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Research Article

REDEFINING THE SPACE OF WOMEN IN ANCIENT INDIA

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ABSTRACT

Women's exploitation is a global phenomenon but in India women have been exploited in both public and private domains since time immemorial. This paper begins with an assessment of the social position of women in ancient India. It will trace the emergence of Feminism in India by dividing feminist struggle into different phases of history—first phase or social reform phase, second phase or freedom struggle phase and finally, third phase or post-independent phase. The different phases of feminist struggle are marked by different characteristics and backdrop of struggle. Social reform phase was marked by social reform movements of social reformers which sought to liberate women from their private domain by doing away with some atrocious practices such as sati and child marriage. Freedom struggle phase was marked by the struggle of women against patriarchal structures and colonial rulers. During post-independent phase, freedom from colonial rule gave an impetus to women to fight against single discriminatory force of patriarchy. This phase was marked by the emergence of new social movements which emphasized on diverse issues and sought to liberate women not only in the private domain but also in the public domain. The two primary objectives of this paper is to prove that the nature and development of Indian feminism is different from that of Western feminism. Another objective of this paper is to highlight the changing discourse of feminist struggle in India.

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INTRODUCTION

Women in Ancient India

In ancient India, there was general acceptance of women's natural difference to men (Jain, 2011). The root causes of patriarchal domination were 'post-truths'¹ and meta-narratives based on culture, religion, caste system, myths and folktales (ibid)². In all the religions women as an entity have been interpreted differently for examples Islamism and Sikhism (religions that do not believe in idol worship and rather emphasize on their Holy book worship) do not believe in goddess worship while in Hinduism, women are worshipped as goddess (ibid 179). One of the common characteristics of all the religions are that all believe in the confinement of women to private sphere³. The basic difference among all these

religions is only in terms of the nature of social confinement of women for example, in Christianity women have freedom to work but this may not guarantee them social respectability while in Buddhism, female monks have to undergo a more rigorous discipline than male monks (Jain, 2011: 179). It is a well-known fact that Jainism was divided into two sects—*Svetambara* Jains and *Digambara* Jains (excluded women from attaining salvation) on the issue of granting salvation to women which required women to be naked for attaining salvation (ibid 14, 138).

Hinduism is a religion which has been subject to various interpretations of religious texts by right-wing religious fanatics resulting in the further subjugation of women in Indian society. The codes associated with *Manu* and *Yajnavalkya* actually prescribe austere and chaste lives for widows and it is only in the later texts such as *Puranas* (ancient) that the practice of *sati*⁴ is prescribed as an option for women (Yang in

¹ Relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief (<https://en.oxforddictionaries.com/definition/post-truth>)

² Patriarchy refers to the practice of giving primacy to fathers, sons or men over mothers, daughters or women (McMillan & McLean, 2009: 395).

³ The concepts of public and private spheres of life have origins in the classical Greek thought (Okin, Susan in Held, David (ed), 1991). Public sphere is the sphere of social life which is easily accessible and involves governmental institutions, political parties, pressure groups and public debate. Private sphere is the sphere of social life which requires special justification for interference, involves family life and personal relationships.

⁴ *Sati* is derived from a Sanskrit word '*sat*' meaning pure or chaste (Yang in Sarkar, 2007: 21). It is a ritual suicide or an act of immolating wife in the funeral pyre of her deceased husband (ibid). If the widow was burnt together with her husband then the practice was known as *sahamarana* or *sahagamanan* (ibid). If the widow was burnt with her husband's ashes or some other memento representing him then the practice was known as *anugamanaor anumarana*. (Sumit and Tanika Sarkar, 2011).

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Sarkar, 2007: 292)⁵. In 16th century, *Rg Vedic* verse X.18.7 was misinterpreted with the change of the word *agre* (ceremony in which a widow lays on her husband's funeral pyre but before it was lit she was raised from it by a male relative of her dead husband) to *agneh (sati)* (Yang in Sarkar, 2007: 28 & Padia, 2002: 4). Rather *Rgveda* actually emphasized on many liberal practices such as widow re-marriage in verse X.18.8 and a system of *niyogaa* in which a widow without a male heir was allowed to marry her husband's brother (Padia, 2002: 5 and Yang in Sarkar, 2007: 29). While there are few authors who emphasize on the emancipatory role of women in interpreting ancient texts such as Draupadi challenging the notion of husband being the protector, the law of kinship and the concept of *rajdharm* (duty of ruler) and Gandhari's blindfolding as a symbol of resentment for being deceived into marrying a blind man (Jain, 2011: 40, 56).

In ancient India, women belonging to lower castes were subject to double exploitation. They were subjugated not only by men for being women but also, by those belonging to higher castes for being lower caste. Uma Chakravarti in her work '*Gendering Caste*' (2005) argues that women irrespective of the caste to which she belonged internalized the discriminatory practices in ancient Indian society (Jain, 2011). Illogical myths gave social approval to the creation of such false identities of women. Women were considered as a secondary creation born out of the male body and were meant to be placed at the feet of man. Their freedom was inhibited by mythological beliefs such as *lakshmana-rekha*, Sita's *agnipariksha* (clinch), Damayanti's *pativarta* (chaste), Draupadi's *chirharan* (disrobe) and *devadasis* (servant of God) (ibid 10, 29, 58, 74, 94, 97, 256).

Feminism in India

The nature of feminism in India differs significantly from Western feminism. In the West it was mostly a political reform movement wherein women sought to create a space for themselves in the public domain but in India, it started as a social reform movement that sought to reform the private domain. In India, it was only from post-independent phase that women started emphasizing on political issues due to the influence of political parties.

Scholars have different interpretations regarding the origin of Indian feminism. Broadly speaking, they have traced the emergence of Indian feminism in different phases of Indian history marked by landmark events such as social reform movement which began in 19th Century, freedom struggle and finally, post-independent phase which coincided with the international wave of feminism.

Social Reform Phase

Social reform movement was a by-product of individual consciousness and was driven by social-welfare ideology (Kumar, 1993). It initially started as a region based protest against the social exclusion of women in Hindu religion (ibid 8). Movements were heterogeneous in its character and were not uniform. Differences in the character of these movements can be deciphered by comparing the movements in Bengal and

Bombay Presidency (ibid 15). Firstly, in Bengal movement was launched by the upper-castes while in Bombay, movement was launched by the lower castes; secondly, in Bombay, social reform movement did not result in the emergence of a new religious body like that in Bengal and finally, orthodox Hindu reactions to such movement was stronger in Bombay than in Bengal (Kumar, 1993). Furthermore, in Bengal members of the *Tattavabodhini Sabha* formed by Rabindranath Tagore attempted to reform Hinduism and propounded monotheism (ibid). On the other hand, social reform movement in Bombay split into two with *Brahman* reformers attempting to reform their own community taking up issues such as widow re-marriage and non-*Brahman* movement attempting to reform the *Brahmanic* social code and customs (ibid 25). In other parts of India such as Calcutta, orthodox Hindus formed the *Dharma Sabha* to campaign against the abolition of *sati* and in Poona, Brahman students known as Young Poona Group also made an attempt to reform Hinduism (Kumar, 1993: 15; Yang in Sarkar, 2007).

This phase was characterized by individual consciousness of women and social reformers about the patriarchal order of the society. First generation of educated women wrote extensively about the conditions of women while the second generation of educated women articulated the needs of women, criticized their colonial masters and their society and developed their own institutions (Kumar, 1993: 107). One of the most prominent social reformers of that time was Ishwar Chandra Vidyasagar who made an attempt to amend the law relating to widow remarriage (ibid 19). However, 60,000 Hindus belonging to higher class submitted forty petitions against his proposal (ibid). In spite of such opposition his proposal was passed but it was labelled as a 'Dead Letter' due to its failure of being implemented effectively (ibid)⁶. Raja Rammohun Roy is another important social reformer who founded *Atmiya Sabha* in Bengal and emphasized on the importance of educating women (ibid 8). In 1815, he wrote '*A Conference between an Advocate for and an Opponent to the Practice of Burning Widows Alive*' criticizing the practice of *sati* (ibid 14). Pandita Ramabai Saraswati who was the founder of *Arya Mahila Samaj* and *Sharada Sadan* also emphasized on the importance of women education (Forbes in Sarkar 2007: 93). Bal Gangadhar Tilak campaigned against the legislation that fixed age of consent at ten and was successful in raising the age of consent from 10 to 12 (Kumar, 1993: 27).

Freedom Struggle Phase

During colonial rule in India women faced dual challenges that are patriarchy and exploitative British rule (Jain, 2011: 175). Colonial rule in India led to the occurrence of tragic events such as partition of India in which women suffered immensely as many women were migrated (eight million), abducted (80,000 to 150,000), committed or were forced to commit suicide, burnt alive, abandoned, sold or turned into a public women (Forbes; 2007: p 224). ChanrdaTalpadeMohanty in her work '*Introduction to Third World Women and the Politics of Feminism*' (1991) argues that colonialism not only consolidated white masculinity as normative but also transformed indigenous patriarchies, facilitated sexualisation of

⁵ Dr. Arvind Sharma in his essay, '*How to Read the Manusmirti*' argues that authors emphasizes only on selective quotations that impose restrictions on women and tactfully ignores those quotations that provide women with innumerable rights and privileges (Padia, 2002: 14-15).

⁶ After forty years of the passage of Widow Remarriage Act (1856) there were reports of 500 cases of widow re-marriage especially that of child widows (Kumar, 1993: 19).

colonised people and aroused feminist consciousness (Sinha 2007: 214). Under colonial rule a 'new patriarchy' emerged that aimed at social reform by producing a more cultured version of woman-hood, modernizing only certain indigenous patriarchal modes of regulating women and aiming at self-improvement (Jain, 2011: 175)⁷. This upper class people propagating 'new patriarchy' campaigned against exploitative and traditional Hindu practices such as polytheism, idolatry, animism, caste, *pardah* (veil), child marriage and *sati* (Kumar, 1993:7).

In 1818, Lord William Bentick, provincial Governor of Bengal prohibited *sati* in his province (Kumar, 1993: 9). In 4th December 1829, under regulation XVIII Sati Abolition Act was passed by the British Government (Kumar, 1993: 9; Yang in Sarkar, 2007:27). This Act declared the practice of *sati* as illegal and punishable by clearly differentiating between enforced and voluntary *sati* (Kumar, 1993: 9). However, Sati Abolition Act was not successfully implemented across India as there were reports of 4,000 cases of *sati* till 1930 (Kumar, 1993). The practice of *sati* which started from Poona spread to other regions of India such as the Gangetic valley, Punjab, Rajasthan, Konkan region, Madurai and Vijayanagar (Yang in Sarkar, 2007: 31). *Sati* was widespread in areas of internal conquest and competition (ibid). It was practiced mostly by traditional castes, newly emergent castes and tribal groups (ibid). The practice of *sati* can be seen as a means of identity assertion of the colonized (ibid 24). Colonizers made two contradictory contributions to the colonizers by infusing liberal values of equality, secularism, individualism, rationalism, evolutionism, utilitarianism and democracy in the minds of the educated Indian middle-class elite and at the same time, created wide-spread resentment among the general masses to overthrow colonial rule in India.

One of the most significant legislations introduced during colonial rule to uplift the social status of women was the Hindu Code Bill. In 1930s, the British Government under the pressure of social reformers appointed a committee under the chairmanship of B.N. Rau to reform Hindu personal laws (Kumar, 1993: 97). In 1944, the committee under the chairmanship of B. R. Ambedkar submitted Hindu Code Bill which raised the age of consent and ensured women right to divorce, maintenance and inheritance but dowry was still considered as a *stridhan* (jointure) (ibid 9). All-India-Anti-Hindu-Code Committee demanded for withdrawal of Hindu Code Bill based on the argument that it undermined the foundation of Hindu religion, culture, social structure, law and also, the fundamental principles of the Constitution (ibid 99). Members of the Committee rejected women's right to inheritance considering that it would disrupt Hindu family system (ibid). Eminent political leaders like Dr. Rajendra Prasad and Sardar Vallabhai Patel also opposed the Hindu Code Bill (ibid 97).

Post-Independence phase

Scholars like Joanna Liddle and Rama Joshi argue that in the first thirty years after independence there were no feminist movements in India as women were subjugated only in personal relations of the patriarchal family (Jain, 2011: 260). With the passage of time, women's exploitation became more

explicit in the private domain. Thereafter, feminists started following flexible and individualist approach in fulfilling their issue-based agendas intricately linked with each other (Kumar, 1993). Constitution was used as a means of asserting equality of sexes in terms of right to vote, employment and movement (ibid 1). This phase was also marked by significant change in the method and tactics of campaigns with the use of either shametic (offering bangles to men, blackening their faces, beating rolling pins, plates or tins and camping outside the culprit's home), fasting or legal redress instead of demonstrations and street theatres (ibid 143)⁸.

One of the most significant developments of this phase was the passage of Hindu Code Bill in four different acts between 1950 and 1956 as Hindu Marriage Act, Hindu Succession Act, Hindu Minority and Guardianship Act, Hindu Adoption and Maintenance Act; in spite of the opposition of All-India-Anti-Hindu-Code Committee and eminent political leaders like Dr. Rajendra Prasad and Sardar Vallabhai Patel (Kumar, 1993: 97). Under the Hindu Marriage Act women have the right to monogamous marriage and complain against bigamy (Seth, 2001: 53, 56). Under the Hindu Succession Act women have the right to inherit her husband's and father's property (ibid 53)⁹. Hindu Minority and Guardianship Act lays down certain regulations and provisions relating to guardianship based on the nature of guardian and age of the child¹⁰. Hindu Adoption and Maintenance Act contains certain conditions of adoption, constitutional safeguards for the adoptee and maintenance¹¹. Soon after women were granted significant rights in their private domain in the form of Hindu Code Bill, women felt the need to secure their position in the public domain. Thereafter, Communist Party of India (CPI) started mobilizing women against government's policies by forming National Federation of Indian Women (NFIW) under the leadership of Vibhla Farooqui (Jayal and Mehta, 2010: 170). During this phase many new social movements having different agendas were successfully organized such as Chipko movement, anti-alcohol movement or Shahada movement, Telangana movement, Tebhaga movement, NavNirman Youth movement or anti-price movement (Kumar, 1993)¹².

In spite of the implementation of strict legislations and success of new social movements, violence and atrocities against women continued in the form of dowry murders, rape and *sati*. In 1979, the national capital, New Delhi reported 358 cases of dowry murders out of which less than fifty were declared as suicides, twenty-three as dowry burnings and remainder as accidental (Forbes, 2007:246). As a result of the increasing incidences of dowry murders, Joint Committee of the Houses

⁸ Shame as a tactic was employed in the food, anti-price, anti-alcohol, anti-wife beating, anti-dowry, no-tax and no-rent campaigns by women groups and organizations (Kumar, 1993: 4).

⁹ Mira Seth considers Hindu Succession Act to be largely flawed as it is only applicable to Hindu religion. It does not contain the provision to restrict State governments from enacting any legislation contrary to its nature and does not underline its significance in terms of overriding existing legislations. She points out that this has led to many states such as UP, Delhi, Punjab, Haryana, Himachal Pradesh, Jammu and Kashmir in enacting their own laws on tenancy rights (Seth, 2001 : p 54)

¹⁰ See Hindu Minority and Guardianship Act in http://www.law.yale.edu/rcw/rcw/jurisdictions/assc/india/india_hindu_minor.pdf

¹¹ See Hindu Adoption and Maintenance Act of 1956 in [http://punjabrevenue.nic.in/hadoptact\(1\).htm](http://punjabrevenue.nic.in/hadoptact(1).htm).

¹² New Social movements refers to diverse set of popular movements characterized by a departure from conventional methods of political organization and expression and experimentation with new forms of social relations and cultural meanings and identities (McMillan & McLean, 2009: 367)

⁷ 'New patriarchy' formed during colonial in India refers to the English educated middle class bourgeois who were mostly concentrated in Bengal (Jain, 2011: p 175).

chaired by Shrimati Krishna Sahi passed Dowry Prohibition Act in 1986 (ibid 247). In 1980, rape of fifteen year old low caste girl in the police state led to huge public outrage (ibid 245). As a result of which the Evidence Act, the Criminal Procedure Code and the Indian Penal Code relating to rape of minor were amended (Forbes, 2007:245). In 1987, practice of sati by Roop Kanwar and other women following her suit in Rajasthan during *chunari mahotsava* was protested by many women activists considering it to be a cold-blooded murder (ibid 248). This resulted in the passage of *Sati* Prevention Act (1987) that outlawed the glorification of sati (ibid).

CONCLUSION

The first or social reform phase of feminist movement in India was marked by individual consciousness of social reformers who fought with their own people to abolish exploitative practices such as *sati*, child marriage and depriving women from basic education. The second or freedom struggle phase of feminist movement witnessed the rise of two class of people-Indian middle-class elites who along with colonizers sought to civilize uneducated masses and other class of people who resisted colonial rule and asserted their identity by practicing *sati*. The third or post-independent phase witnessed the rise of many issue-based new social movements that had been successful in introducing significant amendments to the existing laws and redefining the role of women in both private and public domains. During this phase the demand for women rights ranged freedom from domestic burden, political representation to primordial identity assertion. Feminism in India has not flourished in comparison to Western feminism because of political party interest and existence of patriarchal structures in Indian society. In many parts of the country child marriage, dowry, honour killing, female foeticide, rape and trafficking are still prevalent. Therefore, at the individual level women should refer to traditional sources of women's strength by identifying images of women warriors like *Jhansi ki rani* and goddess *Kali* rather than suffering. Most importantly, conscious effort should be made to build a strong basis for the existing legislations.

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