

**Gender Relations and Sexuality in some Normative,
Prescriptive And Poetic Literature of Early Historic India: A
Comparative Study**

**Dissertation submitted to Jadavpur University in partial
fulfillment of the requirements for the award of the degree
of**

MASTER OF PHILOSOPHY

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DECLARATION

Certified that the thesis entitled, “ **Gender Relations and Sexuality in some Normative, Prescriptive and Poetic Literature of Early Historic India: A Comparative Study**”, submitted by me towards the partial fulfillment of the degree of Master of Philosophy (Arts) in History, of Jadavpur University, is based upon my own original work and there is no plagiarism. This is also to certify that the work has not been submitted by me for the award of any other degree/diploma of the same institution where the work is carried out, or to any other Institution. A paper out of this dissertation has also been presented by me at a seminar/conference at the Department of History, Jadavpur University, thereby fulfilling the criteria for submission, as per the M.Phil Regulation (2017) of Jadavpur University.

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On the basis of academic merit and satisfying all the criteria as declared above, the dissertation work of Smt. Manisha Sharma entitled Gender Relations and Sexuality in Some Normative, Prescriptive and Poetic Literature of Early Historic India: A Comparative Study is now ready for submission towards the partial fulfillment of the Degree of Master of Philosophy (Arts) in Department of History of Jadavpur University.

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INTRODUCTION

It has been recognized by scholars that the Early Historic period saw some important changes in North India. It saw the breakdown of tribal polities and an expansion of agriculture. This was accompanied by the subsequent breakdown of the Gana-Sanghas (or as it is otherwise known, the ‘Republics’), the coming up of large monarchical states that had vast resources at their disposal and the emergence of urban centres. There is a correlation between these changes in the economy and the way women came to be viewed in this period. Expansion of agriculture changed the pattern of ownership of land, with private ownership of land gradually gaining ground. For expanding resources from land an increase in labour in the form of children was necessary. The capacity for the production of labour was only in the hands of women. Therefore in order to control this labour and ensure its steady production, control over women and their reproductive abilities were important. In the context of the changing economy caste, class and gender differences arose. These differences ensured maximum benefits from landed property. The concern of “legitimate” children (sons) gained importance during this period to ensure that those who held landed property could continue this control within their families or lineage. This demand for legitimate children could only be met if women were bound within the rules of the upper-caste/class men through the control of their reproductive capacities. This control was sought to be established through controlling women’s sexuality and channelizing it into motherhood with the help of “legitimate” partners. It is in this context that the above mentioned texts were written. Therefore women’s sexuality in the Normative Sanskrit texts (Manusmriti, Arthashastra) and Pali texts (Jatakas) were shown as undesirable and evil.

The Gathasattasai belongs to a different genre of literature altogether, it being a poetic literature. Therefore there are differences between this text and the aforementioned normative texts.

OBJECTIVE

The present research tries to understand gender relations and sexuality in some Ancient Indian literature in the early historic period. The paper focuses on five literary texts namely the Manusmriti (Manu), the Arthasastra (Kautilya), the Jatakas, the Kamasutra (Vatsyayana) and the Gathasattasai (Hala). Except for the Jatakas and the Gathasattasai, which were composed in Pali and Prakrit respectively, the texts were composed in Sanskrit. The Manusmriti, the Arthasastra, the Jatakas and the Kamasutra are normative texts. The Gathasattasai is a lyrical poetic text.

The research tries to find a connection between these five texts. The present study does not intend to understand the ‘status of women’ in the aforementioned texts, but the way gender relations were seen and understood, and the way sexuality of women was portrayed in these texts. Gender is not the same as sex. While sex is what makes human beings ‘male’ or ‘female’, gender is what makes a person “masculine” or “feminine”¹. Sexuality is often misunderstood as the act of sex. It is a cultural concept. “*Sexuality represents the appropriation of the human body and of its physiological capacities, by an ideological discourse*”². Therefore it is imperative that sexuality be studied and not just put it to the background of studies in History.

¹ Simon Brodbeck, Brian Black, edited, Gender and Narrative in the Mahabharata, New York: Routledge, 2007, 11

² David Halperin cited by Shalini Shah in Love, Eroticism and Female Sexuality in Classical Sanskrit Literature: Seventh-Thirteenth Centuries, New Delhi: Manohar Publishers and Distributors, 2009, 37.

In this research, there has been an effort to connect the Sanskrit normative texts; the Manusmriti, the Arthashastra and the Kamasutra with the Jatakas which was a Pali normative Buddhist text, through the ways in which gender relations were formulated and treated and the way in which sexuality of women was seen, trying to derive similarities between them. The Gathasattasai is seen more in terms of the reception of these norms laid down by the normative texts, by the non-elite men and women. To this end, the examples in the Jataka stories are also seen people's reception of these norms. The research seeks to recognize the difference between norms and practices. This difference is shown towards the end of the research.

PRIMARY SOURCES

The Manusmriti was one of the Dharmashastra texts that laid down the rules of *righteous living* or Dharma. Its authorship is traditionally assigned to Manu, although some scholars are of the opinion that the text is not the work of a single author (for example Buhler)³, others are of the opinion that there had been a core text that was added upon by later redactors (Patrick Olivelle)⁴. The text has been placed between c. 1st Century BCE-3rd Century CE by Olivelle. There was a specific background in which the Manusmriti was written. The reasons for the writing of the Dharmashastras in general and the Manusmriti in particular have been discussed by Olivelle⁵ and Olivelle and McClish⁶.

³ George Buhler, The Laws of Manu, translated with Extracts From Seven Commentaries, Oxford:Clarendon Press, 1888

⁴Patrick Olivelle and Suman Olivelle, Manu's Code of Law: A Critical Translation and Edition of the Manava-Dharmashastra, Oxford:Oxford University Press, 2005, 3

⁵ Olivelle and Olivelle, Manu's Code of Law.. 38-39

⁶Patrick Olivelle, Donald R. Davis Jr, ed., Hindu Law; A New History Of Dharmashastra, The Oxford History of Hinduism, United Kingdom: Oxford University Press, 2018, 19-20

The Arthashastra is another text within the *holy triad* that is concerned with worldly success (Artha) and the accumulation of wealth. This is a book that is written specifically for the king. It is similar to the Manusmriti in the sense that much like Manu, Kautilya, the author to whom the Arthashastra is traditionally assigned to, is not much known about. There has been a debate to understand whether the text is written by one author or many authors. Various scholars have given various dates to the Arthashastra. The presence of common themes in the Manusmriti and the Arthashastra has led scholars to believe that one of them was influenced by the other.

The Jatakas are a collection of the stories of the Buddha's former births. They have a distinct problem of authorship. They have not been associated with any author(s). The Jatakas were written in Pali, perhaps to make it accessible to a wider audience. These were probably derived from folktales and then used to cater to the ideologies of Buddhism. According to Kumkum Roy, they were probably compiled in the present form in 5th century CE, although they were represented in sculptures of as early as 3rd century CE⁷.

The Kamasutra and the Gathasattasai (known as Gathasaptasati in Sanskrit) are similar in terms of their authorship. They have both been assigned to one author. The Kamasutra is traditionally ascribed to Vatsyayana and the Gathasattasai has been assigned to Hala. But there is no information about either Vatsyayana or Hala. The Kamasutra was probably written in c 3rd century CE. The date of the Gathasattasai has been debated by various scholars. It was probably composed in the period between the 1st-3rd centuries CE.

⁷Kumkum Roy, "Justice in the Jatakas", Social Scientist, Vol. 24, No 4/6 April-June 1996, pp 23-40, 2

The details about authorship and the date of these and the debates surrounding them are further discussed in individual chapters of the research. We will look at them when we discuss the relevant chapters individually.

The research was dependent on translated and edited versions of primary sources, namely the Manusmriti (critically edited and translated by Patrick Olivelle and SumanOlivelle; edited and translated version by Wendy Doniger ‘*The Laws of Manu*’), the Arthasastra (edited and translated by Mark Mcclish, Patrick Olivelle; *Kautilya: the Arthasastra* edited and translated version by L.N Rangarajan; *Kautilya’s Arthasastra* by R.Shamasastri), the Jatakas (edited by Robert Chalmers and translated by E.B Cowell), the Kamasutra (*Vatsyayna Kamasutra* translated by Wendy Doniger and SudhirKakkar), and the Gathasattasai (*Poems on Life and Love in India: Hala’s Sattasai*, translated and introduced by Peter Khoroche and Herman Tieken).

SURVEY OF PREVIOUS LITERATURE

A number of scholarly works were used to develop an understanding about the current research.

The research has been greatly dependent on works of Uma Chakravati and Kumkum Roy. One of the most important works of Uma Chakravati that has direct or indirect bearing on the present research is *Everyday Lives, Everyday Histories: Beyond the Kings and the Brahmanas of ‘Ancient India’*. To begin with, the text provides a critical understanding of the historiographical trends that affected the way women’s history came to be studied in India. The texts critical study of the changes that were taking place because of the ‘second urbanisation’ and the way in which the economic and political and social changes had affected the way in which women came to be seen within Buddhism is very important for

the present study. This has helped the present research to understand the trends because of which women came to be seen and understood in the way they were seen in the normative texts mentioned above.

Uma Chakravarti's work *Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State* is important because it tries to understand, through a dependence on authors like Gerda Lerner, the reason of the coming up of patriarchy in early India. Rather than showing that patriarchy is something that came up only because of the changes taking place in the 'second urbanisation' period, she tries to show that patriarchy is something that was there since the advent of agriculture. In terms of India, she shows that while Brahmanical patriarchy definitely gained a stronghold in the 'second urbanization' period, it was there since the Rgvedic times. The work has helped shape the research in many ways.

Uma Chakravarti in her essay *The Rise of Buddhism as Experienced by Women in Manushi* has discussed very briefly about the attitude of Buddhism and the Buddha towards women. In addition to this Chakravarti shows another side of the treatment of courtesans within Buddhism, where she shows that as opposed to the view that they were rich and therefore had freedom, the reality was actually different. She shows that representation of courtesans within Buddhism were important because she had to either be a mother or wife or a mistress; i.e. always in relation to the man.

Another author who is extremely important in our study of gender relations and women's sexuality is Kumkum Roy. Roy's work *The Power of Gender and the Gender of Power: Explorations in Early Indian History* is important for the present

study especially because of its critical engagement with Buddhist and Brahmanical sources to understand gender relations. The correlation between private ownership of land and women's control as portrayed in the Arthashastra and the Manusmriti has been dealt with by Roy in an extensive manner. The way in which the urban domain was associated with men and in both the Kamasutra and the Jataka has been studied by Roy. The way in which courtesans were seen and treated and the way in which they were different from the women of the household in terms of being recognized as the carriers of legitimate transactions in the Jatakas and the Kamasutra has been studied by Roy.

Patrick Olivelle and Donald R. Davis' work the *Hindu Law: A New History of Dharmasastra* has been used to understand the Dharmasastras and their nature and the background in which they came up. This background has been used in the present research to understand the nature of the Manusmriti and the specific contexts in which it had been written. While the research does not engage with each and every Dharmasastra text that has been discussed by the authors, it is important to understand the context in which the Manusmriti was written.

Sukumari Bhattacharjee's monumental work *Women and Society in Ancient India*, has been used in this research to understand Prostitution in Early India, where she shows the specific context of prostitution as an effect of the rise of urbanism. In addition to this she also shows the way in which prostitutes were seen and treated in Early India. This understanding has been used in the research to shape the idea about prostitution, wherever it has been dealt with.

Another interesting work that has provided us with an understanding of women within Buddhism and who showed Orientalist perspective is that of I.B Horner in

her *Women Under Primitive Buddhism: Laywomen and Almswomen*, who wrote about women within Buddhism where she sees working women under Buddhism, a genre that was the first of its kind. While most works on women in early India deal with the categories of daughters, wives, mothers and widows, Horner introduces a new category of women workers. This is possibly the first attempt to analyse the role of women outside the kinship network-shaking off the domestic aspect of women and attempting to see her as an independent entity in the context of wider society⁸. The main focus of Horner is on the Therigathas and the Theragathas and how almswomen and laywomen were treated within the Buddhist tradition. She begins with the notion that in providing women with an opportunity to become nuns, Buddhism provided a space where women were treated as equals to the men, which shows “the amount done by Buddhism for women”. Horner tries to show that the entry of women into the Sangha was not grudging by the Buddha, as has been shown by scholars⁹. Before reaching a conclusion, we have to understand that the book was written in 1930. The text therefore shows a very Orientalist understanding of women being liberated by Buddhism and being provided a space for equality. The notions of motherhood not being the most important mark of a woman, the doing away with the undesirability of the girl child, etc has been seen by Horner in great detail. Horner, throughout her text provides examples of how women in Buddhism were treated better than their Hindu counterparts. Horner sees women being admitted into the Buddhist order as nuns, as an opportunity for being free of the roles that they were expected to perform as women, and thus freeing

⁸ Uma Chakravarti, Kumkum Roy, “In Search of Our Past; A Review of the Limitations and Possibilities of the Historiography of Women in Early India”, *Economic and Political Weekly*, Volume 23, no. 18(April 30, 1988): 2

⁹ I.B Horner, *Women Under Primitive Buddhism; Laywomen and Almswomen*(Delhi: Motilal Banarsidass, 1930), 28-29

women of the shackles of motherhood and domesticity¹⁰. It was because of this that pregnant and breast-feeding women and women who did not conduct themselves properly in the presence of men and boys were not allowed in the Sangha because of which, according to Horner, Chastity was majorly emphasized upon by the Sangha¹¹. One of the major drawbacks about Horner's text is that she has a narrow scope in her work, perceiving women not within the broader social fabric but as nuns within the Buddhist theological domain. She tries to portray a very positive role of Buddhism in its treatment of women. However, during our discussion of the Jatakas, we can see that this was very often not the case.

Another major drawback of her work is that when she says "Hinduism", she probably meant the mainstream Brahmanical perspectives that were popular during the period she wrote, through translations of the mainstream literary works of Ancient India. There are comparisons that seem almost forceful in some places, and picking up those examples that seemed to justify her opinion on how Buddhism was far more liberal to women than what she calls Hinduism, with parallels being drawn from the Hindu society of the time when she wrote her book. The understanding of Horner is termed as "superficial" by Chakravarti and Roy in their article¹². As it has been pointed out in this research, though she pioneered to show an alternate way of life of women within Buddhism, the actual situation, as seen from the Jatakas, was different, and Buddhism was not as liberal regarding women during the time of the Jatakas, as shown by her.

¹⁰ Horner, *Women Under Primitive Buddhism*, 52

¹¹ I.B Horner "Women Under Primitive Buddhism, Laywomen and Almswomen" in Kumkum Roy, *Women in Early Indian Societies; Readings in Early Indian History* (Delhi: Manohar Publication, 1999)

¹² Uma Chakravarti, Kumkum Roy, "In Search of Our Past A Review of the Limitations and Possibilities of the Historiography of Women in Early India", *Economic and Political Weekly*, Vol. 23, No. 18 (Apr. 30, 1988), pp. WS2-WS10, 2

Diana Y. Paul is another author who is important to our study of women within Buddhism. While her work is mainly about the Theris within the Mahayana tradition, her work is important to understand the gender roles and sexuality in Buddhism, although according to her gender was not always differentiated from sexuality in Buddhism. There was an ideological barrier as well as external social conflicts that defined the way men and women were seen in Buddhist canons according to Paul, with men representing the sacred and the women representing the imperfect, profane domain. In addition to this women were seen as destructing within the Mahayana traditions. This understanding extends into the representations of women within Jatakas as well, which is why the work is important. In addition to this she provides us with the understanding that the collection of stories within the Mahayana tradition comprised of folktales that were revised according to the needs of the text within the Mahayana tradition. This understanding has been used to analyse the Jatakas and its representation of women in the present research. The research however is more dependent on the ideas of gender of as presented by Paul, rather than the handling of texts of the Mahayana tradition by her.

The study on the Kamasutra and the Gathasattasai has been more dependent on the study of primary texts than the secondary texts. However, Wendy Doniger's work the Mare's Trap has been used to understand the way in which women's sexuality has been dealt with in the Kamasutra. The text, however tries to show that the Kamasutra has a liberal take on women and their issues in terms of sexuality, which the present research does not agree with. Kumkum Roy's essay *Unravelling the Kamasutra* has been used to show the relation between the Nayaka and the Nayika of the Kamasutra and is important because it shows the difference with which the men and the women in the Kamasutra have been treated.

The Gathasattasai has been more dependent on the use of the primary text, except for determining the date and the language of the text, for which works of V.V Mirashi, A.B Keith, Seigfried Lienhard and D.R Bhandarkar have been used. The problem with the Gathasattasai is that except for the discussion of its date and the language, the text and its context has attracted very less attention.

In order to gain further insight into the Gathasattasai and its connection to the Kamasutra, the research looks into the unpublished M.Phil thesis of Anagha Anil Kinjavadekar. This work is important to the present research because it discusses about gender relations and sexuality in the Gathasattasai. The research work of Kinjavadekar is important because she explores and relates these issues of gender and sexuality not only within the Gathasattasai, but also connects it with a number of other texts like the Kamasutra, the Manusmriti and with Kalidasa's Rtusamharam. She also discusses caste and class relations and how they were depicted in a subtle form in the Gathasattasai. In addition to this she discusses the numerous roles that women played in the anthology that provide us with the subtle hints about the class (through which caste is determined by Kinjavadekar) of these women. Thus, she brings our attention to the fact that although caste was not mentioned outright in the Gathasattasai, it was very much present. She also presents us with the ways in which relationships within the household were explored within the Gathasattasai and the connections between nature and experiences depicted in the anthology. She therefore brings forth the complexities within the Gathasattasai and urges that the anthology be read in a more engaging manner, rather than reading it just as a collection of poems¹³.

¹³ Anagha Anil Kinjavadekar, "Constructing Gender and Interpersonal Relations in the Gatha Saptasati", Unpublished M.Phil thesis, Jawaharlal Nehru University, 2017

Finally, the work of J.J Meyers *Sexual Life in Ancient India* is important because it is one of the earliest texts in the study of sexuality in India. Although Meyers does not discuss much about sexuality regarding the texts that have been looked upon in this research and is a discussion of sexuality in the Mahabharat and the Ramayana, there are passing references to sexuality in the Arthasastra and Manusmriti in his footnotes.

HISTORIOGRAPHY

The “status of women” gained ground in the study of history in India during the nineteenth century, first by the British and then by Indian scholars. The British colonizers because of their specific political and colonial interests, tried to show that since women were treated in a derogatory manner in India, according to them, the Indian population deserved to be under the colonial rule. The Nationalist scholars tried hard to show that the position of women was high in the ancient past, as a reaction to the Western scholars’ criticism of the Hindu social institutions¹⁴.

One important work within the Nationalist paradigm is A.S Altekar’s “*The Position of Women in Hindu Civilization*”. In this work Altekar treats a variety of topics concerning women like women’s education, marriage, divorce, widows and the inheritance of property from the Rgvedic Age (c.2500 BCE- 1500 BCE) up to 1800 CE. Altekar assigned women a high status in the Vedic period, citing their access to education, their acceptable marriageable age of 17 or 18 years and their

¹⁴Uma Chakravarti “Beyond the Altekarian Paradigm” in Kumkum Roy, edited, *Women in Early Indian Societies*, New Delhi: Manohar Publishers and Distributors, 2001, 74

right to remarry, with the only drawback being the lack of property inheritance.¹⁵ This was followed by a gradual deterioration in the position of women during the period between c 1500 BCE- 500 BCE and c 500 BCE to 500 CE, becoming worse with the coming of the “barbarians” in the period between 200-300 CE. The period of 200-300 CE saw the women inheriting property but lacking the freedom they held in the Vedic Age. Women’s position became worst with the advent of the Muhammedans c. 1200 CE, who according to Altekar were responsible for practices like the Purdah and were responsible for reducing the population of the Hindus in pre-partition India¹⁶.

Altekar gives an account of two processes in his work. His work shows the relation between women and property. On the one hand he shows that when women enjoyed a “higher status” in the Vedic Age and in the subsequent ages, women did not have proprietary inheritance. On the other, he shows that when women’s status started declining c. 200 CE, they had gained property rights, therefore showing an inverse relationship between the two.

Altekar can be criticized on the basis of certain points. First, he tries to rationalize certain practices pertaining to women in Ancient India, for instance, the lack of education for girls, the lack of their proprietary rights and the subsequent gain of proprietary rights (decline of the status of widows and the prohibition of ‘remarriage’, etc.)¹⁷. Second, he also seems to misunderstand the functioning of Niyoga. Niyoga was a practice that was not necessarily associated with remarriage; often it only involved sex without lust (see the discussion on Niyoga in Chapter 1).

¹⁵ A.S Altekar “The Position of Women in Hindu Civilization” in Kumkum Roy, ed. Women in Early Indian Societies, 47-70

¹⁶ A.S Altekar “The Position of Women in Hindu Civilization” in Kumkum Roy, ed. Women in Early Indian Societies, 52-67

¹⁷ A.S Altekar “The Position of Women in Hindu Civilization” in Kumkum Roy, ed. Women in Early Indian Societies, 51

One cannot therefore establish Niyoga as ‘remarriage’ although remarriage was involved sometimes (see the section on Arthashastra). Third, the “status” of women discussed by Altekar does not survey the economic aspect pertaining women, but only in terms of their domesticity. They are thus discussed as daughters or wives or mothers or widows. Fourth, there is an inherent bias against Sudra’s, especially Sudra women, who according to Altekar were responsible for women losing their access to religious privileges¹⁸. Fifth, the ‘racial purity’ of the Aryans is emphasized upon. Therefore, the “barbarians” or “foreigners” are pointed out as the ones bringing about unwanted practices like purdah (by Muslim invaders) into the country, and leading to a decline in the status of women¹⁹.

Uma Chakravarti argues against this standpoint of Altekar bringing to our notice the inherent weaknesses of the ‘Altekarian Paradigm’. She however also notices that Altekar brought our attention to an important socio-economic aspect, i.e. the Aryan women losing their status as the producing members of the society because the Aryans brought a large population of Sudra’s under their control, assigning them a semi-servile status.

Similarly R.M. Das tried to redeem the Manusmriti by explaining its reasons for the treatment of women gleaned from the text. In order to redeem the Manusmriti, Das says that the men having tight control over women was not actually the domination of women but the love of husband and wife as a single entity and it was not that women were to depend on men. Likewise, all the recommendations

¹⁸ A.S Altekar “The Position of Women in Hindu Civilization” in Kumkum Roy, ed. Women in Early Indian Societies, 55

¹⁹ A.S Altekar “The Position of Women in Hindu Civilization” in Kumkum Roy, ed. Women in Early Indian Societies, 59-70

given by the Manusmriti have been seen by Das from the point of view of granting women immunity from harm and ultimately ensuring their happiness²⁰.

The study of I.B Horner to understand the way in which women were treated within Buddhism has already been discussed above.

The recent trend of historiography has shifted from the nationalistic approach to a more critical way of looking at the way gender relations came to be formed and treated by the texts of Ancient India, as well as moving away from the purview of the “status of women”. It has now been recognized by scholars that women were instruments through which historical processes were explained. The British used status of women in India as a way to rationalize their colonial enterprise, while the nationalist historians used women to oppose to the colonizers and to prove the invalidity of their rationalization of colonisation of India.

The Arthashastra was used by scholars who tried to oppose to the notion of “Oriental Despotism”. According to this theory the economy of the East or the Orient was a self-sufficient economy, timeless and unchanging with the ruler as its despot. The same understanding was used by the Europeans to paint a picture of the Indian economy as well. Thomas Trautmann has tried to do away with such a notion. According to Trautmann, the Arthashastra shows that the king’s success depends on a robust economy. “*The king was not a despot but a co-sharer with the people of the kingdom in various wealth-making enterprises*”²¹. It was thus, not only about the amassing of wealth by the king.

²⁰R.M Das, Women in Manu and His Seven Commentators (Bodh Gaya: Kanchana Publications, 1962), xi-xvi.

²¹Thomas Trautmann, Arthashastra The Science of Wealth, New Delhi: Penguin Books, 2012, 85- 86.

Within the study of the Kamasutra, two approaches arose, one by Western scholars as a way to understand the growing science of human sexual behavior, and as an alternative to Victorian excesses. There also has been a tendency to view Vatsyayana as a sexologist, a claim refuted by Daud Ali²².

Two genres in the understanding of the kamasutra texts arose, one that viewed them as the first forays into the writing of social and cultural history of ancient India, and another that saw it as the genre as idle fantasies of a ruling or a feudal class²³. The Kamasutra has also been used by Nationalist authors like S.K De to show how feminine charms were described and as such have shown a frank sexual appeal²⁴. There has been a progress in the understanding of women's sexuality from such an approach to the way the Kamasutra viewed women, usually within the bounds of a patriarchal framework. Exponents of such a view are Shalini Shah, Uma Chakravarti, Kumkum Roy, etc.

There has been very less discussion on the Gathasattasai in terms of discussion of content of the text. There are a number of texts and journals that try to ascertain the date of the Sattasai or the location of Hala or the language of the anthology without a discussion about the text itself. This is a problem when it comes to the reading of the text. Most of the discussions of erotic texts were limited to Sanskrit erotica in general and the Kamasutra in particular.

²²DaudAli , "Rethinking the History of the "Kāma" World in Early India", Journal of Indian Philosophy, Vol. 39, No. 1 (February 2011), 1-13.

²³Daud Ali, Rethinking the History of the "Kāma" World in Early India"., 1-13.

²⁴Shalini Shah, Love Eroticism and Female Sexuality in Classical Sanskrit Literature: Seventh- Thirteenth Centuries ,New Delhi: Manohar Publishers, 2009, 14-15

METHODOLOGY

The research has been written on the basis of five translated primary texts, namely the Manusmriti, the Arthashastra, the Jatakas, the Kamasutra and the Gathasattasai deriving understanding and ideas from numerous secondary textbooks and journals. Through the discussion of gender relations seen through these texts and their discussion on the sexuality of women, the research tries to show that these texts were connected with each other in temporal terms and therefore had certain notions that were inter-conceptual and inter-textual. However, while discussing individual chapters, the focus is more on primary texts than the secondary ones. The secondary texts are used to form a preliminary understanding of the idea, which is then substantiated in the chapters.

Except for the 2nd chapter that discusses about the depiction of sexuality in the Jatakas, the individual chapters of the research are based on two texts. This grouping has been done on the basis of the similarity between the texts. Sanskrit normative texts, the Manusmriti and the Arthashastra are grouped together in the first chapter. The Jataka has not been grouped with any other text, because of its different genre. The Kamasutra and the Gathasattasai have been grouped as one chapter because they both belong to the category of erotic texts. This is not to say that there are no differences between two texts grouped as a chapter. The differences are highlighted within the relevant individual chapters

OUTLINE

The first chapter of the thesis is “Gender Relations and Sexuality in the Manusmriti and the Arthashastra”. The chapter gives a brief introduction of the chapter as a whole and of the texts of Manusmriti and the Arthashastra in separate sections. This

chapter tries to see the way gender relations and sexuality were seen in the Manusmriti and the Arthashastra. The chapter tries to understand the way women's sexuality was viewed in the changing economic, political and social changes in the period that is generally termed as the period of 'second urbanisation'. The text also underlines major differences in the two texts and finally makes a comparison between the two texts.

The second chapter is the "Jatakas: Gender and Sexuality". The chapter seeks to understand the reason why women were portrayed as evil and why their sexuality was seen as a dangerous one within the Jatakas. The genre of the Jataka has been seen in this chapter and underlines that the specific requirement of the Buddhist Sangha with its emphasis on the ideal of celibacy and its temporality with normative Sanskrit texts. There is finally the comparison of the text with the Arthashastra in order to understand whether the two shared a common temporality.

The third chapter is the "Gender Relations and Sexuality in the Kamasutra and the Gathasattasai". The chapter tries to understand aspects of female sexuality and the way in which women were seen within the genre of erotic literature, while keeping in mind the generic differences between the two texts. There is a comparison between the way female sexuality and gender relations are seen and the major differences between the two texts, although being thematically similar at the outset.

The "Conclusion" of the thesis tries to connect all the normative texts with each other in terms of their views of women's sexuality and gender relations. Through an effort to connect the Gathasattasai and the past-life section (examples) of the Jatakas, there is an effort to show how far non-elite people followed the norms prescribed in the normative texts.

CONCLUSION

The present work tries to establish the relationship between normative texts of ancient Indian literature and non-normative texts. Through this research there will be an attempt to connect the Manusmriti, the Arthashastra, the Jatakas, the Kamasutra and the Gathasattasai with each other in terms of the way they treated gender relations and the sexuality of women. Through this connection, there will be an attempt to understand how the normative texts were similar to each other even if they were different at the outset in terms of their nature and genre. Through the study of non-normative text and non-normative portions of normative literature, there will also be an attempt to understand how the norms that were formulated by elite male population were received and responded to by the non-elite men and women.

CHAPTER 1

GENDER RELATIONS IN NORMATIVE DISCOURSES: MANUSMRITI AND THE ARTHASASTRA

INTRODUCTION

The Manusmriti or the Manava-Dharmasastra (asPatrick Olivelle describes it), has been one of the most widely known Sanskrit text, and was one of the first Sanskrit texts to be translated into any European language¹ by the Europeans. The text is about Dharma or righteous living and prescribes norms for the upper-caste Brahmana men in a way through which their supremacy over the society could be asserted. The Arthashastra is a text that is mainly concerned with the institution of kingship and prescribes norms for the king which would enable him to establish supremacy over his kingdom and thus expand his resources and wealth.

The context in which the Arthashastra and the Manusmriti have come up are the same, i.e. changes in the polity and economy. In terms of polity, there was a disintegration of the Mauryan state and the coming up of regional polities. In terms of economy, there was an increase in production. The early historic period was also marked with urbanization, which necessitated the control over rural areas by political powers with urban centres as their capital. In this context the ownership of land became important². Since ownership of land acquired prominence, there was a need for more labour as well. This labour could only be acquired if more children were produced, and women were the producers of children. If the reproductive power of women was tapped, it would ensure the production of more children/labour. This tapping of labour resource could only be

¹ Wendy Doniger, ed., translated, The Laws of Manu ,England: Penguin Books, 1991, 17.

²Kumkum Roy, The Power of Gender and the Gender of Power: Explorations in Early Indian History, New Delhi, Oxford University Press, 2010, 53-56.

done if this reproductive power was controlled by establishing control over women. This control was established through suppression of women's sexuality and channelizing it into motherhood³. Rules were therefore laid down so that women became the producers of legitimate children through legitimate partners. Any sexual activity of the women outside this framework was considered dangerous and was sought to be "controlled".

There is a major difference between the Manusmriti and the Arthashastra. While the background in which these texts were written may be the same, the two books belong to very different genres. The Manusmriti was written for and by the upper-caste, Brahmana men, providing them instructions as to what they should or should not do, so that they could have the power to dominate all those belonging to the society (all the people who were not Brahmanas) in general and women in particular. The Arthashastra was written for the ruler, so that he could have the power to control his kingdom, and by extension, the society effectively. The ruler was the patriarch of the kingdom which was considered to be his household, and thus had absolute control over his people who were considered to be his children (praja). Being the patriarch of the household/ kingdom, he was advised to establish stringent control over the women of his kingdom. We will come to this later in the chapter. Keeping these ideas in mind, we move forward to discuss the gender relations in the Manusmriti and the Arthashastra, discussing their views of sexuality, and finally a comparison of the two texts

The Manusmriti

The Manusmriti has been placed between c.5th century B.C.E to c. 3rd century C.E by Olivelle, according to whom the text was well known way before its translation

³ Uma Chakravarti, *Everyday Lives, Everyday Histories ...*, 144

into English.⁴The modern version of the text has been subdivided into 12 chapters or Adhyayas. The text can be broadly divided into four, each of different length and then further divided into subsections. Through an analysis of the structure and content of the text, by looking at the number of verses (1,304 verses for the Brahmanas, 971 for the Kshatriyas and lesser number of verses for the Vaishyas and the Sudras⁵) dedicated to members of each Varna, Olivelle suggests that the text was targeted at the Brahmanas and the Kshatriyas⁶.

The text has gained much negative fame, the most recent incidents of burning taking across prominent Universities in India, and has usually been associated with the oppression of women and members belonging to the “lower castes”. But what we have to look into is not how the text was used by a section of the society for oppressing certain sections of the society since the recent centuries, but what did it mean to the society in the period it was written? Why was the text laying down rules for the proper living? How did that necessity come about and how seriously was it taken as a text that laid down rules or laws? After looking at these issues, we will look at the theme of the text’s depiction of gender relations. We have to know that scholars are unanimous about the assumption that the text is not the work of a single author, though there are differences amongst them regarding the extent of the later additions to the text. Olivelle is of the opinion that general structure of the text shows that it was written by a single individual, to which later redactors added to. A single coherent structure of the text has been cited by Olivelle. In places where there are some alterations to the structure, there has been a change by a redactor, which he calls the “Excursus”. There are a number of excursions he has shown here.

⁴PatrickOlivelle, and SumanOlivelle. *Manu’s Code of Law: a Critical Edition and Translation of Mānava-Dharmasāstra*, Oxford: Oxford University Press, 2005, 3.

⁵Olivelle and Olivelle, *Manu’s Code of Law*, 41, 62-65

⁶Olivelle and Olivelle, *Manu’s Code of Law*, 7-8.

There was an ideological background to the text which is explained by Olivelle, according to which, the dharma emphasized by the Buddhists and the Jainas, which emphasized upon non-violence and celibacy, etc was very different from the Vedic notion of dharma, which was not a central concept to Brahmanism before the emergence of those two heterodox religions in the first place. There was now an attempt made to incorporate the idea of the Ghrihastya and the concept of Moksa or liberation, which were often in a constant tussle. The ones who wrote the Dharmasastras, or in our case, the Manavadharmasastra, belonged to the same circle of theologians who wrote the Epics and the Upanishads, but had different ideological notions of the ideal Brahmana⁷. The Manusmriti, thus, sought to provide an “*ideological blueprint*” to the king on way the society should be controlled⁸.

The reason for the coming up of a text like the Manusmriti has been discussed by many scholars. Patrick Olivelle has identified three prominent reasons that provided the background for the Manusmriti. First, was the memory of the Mauryan state and Asoka’s religious, social and political reforms. Asoka was certainly a pro-Buddhist, if not anti-Brahmanical, and there now was a competition between the Sramanas and the Brahmanas for political patronage. Second, the Mauryas and the Nandas were considered to be Sudras, which challenged the authoritarian system of varna envisaged by the Brahmanas (the ruling class should comprise of the Kshatriyas). Third, Olivelle assumes that the Manusmriti was written during the reign of the Kushanas, who in addition to being like that of the Mauryas, were

⁷Patrick Olivelle, Donald R. Davis Jr, ed., Hindu Law; A New History Of Dharmasastra, The Oxford History of Hinduism (United Kingdom: Oxford University Press, 2018), 19.

⁸Olivelle, Davis, ed., Hindu Law..., 20.

foreigners as well. Thus, there was an urgent need to reestablish the ties between the Brahmanas and the royal household in a way that would place the Brahmanas at the top once again⁹.

The Manusmriti was a text that was written by the upper class/caste Brahmana men so that they could establish supremacy over the society, both in political and economic terms. In political terms, the Manusmriti tried to establish Brahmana men's supremacy even on the king, who was to function according to the laws laid down in the text. This supremacy in turn would ensure their control over the society. In economic terms, through a supremacy over the society and through giving prominence over legitimate heir, these men tried to control property and ensure that it remained within their families. In order to do so, they needed legitimate heirs to their property. This need for legitimate heirs could only be fulfilled if they ensured that women remained faithful to their Brahmana husbands. The procreative power of women was sought to be controlled which would ensure legitimate heirs to the Brahmana men so that they could continue to control landed estates within their family. This control over women's reproductive power was asserted through the control of their sexuality and laying down of rules so that their sexuality could be properly utilized for producing pure progeny. Women therefore were assigned a position lower than that of men so that this control over them could firmly be established.

GENDER RELATIONS AND WOMEN'S SEXUALITY IN THE MANUSMRITI

The Manusmriti has assigned women an inferior position to that of the men.

Women were considered to be important only for becoming wives and producing

⁹Olivelle and Olivelle, Manu's Code of Law, 38-39

children, sons at that, and for serving men and their families. For instance, according to the Manusmriti, the consecrating rite of women did not include the recitation of Vedic hymns because *“For females, tradition tells us, the marriage ceremony equals the rite of vedic consecration; serving the husband equals living with the teacher; and care of the house equals the tending of the sacred fires.”*¹⁰Manu advises a young Brahmin to take a wife with good qualities, so as to ensure that the successors of his lineage are desirable.

The women in the Manusmriti were expected to have only one important task, that of being the mother so that she could be the provider of legitimate successors. This obsession with legitimate successors was, once again, because of the importance of the owning of land and its inheritance. For inheritance of private property, it was imperative that the child came from the owner of the land. Unless the reproductive power of the woman was brought under men, the ownership of legitimate children could not be guaranteed. This required that women had to be in control of men, and the Manusmriti provided norms that ensured that the women remained under the control of men. This was done through making her dependent on men since their birth, and any independence to her was therefore denied. Thus, Manu says that “a woman should never carry out any task independently. As a child, she must remain under her father's control; as a young woman, under her husband's; and when her husband is dead, under her sons. She must never seek to live independently. She must never want to separate herself from her father, husband, or sons; for by separating herself from them, a woman brings disgrace on both families”¹¹ Such prescriptions were formulated so that women could not use their sexual capacities, which would otherwise threaten the whole basis of Brahmanical patriarchal system.

¹⁰Olivelle and Olivelle, Manu's Code of Law ,98

¹¹Olivelle and Olivelle, Manu's Code of Law, 149

The Brahmanical thinking that the women were the legitimate property of men with the latter being their owners, and the owners of their children is given in the Manusmriti where it says *wife is the husband's field (Kshetra), that which grows on his field belongs to him, no matter who has sown it. And the owner can himself till his ground or have it tilled by another; the fruit is always his*¹². The fact that men and women were not seen as equal partners in terms of procreation is seen here. The men were the givers of the seed, while the women were the ones who would only nurture them, leaving them without rights over their children. However, there is an undertone of anxiety and confusion in this statement. The issue of ownership of another man's child begotten through one's wife is therefore given a considerable discussion. The text here seems to say that there is no use in impregnating other man's wife, since the child would ultimately owned by the mother, who in turn is a man's property. Why would a text that gives such importance to the chastity of women provide such a considerable detail on the ownership of a child that is not the husband's? We can give two explanations. First, like we have already discussed, was the importance of labour in a changing economy, which needed more working force. Second, such events occurred regardless of the sanctions put on them. This discussion of the "owner" and the "tiller" was to show that the "tiller" would not gain anything even if he had sex with other man's wife and this would only lead him to waste his precious semen. This anxiety of men having sexual relations with other men's wives and the possibility that it very much existed is clearer if one looks at the punishments laid down for its prohibition. *"If men persist in seeking intimate contact with other men's wives, the king should brand them with punishments that inspire terror and banish them. A man who is not a priest deserves to be punished by the loss of his*

¹²J.J Meyers, *Sexual Life In Ancient India: A Study in the Comparative History of Indian Culture*, New York: Barnes and Noble Inc., 1953, 172

life's breath for sexual misconduct, for the wives of all four classes should always be protected to the utmost"¹³. There is a clear distinction between the roles of men and women. The man was the protector, the woman was the protected. While sexual misconduct committed by all men was prohibited, this prohibition was more in effect when the man was not the upper-caste Brahmana man. This is not surprising since the text gave legitimacy to Brahmana men's claim over the domination of the society and its desire to place them at the top of it.

In the same passage Manu says "*But if this (field) is given over for seeding by means of an agreed contract, then in this case both the owner of the seed and the owner of the field are regarded as (equal) sharers of that (crop)*". This brings us to another dimension of this discussion. It seems from this passage that women did not get to decide who impregnated them. It was their husbands who decided whether they would impregnate them or whether they would tell other men to do so, thus denying the women their complete rights over their bodies. Shalini Shah gives the psychological need of such a thinking. She says "as soon as the father recognizes that the child was his seed, his sentiment towards the child was reinforced by two factors- first, the love of power, and second, the desire to survive death."¹⁴

Women were supposed to be ideal housekeepers ("She should be always cheerful, clever at housework, careful in keeping the utensils clean and frugal in her

¹³Olivelle and Olivelle, Manu's Code of Law , 213

¹⁴Shalini Shah, The Making Of Womanhood: Gender Relations in the Mahabharata (New Delhi: Manohar Publishers, 1995), 95-96

expenditures”¹⁵) and sexual partners of men, with whom men had the surety of free access to sex. The Manusmriti expected woman to devote herself absolutely to the husband and considered such devotion as the basis of an ideal woman. She was expected to devote to her husband fully even though if he was impotent, lacked any virtue and was lustful¹⁶. When similar situation came to men, absolute opposite actions were deemed ideal. For example, a husband could marry another woman when a woman was barren for eight years after marriage, when her children died, in ten years, and when she gave birth to only girls, after eleven years. Spiteful women were not tolerated¹⁷. The man was to marry other women if she was cantankerous, sick or drank alcohol¹⁸. When one compares this with the advice given to wives, we can see an absolute and total opposition in what made a woman and a man the ideal wife and husband respectively.

However this thrust of the Manusmriti on women supposed to be the ideal housekeepers time and again shows us something else too. Women were “supposed” to be good. This does not mean they always behaved according to the prescriptions laid for them, and probably refused to do so on many occasions and hence the prescriptions on them.

The system of levirate or Niyoga is important for the present study because it has been frequently cited as the provision of widow remarriage. According to this system a wife could have sex with the brother-in-law or a relative of the same ancestry in times of adversity, i.e., when there is a danger of the lineage dying out. This was permitted only once, but in rare circumstances twice, for producing son(s). They were then expected to behave like an elder and daughter-in-law. If a

¹⁵Olivelle and Olivelle, Manu's Code of Law ,150

¹⁶Olivelle and Olivelle, Manu's Code of Law, 154

¹⁷Doniger, The Laws of Manu,233.

¹⁸Olivelle and Olivelle, Manu's Code of Law , 194

woman's husband died when she was still a virgin, the brother-in-law had to have sex with her once every month during her fertile season till she did not beget sons. However, having sex with each other just out of lust made them outcastes¹⁹. The system of levirate makes one thing absolutely clear, perhaps more than any other injunctions; that the only duty of the wife was to ensure that she produced sons and continued the lineage. While having sex with men other than her husband was absolutely unacceptable, when the question came about continuing lineage, she was to have sex with other men. This sex was to take place without the involvement of lust, but as a duty. The woman probably had no say in the matter at all, like she has no say in anything else in the Manusmriti. The system of niyoga indicates that the control over female sexuality was firmly established. It combines the utilization of the reproductive potential of women but under the rules laid down by men²⁰. While niyoga was legitimate, remarriage for women was not permitted at all. However, it was the duty of the man to marry another woman after the death of his wife since he had to make the 'five great sacrifices', and could not do so without a wife²¹.

Since the Manusmriti was a text whose entire point was the creation of upper-caste Brahmana male, pure successors/inheritors, divorce is not permitted anywhere in the Manusmriti. The woman, being the producer of children had no right to divorce her husband or stay away from him separately. She was to be locked up or repudiated if she got angry with her husband and walked out of the house²².

¹⁹Olivelle and Olivelle, *Manu's Code of Law*, 193

²⁰Uma Chakravarti, *Everyday Lives, Everyday Histories: Beyond the Kings and Brahmanas of 'ancient' India* (New Delhi: Tulika Books, 2006), 143

²¹Doniger, *The Laws of Manu*, 156

²²Olivelle and Olivelle, *Manu's Code of Law*, 194

Women in the Manusmriti were something inferior on the account of their sexuality. The reproductive capacity of women was controlled by showing that women's sexuality was a fearful thing. Women were recognized as evil due to their sexuality and because Manu thought that women had the capacity to lead men astray through their sexuality. Manu was wary of women's sexuality because the reproductive power was the only and the most potent power that they held²³. The domination and control over a woman would be complete if her reproductive powers were controlled, and more importantly, the desire to produce 'pure' progeny could be complete if this sexuality was controlled by showing it as something evil, which if not controlled could lead to doom. Thus it is said that "*It is the very nature of women to corrupt men here on earth (since they are attached to sensual pleasures); for that reason, circumspect men do not get careless and wanton among wanton women*"²⁴. Similarly, even mothers and sisters of a young man are not to be trusted by him when in a deserted place because of the fear of passion that would overwhelm him. Women are not to be trusted to be around even a learned man, because of the same fear²⁵. In my opinion, when one sees the Manusmriti, it is obvious that women's sexuality is seen as something that is to be stayed away from by men. Women's sexuality is identified as dangerous. The fear that men get corrupted easily, if given an opportunity, is seen throughout the Manusmriti. Therefore, a woman does have the capacity to seduce man, but an ideal man is the one who does not get seduced. Various sanctions and rules are set in place maybe, fearing both a man and women's sexuality. This is not to say that women's sexuality is not portrayed badly, it is, but its focus is also on restraining men more than restraining women, when it comes to sex. There are numerous instances to show this, two of which have been cited above. Not only were pupils

²³ Uma Chakravarti, *Everyday Lives, Everyday Histories...*, 146

²⁴ Doniger, *The Laws of Manu*, 88

²⁵ Doniger, *The Laws of Manu*, 88

or king prohibited, but even priests had sanctions put upon them. For instance, a priest was not to climb onto the bed with a servant woman, and if he did so, it would lead to the downfall of his lineage. In the case of a man being in contact with the saliva of a servant woman or feeling her breath, no redemption was provided.²⁶ If sexual relation with women in general was bad enough, sexual relations with servant women, i.e. women belonging to the lower rungs of the society was despised.

Even though the system of levirate was prescribed by the Manusmriti, having sex through lust was a punishable offence. Brutal punishments were prescribed for a man who had sex with elder's wife out of lust, which included the cutting off of penis and walking towards the South till he died, lying on hot iron bed and being branded with the mark of the vagina²⁷. Women were exempted from brutal punishments in instances where such a transgression occurred. In addition to observing that such sexual practices existed, another thing that can be observed here is that the Manusmriti perhaps considered that women were not capable of establishing such relations by themselves because they were simply not given enough freedom to do so, or their sexuality was successfully suppressed. Therefore, if such transgressions occurred, it was the man who initiated it, since he was the one capable of exercising his sexual capabilities.

The practice of having sexual relations with a menstruating woman was definitely there in the society which Manu lived, because Manu would not have laid down rules against this practice had it not existed or practiced. The notion of impurity assigned to women is very strong. Thus he says "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

²⁶Doniger, The Laws of Manu, 97

²⁷Olivelle and Olivelle, Manu's Code of Law ,220

awash in menstrual blood loses his wisdom, brilliant energy, strength, eyesight, and long life”²⁸. This impurity assigned to women was again one more ploy of the Manusmriti to justify that women being impure were thus inferior to men because men did not menstruate and hence were always purer and therefore superior than women.

Then we see how rape, consensual sex between two people of the same caste and of different castes was treated and how lesbianism was viewed and punished. Rape is mentioned in the ‘Ghoulish’ marriage where a woman is secretly raped and was considered to be the most evil of all marriages. The punishment for rape is corporal or capital punishment, while consensual sex with a virgin does not entail any punishment so long the man is of the higher status than the woman. He faces capital punishment if it is the other way around. In such cases the willing women were confined into the house rather than punishing them publicly. As one can see here, if a man of the priestly class raped a woman of the similar or lower caste women, the punishment for them was not capital or corporal but a payment of fines, meaning that caste of the man was inversely related with the punishment he got. The politics of caste is at play here. While upper-caste men could rape all the women belonging to the castes below them, and get away with it, lower caste men would face death penalty if they raped women above their caste. The upper-caste Brahmanawoman was therefore more secured against rape from the majority of men (the lower three castes and outcastes) than the women belonging to the lower rungs of the society, who were at the possibility of getting raped by majority of men. Therefore, not all men could rape Brahmana women, but all men could rape lower caste/class women.

²⁸Olivelle and Olivelle, Manu’s Code of Law , 125-126

In terms of lesbian relationships, when a woman of experience by force established sexual contact with another virgin woman, Manu suggested that two of her fingers should be cut off and paraded across the town on a donkey. But when two women made love willingly they were to be fined two hundred pennies and double the amount of the bride-price and receive ten lashes with a whip²⁹. This punishment laid down for lesbian sexual relations was not as much as transgressions of consensual sex between men and women, perhaps because lesbian sexual relations did not lead to child birth, thus omitting the potential danger of an “impure” progeny.

THE ARTHASASTRA

The Arthasastra is one of the most important texts of Ancient India given that it is the only text of the ancient period that talks about economy and the administration of a kingdom, about the gaining of wealth, and one that does not give much importance on dharma or religion or morality. It is generally accepted that the period of composition of the text was 5th century C.E.³⁰ Olivelle, in his attempt to ascertain the date of the text looks into other sources and material and cultural findings. By looking at the maritime trade between Alexandria and India, Olivelle establishes the date of the original text as 1st century BCE. The upper limit has been ascertained as 1st Century CE through the study of gold coins by Olivelle and Mcclish. Olivelle says that there are two redactions of the Arthasastra, one was the Kautilyan and the other was Sastric. He places the Kautilyan redaction between c.50 to 125 CE, while he places the Sastric redaction

²⁹Doniger, The Laws of Manu ,213-214

³⁰Patrick Olivelle, Mark Mcclish, ed., translated, TheArthashastra; Selections from the Classic Indian Work on Statecraft (Indianapolis: Hackett Publishing Company, Inc., 2012), xi.

between c.175-300 CE³¹. The Chanakya story was popularized only after the play Mudraraksasa and gained popularity after 200-600 years after the composition of the text itself³². According to R.P Kangle the present form of the text was written by Kautilya around 5th-6th century C.E. Kangle also believes that the present form of the text was written by one author, Kautilya himself and that he drew on traditions before him to write the treatise³³. The Arthashastra is one of the texts in the triad of the Dharma, Artha and Kama. Its importance was emphasized after its English translation and discovery by R.Shamashastry. The text has three overlapping divisions: 15 books, 150 chapters and 180 topics. Each book is divided into chapters³⁴. There has been a long debate to understand the time period and the author(s) of the text. Traditionally the text has been ascribed to Canakya or Kautilya.

Thomas Trautman has undertaken a survey to understand whether the work was composed by one person or by different authors, and whether it was a compilation of various early works. His work is also considerable because he comes to the conclusion that there was not just one author called Canakya who had written the Arthashastra, but many, and the text was not a homogenous one as it is often cited to be. The intention of Trautman in his book is reflected in the preface itself, given by A.L Basham, who says “He has proved with something approaching certainty that the Arthashastra is a compilation containing the work of at least three hands³⁵.”

This view is opposed to that of Mark McClish and Patrick Olivelle, according to whom the work was that of one author. They give a long description trying to

³¹ Patrick Olivelle, King, Governance and Law, 25-31.

³² Patrick Olivelle, King, Governance and Law, xiii.

³³ R.P Kangle, The Kautilya Arthashastra, part III (New Delhi: Motilal Banarasi Dass, 1969), 59-61

³⁴ Patrick Olivelle, King Governance, and Law in Ancient India; Kautilya's Arthashastra (New York: Oxford University Press, 2013) , 3.

³⁵ Thomas Trautmann, Kautilya and the Arthashastra: A Statistical Investigation of the Authorship and the Evolution of the Text (Leiden: Brill, 1971), Chapters I and II

establish the historicity of the man who wrote the text, Kautilya or Canakya. While they are not sure whether a man named Kautilya actually existed, they have come to the conclusion that whoever wrote the text was the royal chaplain of the king since he had a great understanding of the workings of the royal court, which may not have been accessible to everyone, had they not been an important figure in the working of the court. Their work is important here in the sense that they have tried to establish the location of the Arthashastra, a work that has not been undertaken by the other translators of the text. They place him somewhere in North-Western India, through some verses in the text. They also make a thorough analysis and assume that he wrote envisioning small regional kingdom and that Kautilya was familiar with the South Asian coastlines. Finally through an analysis of Kautilya's discussion of rainfall, they assume that the text was written in the present state of Maharashtra. That Kautilya hailed from this region has been argued by several scholars, who also cite the presence to this day of Brāhmaṇas in the region with the lineage name "Kautilya."³⁶ Olivelle, in his text *Hindu Law* also assumes that the Arthashastra was older than the Manusmriti, and the writer of the Manusmriti "placed a copy of Arthashastra before him" while writing the Manusmriti, and incorporated much of the legal and procedural material from it³⁷.

The term Artha means worldly success. The term Arthashastra therefore is an instrument of education (Sastra) in the topic of worldly success (Artha). This worldly success not only applies to the king but also to anyone who wants wealth and power. In the text however, the king represents the epitome of all the worldly success. The Arthashastra concerns itself with not only statecraft but also seeks to

³⁶ Patrick Olivelle, Mark Mcclish, ed., translated, *The Arthashastra*, xix-xx.

³⁷ Olivelle, Davis, ed., *Hindu Law...*, 25.

connect governance with other fundamental human concerns like that of Dharma or spiritual good, Artha or worldly success and Kama or pleasure³⁸.

The Arthashastra was a text written for the king, showing him the path of administering his kingdom effectively. The basis of this governance was the concept of *dandaniti*, or the system of punishment for effective governance, with the king holding a monopoly over violence³⁹.

The text being written for the king shows all the methods through which the king could establish absolute control over his kingdom and its resources, for the maximum benefit of the king. The text is not much concerned about Brahmanical ideology though it does prescribe the king to follow Brahmanical practices while conducting daily activities, thus showing a degree of dependency of the king on the Brahmanas and vice-versa. The real motive however is maximum profit for the king. The text is therefore written from the perspective of a monarchical state, with the king holding absolute power and authority over his kingdom. The king was therefore a patriarch, treating his subjects (*praja*) as his children. According to Olivelle and Mcclish, this however did not mean that the king was a despot and that his administration was primarily for the extraction of wealth. Kingship being a traditional institution was shaped and constrained by customs⁴⁰.

GENDER RELATIONS AND WOMEN'S SEXUALITY IN THE ARTHASHASTRA

The Arthashastra was a text that was written by men and for men, and like all the Sanskrit texts, depicted a patriarchal point of view (with the king being the patriarch and holding all the power, establishing authority over his praja, and

³⁸Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra, xxxiv

³⁹Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra, 5.

⁴⁰Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra, 38

demanding loyalty and resources from them) where women were to be dominated in all aspects of life. The society that was seen in the Arthashastra was a view from the above, the apex being the king and his royal household. The Arthashastra stemming from the changing economy and polity (outlined in the introduction of this chapter) tried to reinforce the notion of the ideal woman or the ideal wife as being the caretaker of the house, taking care of her husband and producing legitimate children for him. The text sought to provide a framework to the king as to how he should uphold the ideals provided by it for the smooth functioning of the society.

The regulations imposed upon women are mostly in the section dealing with Law and Justice, where the Arthashastra considers that the duty of the king is to uphold the four varnas and the four asramas so that he could establish laws and dispense justice by punishing those who did not follow the law. For the proper functioning of the kingdom, the king had to make sure that the varna order was upheld and maintained⁴¹. This could only be done if it could be ensured that women would produce legitimate children. This surety could only be provided if women were effectively controlled and directed to produce legitimate children. The discriminatory nature of sexual relations between a man and his wife is shown in the text because it is written that a man was not obliged to have sex with his wife if she was insane or leper, but a woman was obliged to do so if her husband was insane or leper, for the sake of producing legitimate sons⁴².

The varna system that was sought to be protected by the king could only be upheld if the sexuality of women was controlled, preventing the inter-mixing of varnas.

⁴¹Rangarajan, the Arthashastra, 377

⁴²Rangarajan, the Arthashastra, 389

The Arthashastra also sought to control the sexuality of women. Women were therefore seen as a vice, and which led to the downfall of men. Pleasure or Kama was seen as a vice. *“Addiction to pleasure (káma) occasions contempt and loss of wealth, and throws the addicted person into the company of thieves, gamblers, hunters, singers, players on musical instruments, and other undesirable persons. The fourfold vices due to desire are hunting, gambling, women and drinking. It is possible to divert the attention from gambling, but not so from women. (The evils of the latter are) failure to see (what ought to be seen), violation of duty, the evil of postponing works that are to be immediately done, incapacity to deal with politics, and contracting the evil of drinking.”*⁴³ Here, there is a comparison whether gambling or pleasure from women is more dangerous and Kautilya clearly emphasizes that women are a greater danger to the King than gambling. Pleasure included women, who were grouped together with the vices of gambling and drinking, and a king was advised to stay away from the vices of anger and these pleasures. A group of army who were fond of their wives was considered dangerous, but not as dangerous as an army taken from an enemy-king⁴⁴. Thus, women were seen as relative vices, and were considered to be lesser or greater danger than the others (see R.P Kangle, The Vices of Men). Women on the account of their sexuality were seen as potential danger to the king, for whom the Arthashastra was written. Women would pose a threat to the king by addicting him to sex, alcohol and gambling. Similarly, the army, which was the basis of the king’s power were directed to stay away from their wives, because it would probably make them homesick or would have them longing to be with their wives, which would ultimately lead them to be ineffective in fighting in wars.

⁴³R.Shamasastri, Kautilya’s Arthashastra, translated (Bangalore: Government Press, 1915), 475-478

⁴⁴L.N Rangarajan, ed., translated, rearranged, introduced, the Arthashastra (New Delhi: Penguin Books India, 1992), 395-396

In cases where there was a concern about the army being ineffective, the emphasis was not from a social point of view of the upholding of varna, but a military one. This concern emerged more out of pragmatism than of Brahmanical ideology.

Although the Arthashastra was not only about producing legitimate children, it did put a great deal of importance on it. Any transgression committed by women that would threaten the functioning of the society envisaged by the text, and by extension the state headed by the king, was punished. This is why rules for their behavior and punishments of women who transgressed these rules were prescribed, and in great detail. Women were expected to behave in a way that the Arthashastra deemed fit, that is, she had to be the perfect, ideal wife, producing perfect pure children. Transgressions of these rules were seen as misconduct by the wife and such women were punished. A woman was prohibited from indulging in drinking or unseemly sports, she was not go without her husband on pleasure trips or to see performances, with other men or even with other women, either by day or by night. She shall not leave the house when the husband is asleep or intoxicated or refuse to open the door to her husband⁴⁵. Something that should be brought to our attention that women were systematically rendered helpless because they were not to be granted asylum by a neighbor, or the neighbor was also punished. It has been stated in the Arthashastra that unless a woman was in dire need of help, she was not to be granted asylum in a neighbour's house⁴⁶. This "dire need" may mean an external threat and not the threat from her husband. By preventing others from granting asylum, the woman was forced to stay at home and not ask for help from others, thus rendering her visually helpless. Going on pleasure trips or drinking with men or women, or playing sports or seeking asylum would create the

⁴⁵Rangarajan, the Arthashastra, 401

⁴⁶Rangarajan, the Arthashastra ,401

possibility of women establishing contact with men other than their husbands and other women, thus giving them a chance to establish sexual relations with them. This was seen as a grave threat by the Arthashastra. Women therefore had to be kept within their “boundaries” so that they would not prove to be a threat to their husbands. This could be done so by using violence to contain a woman within her boundaries. Thus the text prescribes beating of the wife by her husband. The text thus says men beating his wife should be limited to “beating on the behind three times with the hand, the rope or the bamboo cane”⁴⁷.

Since the notion of purity attached to upper-caste women was extreme in the Arthashastra, their establishing sexual relationships with men who were outcastes was considered as a challenge to the notion of purity, and hence were punished with death. Similarly, if an outcaste woman had sexual relations with upper-caste men, her ears and nose had to be cut off. This punishment was explicitly laid down to prevent the intermingling of upper-caste men and women with outcastes, something that would complicate the varna order that was so sought to be maintained by the text. The punishment for the men of the upper-three castes having sexual relations with an outcaste woman was however not punished with death, meaning this extreme sense of purity attached to women was far more than men. This also meant that women, being the ones protected by men because of their purity could also be put to death by them if they transgressed the boundaries set for them by men.

When one compares this punishment (upper-caste women having sexual relations with outcaste men) with the punishment accorded to women who had lesbian relationships, we can see that the latter incurred a far lesser degree of punishment

⁴⁷ L.N Rangarajan, Kautilya's Arthashastra..., 393

(12-24 panas if consensual sex and 100 panas if rape) than the former (death)⁴⁸. Like we already observed earlier, lesbian relationships did not threaten the Varna order that the Arthashastra sought to uphold, since they did not lead to child-birth, and hence were not considered to be the punished with grave punishments.

The Arthashastra however provides one point regarding women, which the Manusmriti and other normative Sanskrit texts totally leave out, i.e. the employment of women. The state was responsible to take care of women who were vulnerable and needed protection. These included women whose husbands had abandoned them, spinsters, crippled women, etc. Such women were employed in the spinning of the yarn and were provided protection by the Superintendent of Yarn. Women not wishing to venture out to a worksite could choose to work from home. Agents inspecting the yarn were prohibited to look into the face of the women⁴⁹. In other words, women who were supposed to be under the protection of men, but had no men to protect them (abandoned women and spinsters had no husbands, whereas men did not marry crippled women), were given the chance to maintain their livelihood. Women also received employment as spies and worked as intelligence agents, instigating high officials of the king against the latter. Female ascetics who had the freedom of movement were employed as spies and widows, or brahmana women were used for the same purposes. Women also worked for the state and helped it to identify the would-be adulterers⁵⁰.

The Arthashastra also prescribed the employment of female archers for the protection of kings.⁵¹

⁴⁸Rangarajan, the Arthashastra, 447

⁴⁹ Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra, 52

⁵⁰Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra ,102-103, 105, 115

⁵¹ Patrick Olivelle, Mark Mcclish, ed., translated, The Arthashastra, 12.

One way in which this can be read is that the paternalistic state provided employment only to those women who it deemed needed protection and not the women who were bound within the patriarchal household. Only women who were not important as potential progeny givers were given employment by the state. This included the nun, the prostitute and the widow.

Another and a more interesting way in which this can be read is that ,the way in which they were employed, especially as spies and personal bodyguards of the king shows that there were some influences on the society that were not present/recognised in the society of the Manusmriti. Olivelle and Mcclish locate Kautilya in the North-Western part of India. Given this region was ruled by Indo-Greek kings after the death of Asoka in 233 BCE and the centre of power shifted to the North-West, covered by present day Pakistan and Afghanistan⁵², it is very much possible that Kautilya got influenced by their ideas to an extent regarding the administration of a kingdom. The Greeks recognised power of women soldiers (for example Stateira I, the wife of Achamaenid ruler Darius III who accompanied her husband to fight against Alexander the Great in the battle of Issus⁵³, Rhodogune of Parthia the wife of Seleucid king Demetrius II Nikator who quelled a rebellion⁵⁴). It is possible that Kautilya got the idea of employing women as spies and archers through the Indo-Greeks.

Since the Arthashastra tried to expand the resources of the king as much as possible, it recognized the value of women in increasing profit for the state. The text therefore prescribes the employment of widows, spinsters and old women in activities like the spinning of yarn; activities that would expand the resources and

⁵² Patrick Olivelle and Mark Mcclish, *Kautilya Arthashastra*, xxxi

⁵³ William Smith, *Dictionary of Greek and Roman Biography and Mythology*, Volume III, Boston: Little Brown and Company, 1870, 901

⁵⁴ Rudiger Schmitt, "Rhodugne", *Encyclopedia Iranica*, online edition, 2017, <http://www.iranicaonline.org/articles/rhodogune> (25 October 2017)

the profit of the state. The Arthashastra seems to recognize that employing them would be more useful for the state than confining them in the household.

Women could abandon their husbands in certain cases; if he has a bad character, if he is away from home for a long time, if he is a traitor to the king, if he threatens the life of his wife, if he is declared an outcast and if he is an impotent⁵⁵. This stands in contrast to the Manusmriti, which prescribes that a woman must stay with her husband, no matter what. This also means that the premises on which the woman could leave her husband had certain conditions. We can see these as conditions that were put in place not to give women the choice of leaving their husbands for their own benefit, but for the benefit of the apex of the state machinery (“if he is a traitor to the king”), or for the benefit of men. Men who were away from their wives or impotent were no use to the patriarchal state because they did not play any role in producing children. Men who were outcasts threatened the order of the society that the text sought to uphold through the state by producing “impure” children. Finally, men who threatened to kill their wives threatened the very producers of children. Therefore the conditions on which women were allowed to leave their husbands never benefitted them, but the apex patriarch, the state and the men.

It has been said by various scholars that widow remarriage was allowed by the Arthashastra, but, it has to be reviewed once again. A widow could marry only with the permission of her father-in-law, and if she married her husband’s brother, it was only to produce sons of the same bloodline. If she chose to marry a man outside her husband’s family and/or without the permission of her father-in-law, she had to carry out the punishment prescribed by the law. This system was once

⁵⁵Rangarajan, the Arthashastra, 400

again, like we said before, a means to produce legitimate heirs to continue the lineage of the husband. Women were bound by the rules laid down by the men of their families when it came to their remarriage.

The Rape of women was definitely there in the society, given that there were punishments against rape. Raping a minor woman was punishable by the law, even if she was a courtesan's daughter. The punishment was cutting the hands of the rapist or a fine of 400 panas, or if the girl dies, death to the rapist. If a man raped a virgin, and the girl was not willing to marry the man, two of his fingers would be cut off, alongwith a fine of 400 panas. The rape of a courtesan and slaves and their daughters were also punishable according to the degree of the act. If the girl was willing to marry her violator then he would be fined. Men could also "enjoy" a woman who was saved by him, provided that she was not of the same varna or already a mother. Jailors were punished if they raped slaves or bonded women with the lowest possible fine. However, if they did so with an Arya woman, they were to pay the highest fines. There were also punishments for raping a widow living alone, raping a prostitute and gang-raping a prostitute. This did not include death, but a payment of fine⁵⁶.

Rape was a part and parcel of the society and women were seen as things that could be "enjoyed" by men. Raping a woman in need was also not seen as an offence given that the woman was not a mother, showing an approach where in return for saving of women by men, they were expected to return the favour through sex, and if not provided were raped. This returning of favour was nothing wrong in the view of the Arthashastra. Women who belonged to the lower rung of the society, the women slaves and the bonded labour women were also the ones most likely to be raped by powerful men, since the low fines probably did not act

⁵⁶Rangarajan, the Arthashastra , 487

as a deterrent against rape of such women. Widows and prostitutes were also more likely to get raped because the former did not have a man to protect her and the latter did not live with a man, thus making them more vulnerable in a society which gave prominence to men. Women who were raped were also expected to marry the men who raped them, and men would be punished only if the woman refused to marry them. This was a sort of an arrangement so that the woman would not have to face the after-math of the rape and the man would not have to face the punishment. It is possible that much like the present day society, a raped woman would have to undergo social criticism and thus end up marrying her rapist.

Prostitution in the Arthashastra is something that has acquired a lot of attention from scholars. The establishment of the system of prostitution perhaps came after strict marriage rules came up, especially monoandry, and the wife being regarded as the private property of the husband. Professional prostitution probably came up in a society when there was an economic surplus. According to Kautilya, women were recruited as prostitutes from four sources: either they were born as prostitutes' daughters, or they were purchased, or were captured in war, or they were women who had been punished for adultery⁵⁷.

The sexuality of prostitutes and courtesans was controlled by the state which had a separate ministry, the office of the Ganikadhakshya, to control brothels and the prostitutes functioning therein. They were given salaries. The Ganikadhakshya not only supervised prostitutes but also singers, dancers and musicians, and was responsible for the training of the courtesans and the protection of the clients⁵⁸. Here we have to keep in mind that even within the institution of prostitution, there were divisions. Thus, the Ganika or the courtesan de luxe, and the Rupajiva, who

⁵⁷SukumariBhattacharji, WomenandSocietyinAncientIndiaCalcutta: Basumati Corporation Limited, 1994, 66

⁵⁸Rangarajan, the Arthashastra ..., 340

was not as accomplished as the Ganika, but beautiful, are mentioned in the Arthashastra⁵⁹. The brothel was controlled by the “mother” of the brothel, who was responsible to the state. They had to have sex with the client who was recommended by the king, failing which they were punished. Fines were imposed upon them if they showed a dislike to the client after they paid. The courtesans also had to serve the king and the queen, and sometimes were ordered to spy or to kill someone. Since beauty was the most important feature of a courtesan, disfiguring her or stealing her jewelries would lead to punishment. Also important is that when a virgin was to be initiated as a courtesan, consent was required, but not hers, her mother’s consent. The sons and daughters of the prostitutes also were bound to either prostitution or professions related to it like producing plays or singing. All of them could only be freed from this through the payment of a certain amount of money. While it is easy to assume that the society that the Arthashastra aspired was a secular society, with the freedom of women who chose to be prostitutes, it has to be kept in mind that the prostitutes were not free either. They could not make decisions regarding their choice of men to have sex with, and they had to follow certain rules that were established by the state. There is no independence of women as prostitutes here. Furthermore, women had no say in their choice of profession. They were bound to those in the higher end of the hierarchy and could be free only after paying money to the state. Women within the institution of prostitution were also bound in a patriarchal set up, dominated by men. But the women within this system at least had the freedom to move about freely, were paid for their work, were employed with the state, and sometimes employed as agents of the state. This does not mean that they were not oppressed. Prostitutes had no say in the matter of choosing their clients, and they had to serve their clients no matter what.

⁵⁹Bhattacharji, *Women and Society in Ancient India*, 67-68

THE COMPARISON

When we try and compare the gender relations between the Manusmriti and the Arthashastra, we see that they are very similar in their tone surrounding the question of female sexuality. This in turn will allow us to see the influence that the societies in which they were written had on them. This will therefore allow us to understand the existent society during the period of these two texts. First and foremost, we have to understand that both these texts are normative texts. They give suggestions about what a Brahmana man or the king should do rather than what they must do. One is about Dharma while the other is about Artha. While one describes how members belonging to various strata of the society (with special emphasis on Brahmins) should behave so as to gain a religious merit, the other prescribes how a king should treat the different strata of the society so as to gain profit. The king acquires importance in both the texts, but the Manusmriti shows the king as the upholder of Dharma as prescribed by upper-caste/class Brahmana men. This way the king was not the supreme power within the society and was an institution that ought to remain under the control of the Brahmanas. The Dharmic perspective showed the king as the embodiment of god in the earth who ruled according to Dharma⁶⁰. This Dharma was formulated by the Brahmana men and the institution of kingship was therefore controlled by them. In the Arthashastra the king was the most supreme within the society and everything within the society, including the economy was to remain in his control. As already said before, Dharma prescribed by the Brahmanas was given importance so far as ideology of the king was concerned, but the institution of kingship did not regard dharma as very important. The text is concerned more with pragmatic approaches when it comes to maintaining the power of the king and perpetuating it, rather than religious ideals.

⁶⁰UpinderSingh, Political violence in Ancient India (Cambridge, Massachusetts: Harvard University Press, 2017), 96- 128

The relationship with Dharma however was given an ideological importance because it would help in establishing the power of the king more firmly and it would also benefit the Brahmanas because they could derive an extent of legitimacy from the king. Kingship and Dharma in the Arthashastra were thus dependent on each other. This was not the case in the Manusmriti where the Brahmanas sought to control the institution of kingship by establishing it as inferior to Dharma.

The reason of the suppression of women's sexuality is different in the Manusmriti and the Arthashastra. The Manusmriti suppresses women to have a control over landed property at the hands of the upper-caste/class Brahmanas through legitimate heirs. For the production legitimate sons, it was imperative that women were kept under the control of men. The Arthashastra prescribes the control of women for the legitimate heirs to the kingdom and to ensure that the king's property remained within his lineage. Marriage and child-bearing was therefore emphasized upon by both the texts for their own reasons. The Arthashastra is also wary of women because it considered that women made soldiers homesick, thus reducing their military abilities. The pragmatic way to deal with this was to show that women were a vice to men. The Arthashastra also tried to show that it gave importance to Dharma, and sought to uphold the varna ideal suggested by the Brahmanas and this was ensured through keeping women within "boundaries". This however did not mean that it was the same as the Manusmriti. As discussed above, the Arthashastra was concerned first and foremost about the king, about maintaining his power over his kingdom and maximizing revenue for the state. The text as such provided employment to women as well, perhaps recognizing their ability to generate resources through activities such as spinning of yarn. The text perhaps felt that a great avenue of resource generation would be lost should women (who otherwise

were of no use since widows, old women and spinsters had no use to the economy and society because they did not reproduce) be relegated and confined to the household. The ordinances against women in the Arthashastra were almost always for women who had procreative powers. The Arthashastra is also different from the Manusmriti because it provided employment to women in areas where women in the Manusmriti were not allowed to venture into, that is, as spies for the well-being of the king and the state, and as expert archers for the security of the king.

The Arthashastra is also different from the Manusmriti in its treatment towards the courtesans. It recognized courtesans' income as a considerable source of revenue and sought to control the institution of prostitution through the state machinery. This discussion of courtesans is absent in the Manusmriti since its ideal was righteous living (dharma).

The emphasis on legitimate children for the production of pure progeny to ensure the continuation of landed estate in the Manusmriti (for legitimate ownership and its perpetuation within the Brahmana family) and the Arthashastra (for control of property and its perpetuation within the king's lineage) meant that the chastity of women had to be ensured. Therefore there is an inherent anxiety of sexual transgressions by the women in both the texts. These transgression were therefore sought to be punished in both the texts

This anxiety of sexual transgressions also encompassed the relationships between the Guru's wife and the male student. Extensive rules and punishments were laid down in both the texts to prohibit the same. But the fact that it was the student who had to face the brunt of such punishments and not the Guru's wife suggests that the texts were more anxious about the young male student initiating such a sexual relationship and not the woman. In the Manusmriti this anxiety comes from a

Dharma point of view, while in the Arthashastra this anxiety is more with the following of Brahmanical ideology.

If the fundamental duty of women was to produce children for the continuation of the lineage so that property could remain in control of the Brahmanas (Manusmriti) or the king (Arthashastra), it would be a problem if a woman got widowed before giving birth to children. The system of *niyoga* ensured that women could produce children even after the death of their husbands. Since the Manusmriti was a Dharma text, it especially emphasized that women were to have sexual relations with the members of her husband's lineage without the involvement of lust. The Arthashastra was not concerned much about the Dharma ideal, and its main concern was only the production of legitimate sons. Therefore it prescribed the marriage of widows with the men of their husband's lineage, without emphasizing much about the involvement of lust or the lack of it.

The topic of rape discussed by both the Manusmriti and the Arthashastra, although, the latter is much more detailed regarding the offence and its punishments. The degree of punishments however was different, with men of the lower castes raping women of higher-castes receiving the death penalty. The relationship between punishment for rape and the caste of the perpetrator of the crime were thus inversely related. Also when one sees the punishment of rapists in the texts, it can be seen that the degree of punishment in both the texts was relatively lesser if the girl married her perpetrator. It was perhaps thought that the woman who had faced the "shame" of being raped would not be ashamed about it once she married her perpetrator, which is why the fine was relative of a lesser degree. When we analyse the punishments we can see that when men who had their authority in the society

(Upper-caste Brahmana priests in the Manusmriti, Upper caste Brahmana men and jailors and administrators in the Arthashastra) raped women who belonged to the lower castes or class of the society, they were given a lesser degree of punishment. Women who belonged to the lower rungs of the society therefore were more likely to be raped by men belonging to upper rungs of the society, rendering them helpless and doubly oppressed on two accounts; one, being woman they were already treated as inferiors, two, being women belonging to lower rungs of the society they were not safe from upper-caste/class men because the punishments given to them would most likely not prove to be effective deterrents. In this light upper-caste/class women were less likely to be raped by men from the lower rungs of the society since the punishment provided to them in the form of death would be a very effective deterrent.

When it comes to the discussion of property rights and inheritance of property by women, the Arthashastra and the Manusmriti are different. While in other cases, the Arthashastra is seen to be more secular and relatively liberal than the Manusmriti, when it comes to women's property rights, the matter is inverted.

The inheritance right of the daughter over her father's property is discussed in the Manusmriti. After the death of the parents, sons were to divide the property amongst them, and each had to give a quarter share portions to their virgin sisters. A female child could be appointed as the inheritor of the father's property and it would then pass to her son. Another person could not take away the property share of the daughter. If a son was born to the man after he appointed his daughter, the son and the appointed daughter were to divide the father's property equally. If the appointed daughter died, then the property could be acquired by her husband

without hesitation. If the mother had separate property, it could be inherited only by her daughter⁶¹.

If the mother died, all the “umbilical” brothers and sisters were to receive an equal share of her estate. Even daughter’s daughter could acquire a share of this inheritance. A woman’s property was traditionally regarded as of six sorts: what was given in front of the (marriage) fire, on the bridal procession, or as a token of affection, and what she got from her brother, mother, or father. In addition, any subsequent gift and whatever her affectionate husband might give her should become the property of her children when she dies, (even) during her husband’s lifetime. Except in the cases of the Raksasa and the Paisaca forms of marriage, the property given to a daughter during the time of the marriage could be inherited by the husband. In the former two marriages, it was to be taken by the parents of the girl⁶².

The property of women in the Arthashastra consisted only of her *Stridhana*, i.e. the amount provided by the husband for her support and not exceeding 2000 panas and her jewellery. However it seems that she could not use this amount of stridhana in the presence. She could use her stridhana to look after her children and herself only if the husband does not provide her maintainance while he is away on a long journey. The husband could also use her property in times of emergencies and through mutual consent. However there are differences in the claim of the wife over her property if she allows her husband to use her property after a period of three years. In the first four types of marriage (the Brahma, the Daiva, the Arsha and the Prajapatya), the woman lost her claim over her property used by her husband after a period of three years. In the Asura and the Gandharva forms of

⁶¹Doniger, The Laws of Manu, 237

⁶²Doniger, The Laws of Manu,242-243

marriage, the husband was to repay both her support and jewellery with interest, in the Raksasa and the Paisaca forms of marriage the husband was charged with theft. If the woman died before her husband, her property was divided amongst her sons and daughters equally, among daughters if there were no sons and in the absence of children, to her husband. It seems as if the women in the latter four forms of marriage had a greater degree of autonomy over their wealth than the other four forms of marriages.

Widows who did not remarry and remained faithful to their husbands were given support endowments and jewellery and her remaining dowry, which were to pass to her sons on her death. When a widow remarried she was to return the support endowment and jewellery and endowment with an interest. If the purpose of her remarriage was for begetting sons, she was to retain this support only if the remarriage was done with the consent of her father-in-law. If this remarriage was not in accordance with the practice of *niyoga*, she was to return this property with interest⁶³, thus implying once again that chaste widows received more benefits than the remarried ones.

The most telling similarity between the *Manusmriti* and the *Arthashastra* is the definition of the ideal household, which was set up after marriage. Therefore marriage and the forms of marriage had such an important place in both the texts. The ideal household was the one which was set up after an ideal form of marriage. These ideal forms of marriages were meant for members of all the castes. However, the first four forms of marriage were considered desirable for the Brahmanas in the *Manusmriti*⁶⁴. The *Arthashastra* also gives us a similar understanding. The first four forms of marriage were the ones where the wife had

⁶³Rangarajan, the *Arthashastra*, 398

⁶⁴Olivelle and Olivelle, *Manavadharmasastra*, 109

to perform their duties of the ideal wife most rigorously. When one reads the property rights of wives in the Arthashastra it can be seen that women who were married using the latter four forms of marriage had a relatively greater degree of autonomy over their wealth (In the Raksasa and the Gandharva marriages, the wealth acquired by the woman in her marriage was to be given back to her father on her death. In the latter four forms of marriages, the Stridhana of the woman had to be returned by her husband) the woman could have her property used by her husband without returning it. She could not claim it back either. When it came to property rights of women, the Brahmana women were in a much more disadvantageous position than the non-Brahmana women.

CONCLUSION

Thus, although the Manumriti and the Arthashastra are very similar in the way they dealt with some of the issues, they also had major differences within them. What is interesting is that the Manusmriti was composed perhaps taking the Kautilyan redaction of the Arthashastra, which is why they are similar on many accounts. Three chapters of Manusmriti according to Olivelle were derived from the Kautilyanrecension of the Arthashastra. Also the fact that gold finds mention in the Manusmriti but not in the Arthashastra says that Manu derived his knowledge from the earliest recension of the Arthashastra, that is the Kautilyan recension⁶⁵, but not from the redacted later works that led to the final compilation of the Arthashastra as we know it.

⁶⁵Olivelle, King Governance and Law in Ancient India, KautilyasArthashastra, 23-25

While it can be recognised that they functioned on the similar ideals of a perfect society and a perfect kingdom and the means to attain this perfection, they did so in different ways, one focusing on the Dharma and morality ideal with special emphasis on the Brahmana man and the other focusing on the Artha ideal, focusing more on the King than the Brahmana and disregarding morality totally most of the times. While the former catered more to the needs of people belonging to the Brahmana caste and then to the needs of the king, the latter focused on the well-being of the King and the ways and means through which he could acquire wealth and maintain a control over his subjects and rival kings, and ultimately the society, and then to the needs of the Brahmanas. The premise on which women's sexuality was controlled so as to have control over landed property within the family of the Brahmana and within the lineage of the king was similar in nature.

The Manusmriti gave recognition to the institution of kingship and the Arthashastra gave recognition to the ideal of Brahmanism. This was done not to give authority to kingship over Dharma formulated by the Brahmanas in the former or to give authority to the Brahmanas over kingship in the Arthashastra. They were present in the texts just to give recognition to the ideals of either kingship or Brahmanism. The Arthashastra is not as obsessed about women's control and their confinement within the household as the Manusmriti, since the former provides us with examples of the way in which women were put to use for the benefit of the state, or looking at prostitution from an absolutely revenue generation point of view.

The two texts in our purview were a response to certain set of changes that were taking place in the early historic period. Therefore their concerns were the same, i.e ownership of landed estates, which would be realized only through the control of women and their subsequent ownership for their control over the production of legitimate heirs to the landed estates owned by them. They therefore share certain

ideas concerning the way they viewed the sexuality of women and their idea about the control of women in general. The Arthashastra however is very different in certain different ways than its view about women because of which it has been deemed as more liberal than the Manusmriti.

CHAPTER 2

THE JATAKAS: GENDER AND SEXUALITY

INTRODUCTION

The Jatakas are stories of the Buddha's former births. They are a collection of 550 stories. These stories occupy a unique position amongst the sources of early Indian History, since there is an idea that these stories stem from folktales and hence, are closest to the "popular" of the remote past¹. While the stories may have been written down, as we know them today, around fifth century C.E, the Jatakas are mentioned by name and represented through sculpture as early as the third century C.E², in the carvings on the railings round the relic shrines of Sanchi and Amravati and especially those of Bharhut³.

All the Jataka stories contain four parts. The first part contains the narration of the present life and problem, usually located in Jetavana, the second part contains the story of the past, usually located in the kingdom ruled by Brahmadata or Kasi, the third part that contains the moral of the story, and the fourth part contains identification of the present characters with the past ones.

According to Uma Chakravarti, like other stories that are open ended, Jatakas grew over time and finally compiled in the form that is available to us. By the end of the third century CE some of the Jataka stories were available in Chinese versions, and by roughly the middle of the sixth century CE an elaborate

¹Kumkum Roy, "Justice in the Jatakas", *Social Scientist*, Vol. 24, No 4/6 April-June 1996, pp 23-40,1

²Kumkum Roy, "Justice in the Jatakas", 2

³E.B Cowell, ed., Robert Chalmers, translated, *The Jataka or Stories of the Buddha's Previous Births Vol. I*, Cambridge: Cambridge University Press, 1895,5

commentary linking up various parts of the narratives, which was itself inherited as part of the Jataka legends from earlier times, had been finalized⁴.

There is a skepticism regarding the use of Jatakas. This is because as narratives, they present their own problems as sources. They contain many layers and therefore are very difficult to stratify or to arrange chronologically. Therefore, these texts are usually used in conjunction with evidence from other literary sources⁵. Trautmann assumes that the Pali Jatakas probably referenced to the Arthasastra since there are “oblique references” to the Arthasastra in the Jatakamala of Aryasura (c.4th century CE⁶). This has not been established absolutely by Trautmann. The Arthasastra has been placed in its final form between c.175CE-300 CE by Olivelle and Mcclish. The Jatakas are placed at c.300 CE (final form c.500 CE). Given the similarities in the date, it might be possible that the Jatakas and the Arthasastra had a temporality. This cannot be established absolutely, but broadly both the texts can be placed in the first millennium CE. They are very different from each other, but given that they experienced the same events of changes in the society, polity and economy, it was probable that they shared certain similar ideas.

We will look into the Brahmanical normative texts, the Manusmriti and the Arthasastra and then try and make a comparison of the themes related to women’s sexuality with the Jataka stories. We will come to this towards the end of the chapter.

⁴Uma Chakravarti, *Everyday Lives, Everyday Histories; Beyond the Kings and Brahmanas of ‘Ancient’ India*, New Delhi: Tulika Books, 2006, 198-199

⁵Uma Chakravarti, *Everyday Lives, Everyday Histories; Beyond the Kings and Brahmanas of ‘Ancient’ India*, New Delhi: Tulika Books, 2006, 198-199

⁶G.K.Nariman, Moriz Winternitz, Sylvain Levi. Edouard Huber, *Literary History of Sanskrit Buddhism*, Bombay: Indian Book Depot, 1923, 44.

When it comes to the depiction of sexuality, the focus is on, but not limited to the way women's sexuality was depicted in the Jatakas. The paper also discusses men's sexuality in the Jatakas.

When one thinks about Buddhism, one thinks of how it was different from the Brahmanical tradition and how it posed a challenge to the latter by providing a way of life different and much more liberal than the Brahmanical tradition. However, when one reads the Jatakas, it is clear that when it came to the way it viewed women, it was not much different from the Brahmanical tradition, which it was supposed to pose a challenge to. The period of what is called the second urbanization from c. 800 BCE to 600 BCE was very important in the history of India, but what remains obscure is the way social relationships were structured. Generally, the period has been accepted as the period of marked changes in the economy, but the impact it had on women had not been studied by historians. Therefore it is important to turn to Uma Chakravarti for gaining this understanding. The changes in the economy of the period between 800 BCE-600 led to a patrilineal system of inheritance, which ultimately sought the control over women's sexuality, so much so that in addition to it taking a shape within Brahmanism, it affected Buddhism as well. Voracious sexuality of women was assigned as the inherent nature of women. This was the reason why women were shown as evil seductress and fearsome beings in the Jatakas⁷. In addition to this, Chakravarti also shows the necessity of the establishment of control over women's sexuality. In a society that required stringent control, the maternal power of women was a threat. Women's general subordination was essential because it was only then that the mechanism of control upon women's sexuality could actually be effective⁸. As we will see later in the essay that there was no watertight difference between Brahmanism and Buddhism in the way

⁷ Uma Chakravarti, "Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State", *Economic and Political Weekly*, Volume 28, no.14 (April 3, 1993):4

⁸ Uma Chakravarti, "Conceptualising Brahmanical Patriarchy.."

they assigned extreme and dangerous sexuality as the nature of women. In fact given the fact that the Manusmriti, Arthashastra and the Jatakas were written in the period when there were significant changes in the society, economy and polity, it is very much possible that these notions of women's sexuality were fluid in nature and were an "inter-textual" and inter-cultural phenomenon. We will discuss this later.

The main organizational basis of Buddhism was the Sangha or the order of monks. The period between the sixth and the fifth centuries BCE led to the breakdown of Gana-Sanghas. The Buddha who belonged to these Gana-Sanghas tried to make sense of the changing society, polity and economy. The Sangha was the Buddha's response to these changes whereby he tried to create an environment like that of the Gana-Sanghas (voting on matters of importance in the Sangha). This Sangha was also an organization that sought to create a parallel society that was egalitarian in a society that was fraught with inequality. The Sangha was therefore an asocial organization where men did not engage in the processes of production and reproduction, different from the society that was mainly concerned with production and reproduction⁹. This required men of the Sangha to be celibate. Therefore, they had to take the vow of celibacy while entering the Sangha. Given that the monks of the Sangha vowing to remain celibate came from the society that concerned itself with reproduction, it can be assumed that some of these monks also wanted to return to the life of the householder. This would be a threat to the Sangha, and the Jatakas show an anxiety regarding this problem. The Jatakas tried to prevent it by narrating stories of men's ruin and downfall that took place because of the evil, sexually charged women. This was a ploy of the Jatakas to prevent monks from returning to the society and this could be only done if women; the crux of the household, were shown as evil on the account of their sexuality.

⁹Uma Chakravarti, *Everyday Lives, Everyday Histories...*, 130-210

When one reads the Jatakas one can see that the stories did not force its view of dangerous sexuality of women upon men in a direct manner. The moral of the Jataka stories whereby women are seen as sexually charged human beings capable of bringing about the destruction of men is rather an indirect one. The one that had the capability to appeal to the human psyche. It is almost as if the authors of the Jatakas understood that this portrayal of women as evil would be more effective if they were indirect and moral-ridden, rather than direct and enforcing.

The Jatakas were written to establish the ideologies of Buddhism, through stories, to make them more comprehensible, indirect manner. What is interesting here is the flow in which these stories are told. The most number of stories that deal with the handling of women's sexuality and how men must keep away from them because of their voracious sexual appetite are in the first and the second book respectively. That is, the frequency of these stories is more in these two books. It seems like they were written in order to imbibe the values of the Sangha into the mind of the reader.

The view that Buddhism is egalitarian has to be reviewed once again. While it is possible that the Buddha wanted to challenge the ideas of the superiority of upper-caste and upper class men envisaged in Brahmanism by focusing on the actions and karma, nirvana or rebirth based on good or bad deeds, this challenge was sought to be posed only by men. Women (in terms of their voices and experiences) therefore, are systematically excluded from the narratives of the Jatakas and are mostly seen evil and seducers of men.

Keeping these things in mind, we now move forward to discuss sexuality depicted in the Jatakas.

THE “WOMEN-TROUBLE”

Women As Evil

Let us now come to how sexuality was portrayed in the Jatakas. The Jatakas were perhaps the most misogynistic of all the Pali literature¹⁰. One thing that has been exhorted again and again in the Jatakas is the issue of lust and passion, love for a woman. The followers of the Buddha have been repeatedly warned against lust and passion. Usually it is a woman, because of which a man goes astray, rather than the other way round. This dangerous sexuality is shown through various examples.

There are two elements in these stories. Firstly, many stories catered to the monks of the Sangha. Usually these stories about powerful ascetics becoming powerless after being involved sexually with a woman were told to a “backsliding brother” to prevent him from leaving the Sangha and to make him follow the strict celibacy rule of the Sangha. Secondly, these stories about the dangers posed by women’s sexuality were also told to lay brothers of Buddhism, probably in the hope that they would take the vow of celibacy and become monks of the Sangha instead of continuing the householder’s life.

It seems as if women were not considered to be as human as men and can be seen when they are likened with cows “*As greedy cows seek pasture a new, women unsated yearn for mate on mate*”¹¹. Women as permanent seekers of sexual pleasure, and going to any extent for the same is exhorted repeatedly in the Jatakas, but a single Jataka puts this in words that describe it in its exact intent. The Sattubhastā-Jataka(III:402) outlines a list of sixteen things that could not be satisfied, wherein it states that “*women cannot be satisfied of their need for three things; intercourse, adornments and child-bearing*”. In the

¹⁰ Alan Sponberg, Attitudes Towards Women and the Feminine in Early Buddhism in Jose Ignacio Cabezon, ed., Buddhism, Sexuality and Gender, Albany: State University of New York Press, 1992.”, 29.

¹¹ E.B Cowell, The Jataka..., Vol.I, 49

KandinaJataka (I:13), a doe lets the stag to go before her, suspecting a hunters trap, only to be killed by the hunter, as the stag was in love with the doe and came after her, despite her warnings. The story was told to the members of the Sangha by the Buddha in order to make them free of the temptation caused to them by their “mundane” wives. Almost similar in essence to this story are the MacchaJataka (I:34), and the Mora Jataka (II:159) , where the males have died because of their passion towards the females, likened to “iron-fetters”.

Similarly in the Vatamiga-Jataka (I:14), the merit earned by the Elder Tissa after he joined the Sangha was lost after he lay down with the slave-girl who was sent to Tissa(who was previously a prince) by his mother, so that he would come back to his father’s kingdom. In one way this story can be read as a warning to the senior member of the Sangha by showing what women could do to them. Another thing that is more implicit in this story is that sexual relations between a prince(high class/caste) and a slave girl existed and were recognized.

Women, regardless of their age or relation with men, are seen as lustful. The Asatamanta-Jataka shows how even an old woman is not free of lust and tries to kill her own son because she wants to keep sexual relations with another young man. Here the attitude towards women is seen clearly when it states “*so lustful, vile and degraded are women that, giving the rein to lust, a hag like this, and as old she was, actually thirsted for the blood of a so dutiful son*”(I:61).

The AndabhutaJataka shows the element of control over women very vividly. Here, the Buddha says that men failed to control women even if they were watched by men from their birth (I:62). Several things call for our attention to snatching away of child from her poverty-stricken single mother when the latter was pregnant, second, the bringing up of the girl in confinement, devoid of all the contact with the outside world and from the men, marrying the girl and establishing supreme control over her only for the benefit of the man, third, having the girl to undergo a fire ordeal to prove her chastity, and finally,

blaming the woman for trickery, when in fact it was the man who had tricked her. Here, the man uses the woman for his own benefit, to win at the game of dice with the prince.

Similar to this story is the Samugga-Jataka which underlines the Buddhist view of women that women could not be confined to one man even if they were kept in captivity. In this Jataka, an Asura demon captures a queen and due to her beauty decides to keep her in a box inside his belly. When she was put out in the open for sometime, she invites the son of Vayu, who happened to roam about in the nearby area. Accepting this invitation, he goes inside the box with the woman, unbeknownst to the demon, only to be revealed by the Bodhisatta who saves the demon's life by making him aware of the situation and the harm that a woman could bring about (III:436). Three things are very evident in this story. One is the fact that keeping women in captivity against her wishes was seen as a normal and sometimes even a desirable act by the writers of the Jataka, only to prove the point that women could not belong to only one man, no matter how isolated they were kept. Second is the challenge that is posed to the Brahmanical tradition. Vayu was an important god in the Brahmanic tradition and so were his sons, and Asura's were the evil in the tradition. In this story, however, the demon is shown to be the friend of the Bodhisatta and saved by him, while the son of Vayu is shown as a magician who is ready to kill the demon friend of the Bodhisatta and who has "illicit" relationship with the woman "owned" by another man. This could indicate a probable rivalry with the Brahmanic tradition, although such rivalries can only be seen in specks in the Jatakas and was shown in an indirect manner, rather than in an outright manner. We will come back to this Jataka later in the chapter again. Third, the urgent need of keeping women under the control of men can be seen here. As the story shows, it was difficult to keep women under men's control, hence necessitating the need to keep them in captivity. This however was not always successful.

The story shows an anxiety about the difficulty to keep women in men's control and seems to show men the way to keep them in control, i.e. captivity.

Another story where the women are seen as evil and ungrateful is the Takka-Jataka. Women are called treacherous and ingrates in this story. Here a princess is saved by a hermit and then marries him, causing him to lose his ascetic powers, and then becomes lustful for a bandit and then plots to kill her husband (I:63). This story exhorts the views of Buddhism again that women are ungrateful creatures, not thinking twice about killing someone who had saved their lives. The idea that ungrateful women must die was definitely there. The reason for forbidding women to join the Sangha was probably because they were seen as the "*sowers of dissension and strife*".

There is also the inherent idea of Buddhism at work here, according to which men who posed a threat to the society, or criminals could be redeemed and brought to the right path if they could be shown the futility of the social world, and then could be convinced to follow the precepts of Buddhism. This futility was shown through the evilness of women on the account of their sexuality, since women were the most important depiction of the household.

This ungratefulness of women is also seen in the Cullapadma-Jataka where a woman goes away with the robbers abandoning her once-ascetic husband who had saved her life by giving her the blood from his knee to drink (III:193).

In the Durajana-Jataka(I:64) and the Anabhirati-Jataka(I:65), there are common themes of "taming a woman" and making her change her stubborn ways so that she became subordinate to her husband and obey his orders, or, in other words, mend her ways, and in the case of the latter, become a faithful wife.

An interesting insight is also gained when we see the verses of the Anabhirati-Jataka; "My son, there is no such thing as private property when it comes to women". Women were seen as things that were used by everyone, like highways, rivers, courtyards, taverns and hostels because they provided

“universal hospitality” to all (I:65). Women thus were seen as property, but a public one, one that could be used by all men.

Things were different when matters that the Jatakas would have otherwise dealt harshly with, are treated in a much more lenient manner when it came to the royal households. For instance, women and servants/courtiers were forgiven when they kept sexual relations with each other by the king/husband. This can be seen in Pabbatupathara-Jataka (II:195). When we read this story, we can see that when a loved woman and an important servant were involved, both of them were not punished. There obviously goes the story of the past life, which justifies this forgiveness. While at the outset it might seem that the story justifies the forgiving nature of the Buddha and his followers that Buddhism is usually popular for, it actually shows that the Buddha and his followers were forgiving only when they dealt with the royal household, and almost never in case of poor persons. When not dealing with the royal household, the Jatakas always give the impression that the woman must be shown her place and limited within her boundaries, crossing which, violence was used if the need be (see the section on violence against women). But when the royal household was involved, the Jatakas do not speak of such a punishment and even grant leniency to the queen committing adultery and lying to her husband by giving the justification that loved women should be forgiven. This is perhaps the only case where a woman commits adultery with no consequence, which clearly shows the Jatakas stance on the royal household, without whose support the Sangha would not function properly.

The downfall of a man by a woman is shown in the Culladhanugga-Jataka, where the wife of an archer betrays her husband after she falls in love with the chief of robbers and helps him in killing her husband, only to be betrayed by the robber. She is again shown to be wicked and stupid to think of marrying again

and her refusal of recognizing her own folly(III:374). This story though is intended for showing the wickedness and foolishness of women, we can also see it as an instance where a woman exercises her freedom to choose the man she decides to be with. This is something that is different from the Brahmanical normative texts. We will come to this part in the conclusion.

The innate evilness of women is also shown in the Maha-Paduma-Jataka, where a woman named Cincamanavika accused the Buddha of impregnating her, by faking a pregnancy. The Buddha goes on to tell the story of the past where he(the Bodhisatta) is the prince of a kingdom and his step-mother tries to seduce him to have sexual relations with her when his father was away for a battle. The step-mother on getting rejected by the Bodhisatta time and again complains to the king that the former tried to seduce him and is sentenced to death by pushing him off a hill, only to be saved by the hill deity. The king on discovering his son many years later finally comes to know the truth and then punishes his wife (IV:472). This story indicates that while sexual relations between a step-mother and step-son was not desirable and acceptable, it was very much present, which was why the theme could make way into the story. The story also reaffirms the Buddhist belief that the foremost necessity of a woman was to keep sexual relations with men, without any regard for societal norms. Finally the story brings to the foreground very clearly, the rivalry and competition between the followers of the Buddha and the followers of other leaders when it is written *"The heretics were like fireflies after sunrise; no honours and no gifts had they; in the street they stood, and cried out to the people, "What, is the ascetic Gotama the Buddha? We are Buddhas also! Does that gift only bring great fruit, which is given to him? That which is given to us also has great fruit for you! Give to us also, work for us!" But cry as they would, no honour nor gifts they got. Then they came together in secret, and consulted: "How can we cast a stain upon Gotama the ascetic in the face of men, and put an end to his honour and his gifts?"*

“Now there was at that time in Sāvatti a certain Sister, named Ciñcamānavikā; passing fair she was, full of all grace, a very sylph; rays of brilliancy shone forth from her body. Some one uttered a counsel of cruelty thus: “By the help of Ciñcamānavikā we will cast a stain upon the ascetic Gotama, and put an end to his honour and the gifts he receives.””. This passage shows the clear enmity that contemporary traditions had with each other.

Very similar to this story is the Bandhanmokka-Jataka where the chief queen of the king Bramhadatta seduces each one of the messenger that is sent to her by the king when he is away at the border fighting. When one messenger refuses to get lured by her, she accuses him of beating her, in order to teach him a lesson(I:120), thus showing how treacherous they can be.

In very rare instances, like in the Manicora-Jataka(II:194), and the Mudulakkhana-Jataka(I:66) and the Ucchanga-Jataka(I:67), women are shown to be virtuous as well as capable of solving problems. For example, Sujata did not respond to the sexual advances of the king of Benares and ultimately saved her husband’s life by doubting the power of Sakka.[21]. The queen in the Muddulakkhana-Jataka was responsible in making the Bodhisatta realize that he was going the wrong way in trying to adopt a householder’s life by taking a woman with him and that he must strive to achieve merit (I:66). The woman in the Ucchanga-Jataka chooses wisely to save her brother from death by the king, thus sparing the lives of her brother, husband and son (I:67).

In stories like these there is an applauding of women who played the role of the ideal woman perfectly. Not responding to sexual advances, preventing a monk to take a woman and becoming a householder, saving the male members of the family, etc were some qualities that made a woman the ideal woman. The notion of women that was there in Brahmanism was therefore inherent in the Jatakas as well.

Since sexuality of women was a grave threat to the Buddhist Sangha, there is an element inherent tension seen when women joined the Sangha. Because women possessed reproductive powers, they were considered a threat because it was thought that this power could be used to bring shame to the Sangha, ultimately causing its downfall. This can be seen in the Nigrodhmiga-Jataka, where a woman from Rajagaha wants to renounce the world, but is refused the permission to do so. She therefore turns to her husband for permission to become a sister. However after joining the Devadatta's faction, it is discovered that she is pregnant by her husband, but is then expelled by Devadatta without enquiry. She goes to the Buddha and although the Buddha knew that her child was her husband's, he decided that the matter must be solved in the presence of the King and his court, lest the members of his Sangha be doubted for the pregnancy and ridiculed for accepting women expelled by his rival order. Finally when it was decided that the woman had conceived before her entry to the Sangha, she was allowed to continue living in it. More importantly it can be seen from this story that daughters and wives who did not obtain permission from their parents and husbands were not allowed to enter the Sangha.

Prostitution was present in the Buddhist society. The Jatakas have a number of stories that point towards the presence of prostitution in the contemporary society. Prostitution, however is indicative of an economy in which surplus was produced, a surplus which also earned prosperity from abroad through trade and commerce. It also presupposes the rise of petty principalities, the breakdown of tribal society, the rise of joint or extended family and the social subjugation of women in general.¹² The Jataka stories tell us of courtesans. Courtesans who

¹²SukumariBhattacharji, WomenandSocietyinAncientIndia, Calcutta, Basumati Corporation Limited, 1994, 62-98

were, very economically powerful, which made them renowned. The stories of Ganikas who will be cited below, have one thing in common; their wealth. They were paid a handsome amount for their services, they owned carriages, they had a large retinue of servants, and they owned many expensive ornaments and dresses. These courtesans had access to the noble men/merchants, who sometimes were friends with the king. A Jataka story gives the instance of a ganika having been deposed from her position by the king of the country and restoration sometime later, which suggests the fact and that their position was regulated and protected by the government, and they commanded a powerful and influential position in the socio-political orders of the ganas. Another Jataka story gives the instance of a ganika freely talking to the village headman, (gamanicanda) and sending a message directly to the king, which speaks about their access in the political and administrative matters and the power that their position was invested¹³. The Kanavera-Jataka gives us an idea of the approximate payment made to a Ganika, about a thousand gold coins. The courtesan in the story is also rich because she was the absolute favourite of the King of Kasi. (III:318).

In addition to being rich, Ganikas are also shown as clever in the Jatakas. For instance, Sulasa in the SulasaJataka kills the thief who was her lover when he tried to rob her and kill her (III:419).

Ganikas were also sometimes shown being unforgiving in the matters of payment after providing pleasure as can be seen in the Atthana-Jataka. The story also shows that Ganikas were at the mercy of the king and the latter had the power to punish them(3:425).

The TakkariyaJataka seems to provide a warning to men who went to seek pleasure with the courtesans, by implying in the text that the courtesans could

¹³AKanchiyya, "Woman in Indian Civilization: A Review in Historical Setting in Ancient and Medieval India", Shodhganga.inflibnet.ac.in, 57

be the reason to strip men of all their shame. In this Jataka, the courtesan Kali is the reason why the rich merchant has to roam about in the streets naked (4:481).

The economic power of the Ganikas/courtesans however did not mean that they were free. According to Uma Chakravarti, the courtesan's freedom was only partial because she was trapped by the socially conditioned role for women. If women are not wives and mothers they must be mistresses. If we look at the situations in which the courtesan was placed this is strikingly evident because she was still subject to male control and dominance¹⁴. There are also evidences of violence being used against the prostitutes in the Kanavera-Jataka and the Sulasa-Jataka where the husband's of these women try to kill them and rob them of their ornaments. Thus, violence against courtesans and prostitutes was present but probably was not limited to just physical violence.

CONTROLLING WOMEN'S SEXUALITY THROUGH VIOLENCE

Stories that use violence to make women do what men want them to, abounds in the Jatakas. The Jataka stories in some instances show that the use of violence in dealing with an adulterous women is helpful in "showing them their place" and in certain places were seen as chattels. Beating of wives was not an uncommon practice and was sometimes praised by the Sangha for showing how women who went "out of control" could be tamed by the man. Even when outright violence was used, it was justified in the Jataka stories.

We have already seen that women were portrayed as liars and deceivers in the Jataka stories. In the Kosiya-Jataka, the woman Kosiya is shown as a lazy wife who, feigning illness, made her husband run errands for her and get things for her, while she would carry out affairs with other men. The Buddha in his previous birth as the Bodhisatta gives a solution to the man so that the woman

¹⁴Uma Chakravarti, "The Rise of Buddhism as Experienced by Women", Manushi, no.8, 1984, Manushi.org

would stop her “evil doings”. The man was advised to give her a potion made of cow-dung and rotten fruits and if she were to refuse to eat it, the man was advised to threaten her to “beat her with stick or rope, to drag her about for a time by the hair, while repeatedly pummeling her with his fists” (Jataka 1:130). The end result of this threatening was that the woman became good, thus giving an impression that one effective way of bringing a woman in control was by beating her. Similarly in the Ucchittha-Bhatta-Jataka, the woman who had her lover hidden in the store-room from her husband was beaten to the effect that she no longer dared to cheat on her husband (II:212), thus once again achieving the end-result of violence bringing women under control.

Another instance is in the Gahapati-Jataka, when the Gahapati comes back to his home to find out that his wife and the village headman are having marital relations outside the marriage, he beats up the headman saying “*damages, please, for the injury done to the chattels under another man’s watch and ward*” and then proceeds to beat up his wife grabbing her by her hair, and teaching her a lesson of conducting herself like a wife (Jataka 2:199).

In the society that the Jatakas were written, virginity of the girls was of utmost importance, since it was a society, that arising in the brahmanical society that had the same mindset that the latter had. Giving importance to women who were virgins also shows the subduing of women’s sexuality and virginity being the determining factor as to whether the women could live peacefully in the society.

The Pannika-Jataka shows men going to extreme lengths to determine the virginity of the women in their families. In this Jataka, the father, who was also a lay follower of the Buddha, is worried because his daughter was always laughing, making him think that it was because of her loose character. In order to determine her purity of character, he makes sexual advances to his daughter,

the intention being if she accepted his sexual advances, she was not fit to be given away in marriage because of her impurity (I:102). It seems that this test by the father was in conjunction with the teachings of the Buddha regarding women, that an impure woman would just need a man to satisfy her sexual needs, regardless of her relation with the men. In other words, a woman could not be trusted even when she was around with her brother or father. The story indicates a deeper problem, however, which is the making of sexual advances by the father to her daughter. We can see this story in another light. Rather than reading it as women not fit to be trusted around the men in her family, it was the men who could not be trusted around the women in their family. The story also shows that some women were subjected to sexual violence by the male members of the family, as seen in this story. This story also shows that men who followed the tenets of the Buddha were applauded rather than restrained from such behavior, thus, again proving that Buddhist views were not at all egalitarian.

The Sattubhastha-Jataka shows how men had the power to give away the women in their families to other men. The story is that one old Brahmin gives his alms of a thousand coins to another Brahmin family for safekeeping and returns to find out that the other family spent it. The Brahmin, unable to return the thousand coins to the old Brahmin gives away his young daughter to him instead (III:402). Thus showing women could be used as a medium of exchange, and the absolute control that the man of the house had over the women of the household.

In the Jatakas, men's absolute control over their daughters can also be seen in royal families and not just households of laymen. In the Mudu-Pani-Jataka, the Bodhisatta who is born as the king decides that his daughter and his nephew should marry, only to decide later that he should not do so because he could establish marital relations with other kingdoms if he could marry them to son and daughters of other kingdoms. The daughter is kept isolated with some

servants to look after her, so that the nephew could not come near her and further their love relation. The degree of control that men could have on their daughters is shown in this story where it is said that the king fearing that his daughter would elope with his nephew made her sleep on a bed in his presence and held her hand even while she bathed (III:262). Two things can be understood from this story. One, the daughters life was controlled absolutely by the father, according to his needs and changing according to his needs, political or otherwise and two, the marriage of a girl and boy within the family. Marriage within the family, especially of a boy and a girl related through their father, is unheard of in other Jataka stories, but this story gives us an insight into the contemporary society of the Buddha, where such a matrimonial relation was rare but not totally absent and perhaps more acceptable when done in the royal family.

The Sadhusila-Jataka shows that like the Brahmanical society outlined in the normative Brahmanical texts, fathers were responsible for giving their daughters in marriage to the men whom they considered fit (II:200). What is more important, however, is the rare instance of polygamy that one comes across in this story. The Jataka stories usually have no examples of a man having more than one wife, except for the stories that describe the king's harem (see above for more details). But here the man gives his four daughters in marriage to one man, which is quite striking but interesting because it means that no matter how much the wickedness of women and wives was emphasized upon in the Jatakas, the practice of one common man having more than one wife was very much present.

The Andabhuta-Jataka as well as the Samugga-Jataka, like we have already pointed out earlier, are classic examples of the treatment of women in a highly immoral manner, that is, keeping women in captivity, just for the advantage of their captors, for the sole sexual enjoyment of the women by men in both the Jatakas and for the personal economic gain by the man in the Andabhuta-Jataka.

When women tried to pose a challenge to the men who kept them in captivity, they were shown as evil and wicked, and were used as examples of the belief that women could not be of one man.

Male Sexuality in the Jatakas

Stories that highlight the sexuality of common men and of those in the Sangha can be seen throughout the Jataka. In fact, almost every story that underlines the evil and wicked nature of women as its moral, starts with the story of a backsliding Sangha brother, or a passion-stricken lay-follower or a Sangha member who wants to leave the Sangha and lead a householders life, or a Sangha member who comes back to the Sangha after living a householder's life with a women. The stories of the wickedness of women and the ones indicating the sexual desires of the followers of the Buddha are more often than not, intricately intertwined in the same stories and therefore go hand in hand. In this section, I have only given certain instances where male sexual desire is seen. For instance, when one reads the Samgamavacara-Jataka, one can see an interesting aspect of male sexuality as well. This story is about Nanda, who wanted to gain asceticism after he was promised by the Buddha that he would gain access to lovely nymphs of heaven, if he would live the life of an ascetic. He is later ashamed by the Elders, who likened him to a wage labourer, for being an ascetic just because he would gain access to the nymphs of heaven(II:182). This story shows that sexuality is not absolutely absent in male members of the Sangha. Sexual desires were surely present, but were done away with the effort put in by the Buddha and the Elders of the Sangha.

Male sexuality in the Jataka stories can be seen when a member of the Sangha or a lay-follower lusted for a woman, and tried to leave the boundaries established by the Sangha, only to be prevented by the Buddha from doing so by narrating the story of their previous lives and the evilness of women. An example of this can be seen in the Puppharatta-Jataka (I:147). Similarly, in the

Culladhanugga-Jataka, a member of the Sangha is seen to be tormented by love for his wife and actually regrets joining the Sangha (III:374). The Buddha again tells a story of his entrapment and death by his wicked wife in his previous life. While looking at these stories, one cannot help but wonder, was the actual reason that women were generalized as an evil sex because men lusted after them and left the Sangha, thus decreasing the number of followers of the still nascent- Buddhist following? The latter story also shows us the other side of the men in the Sangha, that is, their desire to leave the Sangha or regretting their incorporation into the Sangha, and the Buddha preventing them from doing so, by highlighting the wickedness of the women, who were causing the brothers to leave it.

Male sexuality can also be seen in lay followers (men), who, being blinded by lust and passion, forgot the commandments of the Buddha, and hence could not get knowledge and insight. This can be seen in the AnabhiratiJataka (I:185). In Culla-Paduma-Jataka (I:193), both male and female sexuality are shown as the stories of the present and the past respectively. The male sexuality is seen as the reason for the backsliding of a male member of the Sangha, after he was overcome by lust upon seeing a woman who was finely dressed and jeweled. The moral of the story in this Jataka is ultimately how women have violent sexual desires and would not think twice of having sexual relations with another man and even go the extent of killing her husband who had saved her using his own blood. That is, women should not be trusted because no matter what, they never remain loyal to one man.

In the MudulakkhanaJataka (I:66), a member of the Sangha and an established Bodhisatta are seen as lusting for a woman, using their powers to look at their bodies beneath their clothes. There are several things that call our attention to this Jataka. Apart from showing the sexual capacity of women, the Jataka shows how men were attracted towards women, regardless of their moral attainments,

forcing them to lose their merits or how this losing of merits manifested itself through smelly robes and long hair and nails.

Then again we can see this male passion coming up in the Valahassa-Jataka, which leads male Sangha members to backslide. Women who lured men were often Goblins or demons, who lured men through their fine jewelry or dresses and scents, and thereafter ate them. The significance of being eaten by women might mean the loss of knowledge and insight in the present day of a particular member of the Sangha (II:196).

The Haliddiraga-Jataka is the story of an ascetic who gets enamoured by a woman and desires to leave his father and his ascetic way of life and follow the woman. He leaves his father and his ascetic way of life in the forest and live with the woman in the 'abode of men' and adopt the householders way of life, but is reprimanded by his father to the effect that he changes his mind and decides not to give up his ascetic way of life (III:435). This story once again is in conjunction with the observation that even when men wanted to get away from the ascetic way of life, they were stopped from doing so by emphasising time and again the evilness of women, or by narrating the dangers of leaving the ascetic order or the Sangha and living as a householder.

Male sexuality is also seen in one of the stories of the Jataka corpus where a prince who is engrossed in meditation has been seduced by a woman and the former turns violent due to lust and jealousy, leading to his banishment from the kingdom. While the prince and his wife are in a hermitage, the sight of the woman leads to yet another ascetic lose his ascetic power due to desire creeping up within him. The prince and the ascetic then discuss how women cause men to lose their ascetic power (III:507).

One story that stands out in the Jataka corpus is the Manikantha-Jataka which shows love and affection between two men. The king of the serpents falls in love with a young ascetic (who in the present life is Ananda), who initially

reciprocates the love of the serpent but later falls sick with fear. Following the advice of his elder brother he demands the mani or the gem of the crown of the serpent king, who refuses to part with it and leaves the young ascetic out of fear, never to see him again. The young ascetic falls sicker due to longing for the serpent and is cured of his love sickness only after he is consoled by his elder brother (II:253). But what is important to note here is that, though the brother is love-struck, the King of the Nagas is not shown to be vile or wicked, like the Jataka stories would usually treat women if they were the reason for the pining of their lovers. This was because women were the only vile ones. The authors probably could not place men loving men within their idea of love being equal to sex and vileness.

CONCLUSION

These negative portrayals of women in the Indian society that underwent a major shift in economy and society in the early historic period, as we have discussed at the beginning, led to the viewing of women in a way that could control her power, by demonizing her because of her sexuality. The stories of the Jatakas were written by the people/men who were a product of such a society, and were certainly influenced by pervasive idea that women's innate nature was lascivious and evil¹⁵, thus, reflecting the deeply entrenched view in these stories.

The first and the second books have these stories so that the reader gets an idea about how wicked women really are and how they should be stayed away from, and then moves on to the other ideals like the necessity of not being greedy, of

¹⁵ Uma Chakravarti, "Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State", *Economic and Political Weekly*, Volume 28, no. 14 (April 3, 1993), 4.

not being lazy, of not cheating, of not telling lies, of not betraying others, of following the advice of their leader when it comes to trade, of being compassionate towards all life forms, and of giving importance to the virtuous wife (which is only shown in some instances). Then, almost as if to remind the men who read these stories, the other books contain some stories to show the evil nature of women.

We must not forget that Buddhism arose out of and in the society that followed the ideals of Brahmanism, and one of the major aspects of this society was, as cited earlier, was where women domination had taken roots, owing to the changes in the economy, the break-up of tribal forms of society and ultimately the need for control of women's reproductive capacity and sexuality. The views of women seen in these stories were perhaps to meet this end. This sexuality was seen not only in the cases of unmarried women but those of married women as well. The Jatakas abound in the stories of married women committing adultery. Diana Y Paul's observation is consistent that within Buddhism there was the notion that the feminine is mysterious, sensual, destructive, elusive, and closer to nature. Association with this nether world may be polluting and deadly for the male and therefore must be suppressed, controlled, and conquered by the male in the name of culture, society, and religion. Therefore, according to her, Female sexuality as a threat to culture and society provides religion with a rationale for relegating women to a marginal existence. Women derived their power through their sexuality and this sexuality was therefore tried and controlled, at least in the Jataka stories. "The congenital fickleness of women's nature is especially pertinent to the problem of dealing with the innately overflowing and uncontrollable sexuality of women. Thus in the ancient texts it is repeatedly stated that they can never be trusted"¹⁶.

¹⁶ Diana Y. Paul, *Women in Buddhism; Images of the Feminine in the Mahayana Tradition*, California: University of California Press, 1979, 24-25

The Jataka stories show that women have insatiable lust, and jump at every opportunity to keep sexual relations with all men, and lead men of merit to lose their ascetic power by their innate sexuality/evil. The ultimate aim was one; to show women as vile creatures who prevented men from attaining liberation. But the question of preventing men from attaining liberation only arises if men had poor self-restraint, which is what the Jatakas indirectly point at. It is for this reason that we come across stories not only of women being the seductress, but the man pining for the women due to desire as well. The author(s) of these stories knew that men's sexuality was uncontrollable, that they could not control the urge to keep sexual relations with the women they interacted with. It seems as if the entire energy of the Jataka stories was directed towards preventing the ascetic men, that is, the men of the Sangha, from leading the householder's life and attracting male lay followers towards the idea of asceticism. It is given in the Jatakas that the Buddha and the Sangha had their fair share of rivals, be it from the faction of Devdatta or from Brahmanism or from the Ajivika sects. As such it can only be expected that the Buddha wanted to attract a significant number of followers from the common population into the Sangha and prevent the existing followers from leaving the Sangha and the ascetic way of life associated with it. This could only be done by creating the sense of danger and insecurity of single-handedly the most important element which posed a challenge to this idea of asceticism and had the strongest capability of posing a challenge to the Buddha's following, thus creating the possibility of losing his followers to his rivals; the women. This is the reason the Jatakas have stories of women leading to the downfall of men. When one looks at the Jatakas, it seems as if they were against the idea of love and relationships. But one must also consider that almost all the Jataka stories deal with the relationship between men and women, with women as the leading agents of men's downfall, and hence the impression of the Jatakas being against these ideas. However, had this been the case, the Jatakas would also have shown men being the reason of

downfall of other men, in the case where one man falls in love with another man, the ManikanthaJataka. This only proves that the Buddhist thinking as can be gleaned from the Jatakas was not against love or love-making or relationships, but specifically against women, due to the fear of losing their following. In the words of Stephanie Jamieson *“The ideal situation for a man who has both goals is to practice his asceticism (an individual and private pursuit) actively, as it were, but to acquire sons from sexual activity in which he is a passive and accidental participant. Thus, this ideal male figure is the victim of sex, never seeking it or even welcoming it when it is offered. But, then, for sex to take place at all, we need an aggressor, and who is left”?*¹⁷

It maybe noticed that the social, political and economic context in which the Manusmriti, the Arthasastra and the Jatakas came up were the same. The expansion of agriculture, private ownership of land, break-down of the Gana-Sanghas, emergence of monarchical states, etc. Brahmanical normative texts and the Buddhist Jatakas (which were also normative, although different from the former) were focused on acquiring supremacy over the changing society of the times. They were also driven by specific economic motivations.

While the Manusmriti and the Arthasastra tried to establish the supremacy of the upper caste/class Brahmana and the king respectively, the Jatakas tried to establish the supremacy of the Buddhist Sangha over the society. For Buddhism to be successful, it was imperative that the king supported the Buddhist Sangha in a period of competing religious groups. The Buddhist Sangha was outside the purview of production and reproduction. Because of this monks did not engage in agriculture or trade and depended on the lay followers of the Buddha and the royal household for sustenance. Often the lay followers of the Buddha were the wealthy Gahapatis who were landed magnates of the society. Like in the case of the Manusmriti and the Arthasastra, legitimate children were important to them

¹⁷ Stephanie Jamieson, cited by Alice Collete, “Historio-critical Hermenutics..”, in Jose Ignacio Cabezon, Buddhism, Sexuality and Gender.

for the inheritance of property by their sons. Therefore, the chastity of women was important. The Buddhists also sought to gain their support from the king, whose one of the primary concerns was the production of heirs to the throne, which could only be possible if women were controlled. Apart from this, celibacy was important for the Buddhist monks because of which women's sexuality was seen as evil.

The notion of women as having extreme sexual appetite and this having the capacity to bring about the downfall of men is shared by the Jatakas, the Manusmriti and the Arthashastra. Identification of women's sexuality is one thing that is agreed upon by all the three texts, even though in other philosophical and ideological matters there is rivalry between Brahmanism and Buddhism. The three texts are responses of men at the face of the changing economy, society and polity that was taking place in the early historic period. Women in all the three texts are seen as private property of men and controlled by them, confined within the household and had the notions of the ideal wife and the ideal woman imposed upon them. For this to be possible it was necessary that women were shown as evil and wicked on the account of their sexuality, and thus be subjugated so that their reproductive powers were brought under control. In addition, Buddhism had more need to show this sexuality as vociferous and evil because of its most important ideal being celibacy of its followers, the monks.

Therefore, it is necessary that these three texts be studied in conjunction with each other and understanding the fact that ideas, ideologies and the response to certain common developments of the period were inter-textual and inter-cultural, and should we need to study the perception of the society of the period, we will get a clearer picture when these texts are read in conjunction rather than in isolation. We will come back to this in our concluding section.

CHAPTER 3
GENDER RELATIONS AND SEXUALITY IN THE KAMASUTRA AND
THE GATHASATTASAI: A COMPARISON

INTRODUCTION

The Kamasutra is the oldest extant Hindu textbook of erotic love. It dominates the discourse of Kamashastra, and has since its translation by Buhler and Arthbunot, the most well-known Kamasastriya text.

It has generally been accepted that the text was produced in 3rd Century CE. Virtually nothing is known about the author except for his name which was Vatsyayana Mallanga or about his commentator who wrote his commentary Jayamangala in the thirteenth century C.E.¹

The Kamasutra has come to be known as something that is only associated with sex and its positions. The text almost holds a taboo in its name in present times. What one can understand through a thorough reading of the Kamasutra is that it much more than sex or sexual positions. It is about the art of living -finding partner, maintaining power in a marriage, committing adultery, and living with or as a courtesan, using drugs and finally positions during a sexual intercourse. The two words in its title mean 'desire/love/pleasure/ sex' (kama) and 'a treatise (sutra). It was composed in Sanskrit². The text can be used to get an understanding about gender relations in the first millennium C.E.

¹Wendy Doniger, The Mare's Trap, New Delhi: Speaking Tiger Publishing Pvt. Limited, 2015, 1-2.

²Wendy Doniger, The Mare's Trap..., 1-2.

The Gathasattasai/ Sattasai is an anthology of seven hundred short poems about love and marriage in the villages of Indian countryside³. The text is attributed to the Sattavahana king Hala, who reigned briefly in the first century C.E in a region that is now known as Maharashtra. The text is referred by the name *Saptaśati* or *Gāthāsaptaśati* only after the ninth century CE. It has been shown that the originally the anthology was called *Gāthakośa* or simply *Kośa*⁴. This is the name by which it was referred to in texts like the *Harṣacarita*, the *Kuvalayamālā*, and Abhinanda's *Rāmacarita*⁵. Mirashi suggests that the text is the work of a single author that has remained unchanged with time. From the Puranic genealogy, Hala was the seventeenth king of the Satvahana dynasty and ruled for five years. He therefore places Hala between C. 61-66 CE. He considers Hala to be the foremost contributor to the anthology⁶. The date of the Sattasai has been debated. D.R Bhandarkar places that Sattasai in the sixth century CE⁷. Lienhard places the text no further than the 1st century CE because the six existing representations of the anthology represent later revisions of an earlier work. The date of these existing works has been placed between 200-450 C.E by him. The nucleus of the Sattasai

³Herman Tieken, Peter Khoroch, ed., translated, *Poems on Life and Love in Ancient India: Hala's Sattasai* (Albany: State University of New York Press, 2009), 11

⁴V.V. Mirashi, "The Original Name of the GāthāSaptaśati", *Proceedings and Transactions of All India Oriental Conference, Thirteenth Session, Part II* (October 1946), 374

⁵V.V. Mirashi, "The Original Name of the GathaSaptasati", 371-373.

⁶V.V. Mirashi, "The Date of the Gathasaptasati", *Indian Historical Quarterly*, Vol. XXIII, Issue 4 (1947), 301-304

⁷D.R Bhandarkar, "Vikrama Era", in *RG Bhandarkar Commemoration Volume* (Delhi: Bharatiya Publishing House, 1977), 189

was composed by Hala himself and later was added to by various kings and princes⁸.

It has been established that the text was composed in peninsular India because of its frequent association with the elements of peninsular India⁹. Keith places the anthology between 200-450 CE and opines that although the text is set in rural area, it was not a folk poetry since the language of the text is artificial¹⁰

Another study posits the anthology as being older than Bāṇa's *Harśacarita*¹¹. The text has been seen as an anti-type of the Kamasutra and it is been recognized that the two texts were contemporaries. Given that the Kamasutra was composed around the third century C.E, it has been thought that the Gathasattasai also belongs to an almost similar period. Beside some of the poems being attributed to Hala, there are a number of poems being attributed to the Vakataka and the Rashtrakuta kings, which succeeded the Satavahanas in South India between the second and the fifth centuries, thus establishing certainly that the text originated in South India and therefore was attributed to the Sattavahana king of the first century CE¹².

This treatise is written in Maharashtri Prakrit language. This Prakrit language is different from the Prakrit used in the Nanaghat and Nasik inscriptions which were

⁸LienhardSeigfried, A History of Classical Poetry Sanskrit-Pali-Prakrit ,Wiesbaden: Harrassowitz Publishing House, 1984, 81

⁹LienhardSeigfried, A History of Classical Poetry Sanskrit-Pali-Prakrit , 81

¹⁰A.Berriedale Keith, A History of Sanskrit Literature ,Delhi: MotilalBanarasidass, 1993, 224

¹¹Tieken Herman, "Old Tamil Caṅkam literature and the so-called Caṅkam period", The Indian Economic and Social History Review, 40,no. 3 (October 1,2003), 253

¹²Tienken Herman and Peter Khoroché, 8-9

meant to be understood by common people, which means that the Prakrit language of the anthology was bound by rules of grammar¹³.

Prakrit as a language is usually seen as a vernacular language, as opposed to Sanskrit which is seen as a ‘court’ language by contemporary South Asian scholars¹⁴. The text is written in Arya Meter, which contains twelve matras in the first and the third padas or sentences, fifteen in the fourth and eighteen in the second. The matra is the time gap needed to produce a short vowel. The time gap to pronounce long vowels is exactly twice the short vowels¹⁵. This leads him to conclude that the Sattasai was significantly influenced by Tamil poetry.

The Gathasattasai has been classified as an anthology based on its multiple authorship.¹⁶ The text has been said to be a “collaborative” work, where Hala is the compiler of the text. Anagha Anil Kinjavadekar has tried to see the relationship between the Gathasattasai and its author(s). She argues that the popularity of the text was not because its author was Hala, a monarch, but because the text itself was capable to find an audience and popularity given the fact that it was used as an example of literary aesthetics in later grammatical treatise in Prakrit¹⁷.

When one reads the Gathasattasai, one can only wonder, why was the text written in Prakrit at a time when major treatises were written in Sanskrit? The answer probably lies in the nature of the text itself. The Sattasai is a text that deals with everyday lives of rural men and women. To make the sentiment of the poems more

¹³RadhagobindaBasak, The PrakritGatha-Saptasati compiled by Hala, Calcutta: The Asiatic Society, 1971, 1.

¹⁴Martha Ann Selby, “Desire for Meaning:Providing Contexts for the Prakrit Gathas”. The Journal of Asian Studies, 55, no.1 (Feb., 1996), pp 81-93, 82

¹⁵George L.Hart, The Poems of Ancient Tamil: Their Milieu and Their Sanskrit Counterparts (Berkley: Oxford University Press, 1999) , 202

¹⁶Anagha Anil Kinjavadekar “Constructing Gender and Interpersonal Relations in the Gatha Saptasati”, Unpublished M.Phil thesis, Jawaharlal Nehru University, 2017, 15

¹⁷Anagha Anil Kinjavadekar, “Constructing Gender and Interpersonal Relations in the Gatha Saptasati”, Unpublished M.Phil thesis, Jawaharlal Nehru University, 2017, 16

clear to the audience, and to give it a sense of the simple, rustic lives of the rural population, the text was probably written in Prakrit. This is not to say that it catered to only a rural audience. In all probability, the text catered to the urban population since the Prakrit was not a simple one, but the one that was bound by the rules of grammar.

The Gathasattasai has not been discussed by scholars extensively, which is why this part of the essay will be studied in the light of Herman Tieken and Peter Khoroche's translation of the text. Although R.G Basak's translation for the Gathasaptasati is also available, the themes in the text do not follow a pattern, which is why Tieken and Khoroche's translation has been used in the present study.

While comparing the Kamasutra and the Gathasattasai, we have to recognize that these two texts are very different from each other, although they are both erotics. The Kamasutra is written as a normative text, very similar to the normative texts of Brahmanism, particularly the Arthashastra. It sought to lay down rules or codes for sexual relationship between men and women. It sought to be the text written for one of the threefold paths, the path of Kama (Manusmriti for Dharma, Arthashastra for Artha). The Gathasattasai on the other hand is a poetic text. As such it has no intention of trying to prove one aspect of life as better than the others like the Sanskrit texts discussed here. It is purely a poetic literary work that is more concerned with the expression of human emotions regarding love and desire, rather than mechanically describing them. We will come to this later.

By looking at the texts closely we can see the way gender relations and women's sexuality was perceived in these texts.

THE KAMASUTRA

The Kamasutra is divided into seven books. The first is about general observations, under which there are five chapters. The Second is about sex, which is further divided into ten chapters. The third is about Virgins, under which there are five chapters. The fourth is about Wives, under which there are two chapters. The fifth is about Other Men's Wives, under which there are six chapters. The Sixth is about Courtesans, under which there are two chapters and lastly, the Seventh is about the Erotic Esoterica, under which there are two chapters. Each book is divided into chapters which are further sub-divided. What one can observe here is that the book has the largest number of chapters is of course the book about sex. After that come the book concerning Virgins, Other Men's wives and Courtesans. The least number of chapters are in the books concerning Wives and Erotic Esoterica, perhaps showing the importance and the level of work required in order to understand the topics discussed.

According to Thomas Trautmann, of the seven books, books 2, 6 and 7 are distinct from the books 1, 3, 4, 5 and 6, which presented a homogenous core. The former three books were perhaps a later addition to the text, since they are different from the latter three books, and therefore distinct from each other¹⁸.

The Kamasutra aims, it seems, to be the text for the Kama (pleasure) in the threefold order of human life; Dharma (the Manusmriti), Artha (the Arthashastra),

¹⁸ Thomas Trautmann, Kautilya and the Arthashastra: A Statistical Investigation of the Authorship and the Evolution of the Text, Leiden: Brill, 1971, 188-190.

and Kama (the Kamasutra). The justification for writing this text is given by Vatsyayana, according to whom, human beings being different from animals, have sex not only for reproduction but for pleasure, and as such the means to acquire this pleasure should be codified¹⁹.

The Kamasutra is written both in prose and verse form, which are often in opposition to each other. The verse usually is in opposition to the prose form, probably because in a society where education was limited to upper-caste men, the Kamasutra was orally transmitted, and verses were more easily orally narrated than the prose section, which had to be read. As such, the methods and practices written in the prose section, which had the probability of being opposed to were not available to all, thereby reducing the chances of falling into disfavor of the society. The style of Vatsyayana giving the male and female partners the names nayaka and nayika respectively, has been analysed by Sanjay Gautam in his short essay, where he says that the “*Kamasutra was perceived as a theatre where the man and the woman had to play roles in an amorous relationship, as if almost inventing or constructing a role, because the pursuit of pleasure-love carries one beyond the circle of identity*”²⁰.

GENDER RELATIONS AND SEXUALITY IN THE KAMASUTRA

When it comes to reading the Kamasutra, we have to be very well aware of the fact that this was a text written by men and for men. The Kamasutra sought to be one of

¹⁹Wendy Doniger, SudhirKakkar, translated VatsyayanaKamasutra, New York: Oxford University Press, 2002,9

²⁰Sanjay Gautam, “The Courtesan and the Birth of Ars Erotica in the Kamasutra: A Brief History of Erotica in the Wake of Foucault”, Journal of the History of Sexuality, Volume 23, no.1 (January 2014), 11-12.

the texts of the triad of Dharma, Artha and Kama, which is why it is written from an upper-caste/class patriarchal point of view. As we will see later in the chapter, despite there being lesser emphasis on the Brahmana man than the former two texts, the text definitely tried to prescribe the activities of an ideal wife, perhaps taking an understanding from the other two texts.

The first thing that appears in the Kamasutra is the need for women to read the text. Vatsyayana seems to communicate that women needed to read the Kamasutra. But there is clearly an emphasis on the reading of the text by the women of the upper section (class) of the society, since they probably needed more understanding of the text. Therefore he writes *there are also women whose understanding has been sharpened by the text: courtesans de luxe and the daughters of kings and ministers of state. A woman should therefore learn the techniques and the text, or at least one part of it, from a trusted person, in private*²¹ But what is important here is that there was a limitation to women's access to knowledge because she could do so after marriage only if her husband allowed her to do so²². The text therefore was clearly accessible to women who belonged to an important part of the society. Whether it was also accessible to laywomen is not known. When one reads the text, it is understood that women gained the knowledge about the book indirectly, only from other women and after marriage, only with the permission of her husband.

The text is written in the prose and verse form. The verse form was probably to give a summarized knowledge, often oral, to those who did not have access to the prose form, and hence, could not compare between the two, i.e., the women, the

²¹Doniger, Kakkar, ed., translated, VatsyayanaKamasutra, 13-14

²²Doniger, Kakkar, ed., translated, VatsyayanaKamasutra, 13

men who belonged to rural areas. Thus, Kumkum Roy rightly states that the text was inaccessible to most men and all women²³.

The knowledge of the text is beneficial for women, only as far as she is concerned about keeping a man in her life; otherwise, it seems that it is concerned not so much about enabling a woman to look after herself. Only in a dire consequence, that is when she has no man to look after her, she uses these sixty-four arts for survival. Thus he writes, “*A courtesan who distinguishes herself in these arts and who has a good nature, beauty, and good qualities, wins the title of Courtesan de Luxe and a place in the public assembly. The king always honors her, and virtuous people praise her. Men seek her, approach her for sex, and she is a standard for other courtesans to strive for. The daughter of a king or of a minister of state, if she knows the techniques, can keep her husband in her power even if he has a thousand women in his harem. And if she is separated from her husband and in dire straits, even in a foreign land, by means of these sciences she can live quite happily*”²⁴. Two things call for our attention through this passage; one, the well-being of the courtesan de lux through the use of these arts, and two, the keeping of a husband by a woman, more specifically a woman who belonged to an affluent part of the society.

Women in the Kamasutra are seen only in relation to the men. They are differentiated from the men and from each other according to the way they were related to the men .The division of men in the Kamasutra is according to their differential access to property or wealth. The Nagaraka, who has a lot of wealth, the libertine who has very less wealth, much lesser than that of the nagaraka, and

²³Kumkum Roy, *The Power of Gender and Gender of Power: Explorations in Early Indian History*, New Delhi: Oxford University Press, 2010,333-334

²⁴Doniger, Kakkar, ed., translated, *VatsyayanaKamasutra*, 16

the pander who has no wealth at all. Yet, they have cultivated manners and are respectable. This is not, however true when it comes to women. The Nayika of the Kamasutra did not play the same role as that of her male counterpart. In fact, she is described according to the sexual acts she performed and obviously did not carry out the activities or had the same lifestyle as that of her male counterpart, the Nayaka. What differentiates women from men and from one another is, whether they are accessible to a single man, to two men, or to all men²⁵.

The men in the Kamasutra are considered to be a homogenous entity, the Nagaraka, who was rich, and the initiator of all sexual acts. Women, on the other hand, were differentiated on the basis of their sexual activities, and on the basis of how they were related to the Nagaraka, whether they were virgins, or “second-hand” wives, or prostitutes. There was a differentiation between the prostitutes as well. There were three classes of courtesans; she who lives as a man’s concubine (Eka-parigrahā), she who resorts to more than one man (Aneka-parigrahā), and she who carries miscellaneous trade and attaches herself to none (Aparigrahā). Then there was another group of prostitutes which included the woman in charge of the brothel (Kumbhadāsī), the female attendant (Paricārika), the secretly and openly unchaste women (Kulatā and Svariṇī), the female artisan (Śilpakārikā), the woman who has openly left her family (Vinastā) and the regular courtesan (Gaṇikā)²⁶.

One of the first things seen in the Kamasutra, and perhaps the most striking is the fact that the text recognized and differentiated the sex for procreation and sex for pleasure. The text also seems to reiterate the Brahmanical male notion that having

²⁵Kumkum Roy, *The Power of Gender and Gender of Power...*, 324-342

²⁶ N.N Bhattacharya, *History of Erotic Indian Literature*, New Delhi, MunshiramManoharlal Publishers, 1975, 79.

sex with a wife of one's own class/caste is the means of producing sons; the idea that is central to Brahmanism. The aspect of pleasure is denied to high-caste women by the Kamasutra because the duty of these women is producing of sons and should not entail pleasure. Thus it says *“Pleasure enjoyed according to the texts, with a woman who is of the man's own class, and who has not been with another man before, is a means of getting sons, a good reputation, and social acceptance. But with women of higher classes or with women married to other men, pleasure will achieve none of these things, and it is forbidden. And it is neither encouraged nor forbidden with courtesans, second-hand women, and women of lower classes who have not been expelled from society, because the only purpose of such liaisons is pleasure”*.²⁷

The Brahmanical understanding of women being the private property of men is present in the Kamasutra as well. Thus daughters were seen as *“any other piece of merchandise”*²⁸. The Kamasutra also gives a description very similar to the one given in the Manusmriti and the Arthashastra of the kind of girl a man must marry. He courts the girl who would make an ideal wife. The girl that the nagaraka thinks of marrying her must be perfect on all accounts. Similarly there is a long list of undesirable qualities in a girl and the text warns a man against marrying such women. A girl who was promiscuous or pregnant was also considered to be undesirable²⁹. It is interesting because being promiscuous was the only thing that a man in the Kamasutra is accomplished at, because at least in the text, there is no mention about the way in which the nagaraka earned his livelihood, and his whole day is spent on activities that would ultimately culminate in him having sex with

²⁷Doniger, Kakkar, ed., translated, VatsyayanaKamasutra, 22

²⁸Doniger, Kakkar, ed., translated, VatsyayanaKamasutra, 77

²⁹Doniger, Kakkar, VatsyayanaKamasutra, 75

women, or being given oral sexual pleasure by his male friends or eunuchs in the salon.

We cannot deny the fact that given that the Kamasutra was a text written by a man in an extremely patriarchal society, violence against women definitely existed, and no matter how liberated the text is seen as, it has violence in it; a violence against women, that was seen as and was considered to be an innate aspect of love-making. This violence was also seen as a submissive act to arouse the passion of a man and keep it ignited throughout. There are certain instances where an act is forced upon a woman. For instance kissing it is said *“When he grasps her by force and she places her mouth on his mouth but does not move, that is called the 'casual' kiss”* or when the apparent reluctance when the woman says *“Mother! 'Stop!' 'Let go!' 'Enough!’”*³⁰, it is taken as an expression of sexual pleasure.

Forceful kissing is a part of the Kamasutra and there are plenty of instances where a man forcefully kisses a woman. *“When the woman is lying on the bed, the man distracts her attention, as it were, with conversation and loosens her waistband. If she argues against this, he overwhelms her by kissing her cheeks”*³¹.

Like we have already seen, the process of love-making had a fair amount of violence in it. Beatings were a part of it. The man is shown beating the woman until she sobs and there were procedures of slapping and beating as well. It was recognized as an aid to the give pleasure to the woman. Women are seen as naturally shy and tender/weak and the natural instinct of the man were considered to be roughness and ferocity, due to which he inflicted beatings on the woman. In

³⁰Doniger, Kakkar, Vatsyayana Kamasutra, 42-43, 57

³¹Doniger, Kakkar, Vatsyayana Kamasutra, 61

the part where the woman is seen as playing the “role of the man”, she is also shown as beating him, but is shown to be embarrassed and she “wishes to stop”³². In the quarrels between lovers, the woman is shown as the angrier and the less-understanding among the two, while the man tries to pacify her by keeping his cool the entire time, but, Dattaka is referred here by Vatsyayana, “*even if she is very angry indeed, she does not actually go beyond the door, because then she would be at fault.*’ For when she has been properly won over, still at that spot, she wishes for reconciliation; and even when she has been reconciled, she pummels him, as it were, with harsh words, but she wants to make love with her reconciled lover, and the man embraces her”³³. Thus the woman is angry, but at the same time wants to make love. Her anger does not cross the door. This is what Kumkum Roy calls limiting the woman’s expression of anger. In an interesting analysis she says that while violence is seen as an intrinsic to masculine sexuality, a woman’s anger was permissible within limits, and she was expected to go to the door and cry and permit the nayaka to conciliate her³⁴. Violence is prescribed to bring in control the woman who has a fierce sexual appetite, for instance, the women of Kosala that is ruled by women, they have to be slapped hard³⁵.

Vatsyayana also list the drugging and taking the virginity of a woman who does not respond to the man’s proposals and then marrying his victim or kidnapping a woman by frightening her and then marrying is seen as an unfortunate but acceptable form of marriage. This can be seen when it is written “*And on festivals*

³²Doniger, Kakkar, Vatsyayana Kamasutra , 57-61

³³Doniger, Kakkar, Vatsyayana Kamasutra, 73

³⁴Kumkum Roy , The Power of Gender..., 329

³⁵Doniger, Kakkar, Vatsyayana Kamasutra, 53, 49

such as the eighth day of the waning half of the month in autumn, her foster-sister gives her an intoxicating drink and, on the pretext of something that she herself has to do, brings her to the man in an accessible place. There, when the drink has made her unconscious, he takes her maidenhead, and so forth, and marries her. Or when she is sleeping alone (because he has kept her foster sister away), while she is unconscious, he takes her maidenhead, and so forth Or when the man finds out that she has gone to another village or to a park, he comes there with a strong force of helpers and frightens off or murders the guards, and carries off the virgin."³⁶The type of rape that we now call sexual harassment is taken for granted by Vatsyayana, who describes men in power who can take whatever women they want: *'the man in charge of threads may take widows, women who have no man to protect them, and wandering women ascetics; the city police-chief may take the women who roam about begging, for he knows where they are vulnerable, because of his own night-roamings'*³⁷. Therefore, a man in power could subdue and rape a woman who he was supposed to be protecting. Administrators similarly could rape women without any qualms. Widows, women who have no men and ascetics have one thing in common, that is, they have no man who could protect them from these administrators. Women who resorted to begging had no power, economic or otherwise. Powerful men could rape women when they went about doing their chores, meaning even while doing their daily chores they were not safe from men in power. Women were also to satisfy the King sexually if they wanted their husband to be favoured by the king or wanted them to gain employment or protect them from an oppressing minister. A man in power could forcefully take a woman if she was unwilling to do so by seizing her and making her into a servant woman and forcing her into the harem. She would also be made vulnerable by presenting

³⁶Doniger, Kakkar, Vatsyayana Kamasutra, 92-93

³⁷Doniger, Kakkar, Vatsyayana Kamasutra, xxxi

her husband as a danger to the king and in the pretext of punishing him took his wife and forcefully put her into the harem³⁸.

In short, the administrators, Kings and their sons could rape women who were vulnerable and had no men to protect them, and it was not an unusual happening, since there is no deterrence on Vatsyayana's part while describing this, like when he justifies certain activities that were prohibited in the Dharma texts, meaning they were accepted by him and was probably accepted in the society that he lived in.

Another that must be noticed is the way a servant girl is used by her master to gain profit. He kept the servant after she matured and kept her away from men for a year, and when the men got desperate to acquire her, she was then given away for a handsome price. The daughter of the courtesan was also sometimes given hand in marriage for a price and sometimes it was done forcefully and the mother assisted the men to take the girls virginity³⁹. Therefore young servant girls and the daughter of courtesans had to face the wrath of being treated a subjects much more than their counterparts higher up in the society.

There is an insecurity about the sexual appetite of a woman and the fear that a woman who is big for a man or has a fierce sexual appetite and will entrap him into her vagina which is called the "Mare's Trap"⁴⁰. Women's sexuality as a vehement one is seen in the Kamasutra. Thus the text says says "*a woman does not consider religion or the violation of religion; she just desires*". However the Kamasutra differs from Brahamanical texts in one aspect. Women are seen as capable of controlling their desire because of some considerations. The sexual attraction between men and women is considered mutual, not something that is

³⁸Doniger, Kakkar, Vatsyayana Kamasutra ,124

³⁹Doniger, Kakkar, Vatsyayana Kamasutra, 161-163.

⁴⁰Doniger, Kakkar, Vatsyayana Kamasutra, 49

limited only to only the man or the woman⁴¹. Adultery therefore is seen as something that is initiated by men rather than women. This was mostly because the text tried to prescribe men on how to initiate sexual relationships with other women.

Lesbianism is seen in the Kamasutra and is shown to be put to use where one man could not look take care of the sexual desires of all the women in his harem. Women dressed up their foster-sister or servant women as men and then made use of tubers and bulbs and fruits and vegetables of that shape and employed sexual techniques on each other for fulfilling their desires⁴². Instances of fellatio are far more prevalent and are seen as acceptable when employed by the man-about-the-town on his friends and each other. This was done as an act of friendship to give each other pleasure. The masseur engages in fellatio with the man-about-the town is considered to be a queer, but the former who receives it, is not a queer. . This act of fellatio by woman again is class specific and hence it is written “*Promiscuous women, loose women, servant girls, and masseuses also perform oral sex*”⁴³. The approach to the act of fellatio performed by men on men and women on women therefore is very different. While it is sometimes permitted for men, it is never permitted to the women⁴⁴.

The reason why same-sex love between women and between men is different is because of the difference of the situation due to which such sexual practices took place and the necessity of those acts. Same-sex love amongst women mostly took

⁴¹Doniger, Kakkar, Vatsyayana Kamasutra, 104.

⁴²Doniger, Kakkar, Vatsyayana Kamasutra, 125-126

⁴³Doniger, Kakkar, Vatsyayana Kamasutra ,68

⁴⁴Doniger, Kakkar, Vatsyayana Kamasutra, xxxvi

place in the harem where women were not paid attention to by the man of the house and obviously could not fulfill their sexual desires, because of which they had to satisfy their sexual desire with the help of other women of the harem. In case of men, practicing fellatio on each other was not because of the lack of attention by the woman of the household, but because of the purpose of gaining pleasure. Nowhere in the text is it mentioned that the man-about-the-town had to resort to fellatio techniques because he could not establish sexual relations with women. Therefore, men gaining pleasure from other men was not because they had no other way out, but only for sheer pleasure, unlike women.

Now let us come to the most interesting chapter of the Kamasutra, that of the courtesans. Interesting because the chapter was written on the request of a courtesan in Pataliputra to Dattaka so that the courtesans could learn how to give pleasure to men and according to Kumkum Roy, this formed the core of Dattaka's text which might be a hint at the appropriation of various texts by the Kamasutra. This part of the text is somewhat different and does not fit well into the rest of the text since in other parts of the text, the Nagaraka is the centre of a universe that includes his heterosexual partner, and in this section the focus shifts from the Nayaka to the Ganika. The focus of this chapter is on artha or profit, although, sexual pleasure is deemed important. Therefore Roy considers the possibility that this book was derived from courtesanal lore and practice⁴⁵. The book is divided into six chapters and has twelve sections.

Vatsyayana seems to understand that the main motive of a courtesan should be gain or profit and therefore she acts in such a way that she makes sexual pleasure appear as if it was out of desire and not just greed. Making profit is the most

⁴⁵Roy, *The Power of Gender...*, 113-114

important aim although love was considered to be important as well, but the profit according to Vatsyayana should not be hampered by love. In the second chapter of the book, it is shown how a courtesan shows that she loves her lover truly and behaves like an only wife of the man, doing all the things for him that an only wife would do. But she does not become too attached to the lover and one escape route for her to not go to a man is to say that her mother does not let her do so. In saying that the mother of the courtesan controls her life, was probably a way in which a courtesan could leave a man with whom she has become too attached and go to another man. In showing that her mother controlled her expenses, it may have been an indirect way of telling the man that he must pay for the services she had given, because telling him directly would not be appropriate. Similarly, when she went to other men, she could give the excuse that her mother forced her to do so. The mother was thus the only person citing whom a courtesan could extract money from her lover and not be seen as greedy at the same time. Since this book is written for courtesans, the main motive is to show them how to extract money from men. The courtesan is also advised to get rid of a man who is of no financial gain to her. The verses at the end of the third chapter state *“The work of a courtesan is to test lovers and then join with them, to enchant the man she joins, to get money from the man she has enchanted, and at the end to release him. A courtesan who manages a liaison according to this method is not cheated by her lovers but makes piles of money”*⁴⁶.

⁴⁶Doniger, Kakkar, Vatsyayana Kamasutra, 147

Thus making it absolutely clear that the only motive of a courtesan is to enchant a man, extract money from him and then rid herself of him.

It also seems that Vatsyayana tried to make it easier for the courtesan to decide on various kinds of profit, advising them to accept gold as the highest form of payment, a rich and generous man, instead of choosing a man that loves the courtesan and advises her to choose ways of getting money instead of preventing losses. Vatsyayana also advises the courtesans on the reasons for losses and the ways to prevent them. When there is a doubt about money, religion or love, a courtesan's foremost motive should be money according to the text.

However, courtesans were not a homogenous category, like we have already seen. These were the servant woman, the woman who carries water, the promiscuous woman, the loose woman, the dancer, the artist, the openly ruined woman and the courtesan de luxe.

The sexuality of the only wife and that of the courtesan stand in sharp contrast to each other. While the former acted out of love and consideration for her husband's well being and religion, and not for her pleasure as much or material gain, the courtesan stands at the opposite end of the spectrum. The absolute patriarchy of the text can be seen in the way it treats the only wife, while it can be seen in a relatively liberal manner where the courtesan is involved. While it may be possible that the book on courtesans was a different book and was appropriated by the main text, it is also possible that the courtesans were treated better because they were one of the main sources of income of the state, and the more they earned profit from their clients, the greater income of the state would be. The similarity in form between the Arthashastra and the Kamasutra has been emphasized upon by scholars such as Doniger, Roy, etc. Given the accepted view that Vatsyayana wanted the Kamasutra to be a book of Kama, like the Arthashastra was a book of Artha, and the Arthashastra recognizes the importance of the income from the courtesans in general

and courtesan de luxe in particular and the fact that the text also considered the Ganika to be the pride of the kingdom, it may not be surprising that the Kamasutra encourages women to be concerned only about Artha and not about love. It could also be that the absolutely different stance of the Kamasutra on the courtesans compared to the way it treated other women in the text maybe because the work that women (wives) did in the household did not bring in any income for the state, while that of the courtesans did, and in a considerable way.

THE GATHASATTASAI

The Sattasai is written in a rural backdrop. The elements of the poems in the anthology are of typical rural nature, describing the lives of villagers, their everyday lives and activities. Keith in 'A History of Sanskrit Literature' says that "the anthology has a spirit of closeness to life and common realities which are hardly found in Sanskrit literature". However, this does not mean, according to him, that the Sattasai is a folk poetry since the dialect is artificial, even more than that of Sanskrit in some ways and is the work of the poet(s) who wished to express the feelings and to describe the externals of the people of the land like the cowherds, the hunter, the girl who tends the garden, etc. The prevailing tone of the poems is gentle and simple⁴⁷. While Lienhard to an extent agrees that the tone of the poem is rural in nature, he believes that the poem was not written by people who lived in the village because the erotic nature of the text was not in any way simple or unconventional and it shows a refined and sophisticated sense of poetry that followed a set of patterns and obey strict literary rules which are a product of

⁴⁷Keith, A History of Sanskrit Literature, 224

the long period of development, and show a sure sense of taste. Moreover these poems, like all the Kavya literature, were written by poets whose audiences were not the common people but a small section comprising of the educated urban elite⁴⁸.

The anthology has usually been seen as the anti-type of the Kamasutra. My objective is to make a comparison between the two texts and see how similar to or different from each other.

GENDER RELATIONS AND WOMEN'S SEXUALITY IN THE GATHASATTASAI

The gender relations portrayed in the Sattasai is different from the Kamasutra and Brahmanical texts like that of the Manusmriti and the Arthashastra, perhaps owing to its different region of origin (the Deccan), and hence being less influenced by the Brahmanical notions of women and their sexuality.

To begin with the Sattasai is not concerned with women as dangerous entities on the account of their sexuality. Sexuality in the anthology is not concerned with only women or men; rather it is seen from the point of both men and women. Love and sexual relations are seen as a mutual feeling. The Gathasattasai is much more nuanced in terms of depicting human emotions realistically, rather than what one should or should not do in sexual relationships.

The anxiety of getting daughters is present in the Sattasai as well. This is seen from the perspective of the parents of the daughter rather than the perspective of men. It therefore does not prescribe the kind of girl men must marry.

Girls were bound within their households, but this did not prevent them from having sexual relations with men. One poem gives an example of this:

⁴⁸Lienhard, A History of Classical Poetry... ,91

“Like a bird in a cage; Moving from one gap to the next; With trembling eye; She peeps through the fence; As you walk past”⁴⁹.

There is an emphasis on the virginity of girls while getting married. But this virginity is not seen as something that is sacred, because it provides us with many instances where girls established sexual relationships with boys before their marriage. *“Embarrassed By the girl losing her virginity; A flock of birds; Flies up from the bushes by the river; Seeming to say “Ah! Ah!” with their wings”⁵⁰*

The Sattasai here gives agency to women to decide who they want to establish sexual relations and when.

Themes of love between the husband and the wife occupy a great detail in the Sattasai. Certain themes like kissing, scratching, biting and nail-marks are common to the Sattasai and the Kamasutra. There is however no mechanical way of its expression in the Sattasai, unlike the Kamasutra.

One feature of the Sattasai that stands out is the remarkable presence of women’s voice throughout the anthology. They describe their feelings in most part of the text. This voice is not limited to one woman, but also includes the go-between, the friends of the woman, the parents as well as the mother-in-law, aunts, etc.

Women are seen as assertive in the Sattasai. They decide whom to love or whom to keep sexual relations with. Wives are seen as keeping sexual relations outside their marriage and the way they make it happen, and the Sattasai is non-judgemental about this. Although a woman is under the watchful eye of her mother-in-law, she manages to have an affair with other men. She can thus bring another man into her

⁴⁹Peter Khoroché and Herman Tieken, *Sattasai*, 28

⁵⁰Peter Khoroché and Herman Tieken, *Sattasai*, 41

house in the presence of her husband or can go outside the house. She can also commit adultery in the absence of her husband. Women's adultery is not just limited to just men outside the household, but also included their Brother-in-Laws. This is seen when it is written *"Before her husband's eyes; The brazen woman passionately kissed his brother's mouth.; She said she did so because he'd said; That her mouth smelt of drink"*(This in itself is a defiance of the normative Sanskrit texts according to which the brother-in-law must treat his sister-in-law as a mother, and the two must not keep any relationship arisen out of lust. See the Manusmriti and the Arthashastra). This is neither seen as right or wrong. There are no repercussions for such an act and the text even seems to give a reason why wives become unfaithful to their husbands, which is remarkable in itself. *"The reason why your wife is faithful; And we are unfaithful to our husbands; Is obvious, my dear: There isn't another young man like you"*⁵¹.

Women's sexual pleasure and their experience in the act of love-making gets detailed attention in the Sattasai. *"The wife who had already reached her climax; But did not realize that that was the end of that; Remained in a state of excitement; Expecting something more"*⁵². The text gives importance to sexual pleasure in a way that no other text in the purview of this paper provides. Thus, women in the Sattasai are not seen only as child-bearers and producers of children, but as equal partners in the act of love-making. Aspects of caste/class do not get attention in the text. The importance of sexual pleasure for women and the way it is done is same for women of all classes (farmer's wives or wives in general).

⁵¹Peter Khoroché and Herman Tieken, Sattasai, 135

⁵²Peter Khoroché and Herman Tieken, Sattasai, 89

However the Sattasai also shows how the perfect wife behaves. This does not mean that it lays down rules about how a perfect wife should behave. The good wife according to the Sattasai was the one who loved her husband and refrained from causing him embarrassment even though he was impoverished, refused presents from her rich maternal family, and put a smile to her husband's face.⁵³

The Sattasai defies one rule of the normative Sanskrit texts vehemently; the prohibition of sexual union between the man and the woman during menstruation. Like it is already seen in the first chapter of this paper, menstruation was considered to be impure and dangerous to men, with repercussions for men who transgressed sexual boundaries with menstruating women. The Sattasai, in total opposition shows us the excitement of making love with a menstruating woman. As an outright expression of its rejection of these boundaries one poem says "*Once in a month; The God of Love, fully armed,; Resides in women whose clothes are stained; Whose hair is tied in ugly braids; And whose cheeks are pallid*⁵⁴". Menstruating women are shown as more attractive than usual instead of impure or dangerous using the metaphor of the God of Love (Kamadeva) residing in a woman.

Women in the Sattasai were both educated and uneducated. This can be explicitly seen in two verses, "*Each time she tries to write a letter ; To her husband on his travels ; The drops of sweat running down her pen; Blot out the syllables of his dear name*". Here it can be seen that the woman could write, but due to her anxiety of separation from her husband could not do so. "*I can't even finish the word*

⁵³Khoroche, Tieken, Sattasai, 85

⁵⁴Peter Khoroche and Herman Tieken, Sattasai, 85.

*“Dear.” Friend, tell me, ; How can I write the rest of my letter?”*⁵⁵. In this verse, the woman wants to write a letter to her husband but cannot do so because she being uneducated, cannot hold the pen to write the letter properly.

Women in the Sattasai, however, are not seen as a homogenous entity, and are in fact, very different from each other, in terms of their activities, their relationship with their lovers and husbands, as well as the other members of the family, including the mother-in-law, the brother-in-law and the father-in-law, as well as their aunts and friends and mothers, and the way they behave in various scenarios. Violence against women in the Sattasai is not frequent, but it does appear in the form of kidnapping. The relationship that a hostage woman has with her kidnapper has various dimensions. The kidnapper is infatuated towards the hostage and sometimes the woman too is attracted towards him. She is also sometimes confident that her husband will come and rescue her and therefore mistakes a thunderclap for the twang of her husband’s bow⁵⁶. An aspect of indirect sexual harassment is seen in the Sattasai when the brother-in-law of a woman makes sexual advances towards her and she cannot voice her concerns about it thinking about the integrity of the household. The only measure to which she can resort is to reject the brother-in-law’s advances is through the narration of the respect that Laksmana had towards Sita⁵⁷.

The Sattasai has no mention of even same-sex attraction, let alone same-sex love, probably because it was an anthology of poems showing specifically the emotional

⁵⁵Peter Khoroché and Herman Tieken, *Sattasai*, 154-155

⁵⁶Khoroché, Tieken, *Sattasai*, 141-142

⁵⁷Khoroché, Tieken, *Sattasai*, 97

aspect of love between men and women, or perhaps because such same-sex love was not accepted by the targeted audience of the Sattasai.

The Sattasai contains no specific references to the courtesans probably because courtesans were the most defining aspect of a town or a city, the Ganikas often being described as the jewel of the city entailing a punishment by death, should they be harmed (See the Arthashastra, Mricchakatika), and the Sattasai being a text written against a rural backdrop, naturally did not make any references to courtesans. The women who had sexual relationships with men who were not their husbands usually were women who had affair with other men or their mistresses. The specificities of carrying out trade through sex do not find mention in the Sattasai

THE COMPARISON

The Sattasai can be seen as the exact opposite of the Kamasutra. This difference almost seems intentional in many places. Although both the texts are erotic in nature, the Kamasutra writes about what should and should not be done in a sexual relationship between a man and a woman, the Sattasai discards all the rules and sees it from an emotional point of view, rather than the point of view of laws and rules.

Like we have already pointed out in the beginning, this difference is there between the two texts, despite having the same themes because they belonged to completely different genres. The Kamasutra was a normative text, with the codification of

rules and laws for the matters of sex, and the Sattasai was a poetic text. The Kamasutra provided its readers with theory on the matters of sex and love and the Sattasai showed how love and sex were actually in practical life. This difference can also be attributed to the writers of the texts. Vatsyayana claims that he is a celibate Brahmana and that he gained his understanding not through his experiences but through the experiences of others. His purely mechanical approach towards sexual relationships in the Kamasutra could have been because of his celibacy. The Sattasai on the other hand was written by common people on the basis of their own experiences, thus giving the Sattasai an emotional and practical perspective.

One of the first things seen in the Kamasutra, and perhaps the most striking is the fact that the text recognized and differentiated the sex for procreation and sex for pleasure. But this does not mean that the traditional role ascribed to women as being “good wives” and the giver of sons is not there in the Kamasutra. Therefore there is a clear distinction between son-givers and pleasure-givers. The Sattasai also does not mention anywhere that sexual activity has to take place for procreation and not for pleasure, although there are hints that the former was desirable. The Sattasai is also non-judgmental in the matters of love and sex. In the text sex and love is accepted the way it is, rather than showing the right way or making comments about it.

Sexual intercourse in the Kamasutra is almost always initiated by men, and women are seen as the passive recipients of sex. Each and every chapter in the Kamasutra focuses on how the man should make advances towards the women he decides to have sex with. These women are categorized as virgins, wives, which includes the principal wife and other wives, other men’s wives and finally the courtesans. The

erotic is presented as a sensation (for men) with direct reference to the female body which is perceived as inert, fetishized object of the male gaze.

Rather than being passive recipients of sex, girls in the Sattasai are seen as putting in a lot of effort for having sex with the boy of their choice. Girls are novices when it comes to having sex, but excitement and effort is seen as well, which is a total opposite to the Kamasutra.

The man who makes love to the virgin in the Sattasai is equally nervous about their meeting and is reluctant to initiate sex. He also is a novice sometimes and the girl bold rather than shy as can be seen from verse 58 that says

“Why waste your time with sweetwood flowers,

You silly?

Just pull the skirt from my hips.

Whom can I call to in this wood?

The village is a long way off

And I am all by myself”.

And verse 59 that says

“Even an old cow gives milk

At the touch of an expert milker.

My son,

You’ll have a hard time finding one

That gives milk

Merely at a glance”⁵⁸.

This is in opposition to the Kamasutra which assumes that the virgin is shy one and the man the experienced and the bold one. But the view that the virgin is always shy depends on the situation she is in. If the situation she is in is unfavourable, she

⁵⁸Khoroché, Tieken, Sattasai ,42

herself takes the task of marrying a suitable man and entices him by being near him at all times and displaying her expertise in sexual arts and showing this to him by means of scratching him or massaging him and by being with him in places she should not be⁵⁹. Such a situation is not there in the Sattasai. The virgin makes love to a man only when she loves him and not for any favours or for putting herself in a more favourable situation than she is in. also the girl in the Sattasai lives with her parents and her extended family, unlike the unfortunate virgin of the Kamasutra.

In the Kamasutra, when the man found this suitable virgin, she had to dress up and conduct herself properly because there would be people who would be eager to look at her, since according to the text *'she is just like any other piece of merchandise'*⁶⁰. One verse in the Sattasai that stands in contrast to the Kamasutra in this aspect is when it is written

*"Don't bother about your makeup, girl,
Just go to him quickly, while he wants you.*

Once his longing is over

*He won't give you a thought."*⁶¹The Sattasai thus tells us the exact opposite of what is written in the Kamasutra. The fact that the man is warned against making voracious sexual advances towards his wife for the fear that she would be a man-hater tells us that this must have happened in the society that Vatsyayana lived in, and the fact that forceful sexual advances creates fear and anxiety in a woman tells us of a different approach altogether, the one that is not given in the text.

⁵⁹Doniger, Kakkar, Vatsyayana Kamasutra, 88

⁶⁰Doniger, Kakkar, Vatsyayana Kamasutra, 77

⁶¹Khoroche, Tieken, Sattasai, 40

The Sattasai starts with parents getting anxious about their daughters once they grow up. They try to arrange her marriage before she could be the topic of gossip and rumours, thus showing the point of view of the girls' parents. The specific requirements of the desirable virgin are not found in the Sattasai.

The feeling of love longing and despair is seen in the Sattasai. Unlike the Kamasutra that takes for granted that women and men meet and make love, the Sattasai shows the difficulties involved in meeting the beloved and showing the love for them, with women and men employing sly techniques to get even a single touch or glance of their beloved, as can be seen some of the following verses

Have a care—;The poor girl, wearing a freshly dyed dress, ;Is distributing festival cakes from door to door;In the hope of catching a glimpse of you.

The festival of Holi was an occasion where a girl could touch her beloved or during the village fire where she could stand next to her beloved on the pretext of passing the bucket of water⁶². Likewise, it was equally difficult for a man to get a glimpse of his beloved. The Sattasai describes the meetings from the point of view of the girl and the ways she has to employ to meet her lover and make love. It usually involves the girl sneaking from her home in dark rainy nights to meet her lover. This is the first time she goes away from her home to make love to her beloved and is nervous. The text does not go into the details of making love to the virgin and the step by step techniques involved in taking the virginity of the girl like the Kamasutra does.

The act of making love gathers a lot of attention in both the Gathasattasai and the Kamasutra primarily because both of these are erotic texts. This aspect however is shown differently. There is no description of the men and the women according to

⁶²Khoroche, Tieken, Sattasai,34-35

the size of their genitals in the Sattasai, unlike the Kamasutra. The aspect of love making is focused upon rather than the details of what comes next and how it should be done. There is a direct jab at the sophisticated mode of love-making the Kamasutra shows, in the Sattasai when it is written that the love made with sophistication is not as *“rapturous as making love wherever and however with true affection”*(196). Also the Sattasai does not believe that women need not be instructed about love-making because anything can be learned by showing some love⁶³. The Sattasai does not follow a given set of rules when there is love-making involved and the Kamasutra tries to put each type of sexual activity generically. But the latter at the same time also accepts that when there is a passionate sex involved, no rules are followed. The Kamasutra says that these rules are followed only when men have dull sexual appetites⁶⁴. Going by this, the men and women in the Sattasai have passionate love-making habits, since rules do not hold true here. The Sattasai almost seems to go absolutely against the Kamasutra when it comes to the woman-on-top position of sex. Kamasutra says that being in such a position means that the woman plays the role of the man and it seems like the love-making session is almost a play of power, where she does all the acts that a man did to her⁶⁵. The Sattasai has a different take. More than a show of power, it hints that the man likes the position and it describes the pleasure of women, comparing them with Vidhyadhari (A god who flies around like a fly in the position). The Sattasai also indicates this as a necessity during certain times, like when the woman is pregnant. The text also encourages the act when it says that a young girl must be allowed to play bunny hops so that her thighs get strong enough to support her

⁶³Khoroché, Tiekén, Sattasai, 80

⁶⁴Doniger, Kakkar, Vatsyayana Kamasutra, 42

⁶⁵Doniger, Kakkar, Vatsyayana Kamasutra, 60-61

body when she makes love on top of the man⁶⁶. The woman's experience of reaching sexual climax is shown similarly in both the texts; Eyes closing, the body going limp and not knowing that the sex is over.

The scratching and biting during a sexual intercourse has been discussed in both the texts. The Sattasai does not place it according to its types or names but gives a real-life meaning to it. In the act of making love the intensity of desire is increased by biting and scratching. The traces left by nails and teeth are the measure of a man's infatuation, and consequently the wife had better not expose them unless she wants to make a laughingstock of her servile husband. At the same time scratches and tooth marks serve to reassure a mother, whose interest is in grandchildren and the continuation of the family line⁶⁷. The Kamasutra goes into the details of the kind of nail and tooth-marks that are and should be made during love-making, almost as if it was to be done mechanically. This mechanical part is left out by the Sattasai which recognizes that these nail and tooth-marks are things that happen in a natural way without involving much thinking. The embarrassment that a woman faces after the end of sex is shown in poetic and descriptive terms by both the Sattasai⁶⁸ and the Kamasutra⁶⁹ respectively.

Both the Kamasutra and the Sattasai employ the go-betweens to establish a sexual relationship with the desired girl or boy. In the former this go-between are the foster sister or the girl's girlfriends. "He treats the girl's foster-sister with the greatest love and consideration, for, if she likes him, even if she recognizes his intentions she does not warn anyone against him but works to unite him with the

⁶⁶Khoroche, Tieken, Sattasai, 82-83

⁶⁷Khoroche, Tieken, Sattasai, 76

⁶⁸Khoroche, Tieken, Sattasai, 90

⁶⁹Doniger, Kakkar, Vatsyayana Kamasutra, 62

girl. Even if she is not asked, she can be a kind of teacher, for even if she does not recognize his intentions, she advertises his good qualities because of her love for him, so that the woman he wants falls in love with him". He also lets the foster-sister know his sexual skills by teaching her the sixty-four arts⁷⁰. This foster-sister in the Kamasutra performs all the works of a messenger. This is the practical side of a messenger or a go-between that the Kamasutra shows in a very positive note and how they are helpful for establishing a relationship. The Sattasai on the other hand shows the other, more impractical but totally possible scenario. The Sattasai like we have already seen is not a manual of love but recognition of the emotions that are there in relationships. In this case the go-between friend of the girl falling in love with the man whom she was supposed to deliver the message to. Thus, she returns with bruised lips that are not from talking (138). Also she does not always deliver the message (135). The messenger is also shown hating herself for being the message bearer (136)⁷¹.

Most of the Kamasutra shows man taking the initiative of having sex with a woman, and not the other way round. While we have seen how a man could seduce a virgin girl in order to have sex with her, the way in which an only wife is treated, shows why the patriarchal Kamasutra outweighs the liberal one. The life of an only wife is depicted in a way which was in accordance with the normative texts. She was expected to do all the household work, look after her husband's relatives and treat her husband like god. She was also not to involve herself with beggars, religious mendicant, Buddhist nun and fortune-tellers and magicians. She takes his permission for going to any social gathering. She looks after his finances when he is not present. She is in other words, absolutely dedicated to her husband

⁷⁰ Doniger, Kakkar, Vatsyayana Kamasutra, 83

⁷¹ Khoroché, Tiekén, Sattasai, 61-64

and “*if she wants her man’s welfare, she adapts to his behavior*”. This does not hold true when it comes to the man, as it is evident that he did not have the same obligations towards his wife or towards his household and his relatives. He does not stop going to other women and the wife is to tolerate his infidelity, and should scold him but not too much. If the husband committed adultery by remaining married to the wife, it did not matter much and it seems that the only concern of the Kamasutra was that a wife should strive through her behavior to be the only wife of her husband. In the verse section of this chapter, Vatsyayana writes that the only wife can be a ‘second-hand’ woman, a courtesan or a woman of a good family, but if she wants to be the only wife, she should behave accordingly, which is in opposition to what he says in the previous chapter, that is the chapter on virgins, where he suggests a man to marry a virgin. Vatsyayna shows the dynamics of a household with many wives, showing how necessary it was to gain the favour of the husband to have a control over the functioning of the household. In the chapter on the life of a wife unlucky in love, he shows how a woman tries to show herself as the undecieving and loving wife for the sake of gaining attention from the husband, which would give her a degree of control over the household.

The second-hand wife, who was usually a widow, was a wife for the only purpose of pleasure. She chose a husband for experiencing pleasure. She did not marry for the sake of reproducing. She is however a woman who wanted to control the household and wanted to be treated like the master of the house. In short, she is seen as doing good work in the house for gaining power, unlike the wife, who took care of the house for the sake of her husband’s love.

Gaining a man’s favour is the most important for the women of the household, be it that of a common man or the king. The text shows the way a king decides who to sleep with at night. Having many women obviously meant there was jealousy

amongst the wives and all the wives strived continuously for the having the mastery over the household. The text therefore hints that women, who could have control over their husband, could have control over the household as well. Thus, the text seems to hint at the fact that women did not have control over the household until they had control over their husband. This indirect power over the household is one of the indicators of the existent patriarchal social system.

The fear of a new bride about establishing sexual relations with her husband has been shown both in the Kamasutra and the Sattasai. The Kamasutra gives elaborate description of how initiate a bashful virgin wife to sex. The bottom line is being patient and carrying out subtle sexual acts and finally winning her over⁷². The Kamasutra takes it for granted that the young wife is inexperienced and therefore fearful of establishing sexual relation with her husband. The Sattasai also shows this feeling of the young wife,

*“When he asks her a question
She does not reply,
When he touches her
She recoils,
When he kisses her
She starts to cry,
And when he attempts an embrace
His young wife’s silence
Makes him feel like a criminal”.*

She also wraps her skirt around her thighs⁷³. The Sattasai depicts much more subtle ways of trying to make love by the man. What makes it different from the Kamasutra, however, is its depiction of the man being inexperienced in the matter

⁷² Doniger, Kakkar, Vatsyayana Kamasutra., 78-79

⁷³ Khoroché, Tiekén, Sattasai, 67

of love-making and the woman being the experienced one, with the former's hand fumbling for the knot of her skirt (152), and finding it already undone(158). The man also asks the woman to teach him the art of love, he himself being inexperienced (154) and embarrassed on the wedding night (158)⁷⁴.

The only wife of the Kamasutra and the perfect wife of the Sattasai show that women were bound in the patriarchal mindset of the society both in theory and in real life. The Sattasai like we have already seen was an almost true depiction of the rural society, the Kamasutra that of the urban society and based more in theory. But one thing that binds them strongly is the expectation that was kept from women to be dutiful wives and daughter-in-laws. This has been discussed above. However, there is one point of difference. while the Sattasai probably written against a rural backdrop prevents women to step out of their houses, the Kamasutra says that the perfect wives look after the finance household, maintained and kept a track of income and expenditure and even took part in increasing the income of the household, obtained rare perfumes and spices, etc, all of which could not be done by remaining inside the threshold of the house.

The emotional implication of the husband bringing home another wife is given in the Sattasai, while the manner of conduct of the senior wife towards her rival is given in the Kamasutra. In the Sattasai, the senior wives try their best to remain attractive so that their husband pays attention to them, but owing to the youthful features of the young wife, fail, thus making them jealous. This jealousy is shown poetically in the text. However, this jealousy has been shown as a very natural reaction in the Sattasai. The Kamasutra on the other hand expects the senior wife to treat her rival as a sister, treating the latter's children as her own, with jealousy hidden underneath. The Sattasai being an anthology of emotions shows the first-hand feelings of the protagonist(s), which is perhaps the reason jealousy is shown

⁷⁴Khoroche, Tieken, Sattasai,68-70

more vehemently, regardless of the duties towards the junior wife. The husband in the Sattasai dallies with other women, much like the Nagaraka of the Kamasutra. The difference here is however, the grudging acceptance of the husband's relationships with other women. The wife vies for the husband's attention, even if it comes due to her suffering from fever⁷⁵, which is to an extent similar to the Kamasutra, since the women of the King's harem also had to struggle for such an attention. The emotional aspect of this cheating by husband has also been shown when he takes the name of his other mistresses, due to his confusion owing to his many wives and mistresses, withdrawing wrath from his mother and sarcasm from his wife⁷⁶.

Another aspect of the Sattasai which is similar to and different from the Kamasutra at the same time is the wife having an affair with other men. The women in the Kamasutra also resort to taking lovers, but their activities are justified in the text because it indicates that the women of the king's harem could not garner his attention and the lack of sexual life thus resulting to taking lovers by women. In places where the harem is not considered, it has been justified on the grounds of the husband's dull sexual energy, lack of attention, stupidity, etc. The Sattasai does not provide us such grounds. It does not provide the reasons for which a wife may take a lover.

The departure of the husband and the way it affects her husband is shown in great detail in the Sattasai. The married couple does not want to leave each other, but the man has to go or die of starvation which causes a great amount of grief to the wife. She grows thin so much so that people fear for her life, goes from house to house to ask how other women dealt with this grief, keeps an unkempt hair and hopes for

⁷⁵Khoroché, Tiekén, Sattasai, 109

⁷⁶Doniger, Kakkar, Vatsyayana Kamasutra, 113-114

her husband to return soon⁷⁷.. The Kamasutra in this regard says the way a wife must conduct herself when her husband goes away for trade. Giving elaborate details the Kamasutra writes “*When he is away on a journey, she wears only jewellery that has religious meaning and power, devotes herself to fasts dedicated to the gods, waits for news, and manages the household. She sleeps at the feet of older relatives and their people, and accomplishes her tasks with their approval. She goes to great pains to acquire and look after things that the man wants*”⁷⁸. While there is a similarity in the way of life of a wife whose husband is away from home, the wife of the Sattasai acts in such a manner out of longing and the brunt of separation from her husband and not due to the regard of the manner in which she has to act when her husband is away, which the Kamasutra outlines.

Another difference between the Sattasai and the Kamasutra is that the former shows a differentiation between village-dwellers and forest-dwellers, often implying that the latter are less intelligent than the former. This is shown when the Pulindas[i] are shown as foolish when they string their bows mistaking dark clouds for a herd of elephants. Another example is shown below,

The Pulindas brush pearls aside

But seize upon the guñja seeds

*The jeweler uses as weights*⁷⁹.

The Kamasutra makes no mention of such a lack of intelligence of non-urban people. The Sattasai gives us a detailed picture of the people in the villages and outside it and their everyday lives, including the dynamic of the husband and

⁷⁷Khoroche, Tieken, Sattasai 148-163

⁷⁸Doniger, Kakkar, VatsyayanaKamasutra, 97

⁷⁹Khoroche, Tieken, Sattasai, 180

wife/wives. There are verses that describe the love life of the plowman and his wife, and her lover, the headman and his wife/wives (also describing the headman's son and his daughter, the latter often being attractive), the wrestler and his wife, the tribal hunter and his wives⁸⁰.

Throughout the Sattasai there is a contrast between the village and the town. There is a contrast between the village girl and the town girl, the former being simple yet attractive, with townsmen being attracted to them⁸¹. This comparison between the village and town girl almost seems forceful to me and since the Kamasutra is concerned with the town, the Sattasai seems to be retaliation to the notion of the Kamasutra.

The Kamasutra also does not use the imageries of gods and goddesses to describe love, but the Sattasai does so. It is full of descriptions of love between Shiva and Parvati, of Radha and Krishna as well as the sexual desires of the Kapalika monks, and most importantly, the god of love, Kamadeva⁸².

Lastly, unlike the Kamasutra, the Sattasai has no mention of either same-sex love or courtesans.

⁸⁰Khoroche, Ticken, Sattasai, 174-180

⁸¹Khoroche, Ticken, Sattasai, 173

⁸²Khoroche, Ticken, Sattasai, 185-192

THE KAMASUTRA AND THE GATHASATTASAI, CONCLUDING REMARKS

Both the Kamasutra and the Sattasai are texts on love and sex but both of them have vastly different views on the topics. The Kamasutra is a treatise on love and sex and therefore strives to provide as much scientific knowledge on the topics as possible. The details in the Kamasutra are given keeping in mind the human anatomy. The approach therefore is mechanical, rather than emotional. The Gathasattasai on the other hand is the anti-type of the Kamasutra. The anthology shows the human and emotional side of human beings and it does not treat its subjects simply from the anthropological view, but as emotional beings, showing their feelings. It is not just a mechanical view of love and sex and brings the emotional part of the human beings as the driving force of the poems. Where the Kamasutra is concerned with theory, the Sattasaiconfronts this theory with the untidy reality of life. The opposition between the two works is so striking as to seem intentional⁸³.

While the Kamasutra tells us how to do things, the Sattasai shows how things actually were in reality. A classic example is that of the wife establishing sexual relations with men other than her husband. While the Kamasutra gives specific reasons as to why women could go to other men, and how they could be prevented from doing so, the Sattasai gives the nuances of such an act like the woman trying various means to get to her lover and making love with him in various places, but also does not specify it as the cause and effect of certain circumstances like the Kamasutra does. Women can be seen committing adultery with men due to mundane causes and not special ones.

⁸³Khoroche, Tieken, Sattasai...,14

The Kamasutra and the Gathasaptasati are very similar to each other in themes yet very different as well. The Kamasutra has themes that show how love-making should take place, the description of the men and women according to their sexual attributes, the way of winning over virgins, the description of wives and the way they should conduct themselves, the conduct of men towards his wife and other women, the reasons to have affair with other men, the ways to win over other people's wives, the ways courtesans should conduct themselves and the ways to increase sexual vigour and size of men's genitalia, etc. The Sattasai has many of themes, looking, thus, similar to the Kamasutra, but with one vital difference. The anthology shows how these themes work in real life, which includes emotions, which the Kamasutra ignores throughout. Therefore the Sattasai in many ways defies the rules laid down by the Kamasutra and incorporates the human aspect in these rules, giving it a very different picture. The texts most importantly are very different from each other because of the background in which they were written (rural backdrop in the Sattasai and urban backdrop in the Kamasutra). The Sattasai can be used to know the rural society and its people, and their mindset to a great extent. The Kamasutra can also be used to get a vague picture of the urban society but not the mindset of its people or the everyday lives of all the people living in it. It has been recognized by scholars that both the texts were written about the same time. Therefore, the texts can be used in conjunction with each other to get a whole picture, the rural and the urban society, the theoretical and the practical aspect of sexualities of the people in the society of the period, and, the rules of sexual conduct and emotional aspect of it, rather than in opposition to each other.

[i] The Pulindas are tribal hunters who live in the Vindhya hills, Sattasaipg 172.

*Unless otherwise mentioned, all the Kamasutra references are from the translated volume by Doniger and Kakkar and all the Gathasaptasati references are from the translated work of Khoroché and Tiekén.

CONCLUSION

The time period that this research focuses on is the early historic period. It has been unanimously agreed by scholars that this was the period of changes in the economy which have usually been called the “Second Urbanization” in North India. With changes in economy the period was also marked with the coming up of regional and powerful kingdoms, with their capitals in urban centres. All this ultimately led to the changes in society as well, the most prominent being the treatment of women as private property by men. The period was also marked by the changes in the perception of the society, with various sections of the society trying to make sense of these changes, cope up with them and assert their power over it.

I have chosen five texts that belong to very different genres of Ancient Indian Literature. Out of these five, four of them are very similar to each other; the Arthashastra, the Manusmriti, the Jatakas and the Kamasutra. All these five texts show the effects of such changes. While each of them belongs to a different genre, what makes them so well-connected to each other is their patriarchal set up, in which the subjugation of women by portraying the sexuality of women in a negative sense played a major role. Women are thought of as private property in all the four texts and with motherhood being their only role in the society.

The Manusmriti was a text that was composed for ensuring that the major role played in the society was by that of the Brahmana male. As such recommendations were systematically put in place to subjugate women and ensure a “pure progeny” which emerged to be of an extreme importance, by putting sanctions on them and their sexuality. The Arthashastra was the text that centers on what consists of an ideal kingship. It was about what a king must do, rather than a recommendation.

The state as the patriarch was the important way of controlling women's sexuality comprised an important point of its view of the society from above. Thus the Manusmriti and the Arthashastra sought to control the society by placing the Brahmana men and the patriarch king at the top of the society, respectively.

The Jatakas were the stories of the Buddha's former births. It was an indirect assertion of the ideologies of Early Buddhism. In addition to being such a text, the text had added pressure on it because of the rules of celibacy required for the Sangha's smooth functioning. This is why women are seen as evil throughout the Jatakas, along with its inherent notion of the ideal woman. It also had a specific motive of asserting the teachings of the Buddha as supreme.

The Kamasutra was an erotic text that has come to be known for its act of sex, although there were other equally important topics discussed in the text. The text can be seen as another dimension of the patriarchal Brahmanism envisaged in the Manusmriti and the Arthashastra.

In my effort to understand the gender relations and the treatment of sexuality of women in the texts, I have tried to connect these texts on the basis of a number of themes. The first is that in all the four texts mentioned above, there was an effort by their respective authors to push women into being the members of the society who were to be kept under the thumb of men. As such their sexuality was seen as the reason for doing so.

The reasons of portraying women in a negative light are different in the four texts. Through the negative portrayal of women, the upper-caste/class Brahmanas tried to establish control over property and society and perpetuate this control through legitimate heirs in the Manusmriti. This necessitated the control over women's reproductive capacity so that the production of legitimate children could be

controlled. In addition to the control over society, control over economy was envisaged in the text. The Arthashastra prescribed the birth of legitimate children so that wealth and property would remain within the royal household and the kingdom would be inherited by the legitimate sons of the king. This could only be fulfilled when the chastity of women was guaranteed through successful control over their sexuality. The Jatakas depicted women as evil because of the emphasis of the Buddhist Sangha on the celibacy of the monks. Because of the fact that they derived their legitimacy from the wealthy landed magnates and the royal household, the depiction of women as evil was also extended in scenarios where lay followers were depicted. For the Gahapatis and the king, legitimate heir to property and throne was very important. The Kamasutra was concerned about wealthy urban men/ Nagaraka, though caste is not given very much importance in the text. These Nagaraka derived their wealth through landed property, trade and gifts. The Kamasutra also tried to imitate Brahmanical normative texts, especially the Arthashastra in order to be recognized as a legitimate text. The text therefore contains Brahmanical ideology as far as the ideal wife was concerned.

The sexuality of women was described as outright dangerous in the Arthashastra, Manusmriti and the Jatakas. With this sexuality controlled, the effort of the men who wrote these texts was to channelize the reproductive power of women into a systematic motherhood. This is also true of the Kamasutra, although the sexuality of the women was not depicted as outright dangerous in the text. The Kamasutra was also a normative text that sought to provide prescriptions to men in the art of love-making. As such, the Brahmanical notion of the chastity of an ideal wife was emphasized upon.

This control was brought about in a variety of ways, though the methods were different. The Jatakas did so by legitimizing the negative view of women's

sexuality by ascribing them to the Buddha. We must also recognize that the Jatakas had its antecedents in folk tales and the stories that floated about in the society. As such the Jatakas were prescriptive rather than normative. While the Arthashastra and the Manusmriti put forward their views about women as what the king and the Brahmana men must do, the Jatakas sought to provide a moral basis to its views about women and how men must treat women. While Brahmanism and Buddhism vied for their control over the society, they were united in the way they viewed women and their sexuality.

The Kamasutra, on the other hand relegated the women to the background as the providers of pleasure, rather than seekers of it. The seeking of sexual pleasure in all the four texts was considered to be only and only the right of men and not women. The sanctioning of men in their treatment towards women's sexuality, something to be feared, also meant that it was the men who had to be sanctioned. However, the texts written by men and for men probably could not spell this outright, leaving only one group of the society to be targeted; the women.

The four texts in my purview had a common backdrop against which these were written. The Jatakas do not show such an effort, but the society in which these came up was also the society that had the Brahmanical ideals of male supremacy and the systematic repression of women in order to ensure legitimate progeny. The Kamasutra also shares the Brahmanical ideals of a good, son producing wife, with their sexuality being pushed to the background and the men's sexuality being given more prominence. As such the element of violence pervades all the four texts.

The normative texts show the specific ideologies of elite men belonging to a certain section of the society, having specific motives and trying to establish their motives through the texts. What we have to see is the way in which these texts

were received by the non-elite people inhabiting the society. For this we turn towards the exemplary evidence in the Jatakas, and the Gathasattasai.

The Jatakas were stories that were probably already circulating in the society, which the Buddhists then used in a systematic manner to give validity to their ideologies. The stories show, in other words, the voices of the people. Since we are concerned about women here, the exemplary stories can be used to determine the voices of women. For instance through the past-life story of the Samugga-Jataka (II:436) we may be able to understand the course of action a woman took when she was kept bounded by a man against her wishes; she kept sexual relations with other men even within these boundaries. The Takka-Jataka(I:63) and the Cullapdma-Jataka (III:496) show that women often did not follow the rules set for them which wanted them to become the ideal wife. In contrast to the ideal woman exemplified in the normative texts, they cheated on their husbands (as also seen in the Gahapati-Jataka 2:199) or were lazy (Kosiya Jataka I:130) even when it was demanded of them to remain faithful to their husbands and to manage the household effectively. These stories derived from the common people were tapped by the Jataka and used for presenting specific ideologies of the Buddhists.

The Gathasattasai was a poetic text that showed everyday lives of the non-elite population and therefore was written in Prakrit. As such we do not come across the Gathasattasai as a text that tried to establish elite ideology. Instead, if we go through the Sattasai and see it as an expression of the non-elite men and women, we can see practices that were almost in complete contrast to the rules prescribed in the normative texts. For instance the virginity of an unmarried girl that was so much emphasized upon by the normative Sanskrit texts does not concern the Sattasai. The episode of an unmarried girl choosing her lover and then having sex with him before marriage was celebrated in the text. The instances of women

cheating on their husbands are plenty and are described beautifully. Similarly, the relationship between a woman and her brother-in-law is also described poetically in the text. This was in total opposition to the rules prescribed in the normative texts to prevent women from committing adultery or keeping sexual relations with their brother-in-laws. Although differences in the Sattasai can be seen in the light of its different region of origin and its different genre, it can be read as the extent to which the prescriptions formulated by the normative were followed by the non-elite population of the society. Similarly the examples of the Jataka stories also show that in reality, the norms laid by Sanskrit normative texts were not followed in absolute terms by the non-elite population, very often portraying practices that were absolutely in contrast to the norms laid down by such texts.

Therefore, through the study of the Manusmriti, the Arthashastra, the Jatakas, the Kamasutra on the one hand, and the stories that were set as examples in the Jatakas, and the Sattasai on the other, we can see the difference between principles (enshrined in the normative texts) and practices (seen through the Jataka examples and the Gathasattasai).

Thus, the texts that this research focuses upon are connected with each other in ways that are intimate with each other. This connection can often be overlooked because of the differences of the apparent nature of these texts and because of their generic nature. When one reads these texts in relation to one another, these differences seem to fade away, giving us a basis of connection. When one delves into the nitty-gritties of the texts, one can also see the difference between those who laid down norms and those who actually practiced it, thus giving us a vision of the difference between norms and practices.

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