrading occupations), and from the age of eight work as the king's minstrel (*kuśūlava karma*). It was a form of bonded service and there was no escape unless a redemption price of twelve thousand *paṇas* (a very large amount) could be paid.¹⁰⁶ None of the *smṛtis* mention any of the *saṃskāras* to be performed for them, nor do they discuss the question of their inheritance. In short, the *gaṇikāputra* is not perceived as having a social identity and the *gaṇikā* is not perceived as a mother.¹⁰⁷ Prostitutes themselves seem to have been aware of the disabilities generated by childbearing and appear reluctant to bear children, especially sons. Sālāvati of Rājagṛha pretends to be ill when pregnant, out of fear of losing her clientele, and later abandons her male child.¹⁰⁸ The courtesan of Kośāmbi also abandons her son. Much later, the *Vāsudeva Hindi* notes that Kuberadattā, a courtesan of Mathura, abandons her twin children, a girl and a boy.¹⁰⁹ Therefore, there may be some truth in Horner's remark that: 'There is no record that female infanticide was ever committed by a courtesan; but if sons were born to them they ran a certain risk of being murdered'.¹¹⁰

The position of the daughter of a prostitute was equally pre-determined. She is regarded as sexually available because she is a *gaṇikā*'s daughter. The *Kāmasūtra* includes her among the *nāyikās* with whom it is easy to establish sexual relationships, while the *Arthaśāstra* decrees that the daughter (*gaṇikāduhitā*) should take over the family establishment if the courtesan dies or runs away or is unable to fulfil her functions.¹¹¹ Unlike other 'normal' daughters she is not expected to marry and fulfil a woman's primary function of childbearing. Instead of a being potential mother, she is seen as a potential *veśyā* and, therefore, non-procreative. Although the *Kāmasūtra* refers to a kind of temporary marriage of a *gaṇikā*'s daughter who had come of age, this is to last for only a year and is meant to enhance her worth in the eyes of her future customers.

¹⁰⁶ *Arthaśāstra* 2.27.6-7,29.

¹⁰⁷ But there are some exceptions recorded in Buddhist legends. Padumavati, a courtesan, becomes pregnant after spending a night with Bimbisāra. When he hears about it, Bimbisāra commands that the child, if a boy, should be sent to his court. In due course Abhaya is born and, when seven years old, sent to Bimbisāra's palace. Āmrāpallī is also reputed to have had a child by Bimbisāra. He too is later sent to Bimbisāra's court. But in both cases the father of the child was not only known but also royal. This surely made a difference, as in the case of Yuyutsu above. See M. Chandra, 1973, p. 27. The same story is repeated in B. Law, 1927, p. 28.

¹⁰⁸ *Vinaya Texts* II, pp. 172-174. Cited in B. Law, 1927, p. 30.

¹⁰⁹ *Vāsudeva Hindi* cited in M. Chandra, 1973, pp. 113-4.

¹¹⁰ I. B. Horner, 1930, p. 89.

¹¹¹ *Arthaśāstra* 2.27.2.

Moreover, her 'husband' is usually the man who pays the largest sum of money to the mother.¹¹² This 'marriage' was, therefore, in no way comparable to the śāstric marriage recommended for high-caste, virgin daughters, but was an introduction to prostitution. Regarding inheritance, her position is better than that of her brothers, but only if she continues with her mother's profession.¹¹³ Therefore, to the *smṛtikāras*, the son of a *gaṇikā* virtually did not exist and the daughter was always a potential prostitute and not a potential wife or mother. This lack of social recognition for the prostitute's child made her a non-reproductive category and condemned her to social censure. Interestingly, the *apsarases*, the celestial counterpart of the *gaṇikās*, are rarely associated with reproduction. In most cases, the men in whom they arouse lust 'spill their seed'¹¹⁴ into a container or vessel, from which a child is born. The physically procreative role of the *apsaras*, like that of her human counterpart, the *gaṇikā*, was largely denied.

6.5. The non-kin status of the *veśyā*

An important result of being regarded as non-procreative is that prostitutes, unlike the mother, could not be integrated into the conjugal lineage through sons. If a prostitute is a *veśyā/gaṇikāduhitā*, her own natal kin links also would not have been clear. Moreover, a prostitute could not be married. A married woman could prostitute herself or could be considered 'like' a prostitute (because of her sexual activities), but in such instances the husband is regarded with contempt and is condemned as a man who lives off his wife. If the prostitute is purchased or captured in war, or is a woman being punished for adultery or who has been given as a gift (*dāna*),¹¹⁵ then she obviously had been abandoned by her natal (or conjugal) kin. Thus, Buddhist stories, for example, seldom refer to the antecedents of the famous *gaṇikās*. According to the *Vinayavastu*, Ambapālī emerges spontaneously in the mango grove of Mahānāma, who relinquishes all rights over her when she becomes a *gaṇikā*.¹¹⁶ No descriptions are given of the kin or lineage of Salāvātī, installed as a courtesan by a merchant of Rājagṛha, or of Sāmā, Sulasā and Padumavatī. Aḍḍhakāsī, born into the family of a rich banker, is an exception, but her relationship with her kin after she becomes a prostitute is not described.¹¹⁷ It appears that male kin— whether a

¹¹² *Kāmasūtra* 7.1.13-24.

¹¹³ For rules of inheritance, see L. Sternbach, 1951, p. 40 and S. Bhattacharji, 1987, pp. 33,45. For prostitutes as a hereditary caste, see the *Mitākṣarā* on *Yājñavalkyasmṛti* 2.290; *Daṇḍadīpikā* 1.27.

¹¹⁴ Gautama ejaculates when he sees the *apsaras* Jalāpadi; from his seed are born Kṛpa and Kṛpī. Bharadvāja is overcome with lust when he sees Ghṛtācī and ejaculates into a trough, from which Droṇa is born. Kāśyapa spills his seed when he sees Urvaśī and Rṣyaśṛṅga is born (*Mahābhārata* 1.120.10-1, 1.121. 4-5, 1.154.4, 3.110.14-15). The epic does occasionally portray the celestial courtesans as giving birth, but they are also shown abandoning their children and distancing themselves from child rearing. For example, Menakā abandons the child she has by Viśvāvasu near a hermitage and later discards Śakuntalā, her child by Viśvāmitra (*Mahābhārata* 1.8.6-7, 1.66.9, 1.68.69). However, Urvaśī has six sons from Purūravas, and Raudrāśva has ten sons by an *apsaras* (*Mahābhārata* 1.70.22-3, 1.89.7).

¹¹⁵ S. Bhattacharji discusses the sources of prostitutes (1987, pp. 34-5).

¹¹⁶ *Vinayavastu* of Mūlasarvastivāda cited in M. Chandra, 1973, pp. 23-4.

¹¹⁷ All examples are from B. C. Law, 1927, pp. 28-34.

husband, father or a son (see previous section)— was not available to a *gaṇikā/veśyā* and she did not conform to the oft-repeated dharmaśāstric injunction regarding the dependence of women. Lacking male kin control, she was truly *svatantrā* (independent).

Although a prostitute did not have male kin, she did have a ‘mother’. The mother (*mātrikā*) could be her biological mother, especially if the woman followed the hereditary profession of prostitution. But in most cases, she appears to have been an older woman, at times an ex-prostitute.¹¹⁸ The *Sāmāyamātrikā*, an eleventh-century text, introduces us to Kalāvati. She is called the *sāmāyamātrikā*, that is, one who is the mother (of a prostitute) through her teachings and not a biological mother.¹¹⁹ According to the *Arthaśāstra*, the ‘mother’ is responsible for the *gaṇikā*’s establishment and has to provide a deputy courtesan if the *gaṇikā* dies or runs away. The mother is also responsible for looking after the jewellery of the *gaṇikā*.¹²⁰ The relationship between a prostitute and her ‘mother’ was primarily commercial. The *Kāmasūtra*, when describing the courtesan who behaves like a wife, recommends that she should have a mother dependent on her. This mother, having money as the chief object, is expected to be cruel and grasping. The courtesan is also asked not to disobey her mother at any time.¹²¹ Thus, the mother was primarily responsible for looking after the earnings of the prostitute and in many ways was the equivalent of the ‘madam’ of a modern brothel.

The *smṛti* texts do not mention any *saṃskāras* in connection with prostitutes or courtesans. Let alone marriage (the initiation rite for women), there is no specific funeral rite recommended for them. Since they were neither virgin daughters nor chaste wives and mothers, one wonders who performed their *śrāddha* and *antyeṣṭi*. The *Manusmṛti* notes that no ritual of libation should be poured for those women who join a heretical sect, who live on lust, or have abortions, or harm their husbands, or drink liquor.¹²² Prostitutes would qualify under at least three if not four of these categories. The *Yājñavalkyasmṛti* recommends that there is to be no libation of water for those who have intercourse at random (*kāmagāḥ*). The *Mitākṣarā* explains word as an adulterous woman. But if we accept that it generally meant someone who was ruled by lust, then it would mean that prostitutes were denied water libations. Interestingly, Buddhist texts narrate the story of Sirimā, a prostitute. The Buddha requests Ajātaśatru that her body be kept on display in the charnel house, so that everyone could come and watch her body rot. This was perhaps possible because she was a prostitute. She was considered to be without kin and her body, even in death, deemed public.

¹¹⁸ *Arthaśāstra* 2.27.5 recommends that if a *gaṇikā* loses her beauty, she can be appointed as a mother (*mātrikā*).

¹¹⁹ N. Bhattacharya, 1975, p. 100.

¹²⁰ *Arthaśāstra* 2.27.2, 11.

¹²¹ *Kāmasūtra* 6.2.3-4. The *Kāmasūtra* includes several other verses that emphasize the financial nature of the relationship between the prostitute and her mother (6.2.41-2, 6.4.32-3, 6.6.47).

¹²² *Manusmṛti* 5.90

Lack of children and male kin affected the inheritance rights of prostitutes in significant ways. First and foremost, *strīdhana*¹²³ and/or a share in the patrimony did not exist for them. Second, according to the *Arthaśāstra*, inheritance for a *gaṇikā* is to be in the maternal line, but only if she follows the hereditary profession of her mother. In the absence of daughters continuing the profession, all property and wealth can be taken by the king.¹²⁴ Therefore, it would seem that the *gaṇikā* in the *Arthaśāstra* had some usufructory right over certain property which was, strictly speaking, not her own, for she could not entrust her jewellery to anyone but her 'mother' without paying a fine of four and half *paṇas*, nor sell or mortgage her property/riches.¹²⁵ But the salary and gifts that she received appear to have been her own. One does not know whether these rules were actually followed or if similar provisions existed for other kinds of prostitutes. For if Buddhist stories are to be believed, *gaṇikās* themselves owned substantial property, making generous donations to the Buddhist *saṃgha*.¹²⁶ But unlike *strīdhana*, which was protected by law, there were no standardized rules and procedures for protecting the property or ensuring the inheritance of women who were prostitutes.

In addition to these restrictions, the *smṛtis* also condone a remarkable degree of physical violence to prostitutes. This could partly have been the result of the prostitutes' lack of male kin, and partly the result of the multiplicity of sexual relationships associated with them. If a prostitute is raped, the offender has to pay a rather small fine of twelve *paṇas*. If she has been raped by many, then each man has to pay twenty-four *paṇas*.¹²⁷ In contrast, the *Arthaśāstra*, for example, decrees that a man who has sexual relations with a king's wife (*rāj bhāryā*), even if it is consensual, is to be boiled alive in a jar.¹²⁸ If a guard misbehaves with a *kulajā* (a chaste wife), he is to be put to death. But if he does so with a *adāsī* (a synonym for 'prostitute' in the *Arthaśāstra*), he has to pay only the middle fine for violence. If a man kills a *gaṇikā*, he can get away with paying a fine, albeit a heavy one.¹²⁹ The *Gautamadharmasūtra* maintains that if a man kills a woman who subsists on prostitution, he need not give anything (as *dāna*) as a mark of

¹²³ Here I confine myself to the dharmaśāstric definition of the word *strīdhana*, in the sense of property (excluding land) given to a woman on the occasion of her marriage (and after it by her conjugal family). The dharmaśāstric meaning of the term would render its usage inappropriate in the context of property inherited by a *veśyā* from her 'mother'. The texts too seem to hint at this differentiation, for the *Arthaśāstra* uses the words *dhana* and *sampatti* while referring to the property inherited by *veśyās* and *gaṇikās*.

¹²⁴ *Arthaśāstra* 2.27.2-3.

¹²⁵ *Arthaśāstra* 2.27.11-2. For the property and inheritance rights of *gaṇikās* in the *Arthaśāstra*, see L. Sternbach, 1951, pp. 38-40.

¹²⁶ See J. D. Willis, 1985, pp. 61-85.

¹²⁷ *Arthaśāstra* 4.13.38-9. The *smṛti* of Yājñavalkya recommends a similar punishment, except that the fine is ten *paṇas* for the first offence (2.291). See also *Nāradaśmṛti* 2.6.21.

¹²⁸ *Arthaśāstra* 14.13.33.

¹²⁹ *Arthaśāstra* 2.27.16.

contrition.¹³⁰ But it must be remembered that the *dharmasāstras* generally forbid the killing of women. Therefore, by condoning such violence they were certainly making a powerful statement on the negligible value attributed to such women. Moreover, if a prostitute kills a man, it is recommended that she die horribly, either by being burnt to death or by being drowned.¹³¹

Brahmanical literature includes many derogatory references to the woman who is a prostitute. Most of them relate to the impure and polluted nature of prostitutes and impose restrictions on the acceptance of food and gifts from them. The *smṛtis* are unanimous that food offered by a prostitute is taboo.¹³² The same applies to a *pumścalī* as well. The *dharmasūtra* of Vasiṣṭha extends the injunction to include the *kulaṭā*.¹³³ Accepting any other gift (*dāna*) from a prostitute is also prohibited.¹³⁴ The *smṛtis* also insist on the performance of a *prājāpatya* penance after a man visits a prostitute.¹³⁵ Moreover, Viṣṇu's *smṛti* requests a householder to turn back if, on setting out, he sees a *gaṇikā* among others.¹³⁶ The restrictions imposed on prostitutes and the violence sanctioned against them are easy to understand in a socio-religious tradition that idealizes motherhood and sees wives/daughters as potential reproducers.

6.6. The *pravrajitā* or *tāpasī*: classification of women ascetics

Women ascetics form the second type of 'other' women. The relationship of Brahmanical discourse to the female ascetic is ambivalent and problematic. While the narrative texts contain references to women ascetics, the *dharmasāstras* (excluding their commentaries) refer to them only four times.¹³⁷ Their silence on this subject is surprising as narrative texts mention Brahmanical women ascetics. The most common terms for female ascetics in the texts are *pravrajitā* and *parivrājikā*. The *dharmasāstras* refer to them as such, as does the *Mālavikāgnitram* of Kālidāsa. But Bhāsa in *Svapnavāsavadattam* uses the term *tāpasī* and Umā in *Kumārasambhava* is described as one. The epics continue to use the term *tāpasī* along with *śramaṇī*, *bhikṣukī* /*bhikṣuṇī* and *brahmacāriṇī*. The *Kāmasūtra* uses *pravrajitā*, *parivrājikā*,

¹³⁰ *Gautamadharmasūtra* 22.27. The *Manusmṛti* writes that for killing an unchaste woman, a man has to give a leather bag or bow or goat or sheep, according to his own caste (11.139).

¹³¹ *Arthasāstra* 2.27.22. The *Divyāvadāna* records the tale of the prostitute Vasavadattā: being greedy, she kills a horse-merchant from Uttarapatha; for this she is mutilated, deprived of her hands, feet and nose and left near the cremation grounds (cited in M. Chandra, 1973, p. 27).

¹³² *Viṣṇusmṛti* 51.7,10. Similar restrictions are found in *Yājñavalkyasmṛti* 1.161-2 and the *Mitākṣarā* on *Yājñavalkyasmṛti* 3.290; *Gautamadharmasūtra* 17.17; *Vasiṣṭhadharmasūtra* 14.2,10; *Manusmṛti* 4.209,211,219.

¹³³ *Vasiṣṭhadharmasūtra* 14.19.

¹³⁴ Manu recommends that no gift be accepted from those who run whore houses (4.84). The *Yājñavalkyasmṛti* reads that, where receiving a gift is concerned, the butcher, the wheelman, the prostitute (*veśyā*), the king; each one is ten times worse than the one immediately preceding (1.141). The *Viṣṇusmṛti* recommends that no gift be accepted from a *kulaṭā* (57.14).

¹³⁵ *Mitākṣarā* on *Yājñavalkyasmṛti* 3.289, 3.241. See also *Viṣṇusmṛti* 53.7.

¹³⁶ *Viṣṇusmṛti* 63.29.

¹³⁷ *Manusmṛti* 8.363; *Yājñavalkyasmṛti* 2.293; *Nāradasmṛti* 2.12.74; *Viṣṇusmṛti* 36.7.

bhikṣukā, *śramaṇā* and *kṣapaṇā* while, in the *Arthaśāstra*, the terms *pravrajitā*, *parivrājikā*, *bhikṣukā* and *muṇḍā* are used. Chakladar believes that *tāpasī* denoted a Brahmanical female ascetic, the *bhikṣukā* a Buddhist nun, the *kṣapaṇā* a Jaina nun, and that *parivrājikā* was a general term for them all.¹³⁸ However, it appears that while *bhikṣukā* was predominantly used for the Buddhist nun, *parivrājikā* or *pravrajitā* were not general terms used for all ascetics. I argue that both *tāpasī* and *pravrajitā* denote Brahmanical women ascetics. The context in which these words are used makes it clear that the *pravrajitā* and *parivrājikā* denoted independent Brahmanical woman ascetics who had renounced the world and were given to wandering. Because such women chose an independent, celibate and, therefore, non-procreative path, they were not approved of by Brahmanism.

However, some types of ‘asceticism’ were tolerated if not condoned in Brahmanical discourse. By ‘asceticism’ here I do not refer to *pravajya* or the independent religious vocation freely adopted by women. Rather I refer to the practice of austerities, penances and vows by women, usually for a temporary period and often for a specific purpose. There were several categories of such ‘ascetic’ women. The first category covers those, whom for the lack of a better term, I shall call the *vanaprasthīnīs*. In the texts, they are usually women who accompany their husbands when the latter proceed to the hermit or *vānaprastha* stage.¹³⁹ In addition to devotedly serving their husbands, they also perform penances and austerities. It is these women who are known predominantly as *tāpasīs* (although sometimes, *parivrājikās* could be called *tāpasīs* as well).¹⁴⁰ There are several examples of such women in the epics. Gāndhārī accompanies Dhṛtarāṣṭra to the ‘forest’¹⁴¹ in their old age.¹⁴² Anasūyā, in the *Rāmāyaṇa*, lives in the ‘forest’ with her husband, and performs severe austerities and penances.¹⁴³ Arundhatī, the wife of Vasiṣṭha, performs penances.¹⁴⁴ Sītā is welcomed into the *āśramas* of Bharadvāja, Atri, Śarabhaṅga, and Agastya.¹⁴⁵ These examples demonstrate that wives accompanying their husbands to the ‘forest’ were well known and accepted. Several female ascetics live in Vālmīki’s *āśrama* and help Sītā during her

¹³⁸ H. C. Chakladar, 1954, pp. 81-2.

¹³⁹ This right is given to men under Brahmanism. A man, when he enters the third *āśrama*, could leave his wife/wives with his sons. Or, if his wife was desirous of following him, he could take her along with him. *Manusmṛiti* 6.3; *Yājñavalkyasmṛiti* 3.45.

¹⁴⁰ *Samnyāsini* is used in the *Mitākṣarā* (on *Yājñavalkyasmṛiti* 3.58) but it appears to be a later term. See Olivelle for the gradual association of the term *saṃnyās* with renunciation (1984, pp. 81-152).

¹⁴¹ Although I have literally translated *vana* as forest, the stage of *vānaprastha* did not necessarily entail living in a forest. By *vana* ancient Indian writers usually seem to refer to that which was opposite of the spatial location of the householder. Therefore, living in a *vana* could have meant living at the outskirts of the village, in the ‘wilderness’ as opposed to in society and civilization. See P. Olivelle, 1993.

¹⁴² *Mahābhārata* 15.13.16-7. Kunṭī also accompanies them (15.22.16). Initially, Yudhiṣṭhira refuses to grant her permission as her sons are alive and she has no husband, but he finally relents.

¹⁴³ *Rāmāyaṇa* 2.109.8-12.

¹⁴⁴ *Mahābhārata* 9.47.31-2.

¹⁴⁵ *Rāmāyaṇa* 2.48.10-3, 2.109.3, 3.4.22, 3.10.21-6, 3.11.1-4, 3.12.1-8.

pregnancy and delivery.¹⁴⁶ They were probably the wives of the men who lived there. It is important to remember that for such women the *vānaprastha āśrama* did not exist as an independent religious vocation. Women could not independently become *vanaprasthinīs*, for this *āśrama*, like all the others, was articulated in terms of men alone. Although the woman lived in the forest and performed penances, her primary identity remained that of a wife/mother. It was the devotion of these women to their husbands/sons, manifest in their accompaniment of their husbands/sons to the forest, that secured the approval of the *brāhmaṇas*. Any extraneous religious activity that these women indulged in while serving their husbands was therefore tolerated.

The second category of women 'ascetics' who appear to have been tolerated were women practising severe penances and austerities for a short period of time and with a specific purpose in mind. They are also commonly called *tāpasī* (and less commonly, *brahmacāriṇīs*) and several examples appear in the epics. Srucāvātī, the daughter of Bharadvāja, executes severe penances to obtain Indra as her husband,¹⁴⁷ as does Bhadrā to obtain Utāthya,¹⁴⁸ and Umā to obtain Śiva.¹⁴⁹ Sītā, during her captivity in Laṅkā, grows thin and emaciated because of her fasting and penances and is likened to a *niyatā tāpasī*.¹⁵⁰ Ambā, another woman ascetic who falls into this category, does not seek husbands or sons but instead practices austerities to bring about the destruction of Bhīṣma.¹⁵¹ Some women practice asceticism to obtain children. Viśvāmitra's wives travel south with him and indulge in austerities in order to have children.¹⁵² Sāgara goes to the Himalayas with his two wives Keśinī and Sumatī and performs penances to obtain sons.¹⁵³ Diti performs severe penance as she wants a child capable of killing Śakra.¹⁵⁴ It appears that such women were the most common group of women ascetics. But significantly, asceticism is not a life-long vocation for these women. Second, the ends for which they perform penance are Brahmanically approved. In most instances, they desire a husband or sons (Ambā, who seeks revenge on Bhīṣma, is an exception) and once their aim is achieved, they abandon their ascetic practices. Since this type of female ascetic does not challenge the Brahmanical normative discourse on roles and activities suitable for women, she is not condemned.

¹⁴⁶ *Rāmāyaṇa* 7.48.11,20, 7.58.1,6,9.

¹⁴⁷ *Mahābhārata* 9.47.1-3.

¹⁴⁸ *Mahābhārata* 13.139.11.

¹⁴⁹ *Kumārasambhava* 5.3,8-29,52-3,86.

¹⁵⁰ *Rāmāyaṇa* 5.13.29; *Mahābhārata* 3.266.59.

¹⁵¹ *Mahābhārata* 5.173.4,14-5, 5.187.18-21, 5.188.2-6.

¹⁵² *Rāmāyaṇa* 1.56.1-2.

¹⁵³ *Rāmāyaṇa* 1.37.5.

¹⁵⁴ *Rāmāyaṇa* 1.45.3, 1.45.8.

The 'widow-ascetic' or the *vidhavā* can be designated as the third type of woman ascetic. This category is not very common in the texts under consideration.¹⁵⁵ A widow-ascetic is one who (after *niyoga* and remarriage were discouraged) remains celibate after the death of her husband, occupying herself by practising fasts and penance (see also chapter five). She also is firmly under

term	definition	male kin control	sedentary/ itinerant	aim	scale of approval	examples
1. Usually middle-aged woman ascetics living in the forests: <i>vanapras-thinī</i> , <i>tāpasī</i> .	First and foremost wives; accompanied husbands to the forests; combined ascetic penance with service to their husbands.	Remained predominantly wives and mothers and therefore dependent on husbands and sons.	Sedentary.	Service to their husbands and attainment of heavenly worlds.	Approved for they had fulfilled the functions of the mother and wife.	Anasūyā, Arundhatī.
2. Temporary ascetics: <i>tāpasī</i> and <i>brahmacār-īṇī</i> .	Performed penance for a temporary period with a specific aim in mind; usually asked for husbands or sons.	While performing penance, they may have been temporarily out of the sphere of male control; control was reestablished once they obtained sons and husbands.	Usually sedentary, but could be itinerant like Ambā.	Usually to obtain a son or a husband; but could be revenge (e.g. Ambā).	Approved as such women wanted husbands and sons, quite in keeping with Brahmani-cal aims.	Diti, Bhadrā, Srucāvati, Ambā..
3. Widow ascetic: <i>vidhavā</i> .	Practised fasting, <i>vratas</i> etc, after the death of the husband; was celibate and chaste.	Under conjugal male kin control.	Sedentary and within the house.	Union with the husband in heaven.	Approved as the way of life for the woman whose husband had died.	Kuntī.
4. Renunciatory ascetic: <i>pravrajitā</i> , <i>parivrājikā</i> .	female counterpart of the male <i>saṃnyāsī</i> ; were rare.	No male kin control.	Itinerant.	Liberation.	Not approved.	Sulabhā, Śabarī, Svayamprabhā, Kunigargā.

Figure 6: *The classification of women ascetics in ancient India*

the control of her affinal kin and has a sedentary life-style. Though these women are not renunciatory ascetics in the technical sense of the term, Leslie employs the term 'widow-ascetic' and writes:

As Olivelle explains, renunciation according to Vasudeva's definition is a negative state: 'an abandonment of one lifestyle, not the adoption of another'. It is defined 'not by what it is but by what it is not'. The actual practices of the renouncer are significant not in themselves but in the fact 'that they constitute the negation of other practices typical of life in society' (1977:30)... . For the lifestyle of the widow is repeatedly and deliberately described in terms that contrast it

¹⁵⁵ For a detailed discussion of the widow-ascetic, see J. Leslie, 1991c, pp. 1-20 and J. Leslie, 1991b, pp. 46-61.

with the life of the married woman... The renunciation of the widow is precisely the negation of the lifestyle of the wife.¹⁵⁶

This kind of 'asceticism' with the widow remaining celibate, under strict male kin control and therefore, within the parameters designated for her by Brahmanism, is encouraged in the texts.¹⁵⁷

Because their ascetic practices did not interfere with the duties assigned to them as women, these three kinds of woman ascetics appear to have been tolerated by Brahmanism. The position of the independent female renouncer, the 'true ascetic', is much more problematic with differing views being put forth within the discourse itself. I turn to that category now.

6.7. The lack of theological sanction for the independent, wandering women renouncer

I now turn to the wandering, independent, female ascetic who, in theory, subsists on begged food and who has 'renounced' the world: in other words, the female counterpart of the male ascetic/renouncer variously known as *yati*, *parivrājaka*, *saṃnyāsi*. An important question in this context is: under Brahmanism, was the *āśrama* of *pravrajya* (the *āśrama* of renunciation) open to women? According to Olivelle, there was an important difference between the early *āśrama* system and what he calls the classical one. The early *āśrama* system consisted of four voluntary religious institutions that were open to an individual. He could choose any one of the four, after he had completed his Vedic studies. In the classical period, the *āśrama* system came to stand for the four successive stages in a man's life. Theoretically, an individual was expected to go through all four stages, one after the other. The fourth religious institution in the original system and the fourth stage in the life of an individual in the classical system was variously called *pravrajya* as in *Yājñavalkyaśmṛti*, *mokṣa* as in *Manusmṛti* or *saṃnyāsa* in the later period. Were women independently allowed to enter the fourth *āśrama*, that of independent renunciation? Olivelle is of the opinion that, initially, none of the *āśramas* including renunciation, were available to women as religious options. He writes: 'We can say without the slightest hesitation that in the original formulation, *āśramas* were considered as ways of life meant solely for adult males'.¹⁵⁸ The position of women vis-à-vis *āśramas* did not improve in the classical stage. Therefore, theoretically, *saṃnyāsa* was not available to women at all.

¹⁵⁶ J. Leslie, 1991b, p. 51. Leslie continues with the other similarities between the lifestyle of the widow and renouncer particularly the 'option of survival' for both and their daily practices (p. 52). She also highlights the dissimilarities in their lifestyles (pp. 55-7) and acknowledges that 'while widowhood is certainly an ascetic path it is not renunciation' (p. 57).

¹⁵⁷ There is no real example of such women-ascetics in the texts under consideration. The nearest appears to be the *parivrājikā* in *Mālavikāgnitram* (5.12). She becomes an ascetic when first her husband and then her brother dies and she is deprived of all protection. But this case is ambiguous as one cannot make out whether she actually becomes an ascetic or adopts the disguise of one. The only other example seems to be Kuntī in the *Mahābhārata*: after the death of Pāṇḍu, she devotes her life to the care of her sons, remains celibate, and under the control of her conjugal male kin.

¹⁵⁸ P. Olivelle, 1993, p. 188

But Brahmanical tradition itself records the existence of independent, wandering female ascetics. Sanskrit grammatical literature mentions several terms for such women.¹⁵⁹ The *dharmasāstras* refer to them as do the epics, the *Arthaśāstra* and the *Kāmasūtra*. Most significantly, the *Mitākṣarā* quotes a verse from the *Baudhāyanadharmasūtra* in the context of male asceticism, which refers to women who have renounced the world.¹⁶⁰ Sarvajñānārāyaṇa in his commentary on the *Manusmṛti* 6.97 writes that, according to some, the entire *āśrama* system is open to women. He continues: ‘They also cite the above *sūtra* of Baudhāyana as the scriptural basis for their position and interpret the masculine *brāhmaṇasya* (“for a Brahmin”) in Manu’s verse as a synecdoche meant to include also the feminine’.¹⁶¹ In addition, the *dharmasūtra* of Vasiṣṭha recommends that when a king dies, the new king has to maintain his predecessor’s wives. If, however, they are unwilling, they are to be allowed to depart.¹⁶² Olivelle maintains that since the verb *pra + vraj* is used, in all likelihood, it is used in its technical meaning of ‘going forth from home as a wandering ascetic’.¹⁶³ Such evidence has usually been utilized to argue that women ascetics did exist in ancient India, and therefore must have been regarded as legitimate by Brahmanism.

While the existence of female ascetics is indisputable, it is highly doubtful that female asceticism had the sanction of the *brāhmaṇa śāstra* composers. First of all, the *sūtra* of Baudhāyana that commentators have focused on, is not present in the extant version of the text. Moreover, none of the other *dharmasāstras* recognize the validity of female renunciation. Second, Sarvajñānārāyaṇa does refer to ‘some’ who regard *saṃnyāsa* as legitimate for women, but elsewhere he is at pains to deny the existence of Brahmanical women ascetics when he glosses over *pravrajitā* in Manu 8.363 as a *bhikṣukā*, commonly regarded as a woman follower of the Buddha.¹⁶⁴ Third, Satyavatī in the *Mahābhārata*, is the only example that comes to mind of a woman who is actually exhorted by a man to renounce.¹⁶⁵ But she is old and past childbearing age. Fourth, while there is a vast body of literature on male renunciation—on various types of renunciators, modes of initiation, time for renunciation, daily rites, and methods of obtaining

¹⁵⁹ Pāṇini 2.1.70 refers to a *kumāra śramaṇā* (unmarried female mendicant). The *Gaṇapatha* (233 on Pāṇini 2.1.70) mentions *śramaṇā*, *pravrajitā* and *tāpasī*. Patañjali (on Pāṇini 3.2.14) uses the term *parivrājakā* to refer to a female renouncer called Śaṅkarā. Cited in P. Olivelle, 1993, p. 189. Olivelle, however, writes that ‘it is unclear whether such references imply a recognition of the legitimacy of female asceticism on part of the Brahmanical elite’.

¹⁶⁰ *Mitākṣarā* on *Yājñavalkyasmṛti* 3.58.

¹⁶¹ Sarvajñānārāyaṇa cited in P. Olivelle, 1993, p. 190.

¹⁶² *Vasiṣṭhadharmasūtra* 19.29-34.

¹⁶³ P. Olivelle, 1993, p. 189.

¹⁶⁴ Sarvajñānārāyaṇa cited in H. Sharma, 1939, p. 63. Sharma continues that Kullūka explains *pravrajitā* as *bauddhabhir brahmacāriṇībhiḥ* and Rāmacandra as *bauddhavṛtti brahmacāriṇyaḥ*. Thus, all three try to deny the existence of Brahmanical women ascetics by glossing a *pravrajitā* as a Buddhist nun.

¹⁶⁵ In the *Mahābhārata*, Satyavatī, after the death of Pāṇḍu and the return of Kuntī with her children to Hastināpur, leaves for the forest with her two daughters-in-law on the advice of Vyāsa. They perform austerities and finally shed their bodies (1.119.5-11).

food—none of this literature includes parallel examples for women. Finally, some of the texts themselves identify *pravajya* as one of the six factors that lead to the degradation of women,¹⁶⁶ while others forbid a good wife to have any kind of social intercourse with women ascetics.¹⁶⁷ In the *Mahābhārata*, Sumanā Kaikeyī asks Śāṅḍilī how she has obtained heaven in spite of not performing austerities or vows.¹⁶⁸ To this Śāṅḍilī replies:

I did not wear robes of yellow, nor did I wear barks of trees. I did not shave my head. Nor did I keep locks on my head. It is not because of such deeds that I acquired a heavenly status.¹⁶⁹

Consequently, renunciation by women was not permitted by Brahmanism, at least from its theoretical standpoint, notwithstanding the actual existence of women ascetics.

6.8. Reasons for their disqualification: celibacy and non-reproduction

Renunciation implies celibacy. Under Brahmanical discourse it is unthinkable for women to be celibate. Since reproduction is so important, the only celibate role allowed to women by the *brāhmaṇa smṛtikāras* is pre-pubertal childhood and, gradually, widowhood (after *niyoga* and remarriage are discouraged). Therefore, asceticism or renunciation which necessitates a conscious and deliberate adoption of celibacy could not be condoned for women. In this context the story of Kunigargā, who from childhood had chosen an ascetic path, is suggestive. She is advised that she cannot go to heaven unless she marries. So she marries Śṛṅgavat (after promising to share half her merit with him), spends one night with him and, the next morning, goes to heaven.¹⁷⁰ This story proclaims celibacy as sin. If a woman remains celibate and, therefore, a virgin all her life, she was not entitled to go to heaven. As Olivelle writes:

Marglin argues that it is not merely the single and independent status of the goddess, as Babb maintains, that makes her dangerous but her celibate status. In either case, it is clear that these images of divine female sexuality have sociological implications, for humans create gods and goddesses in their own image. If celibate and independent goddesses are dangerous, so are celibate and independent women.¹⁷¹

The celibacy of women, when they became ascetics, constituted a direct threat to the basic tenets of the Brahmanical discourse on women. Celibacy meant non-procreation when the discourse conceived of women only in procreational terms. The *smṛtis* repeatedly assert that women are created for producing children. And if indeed women were allowed to become renouncers, the regeneration of the family, the lineage and ultimately society would be affected. Interestingly, the *Arthaśāstra* recommends that a man pay a fine to the state if he deliberately encourages a woman

¹⁶⁶ See *Atri smṛti* 19.37, cited in P. Olivelle, 1984, p. 112. See also *Mitākṣarā* on *Yājñavalkya-smṛti* 1.87. In the *Rāmāyaṇa*, Daśaratha tells Kaikeyī that Sītā should not go in garments of bark and *kuśa* grass (2.33.14) and Sītā herself appears frightened at the sight of the bark garments (2.33.9).

¹⁶⁷ *Kāmasūtra* 4.1.9. See also *Strīdharmapaddhati* 22.v.1 cited in and translated by J. Leslie, 1995, p. 171.

¹⁶⁸ *Mahābhārata* 13.124.6.

¹⁶⁹ *Mahābhārata* 13.124.8.

¹⁷⁰ *Mahābhārata* 9.51.5-14,21.

¹⁷¹ P. Olivelle, 1993, p. 186.

to adopt the path of renunciation (*strīṅām ca pravajyataḥ*). Yogghama's commentary *Nītinirṇīti* adds that by a woman Kauṭilya actually means a *anivṛttarājaska*, a woman who is still able to bear children. This explanation is significant in so far as it clearly suggests that one of the primary reasons for not allowing women to renounce is that their reproductive capacities would remain 'unutilized'. This probably explains why Satyavatī is asked to go to the forest by Vyāsa. She is certainly past childbearing age and has fulfilled her duty. Similarly, Mādhavī's father assents when she 'cho[o]se[s] the forest as her bridegroom' as she has fulfilled her procreative duty by bearing four male children to four different men.¹⁷² Since all women could not be as dutiful as Mādhavī before renouncing, it was thought better to forbid asceticism to women rather than affect the reproduction of society.

Moreover, the adoption of the ascetic path gave to women a large measure of independence contrary to dharmaśāstric dicta. Since renunciation was not a prescribed path for women, those women who chose it, did so consciously and independently, like Kunigargā, Sulabhā, Śabarī, Mādhavī, and Svayamprabhā. Manjushree has rightly stated that female ascetics were not unknown but, because they were independent, and because 'Hindu law' did not tolerate independence in women, they were not held in high esteem.¹⁷³ Renunciation also implied roaming about on part of the female ascetic. The word *parivrājikā* or *pravrajitā* is derived from the root *vraj* which means 'to wander' or 'move about'. The right to wander about freely is significant. For if allowed to women, it would mean that woman ascetics would have access to the 'public' sphere normally reserved for males and prostitutes. Naturally, Brahmanical discourse could not sanction renunciation, with wandering about as its basic requirement, for women. But in spite of their theoretical disability, women ascetics did wander about. Sulabhā arrives in Janaka's court when she wants to test him on his knowledge on enlightenment. She is cordially received.¹⁷⁴ Ambā, in the *Mahābhārata*, wanders about performing severe austerities. According to Kālidāsa, *parivrājikās* move about freely and mixed socially with royal women and kings.¹⁷⁵ Contrary to the dicta expressed in the *Atrismṛti*, *Kāmasūtra* and the *Strīdharmapaddhati*, women ascetics are apparently welcomed, particularly into the inner quarters. Their easy access to houses would help to explain why the *Arthaśāstra* recommends that they be used by the state for the purposes of spying or for creating dissension.¹⁷⁶ The prescribed itinerant lifestyle of a renunciate woman ascetic and therefore, her association with the 'public' sphere created other problems. Though

¹⁷² *Mahābhārata* 5.118.6-10, 5.113.12-4. The antecedents of the other independent women ascetics like Sulabhā, Śabarī and Svayamprabhā are not recorded in great detail.

¹⁷³ Manjushree, 1990, p. 53.

¹⁷⁴ *Mahābhārata* 12.308. 3-7.

¹⁷⁵ In the *Mālavikāgnitram*, the *parivrājikā* frequently visits the *antapuraḥ*, interacts with the king and judges a dancing competition

¹⁷⁶ *Arthaśāstra* 2.23.2, 5.1.19, 5.1.50, 12.2.20, 11.1.52, 1.10.7, 1.11.1, 1.12.4. It uses the terms *pravrajitā* and *bhikṣukī*.

theoretically sexually unavailable she was in fact perceived as sexually accessible, partly because of her itinerant and public lifestyle,¹⁷⁷ and partly because of a general belief in the rampantly sexual nature of women.¹⁷⁸ This was the basic paradox that Brahmanism was unable to address: an independent woman ascetic adopted a lifestyle marked by celibacy but was seen typically as sexually available. The four references to women ascetics in the *dharmaśāstras* reveal a preoccupation with this question of sexual accessibility. All refer to the fact of sexual intercourse with a female ascetic. While the *Manusmṛti*, the *Yājñavalkyasmṛti* and the *Arthaśāstra*¹⁷⁹ impose a small fine on the man who has forcible intercourse with her, the *smṛtis* of Nārada and Viṣṇu regard this as a more serious crime. But the existence of and the necessity for this dictum reveals that the abstinence from sexual activity of wandering women ascetics remained a problematic issue in a society where the sexuality and procreative abilities of women were of primary importance.

A survey of the reasons that made it impossible for a woman to renounce the world reveal that almost all the objections revolved around the issue of her sexuality and fertility. It was existence as a woman which rendered her incapable of becoming a true renunciate. She was deemed to have an insatiable sexual appetite, was periodically in a state of pollution during menstruation, and contrary to male ascetic had no control over the discharge of her bodily fluids. Even when a woman did renounce, her identity as a female always assumed greater importance than her identity as an ascetic.¹⁸⁰ Moreover, for the *brāhmaṇa* writers, renunciation meant the giving up of a family and sexual life, which for women could not be envisaged.¹⁸¹ As Leslie concludes, 'from the orthodox point of view, 'female ascetic' is simply a contradiction in terms'.¹⁸²

Summary

The origin myths regarding prostitution and the meanings of words used for prostitutes indicate that a prostitute was a woman who was regarded as sexually available to many men. She was also deemed to belong to the public sphere which in turn made her accessible to men. As the paternity and caste of the sexually polygamous prostitute was difficult to establish, she was considered

¹⁷⁷ For example, when Ambā announces her decision to become an ascetic, *brāhmaṇas* warn her that, living in the woods, she would be prone to propositions from men (*Mahābhārata* 5.174.10). It was because women ascetics were vulnerable to attacks by men that the Buddha decreed that nuns were not to wander about in the monsoon season or live in the forest.

¹⁷⁸ This is best illustrated by the story of Aṣṭāvakra and the old woman ascetic in the *Mahābhārata*. The former comes to the latter for spiritual instructions. But the woman, forgetting her years of renunciation, propositions him, the lesson being that even an elderly woman ascetic is unable to overcome her inherent nature and control her rampant sexuality (see chapter two).

¹⁷⁹ *Manusmṛti* 8.363; *Yājñavalkyasmṛti* 2.293 and *Arthaśāstra* 4.13.36. Medhātithi glosses *pravrajitā* as unprotected and lusty (*araksatā, kāmukā*)

¹⁸⁰ Much of the arguments in this paragraph appear in J. Leslie, 1993, pp. 89-112.

¹⁸¹ Leslie writes women were wholly identified with the social, familial and sexual world that the (male) ascetic had to renounce. Therefore, asceticism for women was not condoned (1993, p. 100).

¹⁸² J. Leslie, 1993, p. 100.

socially non-procreative. Consequently, Brahmanical discourse saw the prostitute as a woman who failed to utilize her powers of reproduction for the benefit of society. The prostitute, being promiscuous, public and non-procreative, was held in low esteem. While her social role—that of providing a patriarchal society with non-procreative pleasure, sexual services without responsibility, and absorbing women who had been raped or enslaved or captured among her kind—was recognized, she was not approved of and was kept away from the private sphere. Though a part of the urban culture that had emerged by the fourth century BCE, in Brahmanical discourse she was regarded as a deviant.

There were several kinds of women ascetics in ancient India. The most common were the *tāpasīs*. They were either women who accompanied their husbands/sons to the 'forest' and performed austerities, or women who undertook ascetic practices for a temporary period with a particular aim in mind. This kind of asceticism did not preclude the roles of the wife and mother and so did not pose any challenge to the Brahmanical notions of motherhood/wifehood. These women ascetics were tolerated by Brahmanism since their activities did not threaten the proper functioning and reproduction of society as envisaged by the *brāhmaṇas*. In addition, there were some women who were independent, wandering renunciators. As renunciatory asceticism implied celibacy, such women were non-procreative. Therefore, the ascetic practices of these women were not sanctioned by a Brahmanical discourse which insisted that a woman's primary function was reproduction. Moreover, such women were independent and, because of their tendency to wander associated with the public sphere, where their sexuality continued to be viewed as a problem. It is no wonder that Brahmanical discourse did not tolerate them.

WOMAN AS OBJECT AND SUBJECT: BRAHMANICAL DISCOURSE AND THE QUESTION OF THE AGENCY OF WOMEN IN ANCIENT INDIA

In the previous chapters, I have utilized the methods of feminist textual analysis to demonstrate the way in which Brahmanical texts perceived women. I argued that the Brahmanical discourse viewed women as inherently sinful, but fundamental for reproduction. Due to Brahmanism's preoccupation with purity of caste and lineage, the reproductive capacity of 'sinful' women had to be controlled. According to my reading of the sources, control was sought to be established by classifying women on the basis of reproductive functions, with a distinction between the normal and the deviant. There was an institutionalization of motherhood, with the mother becoming the primary normative category. The wife and daughter, being potentially procreative, formed the secondary normative category. The widow, *veśyā* and female ascetic were constructed as non-procreative and therefore, deviant. This appears to have been the Brahmanical perception of women and their roles.

The above approach has been criticized on several grounds. It is claimed that this method replicates the Brahmanical objectification of woman reinforcing the status of woman as an object and her position as the 'other'. Second, according to Nita Kumar, a discussion of the patriarchal discourse, while useful, cannot be regarded as the history of women.¹ Finally, it has been argued that such a method tends to ignore the existence of contrary discourses on gender or the experience of women, and in a sense creates a monolithic Brahmanical discourse. Uma Chakravarti writes that the very existence of texts like the *Strīdharmapaddhati* hints at the 'recalcitrance' of women and their different subjective experiences from the dominant discourse.²

Taking some of these criticisms into consideration, in this chapter I attempt to look at the 'other side of the picture', at women as subjects, and address the question of agency of women in ancient India. I argue that Brahmanical discourse though apparently monolithic, is not really so. It includes within itself various alternative positions and occasional contradictions. In fact, a close reading of the Brahmanical texts discloses sub-texts within the discourse and reveals the ways in which women could and probably did exercise agency in ancient India. Therefore, in this chapter I concentrate on the 'sub-texts' within the discourse and discuss first, the researches of some

¹ N. Kumar, 1994, p. 4.

² U. Chakravarti, 1991, p. 185. Cited in G. Raheja and A. Gold, 1994, p. 7. This thesis does not contend that Brahmanical discourse was the only discourse on women, but that it was the dominant discourse in the period under consideration. Moreover, it may not always have been the case that the supposed disobedience of women was the primary factor behind a discourse and its incorporation in texts. The discourse on women emerged due to the *brāhmaṇas'* perception of their external reality and the supposed threat that women, with their sexual nature, posed to it.

'subaltern scholars' (see chapter one), who brought to the forefront the question of agency of women, and the more popular criticisms of their methods. In the second section, I discuss the main areas of focus of the subaltern scholars and two more fundamental problems with their methods. The next section analyzes the normative discourse and shows, using the examples cited by the subaltern scholars, that it was and is far more complicated than is usually realized. And finally, in the last section of this chapter I will consider whether 'agency' can be equated with 'subversion' and the question of complicity with and resistance to the dominant discourse. However, I must clarify that this attempt is at times speculative due to the nature and paucity of sources.³

7.1. New ethno-history: the 'experiences' and 'activities' of women.

A recently-emerged, ethno-historical trend rejects the previous academic focus on women in the male-dominated, classical, Sanskrit, Hindu tradition. Instead, it emphasizes the experiences of women; studies women's rituals, belief systems and perceptions of power; and analyzes the ways in which the activities of women constitute a subversive challenge to the patriarchal order.⁴ The main aim of such research, according to Nita Kumar, is to unveil the covered, listen to the muted and look for hidden meanings, and to discover a separate parallel discourse for women within the larger context of a normative, more familiar, male-centred discourse. Gloria Raheja and Ann Gold, on the basis of their field research in Rajasthan, wish to bring to public notice 'the subversive and critically ironic refrains in north Indian women's oral traditions'⁵ in order to challenge the current notion of rural south Asian women as passive and submissive, oppressed by a patriarchal social order and religious tradition, for: 'As a group the women of rural north India impressed us overwhelmingly with their sense of their own power, dignity and worth.'⁶ Veena Talwar-Oldenburg studies the lifestyle of the courtesans (*tawaiifs*) in contemporary Lucknow and writes, 'these women, even today, are independent and consciously involved in covert subversion

³ The sources are usually regarded as male, elite and Brahmanical. Interestingly, Wendy Doniger, at a lecture at the School of Oriental and African Studies, was of the opinion that women's voices and experiences could not be totally absent in a male, elite tradition like that of Brahmanism. This would appear to be true particularly in the narrative parts of this tradition. Uma Chakravarti and Kumkum Roy agree that women had very little to do with the transmission and the composition of the texts in question, but admit that one can be sensitive to the various ways in which women's collective consciousness may be reflected or refracted in these texts (1988, p. ws9).

⁴ Nita Kumar writes that the experience of women is often overlooked as they assert their autonomy through unconventional (non-modern, non-progressive, 'backward') lifestyles, and express freedom through distinct work and leisure habits: 'Within any community, ...the women are the dominated stratum and assert their autonomy, subjecthood and freedom ... through distinct work and leisure routines, speech and dress code, cultural practices and lifestyle. These practices of women are not recognized by men as constituting protest, and are either denounced as vulgar, lower, 'theirs', or else as silently marginalized...' (1994, pp. 1-2).

⁵ G. Raheja and A. Gold, 1994, pp. 3-8.

⁶ G. Raheja and A. Gold, 1994, Preface.

of the male dominated world; ... in their own self-perceptions, definitions, and descriptions they are engaged in ceaseless and chiefly nonconfrontational resistance... . It would be no exaggeration to say that their "life-style" is *resistance to rather than a perpetuation of patriarchal values*'.⁷ Thus, such scholars seek to show women as subjects with a will and capability to act on their own, and demonstrate the various ways in which women express resistance to and subvert the patriarchal order.⁸ What are the imperatives behind such scholarship?

A desire to study subordinate classes (women being regarded as one of the more overtly exploited groups) is the primary motivating factor behind this scholarship. The basic assumption is that protest and resistance by a subordinate group to a dominant culture or dominant class does not have to take well-recognized forms, but can appear in various day-to-day activities: evasive tactics, counter cultures of language, humorous jokes, genres of song and dance, myths full of double entendre, etc.⁹ The influence of James Scott is obvious in the such studies. He argues for identifying '...between abject unquestioning deference and violent outrage ... the massive middle ground in which conformity is often a self conscious strategy and resistance is a carefully hedged affair that avoids all or nothing confrontations'.¹⁰ Desmond Haynes and Gyan Prakash extend this idea to gender issues in south Asia with the aim of moving away from 'extraordinary moments of collective protest' to a 'variety of non-confrontational resistances and contestory behaviour'.¹¹

Interest in women's activities, experiences and modes of expression was also facilitated by developments in Western anthropology and history. Edwin Ardener's theory of 'muted groups' generated interest in the analysis of women's language and speech and prompted anthropologists to look more closely at communication and the modes of expression used by women.¹² Women had been regarded as silent and invisible. Therefore, it was felt that to just listen to women would be sufficient to restore them to history and make up for centuries of silence. Oral history became a means of demanding justice, a means for the female historian to invert the dominant male order. The primacy given to oral sources allowed women scholars to put forward the axiom of

⁷ V. Talwar Oldenburg, 1990, p. 261 (*emphasis in the original*).

⁸ Nita Kumar writes that women do not lack consciousness or will. They have parallel discourses and these discourses have varying relationships with the dominant ones, sometimes subversive, sometimes silent, and at other times, directly challenging (1994, p. 14).

⁹ N. Kumar, 1994, p. 3.

¹⁰ J. Scott, 1985, pp. xvi,26-47,304.

¹¹ D. Haynes and G. Prakash, 1991, pp. 1-2.

¹² E. Ardener cited in S. Ardener, 1993, pp. 7-8,11. See also P. Burton, K. Dyson and S. Ardener, 1994. Gail Minault studied the forms of women's expressions in the nineteenth century among Muslim households in colonial north India and found that women did not speak in literate Urdu. Instead, they had a special 'dialect' called the *begamati zaban* which was criticised by the emergent, educated Muslim reformers. G. Minault, 1994, pp. 108-22. See also M. Karlekar, 1991, pp. 2-9,111-4,128-98.

'sisterhood'. There was a sense of 'shared gender and gender experiences' with the interviewee.¹³ The newly emergent Western feminist anthropology expressed a desire to re-evaluate women's power and go beyond the language of oppression, to show that women had been present and active and that they had a coherent culture with real powers. This ushered in what Michele Perrot calls the 'matriarchal era' in American feminist anthropology.¹⁴ Within history, the desire to approach women's history as 'her-story', and the concept of a separate sphere (of Rosaldo and Lamphere) probably encouraged the idea of a separate women's world and culture. Women's history began to be conceived as a narrative of women's experiences. The aim was to give historical value to an experience that had been ignored, and to insist on female agency in the making of history.¹⁵

The subsequent focus on south Asian women is to be viewed against this background. Within the context of these exciting developments, it was increasingly felt that third-world women were being ignored. Little was being done to challenge the tendency to portray women in the third world as identical and interchangeable, and as more exploited than women in the dominant capitalist societies: a portrayal that betrayed the Western liberal and socialist feminists' belief in their own cultural superiority.¹⁶ Therefore, Western and Indian scholars began to study the experiences and subversive activities of south Asian women and to acknowledge their agency.¹⁷

This new scholarship, by recognizing the subjectivity of women, women's ability to create alternative spaces and to indulge in 'subversive' activities, helped focus attention on the question of agency of women and on the modes of expression through which women exercised and experienced agency. But some methodological problems remain. The previous histories concentrated on the various forms of dominance and oppression of women and were 'histories of

¹³ S. Vandecasteele and D. Voldman, 1992, pp. 42-3.

¹⁴ M. Perrot, 1992b, p. 161.

¹⁵ For example, see C. Smith-Rosenburg, 1983, pp. 27-55. From letters and diaries written between 1760 and 1880s she constructed the ceremonies and passions that linked women in networks, which often spanned generations. In this rich homosocial culture, women found the emotional and physical intimacy that marriage, typically the first extended contact with a member of an alien group, failed to provide. Degler argues that American women created the ideology of the separate sphere to enhance their autonomy and status. According to him, women created a world that was neither within nor in opposition to oppressive structures or ideas that others imposed, but which aimed to further a group of set interests, defined and articulated from within the group itself. C. Degler, 1980, cited in J. W. Scott, 1983, p. 149. See also L. Pierce, 1992, pp. 40-55.

¹⁶ Chandra Mohanty has pointed out the tendency, within Western feminist writing, to define 'third-world' women as victims of male control and an unchanging 'tradition'. Such representations, she argues, define and maintain post-colonial relations between the first and the third worlds by positing implicitly or explicitly, the moral superiority of the west and the moral degradation of the patriarchal third world (1984). Cited in G. Raheja and A. Gold, 1994, p. 8. Geraldine Forbes agrees and singles out Mary Daly (1990) and accuses her of 'Paki bashing' (1996, pp. 4-5). See also N. Kumar, 1994, p. 11.

¹⁷ For example, Raheja and Gold categorically state that one of the motives behind their research is the desire to avoid colonial and post-colonial ways of thinking that have previously characterized Indian women as down-trodden, exploited and passive (1994, pp. 8-9).

female misfortune'.¹⁸ The new scholarship is in the danger of subscribing to the opposite extreme. By revealing women as agents of intrigue, with their own forms of actions and expressions, gestures, words, and a 'culture', this scholarship tends to become 'carnavalesque',¹⁹ emphasizing as it does an inversion of roles.

Second, a persistent characterization of women as silent conspirators working to subvert an overarching patriarchal structure emphasizes the existence of a separate sphere: a world of women, self-sufficient and characterized by its own form of expression and its own culture. According to Perrot, this kind of writing corresponded to the phase of 'euphoric re-evaluation of women's history, and at the same time to the discovery of the pleasure of female company'.²⁰ But this method has its dangers. The creation of a self-sufficient and separate sphere of women provides an illusion of women's social power and offers too much support to those who wish to maintain the status quo. In its worst form, it appears to make feminist politics redundant. Moreover, this approach, although it has helped to make 'personal subjective experience' historically significant, assumes that women have inherent characteristics different from men, and that these characteristics generate specifically female needs and interests. Consequently, historians and anthropologists are tempted to underplay the socially constructed nature of sexual difference.²¹ Janaki Nair also warns that there is the danger of over-valorization of the 'self-sufficiency' of the women's world. Others have expressed reservations against the notion of the existence of a 'feminist consciousness' in the dominated and subaltern woman. Gayatri Spivak points out the dangers of valorizing the 'concrete experience of the oppressed',²² and questions the tendency of subaltern scholars to posit a unified, consistent, and pristine subaltern consciousness, as well as their tendency to create self-determination and continuity out of what may actually be heterogeneous determinations and discontinuous discourse.²³

Third, this scholarship often fails to take into account the relationship between patriarchal structures and other forms of social and economic domination, and ignores the ways in which complicity and resistance are constituent elements in any relation of domination.²⁴ Finally, it may

¹⁸ M. Perrot, 1992a, p. 6.

¹⁹ M. Perrot, 1992a, p. 6.

²⁰ M. Perrot, 1992b, p. 163.

²¹ J. W. Scott, 1988a, pp. 4,20.

²² G. C. Spivak, 1988, pp. 271-313.

²³ G. C. Spivak, 1985c, pp. 10-5. Cited in G. Raheja and A. Gold, 1994, p. 15.

²⁴ J. Nair, 1994, pp. 90-1. See also H. Moore, 1994a, pp. 49-50,65,82. Rosalind O'Hanlon argues that 'the demand for a spectacular demonstration of the subaltern's independent will and self-determining power' has meant that the continuities between hegemonic discourse and subaltern culture have generally been ignored. R. O'Hanlon, 1988, pp. 203,213,219; cited in G. Raheja and A. Gold, 1994, p. 15.

be said that while studies of every-day forms of protest are useful, they do not reveal how such 'modes of every-day resistance' were successful in changing the dominant structure. The proponents of this school themselves seem to be in doubt about the effectiveness of such methods of criticism. Raheja and Gold admit that such activities of women were and are not always successful in altering the dominant structures they critique (see chapter one). Even so they insist that such criticism is itself a blow to patriarchal domination.²⁵ This appears to be a forced argument. It is more apt to suggest, as Janaki Nair does, '...as long as these transgressions or survival strategies do not prefigure large systematic transformations they remain cultural and historical curiosities, doing little to address the more persistent continuities of patriarchy and its ability to recast itself along with evolving forms of social and economic power'.²⁶ Aside from this criticism, in my view, there are two more fundamental problems with subaltern scholarship. These are, first, the construction of and acceptance by subaltern scholars of a monolithic normative discourse against which women are supposed to exercise agency. Second, their characterization of all activities of women as 'subversive' without fully taking into account the question of complicity of women with the dominant discourse, is equally open to question. It is these issues that I address in the next three sections.

7.2. A monolithic normative discourse and the equation of agency to subversion?

A fundamental critique of subaltern scholarship is that it creates and constructs a particular discourse which it then characterizes as normative and patriarchal. This is the discourse against which women are supposed to have and do exercise agency. This normative discourse is not explicitly identified as Brahmanical, nor are the parameters of this discourse fully spelt out. However, upon a close inspection, this dominant normative discourse, in subaltern scholarship, seems to have four basic characteristics. First, it is identified as one which privileges patrilocal marriage and conjugal ties at the expense of other non-patriarchal forms of marriage and natal ties. Second, the normative discourse is perceived to have traditionally devalued female sexuality resulting in Indian women's 'ideological self-abasement'.²⁷ Third, subaltern scholarship argues that the normative discourse identifies women as inherently sexual and, therefore, sinful. Consequently, the discourse tends to separate motherhood and childbirth from the sexual activity that precedes it.²⁸ Finally, the dominant patriarchal discourse is seen as one which has traditionally

²⁵ G. Raheja and A. Gold, 1994, p. 185.

²⁶ J. Nair, 1994, p. 94.

²⁷ G. C. Spivak 1985a:129; cited in G. Raheja and A. Gold, 1994, p. 9.

²⁸ Sudhir Kakar refers to the cultural division of the wife into mother and whore, the former fertile and non-threatening and the latter sexual and dangerous (1978, pp. 79-112 and 1990, pp. 17-9). Wendy Doniger O'Flaherty sees a distinction between 'goddesses of the breast' and 'goddesses of the tooth' or genitals, between the sacred cow and the profane mare,

excluded women from the ritual sphere. Subaltern scholars argue for the agency exercised by women and indeed, the 'subversive' nature of this agency, by pointing out the continued importance of natal ties for women in spite of the normative discourse; the refusal by women to accept the normative split between sexuality and fertility; a frank enjoyment by women of the sexual role of the wife; and the independent ritual activities of women, who are officially not allowed to participate in Brahmanical rites and religion. I now discuss all of these in some detail.

Raheja and Gold suggest that Rajasthani women's songs offer critical comment on the traditional split in a woman's identity as daughter and sister on the one hand, and as wife on the other. These songs also point out the contradiction in kinship ideology that makes a wife 'foreign' to her natal kin, while designating her as alien to her husband's kin. Thus, women poignantly reveal that after marriage they have no place they can call their own. 'One song expresses the inherent contradiction in a woman's position in kinship relations. She becomes other to her natal kin yet longs to remain one's own to them.'²⁹ Because of this, women construct, actively and intentionally, kinship relationships in their conjugal villages to compensate for the lack of natal kinsmen. These genealogically ambiguous relationships are given more importance by the women than their conjugal ones.³⁰ Raheja and Gold conclude that women have powerful tools for subverting the domestic power hierarchies. Through their songs they question the dominant male discourse that posits a sharp discontinuity in a woman's life as a daughter and a wife, and which deprives her of all power in her conjugal family. Similar conclusions are drawn by William Sax. The women he studies in Garhwal do not go as far as to construct genealogical relationships in their conjugal villages. However, they emphasize that their links with their natal home are never completely erased. Sax finds that every year, when the divine *dhiyani* (out-married daughter) Nandā Devī is invited back to her *mait* (natal home), out-married human *dhiyanis* are also invited back. The power of the *dhiyani* to curse her *mait*, and the requirement that she participate in its rituals, give lie to the 'hegemonic, high-caste, male, literate ideology emphasizing the bride's change of substance and termination of her relationship with her *mait*.'³¹

Subaltern scholars are of the opinion that south Asian women neither regard their sexuality as threatening, nor make a distinction between sexuality and fertility. In fact, at times, women emphasize the female role in reproduction. For example, Raheja and Gold argue that south Asian

and the fertile mother and the erotic whore (1981, pp. 33,90-1,117,239-80). The split between sexuality and fertility, between the erotic women and the fertile women is not limited to 'Hindu philosophy. For a similar dichotomy within Christian tradition, see M. Warner, 1985, pp. 68-77,236-54,336-8.

²⁹ G. Raheja and A. Gold, 1994, p. 99.

³⁰ G. Raheja and A. Gold, 1994, pp. 109,119.

³¹ W. Sax, 1991, pp. 83,98-9,125.

women are often misrepresented as being ashamed of their own bodies and sexuality, for Rajasthani women's songs reveal a covert, but exuberant sexuality with a positive valuation of sexual pleasures. And it is through these songs that women question the authoritative discourse of male control over female sexuality and female lives.³² Among the songs, the most 'subversive' ones record the feelings of the wife. They eulogize sexual intimacy between a husband and a wife, express the view that oppression of the wife is possible only during the husband's absence and envisage possible partition of the husband's family.³³ In Nepal, Bennett finds that women are willing to serve their husbands with humility and devotion in public. This is part of a private strategy to secure their own position in the conjugal households and perhaps, eventually to get their husbands to split from the joint family altogether. She writes: 'Women told me frankly that sex, as means to have children and as means to influence their husband in their favour, was their most effective weapon in the battle for security and respect in their husband's house.'³⁴ Other women's folk songs from Rajasthan portray an earthy female self-conception, one in which women's sexuality is associated with their birth giving capacities. In these songs women are not sexually insatiable creatures seeking to draw the life force from men. Instead, according to Gold, 'the sexual and maternal aspects of female nature seem fused rather than split, and generative rather than destructive images of female power emerge'.³⁵ Consequently, women's songs explicitly link erotic union with procreation and birth. Women seem to feel that active sexual interest and motherhood can be combined in a good wife, leading to a self-perception by women of themselves as simultaneously sexy and motherly, and an absence of dichotomy between the erotic whore and the fertile mother.³⁶ Even in myths narrated by men, the erotic mother can become transformed into an equally lusty wife.³⁷ Other women's songs give prominence to 'female emanation'. In some songs heard by Sax, the 'Adishakti' reproduces offspring from her menstrual blood, the generative equivalent of semen, the 'female seed'. This is in contrast to the

³² G. Raheja and A. Gold 1994, pp. 45-66. See also W. Sax, 1991, p. 33.

³³ G. Raheja and A. Gold, 1994, pp. 128-33.

³⁴ L. Bennett, 1983, pp. 175-7.

³⁵ A. Gold, 1988, p. 33. Cited in W. Sax, 1991, p. 33. Here Gold is presumably contrasting the attitudes of women themselves to textual, normative, male, Brahmanical traditions and notions, which see women as sexually insatiable. However, she does not clarify whether and to what extent such notions still prevail among the persons she studied.

³⁶ G. Raheja and A. Gold, 1994, pp. 31-2,55,57.

³⁷ In a creation myth narrated by Madhu Natisar Nath, the erotic-violent and non-erotic procreative females are not two different beings. Gold writes: 'This Shakti is a mother, the mother of everything; she is also a sexually eager wife and her serial sexual aggressions—first as mother and then as wife—are the means of creating and perpetuating life'. She concludes that this myth shows that female violence is readily reversible and has positive results and that female sexuality is fully creative (1994, p. 34).

Brahmanical theory of conception in which the woman is regarded as the field or the 'passive receptacle' of the man's seed.³⁸

Other scholars have focused on the customary religious practices and beliefs of women. These ritual activities are not openly characterized as 'subversive'. However, scholars seem to imply that, through participation in rites and rituals, women create and perpetuate a separate domain of their own in the religious sphere. For example, Wadley writes about the participation of north Indian women in life-cycle rites,³⁹ while Robinson refers to the activities of Bengali, Hindu women in rites and rituals, particularly the *vrata* tradition, through generations.⁴⁰ McGee comments that women's perceptions of *vratas* are different from the Brahmanical view. To women, *vratas* are not for spiritual liberation or *mokṣa*, but for the welfare of the family, husband and children.⁴¹ Fruzzetti argues that Bengali women and their rituals are not necessarily excluded from the public sphere, but form a link between male and female-dominated spheres of activity.⁴² Therefore, contrary to Brahmanical dicta, south Asian women do and did (as I will explain below) independently participate in a variety of ritual activities. Thus, subaltern scholarship implies that women can and do exercise agency against a dominant normative discourse, but add the caveat that this agency is expressed only through 'subversive' activities. However, as I explain in the next sections, Brahmanical discourse cannot be dismissed as monolithic, nor can the agency exercised by women be equated only with subversion.

7.3. *The sub-texts in the dominant discourse*

The subaltern school's delineation of the normative discourse (as explained above) is simplistic. It does not take into consideration that the dominant, Brahmanical discourse can and does accommodate certain so-called 'deviant' forms of behaviour (on part of men and women alike)

³⁸ See W. Sax, 1991, p. 25. David Shulman analyzes some Tamil myths which envisage procreation from menstrual blood alone. These myths regard menstrual blood as polluting, but also, at the same time, as dynamic (1980, pp. 103-5). Wendy Doniger O'Flaherty records a similar myth in which a drop of the menstrual blood of sixty-four *yoginīs* is fertilized by the shadow of a hawk. She concludes that in the earliest portions of Indian tradition, man and woman, were both envisaged as capable of procreating independently. From the upaniṣadic period, the woman's role in reproduction was increasingly sidelined (1981, pp. 32-4). By the time of classical Hindu tradition, the image of the woman as the creator had virtually disappeared: 'the instances of unilateral female creation are by far outnumbered by unilateral male creation' (1981, p. 39).

³⁹ S. Wadley, 1988, pp. 35-40.

⁴⁰ S. Robinson, 1985, pp. 195-21. Jamzadeh and Mills write about Iranian *sofreh*, which appears to be somewhat similar to the *vrata*. *Sofreh* are votive offerings carried out inside the house by women for the appeasement of the supernatural, usually accompanied by folk-tale like narratives. *Sofreh* emphasises the power of individual women to affect the well-being of the family and of society as a whole, through manipulations of personal relations with the supernatural and family members, especially in-laws. Through the *sofreh*, Muslim women achieve a measure of devotional autonomy and extend their social networks beyond the family (1986, pp. 49,51).

⁴¹ M. McGee, 1991, pp. 69-87.

⁴² L. Fruzzetti, 1990, p. 118. See also L. Fruzzetti and A. Ostor, 1984, pp. 159,161,181-201,222-42 and V. K. Duvvury, 1991, pp. 93-109,197-203,213-31.

without, of course, undergoing any structural changes. In that sense, Brahmanical discourse is like any other dominant discourse. Moreover, because it includes within itself a certain amount of 'space' for deviant or contradictory behaviour, a kind of sub-text within a text, it was and is difficult to fundamentally challenge it. For example, in spite of Brahmanism's advocacy of patrilocal marriage and its belief in the patrilineal kinship system, Brahmanism did recognize (at least, implicitly) the importance of natal kin for a woman. *Śāstra* literature privileges the maternal kin of a man. According to the *Arthaśāstra*, maternal kin can act as guardians of deposits,⁴³ and can even be asked by a man to beget a *kṣetraja* son on his wife.⁴⁴ At a *śrāddha*, maternal uncles and the maternal grandfather can be fed in lieu of learned *brāhmaṇas*.⁴⁵ Evening *tarpaṇa* includes the names of a man's maternal relations.⁴⁶ In the *Rāmāyaṇa*, the sons of Daśaratha (particularly Bharata) enjoy a close relationship with their maternal uncles.⁴⁷ In the *Mahābhārata*, the important role of Śakuni (Duryodhana's maternal uncle) and of Kṛṣṇa (maternal kin to the Pāṇḍavas) is well documented. Both Pravarasena II, a Vākāṭaka king, (who included the name of his maternal grandfather in his genealogy), and Samudragupta (who called himself Licchavi *dauhitra*) acknowledged the importance of their maternal kin in their inscriptions.⁴⁸ These references indicate that for a man his maternal kin is important. Since men are advised to have close relations with their maternal kin, it is possible to infer that their mothers, through whom the relationship is established, could have had an opportunity to do so as well.

More importantly, the *śāstra* literature includes references to a wife's ties to her maternal home. The *Arthaśāstra* recommends that a wife who is disliked by her husband return to her natal home or stay with a *bhikṣukī*, and that a wife commits no sin if she goes to the home of her kinsmen.⁴⁹ In fact, she is advised to stay close to her maternal uncles (among others) when her husband is away.⁵⁰ It appears that wives did not sever their natal ties and usually returned to their father's home, especially if rejected by their husbands. For example, Isidāsī in the *Therīgāthā* maintains close links with her natal family and is married to three men, one after another, by her

⁴³ *Arthaśāstra* 3.5.20.

⁴⁴ *Arthaśāstra* 3.6.24, 1.17.50. In addition, a man's maternal uncle was to be honoured. See *Vasiṣṭhadharmasūtra* 13.41, 11.2; *Manusmṛti* 2.130-1, 3.119, 4.179; *Baudhāyanadharmasūtra* 2.3.6.36; and *Arthaśāstra* 3.20.18.

⁴⁵ *Manusmṛti* 3.148.

⁴⁶ *Baudhāyanadharmasūtra* 2.5.10.1. For other references to the maternal kin, see *Yājñavalkyasmṛti* 2.279, 3.4, 1.157, 1.220; *Viṣṇusmṛti* 32.1, 75.7, 74.1; *Āpastambadharmasūtra* 14.14.5,10.

⁴⁷ *Rāmāyaṇa* 2.1.2-6. See also 1.72.1-6, 2.29.9 and *Pratimānāṭakam* 3.2.

⁴⁸ *Corpus Inscriptionum Indicarum*, 1963, vol. 5, pp. 5-67. *Epigraphica Indica*, 1935-6, vol. 23, pp. 80-8 and *Corpus Inscriptionum Indicarum*, 1888, vol. 3, pp. 6-17.

⁴⁹ *Arthaśāstra* 3.3.13, 3.4.9-10,13.

⁵⁰ *Yājñavalkyasmṛti* 1.86.

father.⁵¹ In addition, if a woman, married according to the last four forms of marriage, dies without children, her *strīdhana* is inherited by her natal kin and not to her husband.⁵² Close natal ties in such marriages are tacitly acknowledged by Brahmanism. The *dharmaśāstras* include the *putrikāputra* (see chapter four) as one of the many kinds of sons; by definition, the mother of such a son would have had close natal ties.

The Brahmanical texts also hint that women themselves may have considered their natal home as the last resort. Kauśalyā, overjoyed at Rāma's proposed consecration, states that this would bring joy to her kinsmen and those of Sumitrā.⁵³ In the *Therīgāthā*, Kisagotamī, after the death of her husband and son, seeks out her own natal kin, but unfortunately arrives just in time to see the pyres of her mother, father and brother. This is the last straw: she gives up all hope and joins the Order.⁵⁴ Before joining the Order, Vaddhā's mother hands over her child to her own kin and not that of her husband.⁵⁵ Sujātā obtains her husband's consent as well as that of her parents when she joins the nun's Order.⁵⁶ In Kālidāsa's play, Śakuntalā is rejected by king Duḥṣanta, but asked to stay on in the royal palace till the birth of her child. The moment Duḥṣanta leaves, a heavenly woman comes and carries her away: this woman is the *apsarā* Miśrakeśī, a friend of Śakuntalā's mother.⁵⁷ In the *Rāmāyaṇa*, when Sītā is asked to prove her chastity for the second time, she prays to her mother to come and rescue her. The goddess Dharaṇī obliges.⁵⁸ The last two examples are mythic in nature. But they do indicate a cultural acceptance that women could look towards their natal kin for support, which would not be denied to them.

For women of the ruling class, natal ties seem to have been particularly important. Almost all the important women in the narrative texts are addressed by their patronymics or by the place of their origin. For example, Kuntī is so called because of her father Kuntibhoja, Gāndhārī because she is from Gāndhāra, and Draupadī as she is the daughter of Drupada. The most common names for Sītā are Vaidehī, Jānakī and Maithilī, deriving from Janaka (her father) or from Videha and Mithilā. Sometimes inscriptions record the details of the wife's family. Dakhamitrā, in her donative inscription, identifies herself as not only the wife of Usāvadata but also as the daughter

⁵¹ *Therīgāthā* no. 72.

⁵² *Yājñavalkyasmṛti* 2.145.

⁵³ *Rāmāyaṇa* 2.4.39.

⁵⁴ *Therīgāthā* no. 63.

⁵⁵ *Therīgāthā* no. 62.

⁵⁶ *Therīgāthā* No 53.

⁵⁷ *Abhijñānaśakuntalam* 5.33.

⁵⁸ *Rāmāyaṇa* 7. 88.10,12-3.

of King Nahāpana.⁵⁹ Kharavela's queen calls herself the chief queen of Kharavela and the daughter of Lālāka, the grandson of Hastisāhasa.⁶⁰ Prabhāvatidevigupta gives the Gupta genealogy except for mentioning the Vākāṭaka king she marries. She identifies herself as belonging to the dharaṇa *gotra*, the *gotra* of the Guptas and not that of the Vākāṭakas (viṣṇuvṛddha). Furthermore, the genealogical section of the inscription mentions her natal family: her mother, Kuberanāgā, her father Candragupta and her grandfather Samudragupta.⁶¹ All this would indicate the importance of marriage alliances for men as a strategy for gaining power. But in such alliances, women, by coming from powerful families, a fact recognized by the men, would be able to exercise agency and maintain close links to their father's home. On the one hand, open expression of such ties (for example, the inscriptions of Prabhāvatidevigupta) would be against Brahmanical norms; on the other hand, Brahmanical discourse itself partly encouraged strong links between an uncle and nephew and Brahmanical political theory acknowledged the importance of marriage alliances. A woman could and did take advantage of both of these dicta to maintain ties with their own families.

Brahmanical discourse emphasized the division between the sexual and dangerous wife and the asexual and benign mother and rejected conjugal intimacy (see chapters three and four). Though this was the dominant trend, to accept it without any analysis or qualification is to miss the 'accommodative' and 'polythetic' nature of the discourse itself. The texts contain examples (although not many) which indicate that the discourse occasionally turned a blind eye to departures from the prescribed compartmentalization of the roles of mother and wife and the rejection of sexual intimacy between the husband and wife. According to *dharmasūtra* of Vasiṣṭha, in the *Kāṭhaka*, women asked for a boon from Indra, which would allow them to have sexual intercourse during pregnancy.⁶² The ascetic Kauśikī congratulates Dhāriṇī on the victory of her son by stating that her husband's actions made her the wife of a hero, and her son's actions, the mother of a hero: Dhāriṇī's status was therefore, that of a wife and a mother combined.⁶³ Kumkum Roy, analyzing the Sanchi inscriptions, maintains that that while wifehood and motherhood may have been contrasting modes of identification, the frequent use of the uncommon

⁵⁹ *Epigraphica Indica*, 1935-6, vol. 23, pp. 82,85. See also *Archaeological Survey of Western India*, 1883, vol. 4, p. 103 and D. C. Sircar, 1942, p. 164.

⁶⁰ *Epigraphica Indica*, 1915-6, vol. 13, pp. 159-60.

⁶¹ *Epigraphica Indica*, 1919-20, vol. 15, pp. 39-44. See also *Corpus Inscriptionum Indicarum*, 1963, vol. 5, pp. 5-9,33-7.

⁶² *Vasiṣṭhadharmasūtra* 12.24. The *śloka* states: 'It is recorded in the *Kāṭhaka*: "Those (of us) who will bring forth tomorrow (will give birth soon) are desirous of being allowed to lie with our husbands". This is the boon granted by Indra to women'.

⁶³ *Mālavikāgnimitram* 5.16.

term *prajāpati* for the wife may indicate an attempt by women to bridge the gap between motherhood and wifehood: for the word *prajāpati* emphasizes aspects of maternity and control over children as the distinctive role of the wife.⁶⁴ Examples from narrative texts suggest that in spite of the valorization of the role of the mother in the dominant discourse, women, even after becoming mothers, celebrated and at times flaunted their sexual/conjugal activities. Kunī, the mother, praises Draupadī, the wife and calls her a true woman for she has chosen the life of her husbands over that of her sons.⁶⁵ Vidyutkeśa's wife, a *rākṣasī*, becomes pregnant and eventually delivers a child. After giving birth, she wishes to continue her sexual sport with her husband. So she abandons the child.⁶⁶ Sītā argues that without a husband a woman finds no happiness, even though she may have a hundred sons, as there is a limit to what a son, father, brother can give, but no limit to what a husband can give.⁶⁷ In the *Rāmāyaṇa*, following Vālin's death, his wife Tārā is advised by Hanuman to occupy herself by looking after her son Aṅgada. Tārā replies that even if she has a hundred sons like Aṅgada, she would rather embrace the dead body of Vālin.⁶⁸ Tārā's comments can be partly attributed to a woman's fear of widowhood. But such examples also indicate that women cherished their identity as wives and sometimes emphasized, contrary to Brahmanical norms, the husband-wife relationship rather than the mother-son relationship. Men too, in the texts, are shown as acknowledging the closeness of the conjugal and sexual bond. Jamadagni resolves to punish the Sun for exhausting his wife by his heat.⁶⁹ Sages send disciples on difficult errands to fulfil the commands of their wives.⁷⁰ Ruru vows to kill every snake when his wife is bitten by one.⁷¹ The *Rāmāyaṇa* paints a pleasing picture of the domestic life of Rāma and Sītā, and graphically describes Rāma's anguish at Sītā's abduction.⁷² It is apparent that the texts themselves contain some examples that go against the grain of their own dominant views, thereby negating the vision of Brahmanical discourse as monolithic.

Contemporary scholars emphasize the separate ritual activities of women in modern India, contrary to the normative discourse which forbids independent religious activity on part of

⁶⁴ K. Roy, 1988, p. 218.

⁶⁵ *Mahābhārata* 5.88.40-5.

⁶⁶ *Rāmāyaṇa* 7.4.24-5.

⁶⁷ *Rāmāyaṇa* 2.34.25-6.

⁶⁸ *Rāmāyaṇa* 4.21.12-3. See also 4.19.18.

⁶⁹ *Mahābhārata* 13.97.15-7.

⁷⁰ *Mahābhārata* 1.3.98-9.

⁷¹ *Mahābhārata* 1.10.1-2.

⁷² *Rāmāyaṇa* 3.60.39-52, 3.61. 1-2, 3.62.1.

women. It is true that the *śāstrakāras* forcefully recommend that women should not perform any rites and rituals independently,⁷³ and focus on the ritual role of the wife only in conjunction with her husband.⁷⁴ However, Brahmanical texts also contain suggestive evidence on the independent ritual activities of women notwithstanding their own prohibitions. Werner Menski comments that Indian women, through the ages, have not been as ritually subjected as the texts would have us believe.⁷⁵ Narrative texts contain examples of the ritual activities of women, sometimes with their husbands and sometimes alone. Rāma calls Sītā his companion in life and discusses the arrangements for his father's *śrāddha* with her. Later he enquires whether she has completed all the rituals and rites she was engaged in. He also requests her to worship the gods, undertake vows and fasts and look after his parents and brothers during his exile.⁷⁶ Some texts portray women performing rituals independently during their husbands'/fathers' absence or without their express consent. In the *dharmaśāstras*, the severity of injunctions against women who perform rituals independently suggest that perhaps this practice was not uncommon. On the one hand, the *Viṣṇusmṛti* recommends that a woman who independently keeps a fast or performs a sacrifice deprives her husband of his life and goes to hell.⁷⁷ On the other hand, in *Mālavikāgnimitram*, Queen Dhāriṇī donates eighteen gold coins to worthy persons everyday to ensure the long life of her son.⁷⁸ The mother of Duḥṣanta, in *Abhijñānāśakuntalam*, performs a *vrata* to safeguard her son's succession, demanding him to attend.⁷⁹ When Kauśalyā hears the news of Rāma's coronation, she gives as *dāna* gold, cows and other precious objects and goes to the shrine room to pray for Rāma's royal fortune.⁸⁰ She also performs the auspicious rites appropriate for his consecration.⁸¹ Daśaratha is not mentioned while Kausalyā performs these activities. Elsewhere, Kuraṅgī, an unmarried princess, goes to the garden to perform a special rite for women, while princess Padumavatī is called a lover of religious rites.⁸² Aśokan inscriptions refer to various

⁷³ For example, see *Gautamadharmasūtra* 18.1.

⁷⁴ *Baudhāyanadharmasūtra* 1.6.13.5,10,17.

⁷⁵ W. Menski, 1991a, pp. 50-1,67.

⁷⁶ *Rāmāyaṇa* 2.23.26-31. See also *Pratimānāṭakam* 5.2, 5.4. In the third act of *Vikramorvaśīyam*, the queen observes a *vrata* (*priyānuprasādam*) in the presence of her husband. In *Daridrācārudattam*, the stage-manager's wife, the actress, asks her husband to assist her with her fast (Act I, Prologue).

⁷⁷ *Viṣṇusmṛti* 25.15-6.

⁷⁸ *Mālavikāgnimitram* 5.1.

⁷⁹ *Abhijñānāśakuntalam* 2.18. Later Śakuntalā is shown engaged in the performance of her ritual vows (7.21).

⁸⁰ *Rāmāyaṇa* 2.3.30, 2.4.30,33, 2.4.41.

⁸¹ *Rāmāyaṇa* 2.4.37, 2.17.6-7, 2.17.27,31, 2.22.12,15.

⁸² *Avimārika* 1. Prologue; *Svapnavāsavadattā* 1.7,9. Similarly, in *Pratijñāyaugandharāyaṇam* there is a reference to princess Vāsavadattā going to worship at the shrine of the holy Yakṣiṇī (3.6).

ceremonies performed by men and more importantly, by women.⁸³ The Poona plates of Prabhāvatidevigupta record grants made by her on the occasion of a fast and *probhodhinī. ekādaśī*.⁸⁴ Samudragupta's wife is called *kula vadhū vratinī*.⁸⁵ The donative inscriptions at Buddhist sites issued by women also indicate the independent religious activity of women. Therefore, inscriptional evidence and references in the texts hint that women often could and did exercise agency in the religious sphere. They appear to have had their own *vratas*, fasts and other rites. It is probable that Brahmanism recognized this independent ritual activity of women but overlooked it. This could be because the performance of such rites and rituals, spatially limited to the domestic sphere, often of non-Brahmanical origin, and with limited (usually Brahmanical) aims (for example, securing the welfare of male kin), could not threaten the Brahmanical social order.⁸⁶ In fact, it can be said that Brahmanism possibly turned a blind eye to such ritual activity, thereby providing women with a kind of safety valve. In this context Nancy Demand's comments are pertinent. Demand describes the festivals of Anodas and Thesmophoria in ancient Greece. Married women participated in these rites and festivities and exchanged ribald jokes, obscenities etc., the laughter partly aimed at the absurdities of male culture that was imposed on them. 'Nevertheless, the power to laugh at the perceived absurdity of an oppressive system which is often granted by the system itself, cannot be equated with the legitimate power (authority) of the system to repress, or the power to affect a permanent change for the better. The ability to laugh at the oppressor is not real power but a safety valve that allows the system—and the oppression—to continue'.⁸⁷ Fatima Mernissi draws similar conclusions on the function of sanctuaries as a spatial safety-valve from an oppressive patriarchal system for Moroccan women.⁸⁸ Thus, it is apparent that Brahmanical discourse, while dominant, was not monolithic. The discourse itself seems to have recognized that there could be alternatives to the prescribed mode of behaviour and included some of these alternatives as a sub-text within its text. The inclusion of such 'spaces' acted as in-built shock absorber and allowed Brahmanical discourse to retain its dominant position virtually unchallenged. Therefore, subaltern scholarship's attempt to construct a monolithic normative

⁸³ 9th Major Rock Edict, Girnar (*Corpus Inscriptionum Indicarum*, 1925, vol. 1, pp. 15-6).

⁸⁴ *Corpus Inscriptionum Indicarum*, 1963, vol. 5, pp. 33-7,5-9. See also the inscription of Gautamī Balaśri in *Archaeological Survey of Western India*, 1883, vol. 4, pp. 105-6; *Epigraphica Indica*, 1935-6, vol. 23, pp. 60-5.

⁸⁵ *Corpus Inscriptionum Indicarum*, 1888, vol. 3, pp. 6-17,

⁸⁶ According to Mernissi, Moroccan women who have lost their husbands' love, are eager for children, have sexual problems, or seek the welfare of their sons frequently visit saint's sanctuaries. Through such visits women seek to control reproduction and sexuality, the two main tenets of a patriarchal definition of women. Thus, these sanctuaries serve the function of collective therapy and the visits embody the desire of women to exercise power, but without in any way actually challenging the dominant patriarchal system (1983, p. 63).

⁸⁷ N. Demand, 1994, pp. 117-9.

⁸⁸ F. Mernissi, 1983, pp. 57-68.

discourse as an object of subversion is inadequate. If there is no monolithic discourse it is impossible for 'all women' to demolish/subvert it.

7.4. Complicity and resistance within a dominant discourse: the mother, the wife and the daughter

Subaltern scholars tend to equate agency of women with subversive activities. However, I argue that subversion is not the only manifestation of agency on part of women. A more important avenue for investigation is the question of complicity of women with a dominant discourse. Women exercise agency within a dominant discourse by accepting it and utilizing it to empower themselves. For example, in ancient India, women exercised agency, but their activities were not at all times subversive. It is undeniable that there was a body of Brahmanical norms on the expected behaviour of women, which was probably internalized by individual women themselves. It may have been that most women complied with the dominant discourse leading to the reproduction of Brahmanical social order. However, it is also not possible to rule out that some women might have utilized such norms to exercise power within the Brahmanical fold. At the same time, some women might have also resisted Brahmanical norms. But this resistance does not appear to have had much impact on the patriarchal order. I therefore argue that 'women' in ancient India exercised agency within the Brahmanical fold, sometimes by utilizing the spaces created by Brahmanism and sometimes by resisting the normative discourse.

Nandy writes of contemporary Indian women: 'It is her motherhood that the traditional family values and respects; her wifeness and daughterhood are devalued and debased. The woman's self-respect in the traditional system is protected not through her father or husband, but through her son. It is also through the son—and for that matter for the son—that she traditionally exercises her authority'.⁸⁹ Kakar acknowledges the total reversal in a woman's status with childbirth and the fact that the woman herself is aware of this change in status. Several folk tales testify to the cultural reverence for the pregnant woman and the subsequent improvement in her status. Therefore, he concludes that for the woman, pregnancy is a delivery from insecurity, doubt, and the shame of infertility. On a positive side it establishes a 'Hindu woman's adult identity'.⁹⁰ Women in ancient India, too, seem to have been aware of the status granted to mothers. As I shall demonstrate in this section, they used their position as mother to exercise both power and agency. This was of course facilitated by the Brahmanical discourse on motherhood and wifeness: on the one hand, it stated that a mother was to be venerated and that she could do no wrong; on the other

⁸⁹ A. Nandy, 1988, p. 74.

⁹⁰ S. Kakar, 1988, pp. 66-7. Contemporary ethnographic studies show that a woman by becoming the mother of sons gains a position of power and authority. See P. Hershman, 1977, pp. 270-80.

hand, it undermined the sexual role of the wife. Sutherland comments that the real emotional energy of women in the epics was tied up with their sons and not their husbands, and that woman found emotional compensation in the role of the mother, and particularly, in the relationship with her son. The frustrated wife found a new status in life as a mother and transferred her energy to her son.⁹¹

An important form of self-identification for women in ancient India appears to have been motherhood. Analyzing the Sanchi inscriptions Kumkum Roy comments that for women, kinship was an important mode of identification. Of the kinship terms, thirty-seven lay women, the largest number, identified themselves as mothers. Of these, twenty-two called themselves mothers of sons and eight mothers of daughters. In contrast, men identified themselves as fathers only in four cases. Men gave the names of their fathers in five cases, but identified themselves through their mothers in six instances. Roy writes that, 'the value assigned to paternity and maternity as a criteria for identification was by no means similar, and while maternity was an important means of identifying women donors, paternity was relatively less important for men'. She concludes that all this would indicate that the patrilineal system of identification was not the only one in force.⁹² Women's identification of themselves as mothers is not surprising. They obviously experienced some form of empowerment. Madhu Kishwar, while interviewing women, found that some women consciously underplayed their role as a wife and asserted their role as a mother as a deliberate strategy, because wives are supposed to serve unconditionally in Indian culture, while mothers are supposed to be revered unconditionally.⁹³

Sons acknowledged the importance of their mothers. Sātavāhana inscriptions mention the names of the King's mother and in fact the matronymical system appears to have been followed.⁹⁴ All Gupta inscriptions state the names of the king's mother. Samudragupta's Allahabad pillar inscription gives his mother's name as Kumāradevī, but his wife is not mentioned by name. The later Gupta inscriptions refer to the queen mothers. The grant made by Jayanātha in 493-494 CE states that Kumāradeva was begotten on Mahādevī Kumāradevī. Jayasvāmin was begotten on Mahādevī Jayasvāminī. The word used is *utpanno*, literally 'begotten'.⁹⁵ The copper plate

⁹¹ S. Sutherland, 1992b, pp. 32,39. Under Buddhism, one of the ways in which a laywoman could obtain great merit was by giving her son to the Order. The son was regarded as her most 'valuable possession and the gift of the son signified the overcoming of her 'exclusive attachment' (see H. Kawanami, 1990, p. 10). Thus, Buddhist discourse privileged the mother-son relationship rather than the husband-wife relationship.

⁹² K. Roy, 1988, pp. 215-7.

⁹³ Madhu Kishwar, 1996.

⁹⁴ See G. S. Gai, 1990, pp. 1-5; *Indian Antiquary*, 1885, pp. 331-4; D. C. Sircar, 1942, pp. 191-204; *Epigraphica Indica*, 1935-6, vol. 23, pp. 60-74.

⁹⁵ *Corpus Inscriptionum Indicarum*, 1888, vol. 3, pp. 118-20,122-4. For the inscriptions of Sarvanātha, Ādityasena, Sarvavarman see pp. 126,130-2,136-9,202-8,215-8, 220-1.

inscriptions of Pravarasena II emphasize his connection with the Guptas through his mother, Prabhāvatīdevigupta. The language is stylized, but the importance granted to the mother even in inscriptions issued by men is significant.

This cultural affirmation is probably why women in the narrative texts appear eager to become mothers. It is almost as if women realize that motherhood can lead to an improvement in their status. Kisā-Gotamī, in the *Therīgāthā*, narrates that she was treated badly after her marriage until she had a son. Then they honoured her. But the son died. She remembered the change in her treatment after the birth of her son and joined the order.⁹⁶ Aside from the issue of a general improvement in status, there is also the question of the exercise of power through the son. Since Brahmanism venerated the mother-son relationship, the power of the mother could be exercised through her son. This was particularly pertinent for women of the ruling class, for the mother of a king would have greater rights than the mother of a mere prince. Gāndhārī seeks a boon from Vyāsa that she bear a hundred sons.⁹⁷ It is true that this would have led to an improvement in her status (as the mother of a hundred sons) but, possibly, the question of being the mother of a future king was also at the back of her mind. If she gave birth to a son prior to Kuntī, her son would inherit the kingdom. As the mother of the future king, through whom she would be able to exercise her powers, she would enjoy far more status and privileges than that she enjoyed as the wife of the surrogate king Dhṛtarāṣṭra. By recording such instances Brahmanical texts allude to the tensions that might have existed among women within the households of the ruling class and to the fact that women as mothers could exercise power through their sons. The desire to be first and, therefore, the mother of the future king, appears to have been strong. Gāndhārī aborts her foetus in anger when she hears that Kuntī has already given birth.⁹⁸ In the *Rāmāyaṇa*, Mantharā is appalled at the news of Rāma's consecration. Her logic is that Kauśalyā, as the mother of the future king, would be able to exercise more power than Kaikeyī. She recommends that Kaikeyī act swiftly to save her own son and her own future.⁹⁹ Kaikeyī is persuaded and asks Daśaratha for two boons that ensure that her son succeeds and that Rāma goes to the forest for a long period.¹⁰⁰ Kauśalyā, on the other hand, is overjoyed at the news of Rāma's coronation. Her subsequent statements show that this is partly due to her love for her son and partly due to the realization that

⁹⁶ *Therīgāthā* no. 63.

⁹⁷ *Mahābhārata* 1.107.7-8.

⁹⁸ *Mahābhārata* 1.107.10-11,15.

⁹⁹ *Rāmāyaṇa* 2.8.3, 2.8.4,26, 2.8.12-27, 2.7.16-26.

¹⁰⁰ *Rāmāyaṇa* 2.10.26-9.

with Rāma as the king, there would be a definite improvement in her rights and privileges.¹⁰¹ Pollock comments that the central theme in the Sanskrit epic literature was the nature, functions and gradual development of hereditary kingship and its attendant problems. Therefore, epics emphasize dynasties, dynastic succession and the rules of primogeniture.¹⁰² While this is true, the very fact that the authors of the epics use women characters to portray the dynamics of the power struggles is significant; and perhaps can be utilized to indicate the methods used by royal women to better their position and further their own ends. Kuntī, in the *Mahābhārata*, too is eager to have children.¹⁰³ Mādrī approaches Kuntī for help to beget sons, through Pāṇḍu, stating that it was unfair that Kuntī should alone have sons.¹⁰⁴ After the birth of the twins to Mādrī, Kuntī refuses to help her again for: 'I fear that she will best me ... that is the way of women... .Therefore, you shall no more charge me. That must be my favour from you'.¹⁰⁵ Even when the question of primogeniture was not the issue, the craving for sons and the desire to exercise power through them seems to have been universal.¹⁰⁶

There are some examples of women actually exercising power through their position as mother. In *Pratijñāyugaandharāyaṇam*, the queen mother virtually demands that the minister make all effort to release her son from captivity.¹⁰⁷ Her instructions are accepted. Gāndhārī's advice is sought by Duryodhana. She is present when certain details of the Pāṇḍava war preparations are revealed and she warns her son of the consequences of his actions.¹⁰⁸ The

¹⁰¹ *Rāmāyaṇa* 2.4.39-41. Kauśalyā, while lamenting the banishment of Rāma, says that she was ignored by her husband and spurned by her co-wives. Therefore, all her hopes have been focused on her son. Now, all the efforts she has made on behalf of her son are to be in vain (2.17.22-32).

¹⁰² S. I. Pollock, 1996, pp. 10-5.

¹⁰³ *Mahābhārata* 1.112.5, 1.113.32-8.

¹⁰⁴ *Mahābhārata* 1.115.2-6, 1.114.4.

¹⁰⁵ *Mahābhārata* 1.115.23-4. Zanolla, studying the power dynamics of peasant families in early twentieth-century Italy, found that women gained status and the possibility of building power networks within a family only with childbirth. Thus, pregnancy, and childbirth were important periods of tension, conflict, and ultimately reformulation of power dynamics within the family. As a result, women's networks tended not to support women in childbirth but to impede or at least isolate women about to give birth. In turn, childbirth empowered young women and provided a significant range of possibilities for building their networks of power. The networks were vertical—in that the mother used her children to create a network that allowed her first more power within the family and finally when her children grew older, to transcend the formal limitations placed on women—and horizontal—in that once children were born, the woman came to have increasing power over her husband. Of course these networks were constrained by the broader realities of power and family in society but they nonetheless revealed that people were capable of creating complex networks of power in the interstices of more recognised and formal power dynamics (1990, pp. 177-99).

¹⁰⁶ Similarly, according to Mernissi, women under Islam were not without power. Despite their exclusion from the public world of power, women exercised considerable power from their private domain. This was true especially for the mother figure. For, the tie between mother and son was strong and provided one way in which women could influence the outside world (1975, pp. 69-79).

¹⁰⁷ *Pratijñāyugaandhrāyaṇam* 1 16-8.

¹⁰⁸ *Mahābhārata* 5.127.2, 5.65.6, 5.67.9-10, 5.127.19-53.

veneration that Kuntī enjoyed is used to explain the polyandrous marriage of the Pāṇḍava brothers.¹⁰⁹ Gāndhārī curses Kṛṣṇa after the war with the extinction of his race. Kṛṣṇa cannot escape this curse for a mother's words are sacred.¹¹⁰ In the epics some of the most important decisions appear to be made by woman as a mother: for example, Kuntī's decision to send Bhīma to confront the *rākṣasa* Baka, her decision to proceed to Drupada's city, her message to her sons before the war, her interview with Karṇa and the extraction of a promise from him.¹¹¹ Satyawatī ensures the royal succession when the dynasty is in danger of dying out.¹¹² According to the *Arthaśāstra*, the King's mother is to receive one of the highest salaries in the kingdom, 48,000 *paṇas*. This is to prevent her from conspiring and instigating revolts.¹¹³ Here is a clear recognition of the mother's power over her sons and her ability to influence and exercise power through them. Additionally, the mother, by virtue of her position, could give her daughter in marriage. Some of the *smṛtis* approve of this practice (see chapter three). The king discusses his daughter Kuraṅgī's marriage with her mother Ketumatī.¹¹⁴ The mother of Jayavarmana accompanies him to Kuntibhoja's court to participate in his marriage and marriage negotiations.¹¹⁵ Mahāsena of Avantī asks that his wife, queen Angāravatī, mother of Vāsavadattā, join him to deliberate upon their daughter's marriage.¹¹⁶ Participation in the making of political/marriage alliances is an indication of the exercise of agency by women as mothers.¹¹⁷ It is apparent that women, particularly upper-caste and upper-class women, could and probably did *manipulate* the Brahmanical rhetoric on the veneration of motherhood to their own ends within the parameters of the dominant discourse. Perhaps, a comparison can be made between these ancient Indian queens and the Rājput *rāṇīs* and *thākurāṇīs* of medieval India. Varsha Joshi, writing about Rājput society in late medieval India, maintains that seclusion and purdah in no way diminished the power of the *rāṇīs* and *thākurāṇīs*. They exercised economic power by owning *jāgirs* and managing them. They were regarded as

¹⁰⁹ *Mahābhārata* 1.182.1-3.

¹¹⁰ *Mahābhārata* 11.25.41-4.

¹¹¹ *Mahābhārata* 1.149.1-5, 1.156.1-6, 5.130.1,7,19-32, 1.135.1-5,8, 5.88.72-4, 5.130.7,19-32; 5.135.1-85.142.25, 5.143.6,13, 5.144.23-4.

¹¹² *Mahābhārata* 1.97.9-16, 1.99.30-5.

¹¹³ *Arthaśāstra* 5.3.3-4,7, 1.18.13.

¹¹⁴ *Avimāarakam* 1.3.

¹¹⁵ *Avimāarakam* 6.1.

¹¹⁶ *Pratijñāyugaandhrāyaṇam* 2.6,14; 2.8.

¹¹⁷ Nelson (1973) studies the nomadic societies of the middle east and shows that though theoretically women are powerless, in practice they exercise a good deal of power and power over men. This is exercised through their own marriage which is often of great political significance and through the arrangement of the marriage of their children. In addition, they have control over food, sex and the supernatural (cited in Stacey and Price, 1980, pp. 40-1).

being ideologically powerful by the *cāraṇa* poets, who vested them with the responsibility of maintaining Rājput norms and ideals. Politically, they exercised power through their sons or male relatives. They were not only capable regents but also started succession wars for their own ends.¹¹⁸

But narrative texts also include stories of women consciously rejecting motherhood. Such stories imply a resistance to Brahmanical norms. Kuntī gives birth to Karṇa and abandons him.¹¹⁹ The Brahmanical redactors of the text attempt to explain this by stating that Kuntī was herself aware of the importance of pre-marital virginity and had a relation with the Sun God only when he agreed to restore her virginity.¹²⁰ Satyavatī becomes pregnant before her marriage to Śaṃtanu. Once again she abandons her child. This is justified on the grounds that her child was an adult when he was born. He forsakes his mother, promising to return if needed.¹²¹ Menakā too abandons her child. But she is an *apsaras* and presumably the norms of Brahmanism did not apply to her (see chapter six).¹²² Gaṅgā's actions are explained as resulting from the curse of the Vāsus.¹²³ Kadrū curses her sons to die. This is mythically rationalized by Brahmā, the god who intervenes, as a result of the snakes having increased in number.¹²⁴ Moreover, the very life-style of courtesans and particularly, woman ascetics, can be seen as a powerful rejection of the Brahmanical norm of motherhood. Whether such women were actual historical figures or whether individual women were actually allowed to choose autonomously is not the issue. The fact that male, *brāhmaṇa* writers included examples of such women, whether they be human, semi-divine or divine women, can be used to argue that the occasional exercise of agency by women by totally rejecting Brahmanical norms was also tolerated.

According to the *dharmaśāstras*, a good wife is to live in harmony with her husband, respect the in-laws, divinities and guests, look after household articles and utensils, maintain saving habits, not practice incantations with roots, not decorate herself, or visit strangers when her husband is away, nor stand at the doorway or act independently.¹²⁵ In contrast to this bland enumeration, Draupadī's speech to Subhadrā, detailing all the work and duties of the wife, gives

¹¹⁸ See V. Joshi, 1995.

¹¹⁹ *Mahābhārata* 3.292.1-8.

¹²⁰ *Mahābhārata* 3.289.20, 3.292.10.

¹²¹ *Mahābhārata* 1.57.70-1.

¹²² *Mahābhārata* 1.8.6-7.

¹²³ *Mahābhārata* 1.91.12-4, 17, 20-1.

¹²⁴ *Mahābhārata* 1.18.8-10.

¹²⁵ *Viṣṇusmṛti* 25.1-12. See also *Yājñavalkyasmṛti* 1.83-4.

an impression of domestic power of the wife.¹²⁶ The *Abhijñānaśākuntalam* alludes to the power of the queens in the royal palace when it calls Queen Vasumatī ‘the tigress of the inner apartments’.¹²⁷ In another play, Kālidāsa reiterates the domestic power enjoyed by the queens. When Dhāriṇī imprisons Mālavikā (for tempting the king), even the king cannot do anything about it and has to resort to a stratagem to free her.¹²⁸ Stephanie Jamison agrees that notwithstanding the many dharmasāstric restrictions, wifehood gave a woman access to whatever active roles there were for women. She had control over alms, household goods, hospitality and ritual and played a crucial role in knitting together her community. Through sons she ensured the linkage of generations and the veneration of ancestors and therefore by her very existence often blurred the normative distinction between sexuality and fertility. She also dispensed food and hospitality and forged links between different segments of Aryan society and through her role in *śrauta* ritual, she linked gods and men and allowed the religious life of the community to proceed.¹²⁹ Thus, within the normative discourse itself, woman as wife was depicted as an object as well as a subject exercising her own agency.

Women also exercised agency by rejecting the Brahmanical attributes of a good wife. Contrary to the recommended ideal of wifely obedience, Irāvati rebukes the king over his lascivious behaviour publicly. When he apologizes she slights him.¹³⁰ Similarly, when Rāma tells Sītā about his banishment, she insists on accompanying him. The authors of the text depict her as turning the *pativratā* argument on its head, for she uses it to demand that as a dutiful wife she accompany him. Finally, she becomes angry and calls Rāma a woman with a body of a man and a pimp willing to give up his wife to others.¹³¹ In the same text, Kauśalyā blames Daśaratha for allowing Rāma’s banishment and likens him to a fish which destroys its offspring.¹³² Elsewhere wives are depicted as giving sane advice to hot-headed husbands, and even going against the wishes of a

¹²⁶ *Mahābhārata* 3.222.19-55, 3.223.5-12. There was an opposite side to this picture of domestic bliss and power. In the *Therīgāthā*, Sumangalā and Muttā join the Order, as they were tired of their unending chores and brutal husbands. *Therīgāthā* no.21,11. Nancy Demand makes an important qualification. She writes that interpretations which emphasize the total and ‘real’ power exercised by women at home fails to distinguish between informal power, which has no claim to legitimacy and the legitimate exercise of authority that is restricted to men, for: ‘informal power is indeed ‘real’, in the sense that it can get results, but it is everywhere the prerogative of the powerless’ (1994, pp. 28-9).

¹²⁷ *Abhijñānaśākuntalam* 6.25.

¹²⁸ *Mālavikāgnimitram* 4.2-3, 14,18.

¹²⁹ S. Jamison, 1996, p. 254.

¹³⁰ *Mālavikāgnimitram* 3.19,23.

¹³¹ *Rāmāyaṇa* 2.24.3-4,7,9-10,18, 2.26.2-5,14-6, 2.27.3,8.

¹³² *Rāmāyaṇa* 2.38.2-6,17, 2.42.18-21, 2.43.3-42, 2.51.24-7, 2. 55.17-20, 2.55.16.

king to help another woman in distress and at times, rejecting their husbands altogether.¹³³ The *Therīgāthā* recounts the story of Cāpā who mocks her husband so much that he leaves. She later repents and wants him back and threatens to kill their child when he refuses.¹³⁴

The texts (both Buddhist and Brahmanical) also narrate stories of women who did not always live up to the ideal of wifely chastity. The *Culla-pāduma Jātaka*, a Buddhist text, tells the story of a wife who drinks her husband's blood to quench her thirst, but later who falls in love with a robber, kills her husband and comes home in great joy. The *Vinaya* texts contain the story of a woman who becomes pregnant when her husband is away. She has a premature delivery and gets the foetus carried away by a *bhikkunī*. In the *Dharmaruci Āvadāna*, Kāmakaḷā, the wife of a merchant, becomes lustful when her husband goes abroad. She intends to go to a brothel to satisfy her passions, but is advised by the maid servant to remain in the house. In the process, she has sexual intercourse with her own son in the dark.¹³⁵ Brahmanical texts also warn against the unchaste and adulterous behaviour of wives and, therefore, imply that women could reject dominant norms and exercise their own will. The *Kāmasūtra* records that women in the royal apartments often used dildoes to satisfy their sexual urges. Others, with the help of their female attendants, got men to enter the inner apartments, to satisfy themselves. It concludes that the woman members of the royal harem knew and kept each others secrets.¹³⁶ The Ahalyā story is a classic story of the unchaste wife. The *Rāmāyaṇa* version makes it clear that Ahalyā connives with Indra and that she is not innocent. The Gods applaud only when she is once more submissive to Gautama's control and her body is purified.¹³⁷ The inclusion of this story and the act of its telling is meant to demonstrate the punishments in store for an unchaste wife. However, the story itself indicates that women as wives may not have always followed Brahmanical norms.

¹³³ In the *Rāmāyaṇa*, Tārā gives level-headed advice and asks Vālin to install Sugrīva as the heir apparent (4.15.7-23). When Rāvaṇa tries to persuade Sītā that Rāma is dead, Śaramā, Vibhīṣaṇa's wife, comes and consoles Sītā. Furthermore, she spies on Rāvaṇa, on Sītā's request (6.24.1-5, 6.25.1-12). When Sītā is asked to prove her chastity for the second time she is outraged. She rejects Rāma and instead goes back to her mother, the goddess Dharaṇī (7.88.10,12-3).

¹³⁴ *Therīgāthā* no. 68.

¹³⁵ All citations from B. C. Law, 1927, pp. 39-40,47.

¹³⁶ *Kāmasūtra* 5.6.2-3,5-9,32-42.

¹³⁷ *Rāmāyaṇa* 1.47.19-20, 1.47.29-31, 1.48.20. Renate Söhnen-Thieme studies the Ahalyā story through the ages and concludes that the earliest references describe her as Indra's lover but do not mention a husband. Later references depict her as married but there is no suggestion that she deliberately betrays her husband or that she needs to be punished. It is only from the *Rāmāyaṇa* that her participation in an adulterous relationship is made clear and her punishment linked to her purification by Rāma (1996, pp. 39-62). In contrast to the Ahalyā story, in a Tamil, woman-centred folk tale heard by Ramanujan, a woman takes the snake king as a lover, who ensures that the woman gets back her husband, has a male child, and enjoys her husband's concubine as a slave. This story mocks the classic chastity concept. It is only through her infidelity that the wife proves that she is a *pativrata* (1991, pp. 50-1).

I have argued that Brahmanism saw the category daughter as a potential mother. According to Brahmanical norms, she has to be given in marriage to a suitable man before or soon after reaching puberty. When a father or guardian is not able to arrange for the marriage of a girl, theoretically she is allowed to choose a man and get married. Consequently, as Jamison comments, ‘...the paradoxical result of viewing women as son-producing *objects* is to again endow them with some *subjecthood*: legal control over their own fate in some circumstances.’¹³⁸ In narrative literature, there are examples of daughters following such an independent course of action. Kuraṅgī chooses Avimāraka, marries him, and continues to deceive her family till she becomes pregnant.¹³⁹ Śakuntalā marries Duḥṣanta in the absence of her father.¹⁴⁰ The *Kāmasūtra* recommends that a girl marry a man whom she likes, whom she thinks will be obedient to her and capable of giving pleasure.¹⁴¹ Rukminī, Subhadrā, Citrāṅgadā, Ulūpī, Damayantī, Sāvitrī and many others choose their own husbands. Apparently daughters could exercise agency not just in matters of marriage but also in matters of religion. Sumedhā, the daughter of King Koṅka, is promised in marriage to the king of Vāraṇavatī. But she is averse to sensual pleasures and wishes to avoid the cycle of life. She decides, on her own, to join the Order and persuades her parents to agree to her decision.¹⁴² If the references to women ascetics in the texts are believed, it would appear that they were also able to prevail upon their parents and opt for religious lives (instead of marriage).

7.5. Complicity and resistance within a dominant discourse: the prostitute, the widow and the woman ascetic

It is difficult to arrive at any conclusion regarding the agency of prostitutes, widows and female-ascetics, women who were characterized as non-mothers in Brahmanical discourse. One can only guess at the agency of such women and the nature of their activities since little space is devoted to them in Brahmanical literature. In contemporary times, prostitution is often regarded as a kind of ‘sub-culture’ with its own rules, regulations and world views.¹⁴³ Once a woman becomes a prostitute she becomes part of this ‘sub-culture’ and is exclusively involved with and dependent on it. Keeping this in mind, one can perhaps talk of a sub-culture of prostitutes in ancient India.

¹³⁸ S. Jamison, 1996, p. 254.

¹³⁹ *Avimārakam* 2.5-8, 3.1, 17-20.

¹⁴⁰ *Abhijñānaśākuntalam* 3.28-38.

¹⁴¹ *Kāmasūtra* 3.4.52.

¹⁴² *Therīgāthā* no. 73.

¹⁴³ The term sub-culture is appropriate as the individuals think of themselves as a group apart from the rest of society with their own mores and distinctive linguistic terms and values.

For in the texts, they are clearly distinguished and kept separate from the 'normative' women. The *brāhmaṇas* also appear to have perceived prostitutes as living in groups,¹⁴⁴ moving about freely and (some of them at least) wealthy.¹⁴⁵

Economically, some of the courtesans of ancient India appear wealthy and self sufficient. Ambapālī builds a *vihāra* in her own gardens and donates it to the Order.¹⁴⁶ Buddhist texts mention the very high fees that the *gaṇikās* earn.¹⁴⁷ According to a Jaina text, a *gaṇikā* with a faultless body could earn as much as 1000 *kārṣapaṇas* in one night.¹⁴⁸ From the *Daridrācārudattam* it appears that courtesans had and maintained large establishments which included slaves, were clearly wealthy and conducted financial transactions independently.¹⁴⁹ The *Mṛcchakaṭikam*, a later text, refers to the immense wealth of the courtesan class and their palatial establishments.¹⁵⁰ The *gaṇikās* who were paid and provided for by the state 'enjoyed ownership over jewellery and other objects they brought along when becoming a *gaṇikā*, as well as other objects they bought from their income or received *in natura*; (and) enjoyed usufructual rights over those objects which were given to them for their lifetime, or as long as they were employed as a *gaṇikā*'.¹⁵¹ Thus, the *gaṇikā* could sell or dispose of the former in any way she wanted. Bhattacharji concludes that when women became prostitutes in ancient India they found themselves in the unique position of being financially independent and free from the control of their male kin. Some of the words for prostitutes, *svatantrā* and *svādhīnayauvanā* (glossed by Bhattacharji as 'independent' and 'one who moves around freely'),¹⁵² indicate this freedom. This wealth, freedom and the professional solidarity of the guild type of association (there are references to *gaṇikā gaṇas* and *Vasantasenā* in *Daridrācārudattam* is called a courtesan of the gold-caste guild) combined with social ostracism and the separation from other normative women possibly allowed prostitutes to create and maintain their own sub-culture.

In the texts, courtesans and prostitutes also exercise their own agency in the religious sphere. Some join the Buddhist Order (Ambapālī, Padumavatī, Aḍḍhakāsī, Salāvātī, Sirimā, Sāmā,

¹⁴⁴ I. B. Horner, 1930, p. 93.

¹⁴⁵ L. Nead writes of prostitutes in Victorian Britain: 'the combined association of cash and public sphere rendered the prostitute powerful and independent...' (cited in R. Chatterjee, 1992, p. 4).

¹⁴⁶ *Therīgāthā* no. 66.

¹⁴⁷ Aḍḍhakāsī, *Therīgāthā* no. 22.

¹⁴⁸ *Jñātaḍḍharmakathā* I, cited in S. Bhattacharji, 1987, p. 38

¹⁴⁹ *Daridrācārudattam* 1.12, 4.1, 4.6, 2.1.

¹⁵⁰ See K. M. Agrawal, 1980-1, p. 4,7.

¹⁵¹ L. Sternbach, 1951, pp. 39-40.

¹⁵² S. Bhattacharji, 1987, p. 33.

Sulasā).¹⁵³ Buddhist and Brahmanical texts, by recording their conversion, attest to their rejection of the boundaries of their life. Some remain within the fold of Brahmanical religion. Brahmanism, which forbade acceptance of food from them, was apparently not averse to their donations. According to the *Mṛcchakaṭīkam*, *gaṇikās* and *veśyās* observe religious ceremonies and worship gods and often deputize *brāhmaṇas* to do this job for them. They are also allowed to visit public temples on festive occasions.¹⁵⁴ The gains of the wealthiest kind of courtesans are spent on building temples, tanks and gardens; giving cows to *brāhmaṇas*, worshipping gods and holding festivals in their honour and performing *vratas*.¹⁵⁵ Thus, in a sense, Brahmanical texts encouraged independent religious activities on the part of the courtesans as it profited from such activity.

It does appear (from these few references) that prostitutes in ancient India had a 'sub-culture' of their own (like their modern counterparts), within which they enjoyed and exercised certain religious, and economic 'concessions'. Although Brahmanism characterized them as deviants, in certain spheres, and, as long as their activities did not threaten the social order, the normative discourse appears to have turned a blind eye to their activities. This could have been an attempt to compensate for the lack of social value attributed to their function in society. Nevertheless, women as prostitutes took advantage of these spaces. The only activity of prostitutes that would have been regarded as 'subversive' or threatening to Brahmanical discourse would be a courtesan's desire to marry and lead a 'normal life'. Some of them do crave love and marriage and the trappings of a normal life. This was contrary to the attitude that a courtesan was expected to have.¹⁵⁶ This is discouraged, and the price of redemption of a *gaṇikā* is set high at twenty-four thousand *paṇas*.¹⁵⁷ Buddhist stories also discourage a courtesan from giving up her profession for anything other than a religious life.¹⁵⁸

In the previous chapter, I had mentioned various types of female ascetics. Here, I discuss only the renunciatory, independent woman ascetic, the *pravrajitā*. Once again there is little evidence in the texts. Therefore, I have utilized some contemporary ethnographic evidence to contend that such women ascetics in ancient India perhaps also lived within what may be called a 'sub-culture'. Teskey Denton writes that for female ascetics in contemporary India, initiation marks three things:

¹⁵³ B. C. Law, 1927, pp. 28-34.

¹⁵⁴ See K. M. Agrawal, 1980-1, p. 8.

¹⁵⁵ *Kāmasūtra* 6.5.25. The *Kāmasūtra* prescribes various ways by which a courtesan can extract money from her clients (6.3.4-30). One of the strategies is pretending to make gifts on the occasions of vows or pretending to build temples, gardens and tanks

¹⁵⁶ See *Daśarūdrakāṇḍam* 1.29, 2.1, 4.1.

¹⁵⁷ L. Sternbach, 1951, pp. 36-7.

¹⁵⁸ See M. Chandra, 1973, pp. 20-1.

the rejection or separation from householdership, a commitment to a particular path towards salvation, and entry into a community of fellow aspirants. 'In all cases, initiation relieves a woman of her former social identity and, by extension, alters her relationship with the world of householders. Ascetics state that they are members of "the society of ascetics"... . This indicates the extent to which they conceive of themselves as a separate community or sub-culture. It is a sub-culture whose special rituals, lifestyles, and forms of social organization rest on distinctive values'.¹⁵⁹ She concludes that 'one must bear in mind that the woman who rejects or renounces householdership does not simply enter an alternate lifestyle, but embraces a set of values profoundly different from those of the ideal wife and mother in Hindu society'.¹⁶⁰ In ancient India too, women who became renunciatory ascetics (sometimes voluntarily and autonomously and sometimes because of their circumstances), rejected the Brahmanical values of motherhood.¹⁶¹

Because of this rejection of normative values, didactic texts characterize woman ascetics as deviant and recommend that 'normal' women not mix with them. However, narrative texts portray woman ascetics as being welcomed and honoured in all households, by both men and women.¹⁶² Katherine Young refers to women Bhakti saints in the early medieval period whose rejection of marriage, compulsory according to Brahmanical norms, made them extraordinary. She writes: 'It is striking that Hinduism laboured to instill and enforce social norms but then recognized and even rewarded the independent woman who dared to break those norms'.¹⁶³ At another level, it is undeniable that there are many derogatory statements about the woman ascetic and the widow in the literature of this period. According to the *samghadidesa* rules, a nun could not act as a go-between a man and a woman or for a wife or a prostitute.¹⁶⁴ The *Kāmasūtra* and the *Arthaśāstra* refer to women ascetics and widows acting as messengers and spies. The former states that a *vidūṣaka* could bring about reconciliation between a man and a courtesan. In this he is to be aided by female beggars, shaven-headed nuns or old whores.¹⁶⁵ The former text also includes the widow and the female ascetic among the types of *nāyikās*, that is, the women with whom sex is not

¹⁵⁹ L. Teskey Denton, 1991, pp. 214-5.

¹⁶⁰ L. Teskey Denton, 1991, p. 218.

¹⁶¹ Here I refer to only independent wandering renunciatory female ascetics and not to women who accompanied their husbands to the forest or who indulged in ascetic practices to obtain sons or husbands. The last two types did not reject motherhood or wifehood, as they often were mothers and wives or wished to become mothers and wives.

¹⁶² See *Pratimānāṭakam* 8.3-4. See also *Vikramorvasīyam* 5.10; *Svapnavāsavadattam* 1.6,8; The ascetic Kauśikī is given respect in *Mālavikāgnimitram* 1.13-4,16. Interestingly, she speaks in Sanskrit.

¹⁶³ K. Young, 1987, p.77.

¹⁶⁴ Cited in M. Talim, 1972, pp. 21-2.

¹⁶⁵ *Kāmasūtra* 1.4.49.

forbidden.¹⁶⁶ Among the regular go-betweens (*dūṭīs*) are mentioned female astrologers, servants, dancers or nuns.¹⁶⁷ Meetings between a woman and her lover are to be encouraged in the houses of female friends, mendicants and ascetics.¹⁶⁸ Chaste wives are asked to avoid the company of female mendicants, beggars, fortune tellers and unchaste women.¹⁶⁹ This virulence against renunciatory, female ascetics and (in some cases) childless, young widows stemmed partly from the dilemma their sexuality/potential fertility posed to the *brāhmaṇas*, and partly from the fact that both were regarded by Brahmanism as deviant non-mothers. Female ascetics consciously rejected the path of motherhood, while childless widows were prohibited from becoming mothers. Both categories of woman, as they grew older, probably had a greater freedom of movement. They could play a role within their community as messengers and intermediaries for younger, house-bound women. Demand refers to a similar situation in ancient Greece and concludes: 'the potential breach in the system of male control that these activities of older women involved perhaps helps to account for the very derogatory picture of them in some of our (male) sources'.¹⁷⁰

Summary

In this chapter, I agreed that there was a need to discuss the agency of women in ancient India and not focus merely on the normative, Brahmanical discourse on women. I discussed in some detail the 'subaltern school' of anthropology and history, which emphasizes the agency of women, the motives behind this school, and its main areas of focus. I also clarified that while I agreed with the notion of the agency of women, I did not subscribe to the portrayal of the normative Brahmanical discourse as monolithic or to equating the agency of women to 'subversion'. Subaltern scholars like Gold, Raheja and Bennett talk of women trying to subvert the patriarchal normative system from within (as wives, daughters, mothers). They also see agency on part of women as resistance and protest only. However, I argue that, in ancient India, notwithstanding some cases of subversion and protest, women exercised agency as wives, mothers, daughters in complicity with the dominant Brahmanical discourse.¹⁷¹ Scholars like Talwar Oldenburg and Teskey Denton

¹⁶⁶ *Kāmasūtra* 1.5.22-3.

¹⁶⁷ *Kāmasūtra* 5.4.62.

¹⁶⁸ *Kāmasūtra* 5.4.42.

¹⁶⁹ *Kāmasūtra* 4.1..9.

¹⁷⁰ N. Demand, 1994, pp. 27-8.

¹⁷¹ Jamison is aware that in spite of the apparent inferiority and dependence of women in the law books, women in narrative literature come across as strong and capable of independent action. She is of the opinion that the entire subject of woman as an independent agent is an accidental by-product of a major tension in ancient Indian ideology: the conflicting male religious goals, the dichotomy between the need for sons and asceticism. In the sexual sphere, the initiative is left to the woman and she becomes the agent. But once women are conceived as independent actors in one sphere this conception will spill over into other spheres as well (1996, pp. 15-7). While I agree with Jamison that the

discuss marginal women such as prostitutes and woman ascetics. They seem to imply that both categories of women opt out of the normative system altogether and, therefore, adopt a life-style of resistance. I argue that, on the contrary, prostitutes and women ascetics were marginalized by the discourse itself. Having separated them from normative women, Brahmanical discourse tolerated their activities, thereby providing them with 'spaces' that could be utilized by them. Once again, this was not just subversion on part of the women but compliance with the marginalized status created for them by the discourse itself. Therefore, as examples from Brahmanical texts indicate, women did exercise agency in ancient India but this was most frequently exercised in complicity with the Brahmanical normative discourse, utilizing the spaces created by the discourse, and less in resistance to it. The discourse itself was not monolithic but included within itself many sub-texts: 'spaces' that could be utilized by women to empower themselves.

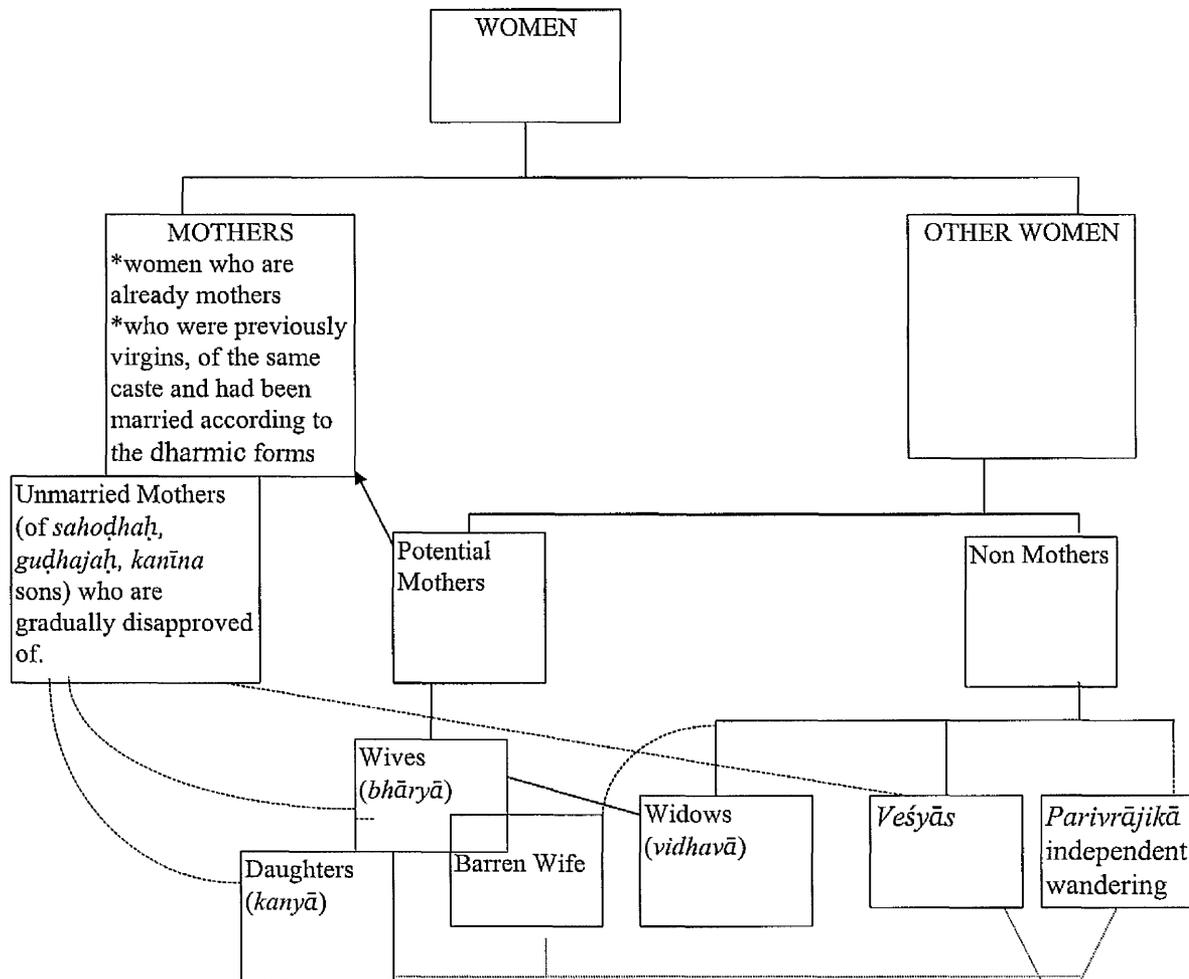
agency of women was implied in the sexual sphere, I also argue that the agency of women was implicit in the Brahmanical discourse on mothers and non-mothers. And women used this space to exercise certain rights and power.

CONCLUSION

The history of women in ancient India started in the late-nineteenth century as an anti-colonial discourse. The main premise of this history was that women had enjoyed a golden age in the past, particularly in the Vedic period. This continued to be the dominant historiographical paradigm with major modifications occurring only in the nineteen nineties. Thus, while the shadow of Altekar still looms large over women's studies there have been signs of a paradigmatic shift. This thesis seeks to make a contribution to the new genre of historiography. It is not concerned with the 'position' of women in the past as it was. Nor is it a commentary on the 'good' or 'bad' status of women. Instead, it interprets the *dharmasāstras* and the epics, although belonging to different genres of texts, as expressive of a particular discourse in a particular historical period. The texts are regarded as reflecting a specific socio-historical world-view of the *brāhmaṇa* caste developed between 500 BCE-300 CE. The period chosen is significant. It marked the clarification and crystallization of the Brahmanical view on women (among other subjects) and its incorporation in the *dharmasāstras* and epics. Moreover, this was the period during which the texts were committed to writing. While I agree that the *sāstras* remained 'fluid' for a long time, writing helped to establish the Brahmanical discourse on women as the dominant normative discourse. This discourse continues to be important for Hinduism in the absence of any other. The focus of this study is primarily on the terms and categories for women used in the texts themselves rather than on any preconceived notions about the stages in a women's life. It is, therefore, interested in recovering the ways in which women were perceived and classified in Brahmanical texts.

At this point it is necessary to clarify that this thesis is a particular 'reading' of the texts which are accepted as reflective of the dominant Brahmanical discourse. Accepting texts as the repositories of historical facts is another way of reading texts which I have avoided. Instead, the main emphasis is on the appropriation and interpretation of the texts and not on 'historical facts' *per se*. As there are frequent contests over what was and is the normative discourse, reading of texts is also contested. There may be many readings of texts and I have chosen to do one. According to my reading of the texts, women appear to have been defined and classified in procreational terms (see diagram). But biological reproduction had to occur within certain parameters to ensure the purity of caste and patriline and other Brahmanical criteria. The reading that I have undertaken of Brahmanical texts may give an impression that there was no agency of women in ancient India. However, as a historian I agree that there can be several readings of texts and that it is important to reveal the constructed nature of all histories, including mine. Therefore, the last chapter is a self critique of some of the main arguments in this thesis. Utilizing the same texts, I show first, that Brahmanical discourse was not monolithic but that it included within itself

several sub-texts. Second, I demonstrate that women exercised agency in ancient India. However, contrary to the opinion of the subaltern scholars, I maintain that the agency of women was not always expressed as resistance to the dominant and powerful Brahmanical discourse on women, but in complicity with it.



An illustration of the classification of women in Brahmanical texts

To return to the main argument of the thesis, I argue that Brahmanical discourse viewed women primarily in reproductive terms and identified mothers as normative and non-mothers as deviants. Marginal women like the *veśyās* and the women ascetics show clearly what was expected of 'normal' women. The *veśyā* and the woman ascetic have rarely been included in histories of women in ancient India. But both categories of womanhood were as much a part of

Brahmanical discourse as the mother, wife and daughter. In fact, being non-procreative they were crucial for the depiction of the procreative and potentially-procreative categories. Through an analysis of the terms used for the *veśyā*, I demonstrate that she was seen as one who was sexually available to many men and assigned to the public sphere. These factors, in spite of her supposed wealth, affected her procreative status. Since the paternity of her child could not be established with certainty, she was regarded as socially non-procreative and, therefore, without kin. The *veśyā* was obviously seen as a source of non-procreative pleasure, although the texts reflect a derogatory attitude towards the woman who was a *veśyā*. After analysing the four types of woman ascetics present in the texts, the thesis submits that the independent, wandering, woman ascetic constituted the second group of marginal women. She was one who was disapproved of because, being celibate, she did not utilize her biological potential for reproduction. Brahmanical discourse could not condone the reproductive potential of women going 'waste'. Some women practised asceticism at specific points in their lives or for the fulfilment of particular goals. Their ascetic practices did not interfere with their primary identities as wives, mothers, daughters or widows and, therefore, they were not marginalized but remained within the Brahmanical fold.

The Brahmanical desire to situate and define women and delineate the roles and behaviour expected from them is best illustrated in the textual references to the widow. The widow is a problematic category and her portrayal shows how some women could be transformed from potential mothers to non-mothers. Much of the previous discussion on the widow was influenced by the context during which the widow first emerged into academic prominence—the colonial and the nationalist contest over legislation to improve the Hindu widow's position—and thus remained confined to four main issues: *niyoga*, remarriage of widow, the *satī*, and tonsure of widows. This thesis reexamines three of the issues outlined above (tonsuring is not common in the texts) and suggests that the texts reflect the crystallization of Brahmanical views, with the widow being gradually transformed from a potential mother (when *niyoga* and remarriage is allowed) to a non-mother (when both are discouraged), due to the establishment of other Brahmanical prerequisites (for examples, caste and lineage purity) for biological reproduction. The exact status of the child born to the young, childless widow also became increasingly difficult to establish. Under these circumstances the widow was transformed into a socially non-procreative woman. This phase of uncertainty and transition is encapsulated in the *dharmaśāstras*. What was to be done with the young widow? She was young, in her sexual and reproductive prime and therefore, dangerous. With the death of her husband, the widow's position in her conjugal lineage was tenuous. The *śāstras* recommend a celibate life and, somewhat later, the practices of *sahagamana* and tonsuring, which reduced the widow to a non-sexual, non-threatening person.

The wife and daughter appear to have been groomed as potential mothers, who were expected to give birth to the male child, but only after fulfilling certain conditions (as the references to chastity, fidelity and adultery indicate) that would ensure the caste and lineage purity of the child born. The woman as a wife is most frequently mentioned in the texts of this period. But the content and the nature of the references establish her as the secondary normative category: a woman who is yet to fulfil her basic function, a potential mother. Unlike some previous histories, this thesis does not concentrate on descriptions of marriage, the relationship between the husband and wife, or on the *pativrata*. Instead, it examines the use of certain terms denoting the wife and the changes in the frequency of their use, to show the gradual depletion of the economic and the religious rights associated with the wife, and the concomitant transformation of the wife into a potentially procreative category. It also shows that the designation of the wife as a field (*kṣetra*) of her husband to be sowed, the importance granted to *kṣetraja* sons, the designation of sexual intercourse as a duty for the husband and wife, and the rejection of conjugal intimacy reinforced her status as a potential mother. Some historians, possibly uncomfortable with the issues of adultery and of the chastity of the wife, have neglected these two topics. However, I argue that they are important to the portrayal of the wife in the texts. It is precisely because the wife is regarded as a potential mother that adultery and chastity assume such importance. As she was yet to give birth, it was important to ensure that when she did, the child was her husband's. Hence, the strictures on adultery and chastity. The *pativrata* ideology—with its emphasis on housework to keep the wife physically occupied, the reiteration that the wife should be devoted to the husband, and the proposed reward of heavenly bliss to the wife who conformed—was an additional rhetorical device, a system of checks and rewards, meant to ensure that the wife fulfilled her destined function. I also submit that the daughter was a potentially procreative category, not by concentrating on whether the daughter was welcome/unwelcome in ancient India or if pre-pubertal marriages were recommended, but by again analysing the terms used for the daughter. This thesis shows that the terms *kanyā* and *kumārī* (having an overt sexual content) become far more common in the texts of this period than the previously frequent terms *duhitṛ* or *putrī*. This marked the sexual classification of the daughter and her gradual identification as a potential mother. In addition, Brahmanical texts take pre-pubertal marriages for granted and grant to the daughter the right to choose for herself if she had not been given in marriage by the time her menses began. The reasoning given is significant. Each period apparently signified an opportunity for reproduction lost. In this section, I also briefly discuss marriage and indicate that its main importance lay in the fact that it marked the transfer of reproduction rights over a woman from one lineage to another. It also established kinship relations between lineage groups. Finally, I discuss current ethnographic surveys that often depict the daughter as a stranger in her house, as a

commodity left in trust for her future husband and his family. Ancient Indian texts hint that the daughter's status as an 'other' in her own house might not have been very different in the past.

The woman as mother was the epitome of the Brahmanical discourse on women as well as its anti climax. Focusing strictly on the descriptions in the texts themselves, one is struck by the nature of the references to the woman as mother. Most historians agree that the mother was eulogized, but have generally preferred to leave it at that. More recent ones have rejected that motherhood was important. There is some truth in both assertions. It is true that the woman as mother is praised, although the eulogy is expressed in stereotypical terms. But the important question is: Why is the mother the only category of womanhood to be praised? The thesis argues that it is because she is a mother and has fulfilled the primary function of a woman, reproduction. Both biological and social reproduction appear to have been important to the *brāhmaṇa* writers of the texts. But gradually, with the increasing importance of caste, family and private property, mere biological reproduction was deemed insufficient. Reproduction to be socially accepted had to fulfil other Brahmanical criteria. Therefore, from an acceptance of every male child born (*kanīna*, *guḍhajaḥ*, *sahoḍhaḥ* sons and presumably also their mothers are initially not socially rejected) the emphasis shifts to an acceptance of only the *aurasa* and *kṣetraja* son and the *putrikāputra*. Later on, even *kṣetraja* sons are rejected as doubts arose regarding their parentage and, thus, their caste and lineage antecedents. Consequently, a woman who had been a virgin, was of the same caste as her husband and who had been married (preferably according to the dharmic forms of marriage) and who became a mother came to be idealized. She was the procreatrix. More significantly, and this has often been overlooked, with motherhood came some tangible changes in a woman's sexual and kin status. Doniger and Nandy have referred to the normative split between sexuality and fertility but have not specifically identified the change that occurred in the sexual status of the mother. This thesis demonstrates that the texts contain ample hints on the transformation of the woman as mother from sexually dangerous to asexual and benign. In addition, motherhood marked the complete integration of the woman into her conjugal lineage. However, this thesis admits that the eulogy of the mother remained at a theoretical level and did not translate into any kind of rights and privileges for the woman. Motherhood was institutionalized but mothers were briefly rewarded by a eulogy and then overlooked. This was possibly because the woman as mother had already 'delivered' in all senses of the term.

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