



AN ANALYTICAL STUDY OF STATUS OF WOMEN IN DHARMASHASTRA WITH SPECIAL REFERENCE TO THE YAJNAVALKYA-SMRITI

RAJENDRA D. MESHRAM

Ph.D. Research Scholar,
Post Graduate Department of Sanskrit Language & Literature,
Kavikulaguru Kalidas Sanskrit University, Ramtek - 441106,
Dist. Nagpur, (MS) INDIA

ABSTRACT

Yajnavalkya is a well-known personality in the Sanskrit Literature. He is mentioned in the Vedas and Mahabharata. He has contributed a lot in the Dharmashastra. It is said that he was a wise man in the court of Janaka of Mithila. The code of holy law is known after his name as Yajnavalkya-Smriti. Yajnavalkya-Smriti is later than Manu-Smriti. The Yajnavalkya-Smriti has three Chapters viz. Acharadhyaya, Vyavaharadhyaya and Prayascchittadhyaya. Yajnavalkya-Smriti was considered as an ideal code of conduct. Purified than that of the Manu-Smriti. It is evident from this Smriti that man was treating women as his personal property because of dominance of Pitrusattak system in society. The condition of women was very deplorable and difficult. There is mention of very hard rules for the women and had few rights and had no desire. They were discriminated on the basis of gender.

Key Word : Dharmashastra, Yajnavalkya-Smriti, Men, Women.

Methodology : Analytical methodology.

INTRODUCTION

The *Yajnavalkya-Smriti*, the code of conduct of ancient time, was the widely accepted by the Hindus. There are controversies regarding the period of composition of *Yajnavalkya-Smriti* His period is between 8th to 7th century B.C. It is considered that he was earliest philosopher and is credited for coining monism. His name is mentioned in *Bramhanas*, *Aranyakas* and *Upanishadas*. The dialogues in *Brihadaranyaka Upanishada* suggest that he has two wives. One was *Maitreyi*, a scholar of philosophy and another *Katyayani*, a house-wife. Indian law court has accepted the *Mitakshara* commentary with interpretation by *Vijnaneshwara* on

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Yajnavalkya-Smiriti. The name of *Yajnavalkya* is connected with number of ancient texts in Sanskrit – The Shukla Yajurveda, the *Shatapatha Bramhana*, the *Brihadaranyaka Upanishada*, the *Yoga Yajnavalkya*. The *Manu-Smiriti* is widely accepted by Hindus as an authentic code of conduct. *Yajnavalkya* was a Hindu Vedic sage. The history of ancient India is full of debates, controversy, contradictory statements and definitions. To draw any specific conclusion from the history will be sidelining the diversity of the theories. In ancient India we found various types of books, literature, poetries in abundance, but we can not treat them as the historical material. There are large number of books on *Dharmashastra*, with various definitions, problems and contradictories. With this we also have to study social, political, economical and cultural back-ground of ancient times society. It is also essential to consider that no book is written in solitude. The book have references of past events, culture, literature, personal and social status of that author. Hence it is essential to do the comparative study of the various books on *Dharmashastra*. The use of *Manu-Smiriti* in law and religious rituals started taking place widely from 19th century. *Manu-Smiriti* is considered light house of Indian *Dharmashastra*. But it is misleading to consider *Manu-Smiriti* an centre point. There are number of books and literature available on *Dharmashastra* from ancient times. The famous commentaries on *Yajnavalkya-Smiriti* are *Visvarupa*, *Vijnanesvara*, *Apararka*, *Sulapani*, and *Mitramisra*.

Contents :

The *vedic* period broadly is spread over 300 BC to 600 BC. In this period there was a freedom to women in respect of education, to take part in religious and public activities, to select their male partner, freedom in family mater as *Ardhanginis*, right to property and inheritance, economic and occupational freedom. In the Epic period women enjoyed an honourable position at home and in society. She had been called root of dharma, prosperity and enjoyment in both the Ramayana and the Mahabharata period. In these Epics we find the references of the expression of courage, willpower and velour of women like *Kaikeye*, *Sita*, *Rukmani*, *Satyabhama*, *Savitri*, *Draupadi* and some others. In the period of *Dharmashastra* the status of women declined slowly and underwent some changes. The girl child were kept away from formal education and daughters were treated as second class citizens. Their freedom was curtailed to great extent. Sons were given more importance and daughters were prevented from studying Vedas. The factors responsible for such miserable condition of women were caste system, lack of education, rigid and strict rules. The condition of the women improved to some extent in *Buddhist* period. The rigidities and restrictions imposed by the caste system were relaxed. Buddha preached equality and he tried to improve the cultural, educational and religious status of women. The medieval period over 500 AD to 1500 AD, was highly disappointing for the women in India. Their status further deteriorated in this period and her freedom was curtailed. Girls were treated as burdens and has no right



to inherit property and were treated as slaves. During 14th and 15th centuries the Bhakti movement of *Ramanuja* opened the gate of religious freedom to women.

Dharmashastras, are the sacred law books of Hindus in the ancient time. The most important texts are sutras of *Apastamba*, *Gautama*, *Baudhayana* and *Vasistha*. The sutra era ended and the era with verse style started with texts of such as *Manusmriti*, *Yajnavalkyasmriti*, *Naradasmriti*, *Visnusmriti* etc. *Yajnavalkya's* work is more systematic than that of Manu. He divided the work into three sections and relegate all topics to their proper positions and avoids repetition. He treats almost all subjects that we found in *Manu-Smriti* but his treatment is concise and he makes very great and successful efforts. The whole of the *Yajnavalkya-Smriti* is written in the classical *Anustubh-metre*. No doubt about the popularity of *Yajnavalkya-Smriti* from the ages, but its commentary '*Mitakshara*' is also famous and popular with *Yajnavalkya-Smriti*, specially in modern Indian judiciary. Hence it is very essential to study the and analysis. By the study and analysis we could find the knowledge about the place of women in ancient India. There are differences of opinions about the time of *Yajnavalkya-Smriti*. The main reason for widely fame of *Yajnavalkya-Smriti* is its '*Mitakshara*' commentary written by *Vijnaneshwara*.

While studying the opinions of historians on *Yajnavalkya-Smriti*, they have tried to throw light on the bad condition of the women. Most of the authors have thrown light on rights of women and *Stridhan*. But their social condition is in the darkness. The *Yajnavalkya-Smriti* is divided into three Chapters viz. *Acharadhyaya*, *Vyavaharadhyaya* and *Prayaschittadhyaya* and these chapters are further divided into lessons. The third lesson of first chapter is '*Vivaha Prakaranam*'. In this lesson the directions of transforming from *Bramhacharyashram* to *Gruhasthashram*. It includes how to follow *Bramhacharya*, how to receive Education, how to select life partner etc. Here women are ignored. It seems that it was the only right of men to achieve *Purushartha*, means of physical and metaphysical. Women have to give only their company to men in achieving *Moksha*. In the Verses 41, 45, 46, 51, 52, and 115 of *Acharadhyaya* it is mentioned that, a *Bramhachari* should marry such a girl having some qualities, good looking, not married before or has not experience sex before with any one not in relation, of younger age and less heighted. It is evident from the above shloka that celibacy is of equal importance to men also. It is said that *Brahman*, *Kshatriya*, *Vaishya* may marry with *Shudra* lady and he not agree with this because his birth is from her. *Brahmans*, *Kshatriyas*, *Vaishyas* are allowed to marry with three, two and one lady respectively. If, first is not in existence then next, father, father of father, any male from paternal side and mother, if not mad, is authorized for *Kanyadan*. If *Kanyadan* is not performed, he will be responsible for feticide resulting due to monthly cycle every month. If no one is to perform *Kanyadan*, in that case the lady is free to choose her life partner. The above shloka is favorable to women. In these shloka, it is evident that there is provision share



in property to wife if they have not received *Stridhan* from their husband or father-in-law. In this lesson no where there is mention of share of daughter in property, but from the description of *Stridhan*, it is considered as the share of daughter in the property.

It is given in the shloka 143 to 148 of *Vyavaharadhyaya*, that, *Stridhan* includes gifts from mother, father, brother or husband at the time of second marriage as compensations. It is understood from this, that the women do not earn wealth by themselves, but it is received as gift. There is no mention of wealth earned by women. In all the eight types of marriages, if women has daughter, then the legal heir of that *Stridhan* will be the daughter after the death of that women. In all other cases her husband or father will be heir of the *Stridhan*. If the women has no any hair, after her death *Stridhan* will go to the side of her husband's brother.

CONCLUSION :

In the conclusion it is essential to discuss on points which could help to broaden our thought process. From the above discussion so many things can be noted. *Dharmashastra* has tried to bind the society in some rules of behavior, in which the desire of women is treated as a destructive thing. It seems that the main aim of *Smritikaras* is to target women to behave on the lines of rules which should be in co-relation with *Pitursattak* values. But we have to keep in mind that in *Gruhastadharm* and *Sratakdharm prakarana* of *Yajnavalkya*, there are strict code of conduct. It means, even though men and women are discriminated on the basis of gender. It is necessary to give up this practice and thin in equality. After the analysis of this, it is found that gender discrimination is happening because of deep routed *Pitursattak* system in Indian society. In this system for each and every part of the society there are certain code of conduct and we also are adopted to that system and are slaves, exploiter and exploited. In this system there is a war of dominance between men and women. The code of conduct in *Dharmashastra* is contradictory in itself. Instead of applying each and every rules or the rules by word to work of *Dharmashastra*, it is for us to take useful part which is of great importance to the society and also it is for us to study the contradictories in *Dharmashastras*.

Now a days, after the independence revolutionary changes have taken place in the status of women in India. The Constitution of India provided for special steps to be taken by the government to improve the condition of women. A fast and effective change in the status of women was expected through social legislations. The Constitution of India guarantees certain fundamental rights and freedom such as protection of life and personal liberty. Indian women are the beneficiaries of these rights on the same lines as the Indian men. In the post-independent India we had series of laws passed by the governments for the upliftment of women. These legislations have been brought in order to provide equal rights, opportunities



and privileges with men, to abolish discriminations against women, remove inequality between genders, and remove external barriers coming in the way of their self-realisation and development.

RECOMMENDATION :

There is scope for the research on the status of women in the various periods of ancient India such as Vedic Period, Post Vedic Period, Epic Period, *Dharmashastras* & *Puranas* Period, Buddhist Period and the Medieval Period.

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