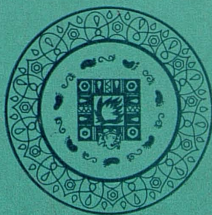
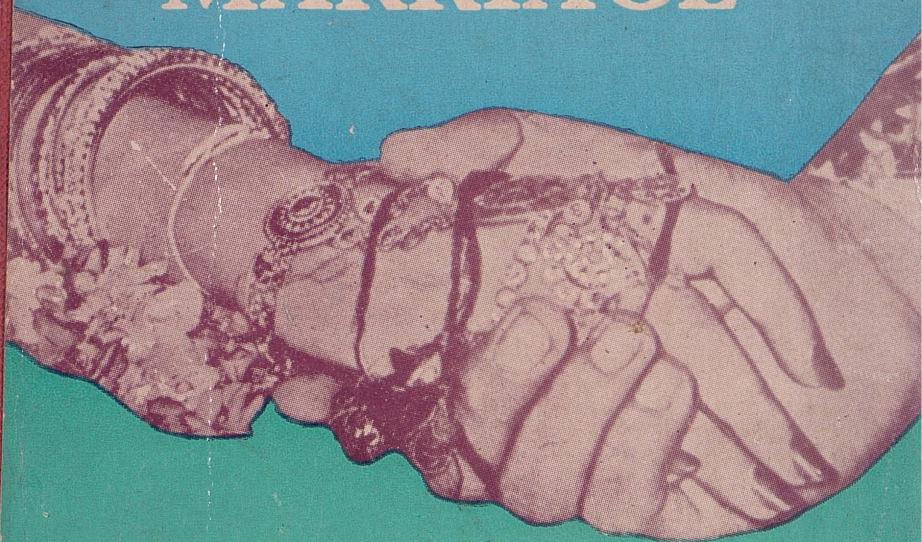


HINDU FAMILY and MARRIAGE



T.S. DEVADOSS

The Dr. S. Radhakrishnan Institute for
Advanced Study in Philosophy.

UNIVERSITY OF MADRAS



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Dr. R. BALASUBRAMANIAN

HINDU FAMILY AND MARRIAGE

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A STUDY OF SOCIAL INSTITUTIONS IN INDIA

By

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FOREWORD

This monograph by Dr T. S. Devadoss forms part of the study of social institutions in India in which he is currently engaged. Family and marriage are the two institutions which he has taken up for study and analysis in the present work in the context of Hindu social philosophy. His approach to the study of these two institutions is *ideological*. How these institutions as understood by the Hindu, help the individual not only to enjoy peace and happiness but also to discover his *self* through his participation in them, is the chief concern of the author in this monograph.

The work of the Radhakrishnan Institute as a Centre for Advanced Study in Philosophy is not restricted to the study of classical systems of Indian Philosophy. Though its main orientation has been all along, and still continues to be, towards "Advaita and other allied systems", it has not neglected other areas such as Ethics, Aesthetics and Social Philosophy in which its interest has been influenced by traditional philosophical thought. The Institute has already published a number of valuable books in these areas. Here is one more work written by Dr Devadoss whose *Sarvodaya and the Problem of Political Sovereignty* has already gained recognition from scholars. I am happy to commend this book to research students and scholars interested in this area.

The Radhakrishnan Institute is grateful to Professor G.R. Damodaran, Vice-Chancellor of the University of Madras and other authorities of the University as well as the Government of Tamil Nadu for providing funds for the publication of this monograph.

R. BALASUBRAMANIAN

PREFACE

This book is an attempt, probably the first of its kind, to analyse the fundamentals of Hindu Social Philosophy from a rich variety of sources and seeks to focus attention on the socio-spiritual and legal significance of the fundamental institutions like family and marriage. This study which is based on inter-disciplinary approach tries to spell out the problems concerning these two basic institutions and seeks to restructure the ideological approach behind the formation of Hindu society with an eye for their present relevance. This approach to the study of the institutions of Hindu family and marriage makes it possible to provide continuity between tradition and modernity. As such, this is subject to constant evolution and change within the structural-functional limits of the society.

We live in a changing society, requiring tolerance of variation and adoption of a multiplicity of models for living. Modern family living is in a crucial stage of transition. Man is continually changing, increasingly adapting himself to unreached limits of change. He gets socialised, seeks meaning in life and derives immense comfort and pleasure only when rocked in the cradle of the institutions of family and marriage.

Marriage alone makes the family, and the individual belongs to it by inviolable sacramental bonds. Hindu social organization is rightly described as *varṇāśramavyavasthā*. The training ground of the individual for social life is the family, and marriage is the means by which the individual seeks self-fulfilment. The whole process from birth to death is a process of self-discovery. The institutions of family and marriage have significant roles to play, as they can help or hinder the individual in discovering himself.

Social Institutions have to be designed to meet the changing needs of the individual as well as of society. While there is life, there

is hope. Man hopes to build his future only by living a moral life based on the principles of *dharma* and love. This study, in short, constitutes, in effect, a powerful argument for a re-appraisal of the fundamental institutions in India, and of the manner of doing it.

This monograph has mainly grown out of my lectures on Social Philosophy to post-graduate students at this Centre, since 1970. I am indebted to the former Directors of the Centre, Dr T.M.P. Mahadevan and Dr V.A. Devasenapathi for the opportunity they gave me to teach this subject. I also owe much to the students who attended my lectures. They not only encouraged me to think by their presence; they also stimulated me by their questions to revise my thoughts.

I wish to record my sincere gratitude to my esteemed Director Dr R. Balasubramanian for encouraging me to undertake this research study and for his invaluable help extended to me in completing this monograph. I also thank him for the opportunity given to me to deliver a course of lectures on the theme of this research work at the Summer Institute on 'Recent Trends in Philosophy' held at this Institute in 1979 which enormously helped me to shape my thoughts on this subject. My grateful thanks are due to him for his sustained interest in getting the present book published. His dynamic leadership at the Institute has always encouraged me in all my academic pursuits and this work has intangibly benefitted from his wise counsel. I thank him also for blessing this book with his valuable foreword.

I thank my colleague Dr V. K. S. N. Raghavan who gladly took, upon himself the arduous responsibility for seeing the entire matter through the Press and for his helpful suggestions during the final stages of my work. Miss Parimala Nathan, M.A., M.Litt. Research scholar at the Institute assisted me in revising the proofs. My thanks are due to her.

I owe a special debt of gratitude to my revered Vice-Chancellor, Professor G. R. Damodaran and to the authorities of University of Madras for sponsoring the publication of this book. Professor Damodaran's unflinching devotion and dedication to the cause of higher learning and research and his tradition of sincere and noble work have always encouraged me in my present endeavour.

I would be failing in my duty if I do not express my loving gratitude to my mother who passed away while I was just writing the first draft of my work. Despite this severe set back, I just managed to complete my work with her blessings.

I thankfully acknowledge the help given to me by Mr P. A. Mohanrajan, the University Librarian and Mr Abdul Rawoof, our Institute's Librarian and their staff who have never lost their patience with my heavy demands on them. Mr C. V. Kannan's typing assistance has been an asset to me. The book was made complete with the inclusion of a Bibliography and indices, prepared by my wife Rajakumari. My thanks are due to her. Lastly, I would like to thank the printers, Messers. Avvai Achukkoodam, Madras for the neat execution of printing.

I hope that this monograph will serve a useful function in the process of generating new and improved models of thinking about Hindu family and marriage. In continuation of this study, I propose to analyse the institutions of property, education, religion and the state which will constitute the central theme of my next work which is under preparation.

T. S. DEVADOSS

University of Madras

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*Maithilyā nagare vivāhasamaye kalyāṇavedyantare
sāmante vimalenduratnakhacite pīṭhe vasantau śubhe;
śṛṇvantau nigamārthavedividuṣūḥ-āśīrgirā rājītau
pāyāstāḥ suvadhūvarau raghuṇāthi-śrījānakīrāghavau.*

May the Jānakī-Rāghava pair protect us,
who, at Mithilā, at the time of their marriage,
seated before the marriage-fire, on the auspicious seat
studded with resplendent gems, listening to the
blessings of those well-versed in the *Vedas* and their
meanings, are shining gloriously.

(Rāmakarṇāmṛta)

SOCIAL PHILOSOPHY—AN ANALYSIS

Man is placed to-day in an ambiguous position : he is both part of society and alienated from it. An amazing facet of the human life episode is man's capacity to formulate and reformulate ideas and ideals that have given significant purpose to his life, established the path of human understanding and fellowship, co-ordinated social life and sanctioned authority. For a very long time these ideas were embedded in *śāstras*, legends and myths that were handed down from generation to generation with little variation ; hallowed by religion, they found expression and manifestation in various Vedic rituals. This goes by the name — Tradition in Hindu Culture.

Man, since the dawn of civilisation, has built his culture not merely by his intellectual tools and toils of labour, but also largely by his dauntless desire to transcend them. This innate urge was fulfilled in his building a world of values which he cherished. Tradition thus enables a man to be what he *is* in relation to others in society. An individual unquestionably grows largely in and through society. Since man only exists in and through society, to which he owes life, tradition, and duties that are resting on him, we must analyse his general nature by comprehending the meaning-structure of society. The individual human being appears to be incomprehensible, but society is not. Instead of analysing our study of man as an individual, let us first examine the nature and scope of social institutions of mankind, and this will enable us to gain a knowledge of man's being.

Sociologists in the West have given different interpretations of the term 'Institution'. According to Kingsley Davies, an institution is "a set of interwoven folkways, mores and laws built around one or more functions." W.H. Hamilton contends that an institution "connotes

a way of thought or action of some relevance and permanence, which is embedded in the habits of a group or the custom of a people ... Institutions fix the confines of and impose form upon the activities of human beings."² Hertzler defines institutions as "great clusters of established, accepted and implemented ways of behaving socially."³ In general, an institution may be regarded as an organised system of behaviour and is instrumental in character.

Social life, no doubt, implies relationships of one sort or another between individuals and those relationships inevitably come under proper channels and forms. Whenever these forms are consistent enough to give scope for observation and classification we find a social structure. The characteristic feature of social structure is the tendency of individuals to combine into groups. Any group is constituted by the fact that there is some common bond of interest which holds its members together.⁴ So long as society is centered about the associated life of mankind, it must fundamentally be a study of the forms that association (*Gesellschaft*) takes. This includes structure, society and group. Mention should be made of the conception of community in this context. A community (*Gemeinschaft*) is a number of men; it is "inalterably people". It is a structural concept which often may be exemplified in small groups, but it is not limited to them.

Although there are several view-points expressed by Western sociologists, let me mention here only two most important views which concern the matter at issue. To MacIver, a community is "an area of social living marked by some degree of social coherence." The bases of community are locality and community sentiments. Association is defined by him as "a group organised for the pursuit of an interest or a group of interests in common." G.A. Lundberg contends that a social group refers to the human plural "within which observable interaction is present". The established forms or conditions of procedure characteristic of a group activity, is known as an institution.

Social philosophy generally takes account of both sociology and social psychology and has bearing on both economics and politics. Further it passes beyond a descriptive to a prescriptive or normative ethics. Ethics is not an exact science, and we may add here that

social philosophy must often be content with generalities and approximations. Social philosophers lay emphasis on meaning in terms of a unity of design which reminds us of the modern phenomenological trend of thought. As Whitehead said, perception is "prehension" or meaning - perception inherent in perception, because the meaning is added by the human mind. Perception thus implies intentionality. Freud was concerned with analysing the "intentional structure of consciousness". To Husserel, intentionality became a means of revealing the apparent meaninglessness of a "given world" and seizing its latent significance. Every social philosophy has a conceptual framework, which implies a unity of design either as a hypothesis or as a Utopian construct. For example, Gandhi's meaning-system is articulated around the matrix of unity in the diversity of social forces and social phenomena.

A society or group may have its own meaning-system. A meaning-system may undergo a change in the case of an individual, depending upon his "point of view". Thus a 'conversion' may take place in the course of time. Peter L. Berger opts to use the terms 'alternation' to show how "an individual may alternate back and forth between logically contradictory meaning-systems. Each time the meaning-system he enters provides him with an interpretation of the existence of his world, including in this interpretation an interpretation of the meaning-system he has abandoned."⁵

Man's 'character-structure' is the cause as well as the effect of his world-view (*weltanschauung*), which may be rational or irrational or a blending of the two. This has a corresponding meaning-system. Social philosophies, as ideologies or alternate meaning-systems, project the changes in the meaning-systems of groups or in those of individuals, which ultimately become group meaning-systems and which may alternate back and forth between contradictory meaning-systems. A single individual may not accomplish much by offering a deviant motion of social reality, however charismatic his personality could be. Social change means a new interpretation of reality - a shift in the meaning-system. This may be accomplished by an individual as in the case of Gandhi, or by a group of individuals. This leads to a revolution either social or political. In the Indian context, Gandhi's charismatic leadership throws new insights into the working of mean-

ing-system as a mode of social change and action. This deserves a closer study by social psychologists and sociologists.

In the broad literate world of to-day, ideologies or 'isms' characterize all dynamic societies. The present era is marked by deliberate attempts to formulate social values and ideals and the political ends and means which they cherish. Current ideologies represent social philosophies in support of some 'way of life' conceived of as ideals. Each ideology has its own version of the ideal relationship between the individual and the society, of the best government, of the proper balance between individual liberty and the general welfare, and of all the evils and dangers in opposing ideologies.⁶

The age of ideology which commenced with the French Revolution in the West, has reached its apogee in recent times. The role of ideology in the present era points to the fact that ours is an age of revolution. For ages, social philosophy was either speculative or action-oriented, exerting only an indirect influence on elites. For the common masses, established religion continued to provide direction and emotional satisfaction. The present age which is marked by the processes of secularization and democratization of social life, shows that social philosophy has become less remote; it has entered the area of social struggle on which ideology is born.

As an ideology, Marxism has diversified themes that have given scope for numerous, often conflicting movements. In viewing Marxism as an ideological system, we must analyse only in terms of its inspirational significance which appeals to divergent groups in society. Marx's social thought is generally analysed in terms of *praxis*, dialectics, totality, alienation, stratification and ideology. Marx's theory has to be viewed as being both dialectical and revolutionary: society is both objective and subjective and is composed by men through their *praxis* and social theory must reflect this aspect. Alan Swingewood rightly remarks that the crisis of modern sociology "has arisen as much out of the failure of modern social theory to explain conflict and contradiction within modern society as it has from the misunderstanding and misinterpretations of Marx's work."⁷

So far, a general description of the nature of social philosophy has been attempted. In our brief analysis of the content of social

philosophy, we have examined some of the important concepts with as much clarity as the subject matter would admit of, for precision is not to be sought for alike in all discussions.

Man and his social destiny

Man is a unique creature in the evolutionary life-process and society is a distinctive achievement. His consciousness creates a sense of individuality and a desire for personal freedom and happiness. He desires to be free but at the same time he is conscious of the fact that in the general interests of an ordered social life, must submit himself to some authority. Social life creates in him a sense of justice. As man discovered the laws of nature (*lex naturale*), his belief in reason grew steadily and the shift from faith to reason released man from his meek submission to authority and finally led to his assertion of himself as an individual. Henceforth, the relationship between the individual and society became a perennial source of unending study and analysis.

The Individual and Society

By the word "individual" is meant a human being who is not merely a speck of Nature, accepting unquestioningly what Nature offers and submitting blindly to its powerful forces, but one who often resists it and initiates new actions, one, in other words who is as such above Nature as in it. The entire spirit of Indian social thought and structure originating from the Vedas has accorded due significance to individuals as individuals. The individual is as much necessary for society as society is necessary for the individual. All the efforts of social theorists have been directed not only towards the betterment of the individual, but also towards the opportunity of every individual ultimately to attain his social destination.

Society is a group of individuals who live together with certain well-defined relationships. It is in fact 'a complex web of social relations'. Social relations are essentially physical in nature as they are determined by what is called 'mutual awareness'. Without this recognition, there is no social relationships, no society. Society thus embraces the totality of consciously developed social relations. As MacIver and Page observe: "society is a system of usages and

procedures, of authority and mutual aid, of many groupings and divisions, of controls of human behaviour and of liberties. This everchanging complex system we call society."⁸

The term 'society' is derived from the latin root '*sequi*' which means 'to follow'. To be in society means to be following a social group. Society is "an organisation of teleological individuals". The organisation of individuals is determined by the principles of 'creativity' and 'appreciation'. Creative purpose constitutes the very core of human existence. It gives direction to all types of human behaviour. Social relations are unintelligible without the recognition of the principle of 'purposiveness'. It is possible to discover certain aspects of purposiveness in the social behaviour of individuals in all types of social systems and social institutions through an analysis of social structures and social functions. Society is not an accidental aggregate of individuals. It is an organisation of 'human personalities'.

Human society came into existence in the course of social evolution and historical processes. Individuals form the basis of a society. However, individuals do not *precede* society. The fact that family is based upon sexual and parental motives gives clear indication that the impact of social life on human personalities is inevitable.

Society refers to the whole gamut of human social life in all its varied aspects. It refers to all the facts of culture, such as scientific knowledge, technological devices, religious beliefs, metaphysical and ethical systems of ideas, artistic creations and the like. But the various concrete manifestations of society cannot be regarded as identical with society. As MacIver observes, "Society refers to the complex of social relations as such."⁹ Interaction between individuals is responsible for the formation of social structure or systems. Talcott Parsons contends that "if social system fulfils all the essential functional prerequisites of the long term persistence, may be called a society."¹⁰

Society is a social unit. In society, social norms give orientation to human behaviour. Cultural values are the ends toward which human actions are oriented. Societies vary in their nature. The nature of a particular society is determined by its unique social purpose. The philosophical foundation of human society is, therefore unique.

Human life is ever-changing. It is not static but dynamic. As life changes, changes occur in society too. Society, in other words, is a dynamic process. Every change in man's relation to society means necessarily some changes in his relation to his fellow beings. Society is a changing medium of creation and expression of his deep-seated desires, values and aspirations. It outlines, shapes and refines man's social nature, conscience and morals, as he also frequently and insistently projects his own image, values and experiences from the depth of his consciousness where he is unique by himself. In other words, man is thus deeply embedded and moulded in the matrix of society and the society in turn enables him to reveal his true nature. Man is an integral whole as the carrier of values of complex dimensions. Man's values, his group structure constitute a single arch supporting the ascending, aspiring, activating moral spire of nobility, goodness, justice and love that gently touches the sublime heights of infinite and the perfect. What is to be achieved is that the individual as an integrated person may have to realize to the fullest extent his own innate possibilities as a human being in and through society.

The Objectivity of Values in Society

Man's complete living and self-realisation depend on the purposeful pursuit of the intrinsic values of life. T. H. Green aptly remarks that no values are supreme in life than those of the human personality. He observes: "Values are always for, of, or in a person, in persons as such. Our ultimate standard of wealth is an ideal of personal worth." We agree with Immanuel Kant that man is never to be regarded as a means to an end but always as an end in himself, (*Selbstzweck*).

By this we raise a social demand for value. Such a demand embraces a value-progression and appears in the form of an insight into the idea of man as such. Values, ideals and norms give true meaning and moral direction to the self or person as a social being and also to social groups, and institutions. Society experiences, analyses and validates values, and in the process is also significantly modified and altered by values. It is this dual functional relationship of values, ideals and norms to life, and society that makes social life significant.

Values, thus spring from the vital common wants of human beings and therefore has *functional* significance. It is generally considered that the world of human values and the world of facts are equally common; only the nature and scope of confirmation differs. In a given social situation, the social relations reveal the *totality* of interrelated values, actual and potential.

Human life is multi-dimensional. It is left for man alone to perceive and impose upon himself the boundaries within which he opts to live. From one dimension to another, there is an interrelation and interdependence of norms. In course of time, with the expansion of knowledge, certain norms come to be recognised as generic, universally valid, serving as directives to man's development in all spheres of human activity. Man's ultimate progress rests on his faith in values, linked with knowledge and on the interpenetration of values. Philosophy always governs as it reflects on the meanings of social concepts, attitudes and values. Values live in two realms—in the work-a-day world of human activities and in Plato's sphere of abstract forms. Man, in short is the *valuational-symbolic* rather than the mere *rational* animal. Knowledge is the prime source of all values and values find their significance in a constellation rather than in isolation.

In short, social philosophy has now to rediscover man as a symbolising, evaluative, dialectic and integrated person whose nature, conduct and aspirations can no longer be artificially fragmented and segregated by separate scientific and social studies. The studies in future have to be all-comprehensive and all-encompassing. Similarly—social philosophy has to discover society which defines, shapes man's nature, understandings and habits and also projects his desires, values and aspirations.

Sociology which is a *synoptic* discipline is chiefly concerned with the present chaos in human values, morals and culture. It is best fitted to bring about a reunion between individual and social ethics. Social anthropology, psycho-analysis and social psychology—all stress man's group orientation and socially derived conditions and norms of his success and well-being. The sociological approach makes ethics concrete and functional by basing it on the reality of the fundamental

human bonds and group patterns with their intrinsic imperatives. Inter-disciplinary research methodology has also much advanced, integrating and co-ordinating the various perspectives and levels of approach in the sphere of human relations, values and behaviour seen in their totality rather than in their abstractive isolation. This approach would pave the way for a fuller utilisation of knowledge supplied by social sciences for a better understanding of Man and his role in society. In this brief introduction, an attempt has been made to mention some of the salient features of the study of society in relation to the social institutions. There can be little doubt that we are today in one of those crucial periods of social change, and consequently, contemporary man is plagued with anxiety, and in his confusion many false goals have arisen to confound behaviour further. It should be made clear that the way to salvation from this morass of confusion lies in the development and reformulation of a new type of social philosophy that would reconcile old and new, native and alien, tradition and modernity. This suggests that social ideas should have relevance to human conduct. It does not mean that there should be a "practical philosophy". The implication is that the gulf between practice and precept should be narrowed, if not eliminated. In short philosophical reflection should lead man to the awareness of his deepest valuational potentialities, which would then have to be canalised, harmonised, embodied and given a realistic shape by the process of spiritual disciplines as understood in the Hindu texts. This suggests the necessity of making a brief appraisal of Hindu social thought and examine its relevance to our study of Hindu social institutions.

Evolution of Hindu Social Philosophy

Hindu philosophy may be considered to be a series of footnotes to the *Upaniṣads*. Generally speaking, all philosophies, Eastern and Western, are footnotes to the living *Logos* in its manifold aspects and dimensions.

Hindu social philosophy seeks to understand what man is, what one *can* and *ought* to become in this world, how one can become it, and what the nature of the world is in which one has one's being and can attain the ideal of life envisaged by social philosophers. To these seminal questions, several answers are presented from different stand-

points. These questions and answers, and their social implications determine the nature of the Hindu tradition of thought which human life has generated in its annals of self-reflection.

Man is capable of achieving these ideals only through action (*kriya*). Historically, the Hindu tradition represents the perpetual needs of man's life and thought, and their derivative ideas may have been present from time immemorial with or without recognized clashes among them. Spirituality is the core of Hindu religion. "A Spiritual view", says Radhakrishnan, "is sustained not by insight but also by a rational philosophy and sound social institutions."¹¹ The uniqueness of Hindu thought, is the recognition and explication of the inwardness of man, of its freedom, sacredness, nobility and importance.

Radhakrishnan has rightly stressed that a spiritual view should be sustained by sound institutions. This implies that society should open avenues to individuals for the development of their spiritual qualities and activities—intellectual, aesthetic, moral and ethical. These presuppose the inwardness, human dignity and sanctity of human life. It is the expression of these noble sentiments and qualities that makes social life sacred. In the ancient past, Hindu thought did not have the necessity to devote itself to the aspects of social organization and the study of social relationships which are generally connected with economic and political lives subject to rapid changes frequented by scientific and technological progress. Whatever may be the wave of changes that might creep in, *man* should not be lost in them by losing his inwardness and its freedom; and this inwardness should not disenable him from reacting suitably to the ever-changing patterns of life and complexities of outward existence.

Thus the starting-point of Hindu thought is its emphasis on man himself. Man alone can learn to look upon and use material objects not as material in themselves but as things instinct with the spirit. Thus there is emphasis on the spirit in man. If man, according to the Upaniṣadic theory of the *pañcakośa*, is an integral whole of matter (*annamayakośa*), life (*prāṇamayakośa*), mind (*manomayakośa*), intellect (*vijñānamaya kośa*) and spirit (*ānandamayakośa*), and if body depends on life, life on mind, mind on intellect, and intellect on spirit for

growth, regulation, and development, then the emphasis on spiritual development by the Hindu thinkers is justified.

If we take the utterances of the important philosophers of each tradition into consideration, 'Man, know thyself' may be said to be the cardinal advice of all traditions. Socrates said it in so many words, Confucius also gave the same advice. He said that in order to organize one's state well, one had ultimately to study the nature of things. But 'things' meant for the Chinese philosopher, human relationships originating out of nature of man.

One thing is certainly clear : that the values of life are not mere delusions of the human mind, but are real spiritual forces, however dimly envisaged. It is to be admitted that the truths are truths for man and that values are values for man. Man becomes the common denominator of all truths and values and therefore of all philosophies.

The physical environment, biological needs and the rationalising tendencies at the physical level may have sometimes set the limits and narrowed the channel of evolution, but the superior urges of the spiritual principle in man has ever overcome these barriers and limitations and have directed the course of progress in steadiest steps.

The acceptance of the spiritual oneness and the physical manyness of the universe is what may be called the ethico-meta-physical nature of Hindu philosophy. Philosophy in India, has always been regarded as a way of life, an avenue to spiritual realization. It is the realization of the fact of moral and physical evil that makes man reflect over the mysteries of life. The essence of Hindu religion is to realize the Supreme directly and bring into life and society something of the creative light of that realization. Thus philosophy in India is the pathway to religion.

By this happy co-ordination, the Hindu thinkers have made philosophy a living source of life. It is interesting to note in this connection that philosophy in India is called *darsana* which means, 'intuition' and religion, *mata* which means 'what has been reflected upon'. The charge levelled against Indian philosophy that it is pessimistic, digressive and altogether impractical in the modern age of scientific investigation, logical analysis, and material progress,

is baseless. On the contrary, if we view with an unprejudiced and dispassionate attitude, we shall be able to understand that Indian philosophy is far-sighted, progressive, ever-developing, ever-evolving and giving rise to new ideas and new ideals which aim at the highest goal, the *summum bonum*. Wellbeing, not only of human beings but of all living creatures is the cherished goal of all Indian philosophers.

The following verse sums up the Indian ethical social ideal :

*"sarve bhavantu sukhinah sarve santu nirāmayāḥ
sarve bhadrāṇi paśyantu mā kaścit dukhabhāg bhavet"*

'May all be at ease; may all be sinless; may all experience happiness; may none experience suffering.'¹²

Charles H. Heimsath observes: "The integration of social, religious and political changes by individuals and by society as a whole stands as a tribute to the versatility and adaptability of Indian minds and has made a critical and unique contribution to the stability of modern Indian nation."¹³

Hindu social thought lays emphasis on the spiritual level as the one on which unity can be achieved and made constructive. Spirit in man is the central reality, the basis of his physical existence, biological growth, mental development and intellectual evolution. Defining spirit, Radhakrishnan observes: "It is not the physical body or the vital organism, the mind or the will, but something which underlies them all and sustains them. It is the basis and background of our being, the universality that cannot be reduced to this or that formula."¹⁴ Radhakrishnan emphasises the need of conviction in the spiritual powers of man, for without such conviction neither the spiritual development of man's personality is possible, nor can he penetrate the depth of reality.

Human Nature

In the preceding paragraphs we have analysed the nature of man as a spiritual being. This study is relevant for our understanding of man as a social being. Man is the 'measure of all things'. Man has to live in society before he could live spiritually. He is gregarious; selfish and yet a rational and moral animal. Self-development is possible only through his active social participation, which implies the observance of ethical codes of life. The

real essential nature of man which is non-violent has to be sustained by society. Thus, society is the training ground where an individual may learn the art of self-development through disciplined, self-sacrificing social participation. Though man is basically good, evil forces somehow shroud his good qualities and force him to do wrong actions in life. It is true that there is repulsion enough in nature. However, man can overcome this conflict because he possesses good qualities, *viz.*, reasoning power and the altruistic principle of self-sacrifice which are essential to enable him to lead a good life. 'To live and let live' is the golden maxim which he should adopt. While as a spirit he is good, as a brute he is nothing. Man's true destiny is not the conquest of external nature but the conquest of his own self because *ātma-nigraha* or the suppression of the lower self alone indicates the supremacy of the human spirit.

Man has to strike a golden mean between the two extremes, *viz.*, selfish individualism and effacement of the individual by external control. In life, there is a dual-spell both regression and progression. All the attempts aimed at man's freedom from external and internal entanglements can therefore be said to be moved by the progressive urge.

Human nature has two aspects—the internal and the external. Its external aspect is concerned with the active service of our species in all possible ways. Its internal aspect is concerned with the feeling of kindness, the tenderness of soul. The former is *dāna*; the latter is *daya*. *Dāna* without *daya* has very little significance. Hence the feeling which the Christians call 'charity' or good-will is what the Hindus call '*daya*'.

It is a truism to say that no man lives unto himself alone. A thoughtless, heartless, selfishness is a veritable perversity of souls. The remedy lies in every individual training himself for self-expression in every walk of life.

What we need today is a profound change in man's walk of life. Human nature as such cannot be changed. But as individuals, we can change our patterns of living and action, such that we can aspire to live in a human community in which every individual's physical and psychic advance is provided for. One has to enlarge one's cons-

ciousness, increase one's awareness, recognise life's purpose and lead a life without blemishes

The thesis that human nature is essentially good is not fundamentally opposed to the idea of original sin in Christianity or the *karma* theory in Hinduism, even if we concede the existence of original sin or impure *karma*. It may be noted that when we develop our moral life to the fullest extent, the essence of our good nature is wholly actualized in, presented to, and known by, our self-consciousness.

The characteristics which clearly mark the nature of man are his humanitarian achievements and his ultimate and significant interpretation of life and the world. Man is free and creative and endeavours to make the universe look beautiful and lovable. As man acts, so shall he be. Man disciplines himself by ethical training. In the *Theaetetus*, Socrates exhorts man to 'become like a God as far as he is able to'. For Kant, 'the contemplation of the starry heaven above' should be accompanied by the recognition of the moral law within us. The main concern of Hindu thought is with the status of man.

Human personality has an innate capacity for good as for evil and so only when human nature undergoes a moral mutation and conversion, do the possibilities of all round progress find full manifestation.

Man, as we know is essentially *a-social*. In other words, he is *trans-social* in nature. The fulfilment of human life consists in the satisfaction of its higher urges for development and expression through truth, love and beauty. The spirit of man always yearns for higher fulfilment. The *Upaniṣad* says: '*na vittena tarpaṇīyo manuṣyaḥ*' The evil in man comes from six weaknesses of the human mind—passion, anger, greed, infatuation, pride and jealousy—which arise from a preponderance of the quality of *rajas* in the individual. This preponderance is not essential to the human personality and can be balanced and controlled by the development of the quality of *sattva* in him. And this is the task of the process of conversion which should be pursued by man in all spheres of activity. Consequently, the regeneration of Indian society depends on the sanctity of human conscience and its

incorporation in the structure of society. One has to adhere to the concept of spiritual remaking of human nature as the antecedent to universal peace. Man realizes his true nature only through inward penetration. The knowledge of the self destroys his ignorance and his finiteness is transcended. It is to this sublime height that man aspires in life. Hindu thought emphasizes the importance of the divine character of human being. It is this that is manifesting itself in the strivings of man for eternal peace and goodness.

Social Stratification in Hindu thought

Social progress can best be achieved by following the twin principles of *varṇās* and *āśramas* which are accepted as the basis of Hindu society. All social institutions must be considered as instrumental in character. Human relations and behaviour are by their nature value-oriented. Values play an important role in the integration and fulfilment of man's basic impulses and desires in a stable and consistent manner suitable for his social being. They are *generic* experiences in social action made up of both individual and social responses and attitudes. They build up societies, integrate social relations, mould the ideal dimensions of personality and the range and depth of culture. A society, if it is to survive, must regularly fulfil the supreme value of personality.¹⁵

Caste System

A characteristic institution of the Hindus is caste. The Hindu caste system is of special interest to the student of stratification mainly because of its close connections with Hindu religion. Some scholars treat it as a division of labour similar in principle to European feudal system. Others treat it as 'primarily a liturgical or religious organization serving ends distinct from, though inevitably involved in, economic ones.'

From the time of the Ṛg-Veda, the Hindus have accepted this institution. It stands for the natural inequality of men and tries to utilise this fact in the interests of society, by making it one of the main principles of division of social labour. It is, therefore, fundamental in the view accepted of social organization by the Hindus. This fourfold division of society was regarded as fundamental, primeval, and divinely ordained.

Radhakrishnan contends that caste divisions are based on individual temperament which is not immutable. He affirms the view that in the beginning, all were either Brahmins or Śūdras. He quotes a passage from a *smṛti* text and says that one is born a śūdra, and through purification, he becomes a Brahmin.¹⁶ Caste divisions were also based on social needs and individual action. He observes: "The system of caste insists that the law of social life should not be cold and cruel competition, but harmony and co-operation. The castes are not allowed to compete with one another Each man is said to have his own specific nature (*svabhāva*) fitting him for his own specific function (*svadharma*), and changes of *dharma* or function are not encouraged. The author of the *Bhagavad Gītā* believes that the division of caste are in accordance with each man's character and aptitude."¹⁷

Caste and Varṇa

Much corruption and confusion have arisen to-day in Hindu society due to wrong interpretations of caste and *varṇa*. *Varṇa* according to Aurobindo, is a symbolic typal institution which, with the passage of time, got conventionalized into caste. According to him, the *varṇa* was the characteristic feature of spiritualized typal society. But the typal principle cannot be the foundation of an ideal society because the type aims to establish the significant elements in man's nature - his *svabhāva*, as the criterion of his action and operation of *svadharma*. So far as the social philosophy of Aurobindo himself is concerned, he aims to go beyond the *varṇa* principle. He pleads for an integral manifestation of the concealed divinity within the individuals and the collectives. Hence Aurobindo says: "... ..each man contains in himself the whole divine potentiality and therefore the shudra cannot be rigidly confined within his shudrahood, nor the Brahmin in his Brahminhood, but each contains within himself the potentialities and the need of perfection of his other elements of a divine manhood."¹⁸ Thus, it is clear that on the foundations of a spiritual metaphysics, Aurobindo would plead for going beyond the social conservatism of the *varṇa* order.

It would be of interest to note that the word 'caste' is an English rendering of the Portuguese *casta* meaning race, lineage or pure stock. This in turn is derived from the Latin *castus* which has a range of

meanings from morally pure, disinterested, to unpolluted. The Hindus have generally used the terms *varṇa* and *jāti*. *Jāti* existed in pre-Aryan India and when *varṇa* was superimposed on it, the multitude of horizontal communities already existing in India began to operate on the basis of social prestige also. As society became a vast complex in course of time, *jāti* and *varṇa* became intermingled. The region of caste expanded in the process of time and the number of castes including sub-castes became legion, though the traditional *varṇas* are only four.

Jāti is evolved from the Sanskrit root *jan* meaning 'to be born'. On the other hand the word, *varṇa* is derived from the root '*vr*' which means to select or choose. Caste is determined at birth, whereas *varṇa* is acquired by a person according to his nature.

Secondly, the idea of *varṇa* mainly lays emphasis on the ethical and intellectual capabilities of man. In the caste, special importance is given to birth-rights and respect enjoyed on their account.

Thirdly, while *varṇa* system is flexible, caste is rigid.

Finally, there is a vast difference in the number of *varṇas* and castes. In the tenth chapter of *Rg-veda*, we find a passage saying that the brāhmaṇa does the work of the mouth in giving knowledge, the kshatriya is comparable to the arms because he defends society, the vaiśya works like the legs in the production and distribution of wealth while the śūdra serves society like the feet. Thus there are four *varṇas*. On the other hand, there are as many as four thousand castes in India. Further, the power of labour was evenly distributed among the brāhmaṇas, the kshatriyas, the vaiśyas and the śūdras respectively. In this way, society is made safe from the evil results of centralisation. The rewards of their work differed.

Varṇa — Division of labour :

The aim of the four-fold *varṇa* system in India was essentially division of labour, similar to the division of labour as expounded by Plato and H. G. Wells. The division of labour is one of the fundamental theories of social organisation. It propounds that for an orderly progress of work in society, it is absolutely necessary that it should be divided into classes.

Let us briefly review this aspect of division of labour from the sociological point of view of Western thought and see the difference, if any. One of the best known of Durkheim's works is his study of the division of labour in society, in which he analysed the social functions of the division of labour and sought to show how in modern societies, in contrast with primitive societies, it is the principal source of social cohesion or social solidarity. Other sociologists have discussed the division of labour generally in its connection with social stratification. Karl Marx outlined a theory of social stratification which made it the effect of the division of labour, and especially of what he called the 'first great distinction between manual and intellectual labour'. G. Schmoller presents a more elaborate theory which defines classes as 'occupational groups' created by the division of labour and maintained by *heredity*. Such theories have obvious relevance to the Indian caste system in which differentiation is very largely in terms of traditional occupations.

The division of labour has not become so extensive in India, as in the advanced industrial countries. Nevertheless, industrialisation is bringing about similar difficulties and problems and in the industrial areas, research is called for. Moreover, a particular interest attaches to the effects of the growing division of labour upon the caste system. In the past, new castes were often formed where changes in technique occurred, where entirely new occupations came into existence. It is important to see how far this is taking place in the industrial occupations, or on the contrary, whether caste divisions are giving way to trade union and class divisions. At the same time it is of interest to study entry into the liberal professions in relation to caste distinctions, to see how far such distinctions are maintained in new forms. A broader problem should also be mentioned. As organised in the caste systems, the division of labour had the integrative functions which Durkheim emphasized. In the village economy, caste, like the medieval guilds, ensured the performance of necessary functions (by passing on crafts, skills, etc.) and these functions were organised by the direct exchange of services between castes (the jaimani system). In an industrial and money economy, the division of labour becomes far more complex, and the exchange of services is accomplished through the market or central planning, or a combination of both. As a

result, caste becomes so much less important from the point of division of labour; indeed like the medieval guilds, caste groups may be a serious obstacle to economic development.

The caste system retains some integrating functions, on the cultural level, but these are likely to be less and less important as social cohesion comes to depend increasingly upon the economic division of labour and the sentiment of nationality.

Coming to the Indian scene, while there is diversity of language and religion and strongly marked regional, cultural patterns, the unity lies in a basic *conservatism*, in the tacit acceptance of caste by almost all religio-social groups and the unity of a sub-continental culture and the secular democratic form of India's Constitution. The concept of caste is linked with social order and occupation. The caste groups have served, in many cases, as composite education and welfare agencies and still continue to function in spite of government agencies. Moreover, some of these groups have specialised in certain activities. Examples may be cited of Christian missions in education; Parsis and Jains in commerce, industry and banking; Syrian Christians in plantations and banking; Daudi Bohras in trade etc. Similarly, religion and caste have played a role in political affairs. Some of the other distinctive features of the caste system are the hierarchical structures, distinctive modes of dress, rituals, customs and traditions.

It is true that the origin of caste system may be traced in some measure to division of labour in the early Indian communities. However, the evaluation of social structures and social stratification have to be made against the criterion of their contribution to social and economic development of a nation. In this context, the development of social structures have to be reviewed in its *contributory* role as instruments of social change and development.

The Indian social structure and cultural pattern are characterized by unity as well as diversity. Historically, India has been hospitable to numerous groups of immigrants from different parts of Asia and Europe, but the culture of each group has undergone enough changes over the centuries to become an integral part of the Indian mosaic. The institution of caste is a typical example of the paradox that is

Indian society. Each caste stands for a way of life that is to some extent distinctive, but at the same time, the castes of a region form part of a single social framework. It is important to note that caste is found not only among the Hindus but also among the Muslims, Christians, Sikhs, Jains and Jews. Caste is *ubiquitous* and this has resulted in an ideology tolerant of diversity. Diversity is, however, only one side of the picture. The concept of the unity of India is inherent in Hinduism. The institution of caste cuts across diverse religious groups and gives them all a common social idiom. The declaration of India as a secular state provides one more evidence of the tolerance of diversity which has been characteristic of Indian history.

Conditions are changing rapidly in modern India, both in the economic and social spheres, bringing about many changes in the attitude towards caste. The present economic system is slowly killing the occupational character of castes ; new means of transportation and communication are breaking the barriers against social intercourse, rigid observance of the rules regarding pollution through contact cannot be maintained. The belief in the divine origin of caste and its efficacy in preserving social purity is now completely discountenanced. The *bhakti* movement in religion has done much to unite the various castes in a sort of religious democracy. The caste control of marriage, however, seems to die hard. Even an educated Hindu who claims freedom in the matter of food, social intercourse, occupation does observe scrupulously the matrimonial rules of caste. This aspect will be discussed in detail at a later stage. It is most reassuring to find it laid down in the constitution of the Indian Republic, which indeed represents the collective cult of the people of India, that 'the state shall not discriminate against any citizen on the grounds of of religion, *caste*, place of birth, or any of them,' and that 'untouchability is abolished and its practice in any form is forbidden.' Whether religion, social custom or both, if it clearly harms the individual in visible and tangible ways, the secular state has every right to abolish it. It is a welcome sign that the caste system is disintegrating, though not as fast as one would wish. At any rate, casteism has to make its exit one day, as Hindu society finds for itself, new methods and institutions of organization inspired by the social ideals of freedom, social justice and progress.

Gandhi's View :

Mahatma Gandhi, in recent times championed the concept of equality on metaphysical grounds. Every man is equal in the eyes of God as the *Gītā* points out. Hence every man should be legally, politically and socially equal. This presupposes his faith in justice. Gandhi observes : "The first condition of non-violence is justice all round in every department of life."¹⁹ The chief evils against which Gandhi fought were racialism, imperialism, communalism and untouchability. His crusade for the liberation of the suppressed lower classes in India shows his deep attachment to the concept of social and economic justice.

In the social sphere, Gandhi upholds the *varṇāśramadharmā*, though not the caste-system as it exists to-day. In its ideal sense, *varṇa* is not only for Hindus but for the whole community. He defines the law of *varṇa* thus : "The law of *varṇa* means that every one shall follow as a matter of *dharma* — duty — the hereditary calling of his forefathers in so far as it is not inconsistent with fundamental ethics. He shall earn his livelihood by following that calling. He may not hoard riches but devote the balance for the good of the people."²⁰

Gandhi lays stress on functions being hereditary, because heredity is a law of nature. But he is against rigid divisions. Thus *varṇa* according to Gandhi is intimately, but not indissolubly, connected with birth. He explains why *varṇa* restricts man, for the purpose of holding body and soul together. *Varṇāśrama-dharma* defines man's mission on earth. He is not born day after day to explore avenues for amassing riches and to explore different means of livelihood; on the contrary, man is born in order that he may utilize every atom of his energy for the purpose of knowing his Maker. It restricts him, therefore, to the occupation of his forefathers. That and nothing more or nothing less is *varṇāśrama-dharma*.

Hindu thought has unequivocally accepted *varṇāśrama* of socio-individual duties as necessary and unavoidable for the ethico-spiritual development of individuals and society.

Gandhi pleaded for restoration of the essential principle on which the original *varṇa* was based — the elimination of competition and the realization of common good through duties done in proportion to one's

attainments and faculties. In *varṇāśrama*, there was and there should be no prohibition of intermarriage or interdining. Gandhi observes: "People of different *varṇas* may intermarry and inter-dine... a brāhmaṇa who marries a śūdra girl, or vice-versa, commits no offence against the law of *varṇa*."²¹ It may be noted in this context that Section 5 of *The Hindu Marriage Act*, Act 25 of 1955, says that a marriage can be solemnized between any two Hindus. Further the 1956 statute has clarified the validity of inter-caste marriages. These aspects will be dealt with in greater detail in the chapters to follow.

Suffice it to say that the paradox of the Hindu social order is that while the original *varṇa* with its four categories, as found in the *Puruṣa Sūkta*, embodied an organic view of society which stressed unity in and through difference, the caste system which originated in a different intellectual milieu from the Vedic one, divided society into numerous schizophrenic groups through prohibition or inter-dining and intermarriage, two institutions through which individuals show their belongingness to one community. The organic orientation of the *varṇa* system was thus to a considerable extent subverted by the atomistic assumptions of *jāti* which found inalienable differences between people of different castes.

No doubt, the organic model lays emphasis on compassion, sensitivity to people in distress, while the atomistic model focusses its importance on the principle of justice. Justice, we may note is a more abstract virtue than compassion. Compassion confines itself to one's own immediate circle, while justice refers to society at large. Some critics point out that "relativism and pluralism as intellectual orientations to questions of social practice can function satisfactorily only in a society with a strong sense of unity underlying all difference, which the organic model fosters, without the advantage of which they too like caste can end in division and disunity."²²

The unique nature of the Hindu world view with its idea of unity at one level and relativism—pluralism on another finds full expression in all spheres of human activity, thought, philosophy etc. Bowes draws the conclusion that "the dominance of the caste ideology by now had caused such intellectual bankruptcy that even this catastrophe caused no stir and all that the leaders of this society could think of was the tightening up of caste rules as well as the introduction of fresh prohibitory rules."²³

Here are some differing views on the utility of caste system in India. Professor N. Subramanian observes: "The theory of transmigration of souls guided by Karma is embodied in the social context of the caste system. This is how the caste system which superficially appears to be merely a sociological arrangement, is lifted above the mundane level to the spiritual and religious plane at which reform by human will becomes meaningless. So caste cannot, for the true Hindu be a matter for social reform. This is a clear point at which western notions of willed social organization differ from the Hindu ideas about caste. Then the individual in the west is a social and political person endowed with rights and burdened with duties and his personality is a potent factor in the basic social theory of the west. In fact while the western political doctrine made influential by Aristotle stresses the need for the development of that personality, the entire and universally agreed goal of Hindu endeavour is to obliterate it."²⁴

Professor B. Kuppaswamy expresses his view on caste system thus: "This is the fundamental problem that Hindu society is facing because of the identification of *dharma* with *jāti*. It may have been necessary at one time; it may even have been useful, but to-day because of identification of the tribal concept of endogamous groups with *jāti* groups and the fitting of these *jātis* in the hierarchic *catur-varṇa* model of *śruti* by the *smṛtis*, Hindu society is, as it were, irreversibly fragmented, particularly in rural areas where eighty percent of the people live even after five year plans, so that the new concepts of equality and social mobility have become totally inoperative."²⁵

It may be pointed out that, however, objectionable the system of caste is, paradoxically, it has enabled the Hindu society to survive. The Hindus believe that the essence of Hindu religion—*sanātana dharma* is the essence of life and it would survive against the ravages of time and other influences.

In this context, let us analyse the concept of social equality. This involves the right of each individual to follow the kind of life he desires, take up the occupation he desires, eat, marry and associate with whom he likes, in so far as his actions do not contradict the same right of others. This idea further requires that the same sort

of punishment must be meted out to everyone in society for the same sort of transgression of laws. Similarly, economic equality has to buttress social equality. As at present, only equality within a society is possible; universal human equality requires a world society without national barriers which appears to be a distant goal. However, metaphysical and social equality of all men can be engendered if all become convinced that the origin and goal of all human beings and their nature are the same. This may in due course of time pave the way towards the establishment of social justice and economic equality.

Towards the formation and development of this concept, India has made significant contributions of its own.

From the Ṛg-Vedic period downwards, scriptural texts have declared the oneness of humanity. For instance, the *Gītā* declares that the Transcendent is perfect and equally present in all, so those whose minds are established in equality have conquered this earth.²⁶ The Yogin sees the same everywhere (*sarvatra sama darśinaḥ*). Similarly, the *Smṛtis*, teach that all human beings are but one spirit or kindred spirits, co-sufferers in *saṁsāra* and fellow-beings of the same divine. The ideal sage is engaged in the welfare of all (*sarvodaya*), for him the suffering of humanity is his, and in the redemption of all (*sarvamukti*) lies his salvation. It is only when there is universal release or universal freedom (*sarvamukti*), we shall have grasped the inner meaning and purpose of life.

Many people looking at the caste system as it exists at present and its associated practices like untouchability, make a hasty generalisation that India is a land where inequalities were rampant throughout the ages. But as Vivekananda pointed out, 'Caste is simply a social custom.' It is as much opposed to the religions of Vedānta, the Buddha and the Jina, as Christianity is to racial discrimination. As the social and religious reformers from the Buddha to Gandhi have on the whole pointed out, the caste system has been the bane of India and it does not have the backing of the essential teachings of Indian religions. Hinduism in essence preaches the equality of man. It accepts only the aristocracy of virtue and of social realization, and not of birth, occupation and wealth. Confusion of hierarchic social structure with spirituality and of *mores* with religion led to the sanctification of caste. Hinduism recognises the dignity and grandeur

of the human being, and his right to believe and live as he thinks best provided he does not violate other's right to do so, as well as the equality of all before law. Social and economic justice and tolerance are the pillars of that *amatā* or *samaya* which our scriptures praise. As Vivekananda said : "The *Satyayuga* will come when there will be one caste, one *Veda* and peace and harmony. This idea of *satyayuga* is what would revivify India." A *satyayuga*, says the *Mahābhārata*, comes into being when a government is well-established in *daṇḍanīti*— '*Daṇḍanītyām yadā rājā saṁyak kārtsnyena vartate bhavet kṛtayuga.*'

The Puruṣārtha Scheme

The Hindu tradition developed notions of universal moral values. Hindu social philosophy posits four principal goals—*dharma*, *artha*, *kāma* and *mokṣa*. The Sanskrit term for value is *Puruṣārtha* meaning that which is valuable for the *puruṣa* or the finite spirit. As such it becomes 'the object of desire' (*iṣṭa*).

'*Dharma*, the moral value, and *mokṣa*, the spiritual freedom constitute the spiritual values and the pursuit of these is possible for man who alone is endowed with the power to discriminate value from disvalue.'²¹ Disvalue may be taken as 'that which is shunned or avoided' (*dviṣṭa*). '*Artha*, the economic good and *kāma*, the hedonistic good are of empirical value. Hence, they are not ends properly so called. Yet they find their place in the Indian scheme of values for, man, after all, has to live before he could live spiritually.'²²

Artha is the Sanskrit term for wealth, which means what is sought after as good. But it is a misnomer since not seldom wealth is the source of what is evil. As Śrī Śaṅkarācārya says in one of his popular poems, *artha* is *anartha*. It is true that man seeks pleasures in the objects of sense. Hindu thought does not attempt to suppress the emotional cravings of individuals that spring from the human heart. On the contrary, its purpose is to make them flow within bounds and so canalise them that through them one may attain *mokṣa*.

Zimmer observes : "*Artha* stands for the whole range of tangible objects that can be possessed, enjoyed and lost."²³ In the social context, *artha* is an essential element in human life. There is no sin in possessing wealth, just as there is no virtue in leading a life of poverty.

Social ethics lays down a code of conduct by which an individual can acquire wealth without being detriment to the interests of others. The means of acquiring wealth is considered as important. In fact, *dharma* helps man to fulfil the obligations of *artha* and *kāma*, of course, directed to the ultimate goal, *viz.*, *mokṣa*. Wealth and enjoyment are not inherently opposed to righteousness and perfection. Kālidāsa in the *Raghuvamśa* states that "those who acquired wealth for giving away, who spoke sparingly in order to preserve faith, who were desirous of conquest for fame, and who entered upon married life for progeny, deserve praise." We are required to make every particle of dust into grains of gold. If wealth is pursued for one's enjoyment, it is wrong. But if it is gained as a means to the well-being of humanity, it is worthy of acceptance. Thus, *artha* is one of the ends of life in the Hindu tradition.

The different values of life must be pursued equally and not one at the expense of the other. *Dharma* helps one to discriminate between good and bad *kāma*, or in rationalizing life. It is true that desire grows by what it feeds on. 'Never are one's desires satisfied with their indulgence', says the *Mahābhārata*, 'but they flare up like the fire with clarified butter poured into it'.³⁰ The *Kaṭhopaniṣad* declares : 'Both the good and the pleasing come to man. One who is wise considers the two all round and discriminates them. He chooses the good in preference to the pleasing. One who is stupid chooses the pleasing for the sake of acquisition and prosperity.'

Kāma refers to artistic or emotional or sensual experience or perhaps a combination of these three. *Artha* refers to the economic good, *dharma* is the regulative principle underlying our life and *mokṣa* is the supreme goal of life. Both *artha* and *kāma* have their proper place, although they occupy the lowest position in the scheme of ethical values.

Vātsyāyana's *Kāmasūtra* is a remarkable work which gives detailed instructions on erotic technique, aphrodisiac recipes and charms, and incidentally about the life of the ancient Indian. The erotic pre-occupations of ancient India are made evident in art and literature. Thus the concept of pleasure is given prominence in the schemes of values by Indian thinkers. The ideal of happiness in love is embodied in married life. The tantalising appeal of female beauty and

charm is exemplified in the writings of Kālidāsa. Pleasure thus gained significance in Hindu thought not as a pleasure *per se* but as one indivisible process of spiritual progress. We should admit the intrinsic worth and validity of pleasure as a distinct part of life. Sanskrit literary works give a detailed theory of aesthetic pleasure known as *rasa*. Coomaraswamy describes *rasa* as a "tincture, essence, flavour, aesthetic experience being described as the tasting of flavour."³¹ *Rasa* makes itself manifest through *dhvani*. *Kāma* is not necessarily an evil. It does create an attitude of positive pleasure in the enjoyment of life through literature, art, drama, music and dance. Thus *kāma* has had such a profound and far-reaching influence on Indian thinking.

Centuries come and go but *dharma* as an instrumental value has been influencing the behaviour of countless millions of generations of people of India. Let us briefly analyse the function of *dharma* as a comprehensive concept of social regulation in relation to patterns of ethics in the Hindu tradition. The concept of *dharma* is an extremely complicated one, offering many diversified though related meanings, and extending to a wide range of referents. *Dharma* is theoretically rooted in and derived from the sacred Vedic texts. However, we should note that the formulation of the concept of *dharma* as an effective social code and its justification appear subsequent to the Vedic age.

In the *Vedas*, the concept of *dharma* is generally used to denote religious rites. The *Chāndogya Upaniṣad* formulates three branches of *dharma* in relation to the duties of the *brahmachārin*, *grhastha* and *saṁnyāsin*. The *Vaiśeṣika Sūtra* views *dharma* as that from which happiness and beatitude occur. Śāṅkara emphasizes the universal aspect of the Vedic *dharma* as exemplified in the *Gītā* thus: "Two-fold, verily is the Vedic *dharma*, of the nature of action (*pravṛtti*) and withdrawal (*nivṛtti*), together constituting the world's stabilizing factor, being productive of true social welfare and spiritual perfection of all beings." According to Manu, *dharma* is that which will give satisfaction to the inner self (*antarātman*). Yājñavalkya states that what is agreeable to oneself, and desire born of careful thought is *dharma*. The *Bṛhadāraṇyaka Upaniṣad* states that self-control (*dama*), charity (*dāna*) and compassion (*dayā*) constitute *dharma*. Thus we find that the

concept of *dharma* was of paramount importance in the ancient Hindu thought.

It may be noted that in spite of the various uses of *dharma*, one underlying feature is its normative value. Basically, *dharma* is a rule of action. For example, *rājadharma* refers to the rule of the kingdom by the king based on ethical code of conduct. *Samāja-dharma* refers to the *dhārmic* principle underlying the regulation of communities. *Manuṣya-dharma* refers to that aspect of *dharma* meant for human beings. *Nitya-dharma* (daily *dharma*), *naimittika-dharma* (occasional *dharma*), *kula-dharma* (family *dharma*), *strī-dharma* (woman's *dharma*), *puruṣa-dharma* (man's *dharma*), *sādhāraṇa-dharma* (common *dharma*), *guṇa-dharma* (*dharma* according to one's characteristic qualities), *varṇa-dharma* (the duties prescribed for members belonging to the various stations of life), *āpad-dharma* (*dharma* in times of calamity), *deśa-kāla-dharma* (*dharma* according to the place and time of action), *yuddha-dharma* (*dharma* for fighting of war), *mokṣa-dharma* (*dharma* pertaining to the realisation of ultimate freedom), — these varied actions of life have a common normative feature which involves the notion of regulation and are therefore essentially rules of action.

The understanding of *dharma* as a normative concept warrants two considerations : first, the content of *dharma viz.*, the specific rules that constitute each of the particular kind of *dharma* and secondly, the justification of the rules. Of course, both the questions are tied together.

Man's life, individual as well as collective, would be impossible but for a certain measure of morality. In this sense *dharma*, according to Radhakrishnan, is man's inner nature. The greater the approximation to the moral standard, the more truly does man realize his own nature. Each man's *dharma*, what the *Gītā* calls *sva-dharma* — is to perform the duties that pertain to his station in life. True, it is considered that *dharma* assumes the role of an instrumental value, but it is instrumental not to the realisation of any secular ends, however purely they may be conceived, but for achieving what is regarded as the supreme spiritual ideal. As Radhakrishnan observes :

The principle of *dharma* rouses us to a recognition of spiritual realities not by abstention from the world, but

bringing to its life, its business (*artha*) and its pleasures (*kāma*), the controlling point of spiritual faith.³²

He further states : “*Dharma* is the whole duty of man in relation to the four-fold purposes of life (*dharmā*, *artha*, *kāma*, and *mokṣa*) by members of the four groups (*cāturvarṇya*) and the four stages (*caturāśrama*).”³³ Radhakrishnan contends that “life is one, and in it there is no distinction of sacred and secular ... *dharmā*, *artha* and *kāma* go together.”³⁴

The ordering of life to secure these four aims for each individual connotes the entire range of Hindu *dharmā*. *Dharma* as the effect of sacrifice represents the order and function of this world, for sacrifice establishes the connection with the *ṛta* of the higher unmanifest reality from which this world has evolved. It is not surprising to note that the later concepts of *dharmā* and *karmā* should replace the concept of *ṛta*, with *karmā* referring to the normative dimension of this connectedness of events.

The law of *karmā* guarantees the relatedness of all events in the world, but does not provide for the regulation of events. The ordering of regulation of relations between events is accomplished by *dharmā*. Because the idea of *karmā* points to the progression of the self through time, it becomes a link between *dharmā* and *mokṣa*. The notion of *dharmā* points to the integrity of the individual as also of society. In its close bearing on ethics and social philosophy, we must take note of the fact that the word *dharmā* is used in a variety of senses ranging from customary observances of caste to the qualities of the soul, the righteousness that exalts individuals and nations.

The concept of *dharmā* understood in its collective aspect is the foundation of the Hindu idea of progress and social order. The *Gītā* doctrine of *nīṣkāma-karmā* has definitely set its face against utilitarian morality. Ethical perfection is a condition precedent to the achievement of liberation, and ethical perfection can be achieved by the individual only in and through society.

The wheel of *dharmā* moves on in the trackless jungle of infinite possibilities. Hindu *dharmā* has proved that it is progressive, rational, adaptable and elastic. The whole structure of society depends on the foundation of *dharmā* as thus conceived. “To follow the lines laid

down by the good men who have the competence and insight to interpret the meaning of *dharma* is the safest way for ordinary man."³⁵

It follows from our analysis that, if *dharma* is determined by the inner being of the individual, regulating his multifarious activities to provide a harmonious blending of outward manifestation and the inner reality, conflicts between the social and the extra social aspects of human life can be avoided. Contemporary Indian philosophers have contributed significantly to an understanding of *dharma* by their reinterpretation. Their universalisation of the principle of *dharma* is of significant relevance in the context of the changing modern world.

Mokṣa as the supreme end gives the framework necessary for viewing all of existence, so that the components of moral life may be understood as a means for the growth into the nature of spirit, which is also called the attainment of spiritual freedom. It is to be noted that empirical ends must be subordinated to the spiritual goal and the attainment of man's highest good enriches the experience of worldly goods. Spiritual life has a positive significance in the world, yielding a comprehensive awakening or development of all the powers of the human being.

Man is a harmonious blending of dust and deity, and the goal of ethical reasoning is to transform the non-divine element into a divine spirit which is possible only through the observances of the four-fold scheme of values. *Mokṣa* is *transmoral*, yet it is the supreme value. Radhakrishnan projects a metaphysical view of ethics by relating temporal value to ultimate reality which indeed is a significant contribution. He contends that the Absolute is the very embodiment of value, though beyond all empirical qualification.

We may say that morality is a prerequisite for *mokṣa*. Ethical life must be correlated with the supreme goal. *Mokṣa* is release from individuality and not release for the individual. Mahadevan observes that *mokṣa* is eternal (*nitya*) and is absolute in the sense that it can never become the means to any other end (*phala*). Even righteousness (*dharma*) is but a means to the supreme end, *viz.*, spiritual freedom. Freedom is the essence of the soul of man. It is obscured by ignorance (*avidyā*) and its trail of evil. When ignorance is dispelled through the wisdom of the nature of Brahman, one gains release even

though the physical body may continue to appear for a while. This is known as the doctrine of *jīvan-mukti*, release while being embodied, according to Advaita Vedānta. In fact, as Mahadeven observes, the goal is not something to be newly achieved; it is the eternally realized end. Only, man in the stage of bondage is oblivious of this eternal truth. Realization on release is nothing but the recognition of this truth. As Mahadevan observes : "Indian philosophy of values is first and foremost centred on the supreme value, i.e., *mokṣa*." *Mokṣa* is the *parama-puruṣārtha*. It is self-knowledge that constitutes the supreme end for man - *saṁyag-darśanāt puruṣārtha-siddhiḥ*.³⁶

If the contention of Radhakrishnan, that a spiritual view should be sustained by sound social institutions is true, then social institutions cannot be considered to be sound if they do not make possible the realization of the spiritual ideal, which presuppose the inwardness, freedom, dignity and sacredness of the individual. Man's inwardness and outwardness are the two dimensions of his very being : he can never lose either. It is this reflection that makes for spiritual advancement. Man should aim at reaching an organic wholeness of life. The world of *māyā* has thrown our consciousness out of focus. The pathway to perfection lies through an increasing impersonality, through the unifying of the self with a greater than the self.

Ethical preparation is an essential prerequisite for spiritual insight. The Hindu ideal affirms that man can attain his immortal destiny here and now. One has to pass in a single file to the Alone. The effort, no doubt, is a lonely one.

Like the four castes, there are four stages (*āśramas*) in life : the period of studentship (*brahmacarya*), the stage of a householder (*gṛhastha*), the stage of a forest-dweller (*vānaprastha*), the life of renunciation (*sannyāsa*).

The term *āśrama* is derived from the Sanskrit root *śrama*, 'to exert oneself'. The scheme of *āśramas* is so organized that an individual is fully equipped to fulfil his intellectual, social and universal obligations viz., the three *ṛṇas* - *ṛṣi*, *pitr* and *deva*. Manu states that 'a *dvija* who seeks final liberation, without having studied the *Vedas*, without having begotten sons, and without having offered sacrifices, sinks downwards'.³⁷

Āśrama-dharma, performed not for any selfish gain (*sakāma*) but in an altogether disinterested spirit, purifies the mind and thereby quickens the rise of knowledge. Vyāsa says in the *Mahābhārata* that the four stages of life, form a ladder or flight of four consecutive steps which attaches to Brahman.³⁸

Every *āśrama* enjoins a set of rigid normative duties on the individual which are related to the specific goals of the *āśrama*.

The period of studentship was a very important period in a man's life. A life of severe discipline is laid down for a student. The end of culture is investigation of Truth. All the other ends are either secondary or irrelevant. The word *brahmacārin* specially connotes two things : celibacy and devotion to one's *guru*. The *Ṛg-Veda* states that the *brahmacārin* is a member of God's own body. In the *Śatapatha Brāhmaṇa*, the word *brahmacarya* denotes the condition of the life of a student. The word, *antevāsīn* (living with a teacher) in the sense of a student is used both by the *Śatapatha*—and the *Aitareya Brāhmaṇas*.³⁹ In the *Upaniṣads* there are many references relating to the *Upanayana saṁskāra*. Admission of a student to a *guru* for studying the *Brahma-vidyā* is described in the *Chāndogya Upaniṣad*.⁴⁰ The initiation of the student was regarded as a second birth during the Vedic period. The age at which studentship began and the period spent at the house of the teacher varied according to the individual inclination and capacity. A student is expected to pay at the end of his career some honorarium called *gurudakṣiṇā* to his teacher.

Guru must maintain a very lofty standard of life, in order to deserve fully the homage of his pupils. The highest ideal is mutual reverence: the *guru* for his pupils, and the pupils for their *guru*. The communication as well as reception of knowledge were considered equally important. *Adhikāra* or qualification of a pupil was always first looked to. The questioning spirit was allowed its legitimate scope. It is forbidden to a teacher to sell his learning or to pervert it to private uses. Thus during the ancient period, it was constantly emphasized that learning is to be sought for its own sake and not for material gain. At the same time it was fully recognized that man has social responsibilities which his education must qualify him to shoulder adequately.

Although this ancient pattern of education is not followed in all its details, in modern times, the ideals which it lays down and the

stage of student life which its outlines are still the ideals of Indian education. In short, during the first stage of life, the student is expected to apply himself diligently to his studies, to live a celibate life, and to honour his teachers as he would his parents. At the end of his student days, there is a ceremonial bath which signifies his competence to assume the cares and responsibilities of the householder.

The *Smṛtis* completely endorse the *āśrama* system and clearly prescribe that a man should marry after his student life. They call the *gṛhastha-āśrama* as the centre and prop of the whole social structure. This *āśrama* is held to be the pivotal fact of man's life, transforming him from a self-centred into a social being, from an isolated unit into a unit essentially connected with the past as well as the future of the race. Marriage was essentially a sacrament, necessary for every individual to realize the capabilities of his social nature fully and to fulfil the responsibilities which he owed to himself, his ancestors and to the society at large. It is a fundamental social fact in man's life, constituting an important stage in the development of his individuality, a stage in which he essentially belongs to society and not to himself.

In this second stage of life, the economic, biological and social demands of society and life are provided in order to enable an individual to gain fullest development of his self.

The third stage (*vānaprastha*) enables an individual to gain experience in contemplative and reflective way of life. This is the stage of withdrawal from active life to live as a hermit in the forest. In this stage, a man may be accompanied by his wife who is also expected to dissociate herself from all family and social ties, thereby enabling him to devote himself more to the study of the scriptures and to the religious practices which were of necessity curtailed during his more active life as a householder.

Finally, an individual, by meditation and penance freed his soul from material life, left his hermitage to become a homeless wanderer (*sannyāsin*), with all his earthly ties broken. He is depicted as the most picturesque figure in Hindu society, because he is largely free from the relativity of the ethics of the man of the world. He knows no law except that of love : he knows no limits to his goodwill except

those of his vision. He is not a member of any family, nor a constituent of any caste, nor a citizen of any commonwealth, but a member of that great brotherhood of the noble living and the noble dead, and a citizen of the Kingdom of God. A *sannyāsin* conquers evil by good, hatred by love. A noble being is he, above pleasure and pain, respect and insult, good and evil, attraction and aversion and above all party ties, provincial egotisms and racial jealousies. In short, he leads a life of renunciation. Renunciation, however, does not mean renunciation of all activity. It only means renunciation of egoism, our narrow partialities and narrow aversions. Life of activity is central in a well regulated life : but this activity is lifted to a higher place, its character altogether altered.

The fundamental criterion of a regenerate man lies in the standpoint of his actions, the basis of his moral life. The whole science of ethics ultimately turns upon the interpretation of self. Self means in a *sannyāsin* not *ahaṅkāra*, not the empirical I, but God-Atman, the pure ego or *adhyātmik*. Thus, a life of renunciation, outward as well as inward belongs only to the last stage of man's life. It is the consummation of an existence. A *sannyāsin* is not of the world but still is in it though he is not affected by it. Inner perfection or tranquility is unattainable without inner peace. A man profits very little if he gains the whole world, but loses his soul, says the Bible. Social ethics centers around the Hindu concept of *āśramadharma*. Thus *āśramadharma* determines his attitude towards the outward world and governs his mental and physical reaction in a given situation of life. Through the observance of these practices by individuals, an ideal society is created which affords individuals opportunities to realize their highest potentialities. Their rightful fulfilment prepares the way for the realization of the supreme.

These four stages are intended for helping man to gain perfection by successive stages. In exceptional cases, some of the stages may be skipped. As Mahadevan points out, Śuka was a born *sannyāsin*. Śaṅkara renounced from the stage of *brahmacharya*. When the Buddha took to *sannyāsa*, he was a house-holder. Whether the progress be quick or slow, the goal should always be kept in view, *viz.*, the attainment of spiritual perfection and freedom.

This scheme of the four stages of life, no doubt, represents the ideal rather than the real, in the context of the present-day society.

In the ancient past, men attempted to follow. To-day, we find that many young men hardly pass through the first stage of life in the form as laid down in the ancient scriptures, while only a few pass beyond the second. Despite the modifications this scheme has undergone in the present day life, it deserves our consideration for it serves as a framework round which we can model the life of the individual.

Hinduism clearly marks out the course of life of its members with so many rites and ceremonies which are called *saṃskāras*. They are, in fact, expressive and symbolic performances. These are described in some hymns of the *Vedas*, a few *Brāhmaṇas*, the *Gṛhyasūtras*, the *Dharmasūtras*, the *Smṛtis* and the later treatises.

The word *saṃskāra* is derived from the Sanskrit root 'kṛ' with 'sam' and is used in a variety of ways. They aim at not only the formal purification of the body but at sanctifying, impressing, refining and perfecting the entire individuality of the recipient. These sacraments covered the entire life of man from his conception to his grave. Their numbers vary from one text to another. The later *paddhatis* have enumerated sixteen *saṃskāras*. The *Smṛtyarthasāra* contains the *saṃskāras* from *garbhādhāna* (conception) to *vivāha* (marriage).

The Hindu *saṃskāras* give expression to aspirations and ideals of the Hindus. They aim at securing the welfare of the performer and developing his personality. The *saṃskāras* try to transform man from his crude animality into refined humanity. The quintessence of life lies in his pursuit to higher realization, transcending ethical life. Morality, is but a stepping stone to spiritual perfection. *Abhyudaya* leads to *niḥśreyasa*. A far-reaching cause for a gradual decline of the practice of these *saṃskāras* strictly is because it is losing its religious moorings. Its religious sanctity remains today in its truncated form. By scientific discoveries many mysteries of life have been solved and revealed and man's control over his environment has increased immensely. Many fields of life which were regarded sacred have now become secular. So the awe and reverence with which the religious rites were performed are diminishing gradually. However, all these changes in the material aspects of the world, have not diminished the enquiring spirit of man to know the central mysteries of life which ever remain puzzle to him. At the source of life man is craving to experience the mystic touch of the invisible. This alone is

sufficient to keep alive the torch of spiritual view of life among the Hindus. The consecration of life will never cease. The *saṁskāras* will change their old garbs and will assume new dimensions to suit the present-day society.

We have sketched in some detail the affirmative attitude of Hindu socio-spiritual philosophy with its idealistic moorings. It is not enough if the ideal is just sketched. What is more important is that the way to its realization should be shown. Of the paths to perfection outlined in Indian thought, especially in Vedānta, three are main ones: *karma-yoga*, *bhakti-yoga* and *jñāna-yoga*. The term *yoga* means union with ultimate Reality.

The word *yoga* is derived from three different roots of different meanings, the intransitive verb *yuj* in the sense of concentration (*yuj samādhau*), the transitive *yuj*, to control (*yojayati*) and also from the transitive verb *yujir*, to connect (*yunakti*). The word *yoga* is formed by the addition of the suffix *ghaṇ*. It occurs in the *R̥gveda* with the meaning of effecting a connection. The word *yoga* can be traced also in the German *joch*, in the Latin *jugum* and in the Greek *ζυγον*.

Caturmārgas

The object of religion or philosophy is to liberate the individual from re-birth and the continuation of self-consciousness. This result can be obtained only by knowledge, *jñāna*, a recognition of the essential unity of the seeming individual with Brahman. This is the *jñāna-mārga*, as opposed to *karma-mārga*, or the path of works, which can lead only to rebirth, in accordance with the truth that every action must be followed by its reaction. We should, however, note that Vedānta does recognise that by a right series of actions, the searcher after salvation may fit himself to proceed to the higher knowledge. Thus *karma-mārga* leads to *jñāna-mārga*, by which alone the goal is to be reached.

In the *Bhagavad-gītā*, knowledge is no longer the way that leads to salvation; that may be reached also through *bhakti* or by works. But works, to be efficacious for salvation, must be disinterested. The *karma-yoga* has two phases. First, the follower of the rule must discharge all his religious and social duties in utter indifference and unattachment to their fruits. He makes a sacrifice to the Lord of all

his works, so that they no longer bind his soul to existence. Thus detached from all desire, he gains *mokṣa*. The *Gītā* reaches freedom *in* action and not freedom *from* action. In short, the *Gītā* recommends the ideal of *niṣkāma-karma*, of duty done for its own sake, not out of desire for, or attachment to, its consequences. While *kāmya karma* fetters the mind and fouls the spirit, *niṣkāma-karma* implies the necessity of acting from respect for the imperative of duty. Duty, here means disinterested and categorical. But, then, it may be asked, 'Is it possible to work without desire?' *Kāma* (desire) is the spring of *karma*; *niṣkāma-karma* (desireless action) is a contradiction in terms. The answer to this question is provided by the next aspect of the spiritual discipline, *viz.*, *bhakti-yoga* or the path of devotion. It is true that motiveless action is impossible. But instead of directing the different actions towards finite ends, let them have one and the same end, *viz.*, God-realization or self-realization. Let *kāma* be transmuted to *prema*, devotion to God or love of an ideal. *Karma* (work) would then become *kainkarya* (worship).

The metaphysics of morals dealing with *niṣkāmakarma* is only a negative account of duty and has to be re-interpreted in terms of the philosophy of the spirit. P.N. Srinivasachari contends that *niṣkāma karma* is conduct freed from the stain of *kāma* and *rāga*, but it is not an end in itself. It is the duty done for the sake of duty and its authority is derived from respect for the moral law. It is opposed to the pleasant and the useful and is independent of the spurious motives drawn from sensibility. But freedom is not merely a negative concept, it means not only freedom *from* but also *towards*. The moral 'ought' implies a deeper 'is', it is 'being good' that determines 'doing good'. *Karma* or conduct is a particular expression of character which is the habitual way in which a man acts, and the act reveals his attitude. Character is itself different from the self which lives in a habitual universe, and it is the problem of spiritual philosophy to enquire into the nature of what a man *ought to do*, but also what a man *ought to be*. Thus understood, ethico-social philosophy acquires a new meaning. The principle of conduct, does not consist merely in dissociation from *prakṛti* and self-determination; it is founded on the positive truths of the philosophy of the spirit and self-realization. When a true *karmayogin* sheds his *ahaṅkāra* or egoism and seeks to know his true *aham*, he develops into a *jñānayogin*.

Indian thinkers have always recognized two *dharma*s, or ways of life. One of these is characterized by activity and the other by renunciation. For the active man, the discipline of action is prescribed. Through selfless action the pupil acquires serenity of mind, remaining unruffled in pain and pleasure, success and failure. He discharges his social obligations, regarding himself as God's instrument, or always remaining conscious that the sense-organs perform the action, the spirit remaining a serene witness. He sees 'action in non-action and non-action in action', but never gives up action, as Vivekananda observes. Renunciation is a spirit of self-abnegation, the spirit that drives away the last tinge of selfishness in one-self. Service is the medium in and through which renunciation manifests itself. In fact, renunciation is the soul, and service its body.

The first stage, therefore is the stage of moral, intellectual and emotional preparation. The next stage consists of three steps, study of the sacred texts (*śravaṇa*), reflection on what one has listened to or studied with the help of canons of reasoning (*manana*), and repeated meditation on the supreme truth of which one is convinced (*nididhyāsana*). The ultimate end that one gains through the process is self-realization.

To an age which has become overburdened with matter, Ramakrishna, Vivekananda, Aurobindo and Gandhi imparted their messages of the supremacy of spirit. Vivekananda was concerned not only with the spiritual progress of all but also with the material well-being. He conceived of a social service programme with the twin ideals of self perfection and commonweal (*loka-saṅgraha*). To Aurobindo, the goal is human perfection, of the individual as of society and spiritual perfection in a sense that does not exclude material and vital being. He holds that the true individual is not exclusive. The goal of man is spiritual freedom, observes Gandhi. In order to attain this goal, man must lose his ego in devoted service to all beings, *i.e.*, to seek the welfare of all, (*Sarvodaya*). Consecrated life is life lived in the consciousness of the supreme self that pervades all, and is the All. Gandhi observes: "My own experience has led me to the knowledge that the fullest life is impossible without an immovable belief in a living Law in obedience to which the whole universe moves. A man without that faith is like a drop thrown out of the ocean bound to

perish. Every drop in the ocean shares its majesty and has the honour of giving us the ozone of life.”⁴¹ Gandhi strove throughout his life to lead mankind to the realization of its intrinsic oneness in the spirit.

India has been hailed by *Rṣis* of yore as the one land on earth which is destined to lead mankind to the realization of its intrinsic oneness in the spirit. That spiritual India has produced in the present age such a glorious constellation of spiritual luminaries as Raja Ram Mohan Roy, Keshab Chandra Sen, Dayananda Saraswathi, Ramakrishna Paramahansa, Vivekananda, Ramana, Aurobindo, Valluvar, Vallalar, and Gandhi coming in an unbroken succession, can hardly be considered as no mere freak or as a phantasy of blind chance. India is not for herself but for God and as the chosen instrument of God for the entire humanity. It is at this spiritual level that unity can be achieved which can be constructive. Since life is a unity and man is a part of that life, the racial solidarity of man must inevitably follow therefrom. An authentic social philosophy based on the Hindu tradition can really emerge out of this root of spiritual tradition of one country. We wish for the flowering of that life in a world enlightened by knowledge, guided by reason and united by love. The social philosophy of the Hindus form a firm foundation on which its social institutions have grown in strength from the Vedic age to the present.

The modern social philosopher is keenly interested with the *heuristic* utility of dichotomising societies and cultures into traditional and modern. Some contend that modernised societies are without traditions. This view is really absurd. Others hold the view that there hardly exists today any society which is still purely traditional.

It may be asked whether the traditional structures insulate Indian society from so many of the traumas of growth and development or has the frame become fragile with the assault on religious disciplines which weaken essential moralities. What is the modern context of caste, community, untouchability, joint-family and regional loyalty?

The world to-day is in the throes of a new birth. Social Philosophers in the East and West, tired of their ‘isms’, and ideologies are eagerly groping for some new synthesis. In India, at any rate, social

philosophers are keenly interested to bridge the gulf between tradition and modernity, secular and profane, science and spirituality. They cannot afford to edge away nervously from these crucial issues.

The present challenge is a challenge that we should re-create society. There is nothing so unnatural as human nature : it is some thing which is perpetually capable of responding to new circumstances. What we require is not the closed societies which are hostile to one another. We do require a 'open society' where everybody will feel drawn to everybody else. Education and ethics are the two things essential for the full development of a human being. The purpose of education is life-enhancement, transforming life to suit our needs, to subject ourselves to the environment which is the opportunity given to this species to improve the environment, to change our nature. Man is given this opportunity and he is really capable of effecting a change because a human being can sit in judgement on nature ; he does not become merely a creature of routine. All the changes that have occurred in this world from the commencement of history till today are changes that have taken place on account of the push which the human spirit has given to the forces of this world. Man's greatness is not in what he *is* but in what he *can* be. He has to grow consciously into it.

The social institutions of family, marriage, property, education, religion and the state provide the training ground for the individual to develop his personality to the fullest extent. They help an individual to fulfil his basic aspirations of life by submitting himself to an ethical code of life. The basis of freedom is the dignity of human personality. Every individual, by virtue of his humanity, is an end in himself and cannot be regarded only as a means for purpose extraneous to himself. Social institutions provide each individual with economic security, intellectual life, social justice and spiritual freedom. Freedom is essential for a citizen in democracy. Freedom is *dharma*. True religion never bypasses morality. Religion without morality can never give us humanity. Man has to exert himself and exercise his free will to live a life dominated by an ideal. Institution is an organized aspect of man's social existence which is established and perpetuated by various norms of rules. The family is the most remarkable of all institutions. The state concerns itself with social control

and mobilization; economic institutions regulate the production and distribution of goods and services; religious organizations try to relate man to the supernatural and to the ultimate values. Yet, fundamental to these types of social organization, historically has been the family, that institution concerning various aspects of marriage, sexual relations, reproduction and child-bearing, socialization or child training and the relating of the individual to the institutionalized aspects of society. Our task now is to analyse the various aspects of the institutions of Family and Marriage according to the Hindu tradition.

FAMILY

The family is the most fundamental social institution and is an integral part of the Hindu society. The human family is a universal social institution. In the midst of profound social, political and economic changes over the centuries, India has a rich heritage of stable family system and structure. The family still remains the key to mankind's most meaningful form of life for a wide spectrum of its members. It is also the most important and vital link in man's stability within himself. The family occupies the most important position as the intermediate point between the individual and the larger society. It is here that one is trained in the adjustments he will have to make throughout life as between himself and other members of the society. Hence, the reason why harmony is stressed as a cardinal virtue for the family.

In Indian social evolution, the family has always meant the joint family system, which originated in the Vedic times. It was patriarchal : the oldest male member was the absolute head, under whose authority and protection his younger brothers and their families, his sons, their wives and children and his grand-children all lived together. They ate food cooked at one hearth, worshipped a common deity, participated in common religious ceremonies, held property in common and were indissolubly related to each other according to one of the several kinship systems prevailing in the ancient past. The family discipline was quite severe. Nevertheless, the relation between the parent and the child was of unblemished affection. Rights and duties, sentiments and authority constituted the inseparable unity of the family structure. Members of the family were mutually dependent. Individuality was subordinated to collective unity. This

characteristic of the ancient Hindu family system unmistakably demonstrates the practice of filial piety.

Kinship begins with the family. In a general sense, the whole society begins with the family because a society is a living entity that must continually be replenished. If replenishment is stopped, the society ceases to exist. This imperative of replenishment for every society is met by the family.

The family is the bearer of virtues, values and of public reputation; a man's reputation or status is linked with that of his family and with his own relations to his family. The family structure, no doubt, is grounded in the biological constants in the relation of parent and child and of husband and wife. Another constant feature is a recurrent cycle of family development, in which a family is formed through marriage and mating, expands with the arrival of children, disperses as the children marry and eventually separate to establish new households, and sooner or later is "totally replaced after the death of their parents."

According to *Mitākṣara* law, each male member was entitled to an equal share of family property from the moment of his birth; hence all brothers were coparceners. Joint ownership was thus assumed by law. Women, whether in the status of daughter, wife or widow were entitled to maintenance by their male kin, but under the ancient law they had no other vested rights in the property of the family. All the regional codes except the *Dāyabhāga* code of Bengal, prescribed that married sons should live, work and share property with their parents and also to remain together, even after their physical exit from the world.

Pre-legal texts and the *Dharmaśāstras* show that the family structure was patrilineal in nature. In the late *Smṛtis*, the term *kula* occurs occasionally in the sense of joint family. The head of the patrilineal family is known as *kulapati kulajeṭṭha*. In the ancient legal texts, the term *kula* is used with diversified meanings. For instance, in the *Arthaśāstra*, we find the term represented in the compound *śvaśura-kula* meaning father-in-law's family or house; *pati-kula* meaning the wife's husband's family and *jñāti-kula* meaning family or residence of the kinsmen of the wife. Yet a *kulya*, a member of the *kula* is not

necessarily a *sapiṇḍa*, that is one of the members of the mess community who have claim to the property of a deceased within this group and who were members of the unit of four generations of agnates according to *Arthaśāstra*.¹ *Sapiṇḍa* according to *Baudhāyanadharma-sūtra* means a member of the undivided family who takes a share or inherits the property in preference to *kulyas*. *Sapiṇḍas* are the primary heirs after whom the *sakulyas* inherit according to Manu.²

Whereas *kula* means primarily the extended patrilineal household, refers to birth and implies 'status', *kuṭumba* means cottage and refers primarily to a nuclear family. The *kuṭumba* was something which had to be established unlike the *kula* which was already in existence.

The term *kuṭumbin* occurs to describe a family where the householder and his wife (*patnī*) have some joint interest in the property : *kuṭumbinau dhanasyeṣāte*.³ In the *Smṛtis*, the term *kuṭumba* may grow to a *kula*. A passage in the *Smṛti-tattva* reads : *dampatyor madhygam dhanam* — "Property is joint, or common between spouses."⁴ The jointness of property between brothers is treated rather as a transitory condition and the rules in the *Dharmaśāstra* concentrate on the method of partition and connected issues.

In the *Manusmṛti*, the giving of *piṇḍa* to three lineal male ancestors is indicated and the passage is set in juxtaposition to the right to inherit : "Whoever is nearest from among the *sapiṇḍas*, to him the estate shall belong."⁵ The term *piṇḍa* means "a ball of rice" which is offered to agnatic ancestors. The giving of *piṇḍa* implies the belief in the participation of agnatic ancestors in the mess community of the living agnatic family members who are the potential givers of *piṇḍas*. The living and the dead are thus called *sapiṇḍas*.

The *sapiṇḍa* relationship plays a role in marriage. According to *Dharmaśūtras* and *Smṛtis*, a person is not allowed to marry a relative within five degrees on the mother's side nor a member of the same *gotra* or a relative within seven degrees on the father's side.⁶ In the case of cross-cousin marriages, which is popular in the South India, the rules on exogamy were widely disregarded from ancient times.

It is against this background that the basic agnatic system of inheritance was formulated.

The relationship between Father and Son

Another significant feature of the pre-legal era, is the belief in the psychical immortality of the father by the existence of a son. It is only by a son that the father can 'live on' after his physical death. A son alone is the natural successor to the rights and duties of the father. He is entitled and expected to perform obsequies ceremonies of his father and complete the father's work. Bṛhaspati lays down that the son should discharge his father's proved debts as his own. Thus the son was more than just an appendage of the father and that the father and son were in fact closely dependent in the material and socio-religious sphere.

Rights of Women to property in the Dharmaśāstras

In the patriarchal family where father and married sons lived together, women were under the control and protection of the male members who alone were entitled to represent the family in the material and spiritual sphere. A passage from the *Taittirīya-saṃhitā* reads thus: "Women are devoid of *indriya* and are not entitled to a share."⁷ The classical statement of Manu that a woman is protected by father, husband or sons read together with the dictum that women cannot hold property (*adhanāḥ*) forms the law of the patriarchal family.⁸ In the *Dharmaśāstras* the denial that a woman could own property was early modified by the admission of the institution of *strīdhana*. Maintenance (*vṛtti*) and ornaments (*ābandhyam*) constitute a woman's property (*strīdhana*). The widow is admitted to the share in the undivided property but it is subject to restriction on the power of disposition.

In the patrilineal family, the daughter had hardly any rights in the property of her agnates apart from maintenance and the marriage expenses. According to Yājñavalkya, the daughter is recognised as a heir after the widow.

We have briefly analysed the evolution of Joint Hindu family as a Socio-Legal institution, which is characteristically Indian in nature. It is maintained by some that individualism, urbanization and industrialization have replaced to a great extent the joint family by the nuclear family. These aspects, we shall deal presently at greater length.

Universal Family Functions

We shall now begin to analyse the ideas of functions, structure and variety by referring briefly to the notion of universal family functions. The chief functions are : reproduction, maintenance, placement and socialization. First, is the reproductive function, which is dependent upon age at marriage, fertility, compatibility and other factors. Sociologists in the West, describe this reproduction function as 'replacement' function. In other words, for a society to survive, new members must be produced to replace those who make an exit from this world; this occurs within families. The second function is 'status placement' which signifies the individual's life-changes in society. In other words, family status plays a dominant role in situating man's position in society. Third, the family performs the 'nurturant' socialization of the newborn. In the family, the child begins to grow, and gradually develops his personality, nurtured and shaped into a full being by the interaction of other members of the family. He learns what to do and what not to do in order to get along in his society. Thus, families contribute to societal integration and perpetuation. Burges, the noted American sociologist says that family 'is moving from an institution to a companionship.' According to him, the institutional family is ideally one whose "unity would be determined by the traditional rules and regulations, specified duties and obligations and other social pressures impinging upon the family members."⁹ The external factors contributing for family stability are the controls by customary practices and community opinions.

Family roles may be traditionally determined, so that the society includes only one definition of what it means to be a father, a mother, or a son or daughter of a certain age. Such a society, tends to have as part of its traditional definition of family roles a 'carefully worked out division of labour and an authoritarian control of resources and decision.' It may be asked, has the modern family stabilized at the 'companionship level', or is its present character merely a stage on the way to eventual disintegration ?

In the preceding paragraphs, an attempt was made to interpret family experience within the context of contemporary society. In the modern families, affectional ties between the elders and the

youngsters persist. The latter see the relationship as dependent on both affection and their aged parent's need of help. In short, the relations between aging parents and their adult offspring are based more on friendship than on authority; it is instances of dependence by the aged on their offspring that are most likely to cause intergenerational strain. It is generally observed that the family with mutual 'role expectations', common goals, flexibility, and a sense of satisfaction in family experience is more adequately organized and less vulnerable to stressor events than are other families. The internal characteristics of families are obviously important determinants of the families' responses to stresses, strains, changes and challenges.

The family in the modern world is supposed to meet the individual's need to be loved, understood, and treated as a *whole* person. The ideology of the happy family encourages people to *get* married and *stay* married. Yet meeting such social-emotional needs is being felt as a heavy burden for modern families, particularly in the West. There is an increasing degree of 'broken homes', in the Western societies. Divorce begins in marital conflict and ends in autonomy and perhaps remarriage in Western families. Wheeler makes a very interesting comment on divorce in American societies thus : "so long as it is easier to get a marriage license than it is to get a driver's license, a high frequency of marital problems is inevitable. If we choose not to change our marriage laws, then our divorce statutes ought to reflect marriage as it really is, not as it ideally might be."¹⁰ It is generally felt that the thorny issues of property settlement and child custody have not been resolved by the American laws.

This, then is what the family is expected to be, and how it is functioning currently in Western societies, particularly in U.S. society. Its inconsistencies and its "midstream" position with regard to numerous changes have given rise to an ever-increasing process of experimentation with alternative ways and means of serving people's demands.

The radical marital changes sweeping over the American societies and families, would create a sense of awe to the Indian who regards marriage as a sacrament in spite of challenging influences from the West. As an instance, American sociologist Nena O' Neill opts

for a 'Open Marriage'. This means, according to O' Neill, "the couple members do not lose their separate identities, but rather work together to accomplish both personal and interpersonal growth. Such growth may be furthered by all sorts of nonconformity to traditional ways, including the role freedom and sexual freedom. As an open system, then marriage must be based on mutual commitment, but not of the exclusive sort that can make, and has made, marriage a prison for many people."¹¹

American Sociologists raise these questions : What is the future of the nuclear family? Will the family survive the alternative life styles of the American family life? Carle Zimmerman, Pitirim A. Sorokin and others have concluded that its future was one of *disintegration*. Some others still hope that the family system in Western societies will outlast the alternative so long as policymakers, lawmakers, moral leaders, and the helping professions continue to define the family as of intrinsic value and as worthy of perpetuation.¹²

To-day, we find that a new paradigm is required to understand and come to terms with the factors at work at different levels—familial, social network and societal. New balances are being sought. Beliefs and practices which may have a dogmatic certainty about them may be seen as myths of our time, variables open to study and possibly also change. Barbara Laslett demonstrates that the idea of privacy of the family household is genuinely modern conception (like the idea of childhood, unlike the idea of the conjugal family living separately). What are we to make of this in relation to our present problems of family life? Is the privatization of the family a significant factor in the contemporary malaises and discontents. Opinions differ. However, we find that there is a strong group of thinkers who adduce arguments strongly that there are advantages to be gained through privatization of the household that go beyond its flexibility of response to economic imperatives. These include the increase in freedom of choice and the development of more effective alliances between morality and science than was possible in the past.

The question of what has been part of the human way of life from the beginning and what is new is not only of academic interest but also concerns in taking a position in relation to such issues as how

much one can alter the traditional roles of father and mother without running counter to biologically essential conditions of life. But there is no unanimity on this issue, and the lines of argument are not drawn between the disciplines but within them.

The child-centred, mother-focused paradigm for parenting is that one that has prevailed recently in Western society. It is contended that the conditions which made the paradigm acceptable in the past are undergoing changes. The current conceptions of the needs of children are being considered seriously.

Parents and children have needs in family living; children's strengths as well as their vulnerabilities should receive proper attention. Family and society require new forms of integration. Parenthood is a stage in the life of the individual during which emotional growth and development continue. This is the most enduring joy of parenthood. It is an active joy which is derived from doing and becoming as opposed to the passive joy of merely receiving. To be able to feel what the child feels enlarges the parent's capacity for empathy in other interpersonal relationships. The experience of parenthood in itself, does not achieve the goal of emotional maturity. The opportunity may not be utilised positively and may even be a deterrent to self-development in some individuals. Parent's needs and children's needs are not always coterminous. Arriving at compromises, exchanges and settlements for families to achieve a tolerable degree of harmony is a major part of the work of parenting. If parents are skilful in defining their range of tasks, their available resources for meeting them, and their inclinations to achieve an equitable division of labour and responsibility, their needs as parents will be better met as well as the needs of the children, than if they try willy-nilly to fit into the conventional moulds. In most human societies, people other than biological parents have been involved in parenting. Parents who expect all of their satisfactions from their children, and hope that their needs will be fulfilled by them, are likely to be disappointed. They may manipulate the child to do what the parent needs. Conversely, if parents' interests are all channelled into the relationship with the child, their own involvements and interests may be stunted, and there be a difficult period of readjustment later in life. Parents, like children, grow as they move through their own cycle of life, and accordingly

experience different preoccupations. The parent may be the best kind of person he can be, but the final product is not entirely within his control, no matter how much of his life he devotes to the children. This is called the 'True Dilemma Theory of Parenthood.' However aware parents are of the best principles for child-rearing, the application of such principles must be modified to take into account both their own temperaments and those of their children. The marital relationship also may grow and consolidate through the shared experience of parenting as well as suffering from the new strains placed on it. There is no doubt that parenting entails sacrifices of time, interests, energy and money. But many people derive great joy from being a parent, interacting with their child and seeing it play, smile and grow happily. Parenting is really a wonderful experience. It is a dynamic force, in which there are potentials for individual development and for stress and distress. While parenting can, and indeed must, be cultivated as a continuous change process, once it is entered, it is not a seamless web of experience. Parents can avoid pitfalls and make the most constructive possible resolutions of dilemmas they confront, providing the kind of living environment that will be enduring and will most benefit themselves and their children.

Children are society's most valuable resource, people's most precious 'possession' — therefore, children's needs are of paramount importance. They generally take precedence over those of adults. The care of children involves not only feeding, sheltering and looking after them physically and comfortably; but also giving them the kind of experience that will form the basis for healthy personality development. Parenting, generally means mothering. Good mothering leads to healthy personality development in children and their capacity to take constructive social roles; its absence leads to the failures in life. The mother-child bond is biologically determined, and is the best basis for sustaining the long-term trials and tribulations of parenthood. Mother's needs and infants' needs are mutually complementary. The father is not directly important, only indirectly as protector and provider of the mother-child couplet. Being a good parent comes naturally. Parenting, no doubt, involves sacrifice, but the rewards are refreshing because no sacrifice is too great when it comes to children for having children brings its own reward. Children's requirements are total and their neglect brings irreversible damage.

Hence, compromises are impossible. The mother-child relationship is generally portrayed as having intimate, loving, dedicated, and similar characteristics. A child needs to feel he is an object of pleasure and pride to his mother; a mother needs to feel an expansion of her own personality in the personality of her child; each needs to feel closely identified with the other. The mothering of a child is a live experience of human relationship which generally alters the character of both partners in life.

Thus the family is a social system in which the actions of one member invariably affects those of other members. The family has been viewed as a micro-system, mirroring social structures adapting responsively to social values. Talcott Parsons argues that the contemporary, relatively isolated nuclear family with its conventional sex-linked division of labour, fit its environment and was functional for both society and individual family members. Within the family, Parsons argued that there are two modes—'the power axis' (on which the parents retain a superior position through their age and maturity) and 'the task axis' (in which the sex differences are fundamental — with males more 'instrumental' in orientation and females more 'expressive'). In the idealized Western family with a father, a mother, a son and a daughter, the four roles indicated by these two 'axes' are seen as efficiently filled. The husband/father is, according to Parsons, 'the instrumental leader' and as such is expected to earn the family living, to work in a sustained and productive way to assure economic support. The wife/mother is the 'expressive leader' and as such is expected to be at home, to provide unconditional love for her children without interfering with her, providing an affectionate haven for her toiling husband. In return for this she receives from him not only economic security but social status. The mother's central task is to remain a 'good mother' for her children and a 'good companion' for her husband. Children for their part, are expected to identify with their parental role models and internalize a set of values which, when they grow up, will motivate them to take appropriate adult social roles. If these conditions are met, the cycle becomes complete and all systems are attuned one to another. This model as presented by Talcott Parsons appear to have some significant relevance to the present-day Indian society and family structure in India too. We shall examine these aspects at a later stage.

It is true that the whole conception of the 'Parsonian family' model has been subjected to increasing criticism as being outmoded. However, this model expresses in conceptual form the most prevalent appreciation of what the nature of the modern family was. The present task is to examine how the family members are adapting to new social conditions, new ideas of sex and gender roles, and new conceptions of parenting. It is around this focus that a new sub-group of sociological studies is gradually emerging. We shall reflect on the influence of these studies in the context of Hindu families and examine their relevance and utility value.

The family is "the universal social institution for reproduction and socialization of infants, but its structure and norms for parental behaviour vary according to cultural context." The most widely known and influential of this school of 'Cultural Revivalists' has been Margaret Mead.

The modern society is complex rather than simple. It is changing rather than static. In such a changing society, what part can cultural norms be said to play for the society as a whole? Is there any cultural concept which has as powerful an influence on parents' expectation as the structural one of the conjugal family with its pattern of sex-role differentiation? The potentialities of this 'cultural approach' as put forth by thinkers like Gorer, Young, Willmott, Robert Le Vine, Inkeles, Smith, Smelser and Bronfenbrenner in America, are now coming to be recognized as crucial supplements to the more static analytic approaches.

Social expectations of parents are affected by what stage of the life cycle, the parents are at. The work of developmental social scientists has highlighted the contrasts in task confronting parents at different stages in the life cycle. Feldman and Brodbeck try to show that the fixity of patterns emphasizing socio-cultural as well as biologically determined elements is open to review.

The Family still tends to be seen by Western thinkers as 'a whole functioning unit', though one which needs, and has, a right to social supports. It is seen as capable of change, but there are elements in the situation which may be beyond both of parents and of social workers. Many ideas and practices no longer congruent with modern conceptions are still present and inevitably affect expectations.

By and large, the central issues are: How to acknowledge variation and diversity without chaos and confusion? How to emphasize development through the life cycle? How to handle the problems of sex-role definition? And how to define the optional relationships between domestic life and work and the life of the occupational world outside the home? Of course, these questions pertain to Western families. However, their study becomes relevant for our present understanding of Hindu family, which is also subject to changes brought about by technological civilization and the wave of modernity and secular ideas engulfing our traditional modes of life.

Modern Nuclear Family

Skolnick summarizes the main assumptions underlying the prevailing idealized model of the nuclear family in the West:

1. The nuclear family — a man, a woman, and their children — is universally found in every human society, past, present and future.
2. The nuclear family is the foundation of society, the key institution guaranteeing the survival and stability of the whole society.
3. The nuclear family is the building block, or elementary unit of society. Larger units — the extended family, the clan, the society — are combinations of nuclear families.
4. The nuclear family is based on a clear-cut, biologically structured division of labour between men and women, with man playing the 'instrumental' role of housekeeper and emotional mainstay.
5. A major function of the family is to socialize children, that is to tame their impulses and instil values, skills and desires necessary to run the society. Without the nuclear family, the adequate socialization of human beings is impossible.
6. Other family structures, such as mother and children, or the experimental commune, are regarded as deviant by the participants, as well as the rest of society, and are fundamentally unstable and unworkable.¹³

The problem with the nuclear families is that it is intellectual and impedes us from considering alternative interpretations.

Social changes in occupations, in family life, in the conception and values we have about men and women and their developmental experiences have brought about a situation where a new methodology and formulation is required about the nature of men, women and children and of the family as a social institution. The new formulation should be a dynamic and ecological one. The central focus on the new formulation is the emphasis on family linkages and alliances in the social environment rather than, as in the past, family isolation and privacy. Authoritative standards on parenting are lacking or incompatible, and neither traditional standards nor the experts provide satisfactory guides. Neither it is acceptable that parents should simply do as they feel the vulnerabilities and difficulties of such a course are too great. What is required, though, is not an attitude of indifference, however benign, but a recognition of the sheer complexity of contemporary issues, a readiness to accept that there are likely to be different ways of dealing with them, and a cultivation of the capacity to work with and resolve problems of living as parents in to-day's society. This is likely to take time; it is likely to involve non-rational instinctual, even genetically determined elements as well as those accessible to intellectual mastery. Nevertheless, it is likely to be facilitated, not impaired by the development of social supports and alliances.

There is the need for an acceptance of new linkages between the family and its environment. This is required as a potential channel for correcting inequities hidden in the excessive privatization of the form of family life received from the past. But to return to a nostalgic form of idealized family life is not the solution challenging alternatives to current doctrines and family ideologies have been stated depicting the current predicament of parents and suggesting implications both for research and for policy-making. The above analysis tries to establish the imperative need for a new framework for understanding parenthood in modern society: We are what seems to us to be at a pivotal point in history, in which new models of family life itself and the relationship between family and society are required. We have pointed to new directions in the changing roles of men and women as parents, so that their unfolding needs could be understood. The key element in the new directions, paradoxically, is that of their alliances; between fathers and mothers,

between parents and children, between families and experts, and between families and society. The Western family is characterized by strong bonds and frequently by strong norms as well. The embeddedness of individuals in the nuclear family has not yielded to individualistic pressures, with the result that the strains caused by many of the changes and challenges are often devastating. The concern to-day is for personhood, individual adjustment, and psychological needs resulting in a rethinking on the family roles and patterns of living. The content of marriage could be changed in many ways without directly tampering with its structure. The family ideals have not always been carried out in full, but they typically have been the strong influences on each person's family. The solidary relations are, in considerable degree, honoured and maintained. Fraternal solidarity is not stressed in the family life. Women's position in family life is being changed. Families living in nuclear households continue to maintain numerous joint family obligations and, for the most part, continue to subscribe to the norm of that system. More marked changes are becoming apparent in the family roles of men and women, changes in marriage patterns are on the increase. We shall examine these aspects presently.

Family Roles

Let us review certain characteristics of family roles which are common to families throughout the world. Certain features are acquired biologically. The major roles are those of husband and wife who are also father and mother, of son and daughter who are siblings to each other. Father, mother and child are nature's 'practical syllogism'. The constituent unit of social life, is not the individual, but the trinity of the father, the mother and the child. As marriage culminates in a family, the child becomes the central figure of family.

The Child

The family becomes the first training ground in the life of the child. It moulds the behaviour of the growing child and shapes him to develop his personality. The family sets its stamp permanently on him.

Jātakarma

The birth of a child brings unbounded happiness to the parents of the family. The birth ceremony (*jātakarma*) takes place before the

cutting of the umbilical cord and also involves the whispering of sacred *mantras* in the baby's ear, placing a mixture of honey and ghee in child's mouth. The moment of birth of a child was noted with meticulous care for preparing the horoscope. The first born was generally liked to be a boy, as he alone can free the father from all ancestral debts (*pitṛ-ṛṇa*). The word *putra*, son, means 'he who protects the father from going to hell.' Having a son not only assures the family of the continuity of his *gotra-hood*, but it also helps him to gain social dignity and status. It is true that the latter aspect may be viewed differently by the modern thinkers who may give equal importance of status to the birth of a girl. Let us not indulge in the relative merits of this aspect now. It is generally accepted that the functional solidarity of son and father is absolutely needed for the maintenance of all other members of the family. In fact, the relationship between father and son is one of *mutual dependence*.

Niṣkramaṇa

According to *Gṛhyasūtras*, the father and the mother performed the *Niṣkramaṇa saṁskāra*. According to *Mūhūrtasaṅgraha*, it was desirable that the maternal uncle should be invited to perform the ceremony because of the affectionate feelings that he cherished for the children of his sister. The relationship is known as 'maina-ikam'. According to this ceremony, the child was made to look at the sun with the aid of father. According to Bṛhaspati, the child was placed on a pure plot of ground plastered with cowdung and bestrewn with grains of rice. After performing the *Rakṣā* (protection) ceremony, the father repeated the *mṛtasañjīvana mantra*, viz., '*Tryāmbakaṁ yajāmahe*.' The significance of this ceremony lay in the physical necessity of the child and impressing on it the sublime creation of God.

The next important stage in the life of the child was feeding the child with solid food. According to *Gṛhyasūtra*, the ceremony was performed in the sixth month after the birth of the child. Smṛti writers like Manu and Yājñavalkya hold the same view. Suśruta says, 'One should feed the child in the sixth month with light and suitable food.'

Chūḍākaraṇa

The *Chūḍākaraṇa* or tonsure ceremony was performed in the first or third year or at an early age according to the tradition in the

family. According to Suśruta, shaving and cutting the hairs and nails remove impurities and give delight, lightness, prosperity, courage and happiness. Besides, they give strength, vigour, life, purity and beauty. Some anthropologists hold the view that this ceremony had a dedicative purpose in its origin, that is, hair was cut off and offered as a gift to some deity. The dedicative purpose has not been stated in the *Gṛhyasūtras* and the *Smṛiti* texts. It is true, at present, the tonsure ceremony is performed at the temple of a family deity (*gṛha-devatā*) or *grāma-devatā*. The ceremony was performed when the sun was in the *Uttarāyaṇa*. Keeping the top-hair, in its course of evolution, became an indispensable sign of the Hindus. The tuft and the sacred thread are the compulsory out-ward signs of the twice-born. The modern educated young men of to-day have dispensed with the practice of keeping tufts. Perhaps they believe that their sins could be atoned by merely uttering the *Taptakṛcchravrata*. At any rate this is a sign of modernity.

The *kaṇavedha* (ear-boring) ceremony was performed during the early age of the child, preferably in the sixth, the seventh, the eighth or the twelfth month of the birth of the child. On an auspicious day, the ceremony was performed during the day time. The child was seated facing towards the east and given some sweets. Then the right ear was bored with the verse, "May you hear auspicious things through your ears". The left ear was bored, chanting the verse—*Vakṣyanti*. This simple ceremony is now being celebrated to-day with great pomp and splendour, inviting relatives and friends and feeding them with sumptuous dinner.

Upanayana

The *Upanayana* ceremony, the second birth whereby a boy becomes a full-fledged member of his class and society, was confined only to brāhmaṇas, kṣatriyas and vaiśyas. The boy now enters the stage of *brahmacarya* and begins to study the *Vedas* including *Vedāṅgas* for a fixed period of time which varies for different *varṇas*. The boy receives the initiation from a *guru*, after wearing the sacred thread (*yajñopavīta*) which was hung over his left shoulder and under his right arm. He is expected to wear it continuously till his death. The wearing of this sacred thread had great religious significance, and still has for the orthodox. The ceremony includes the whispering

of the *Gāyatrī mantra* in the ear of the initiate by the *purohit*. This sacred verse is from a hymn of the *R̥gVeda*, addressed to the solar God Savitṛ. The *mantra* reads thus:

*Tāt Savitūr vāreṇīam
bhārgo devāsya dhīmahi,
dhiyo yo naḥ pracódayāt*

‘Let us think of the lovely splendour of the God Savitṛ, that he may inspire our minds.’

According to the *Gr̥hyasūtras*, the *Sāvitrī* ceremony is performed, immediately after the *upanayana*. According to Manu, it may be performed before the completion of the sixteenth year for a brāhmaṇa, of the twenty-second year in the case of a kṣatriya, and of the twenty-fourth year in the case of a vaiśya. So implicit is the belief in the auspiciousness or otherwise of a particular point or period of time that a particular time is always prescribed for every sacrament and every stage of the ritual. Quite often we find to-day, brāhmins and upper caste people perform the ceremony of *upanayana* of the boy along with his wedding ! Perhaps, secular objectives should be the cause.

Vidyārambha

Vidyārambha or *Akṣarābhyāsa* marks the beginning of the important occasion in the life of the child. The *saṁskāra* is variously named. It is called *Vidyārambha*, *Akṣarārambha*, *Akṣarasvikaraṇa*, *Akṣarālekhana* and *Akṣarābhyāsa*. Though the *Vidyārambha* precedes the *Upanayana* in order, the origin of the former is far posterior to that of the latter. *Upanayana* does not mark the beginning of primary education. Rather it was performed, as we noted earlier, at the commencement of secondary education.

According to Viśvāmitra, the *Vidyārambha* ceremony was performed in the fifth year of the child. The teacher (*guru*) performed the *akṣarārambha* of the child, helping the child to write and read the first alphabets of her mothertongue. The following phrases were written by the *guru*. “Salutations to Gaṇeśa, salutations to Sarasvatī, salutations to family Gods and Goddesses and salutations to Nārāyaṇa and Lakṣmī. After this, ‘Om namaḥ Siddhāya’ or

salutations to Siddha, was written and the child was helped to repeat the expression thrice. Having read, the child presented clothes and ornaments to the teacher as *guru-dakṣiṇā*.

Vedārambha

Vyāsa mentions *Vedārambha* i.e., the beginning of the Vedic study as an important *saṁskāra*. In the beginning the *Upanayana* and the study of the *Vedas* began almost together. But in latter times, when Sanskrit ceased to be a spoken language, the *Upanayana* became merely a bodily *saṁskāra*. The student, with the commencement of this ceremony, begins his Vedic study.

The period of studentship was a very important period in a man's life. A life of severe discipline is laid down for a student. The word *brahmacārīn* specially connotes two things: celibacy and devotion to one's *guru*. Besides the study of the *Vedas*, the student studied the six *Vedāṅgas* consisting of *kalpa*, the performance of sacrifice; *sikṣā*, correct pronunciation, or phonetics; *chandas*, metre and prosody; *nirukta*, etymology, the interpretation of obscure words in the Vedic texts; *vyākaraṇa*, grammar; and *jyotiṣa*, astronomy, or the science of the calendar. Those who were versed in the Sacred Law would expound it to their students, while others would teach secular subjects of topical interest, such as astronomy, mathematics or literature.

In the ancient past, there was no system of State education. The brāhmin teachers taught students of the three higher castes at their houses, providing them with free boarding and lodging. The pupils, in turn, served the teacher obediently and faithfully and gave *guru-dakṣiṇā* or fees at the end of the period of studentship.

The famous passage '*satyam vada*' occurring in the *Taittiriya Upaniṣad* gives us a clear notion of the moral and intellectual aspect of education. Truth speaking, observance of *dharma*, devotion and faithfulness to parents and the *guru*, hospitality and charity are inculcated as essential virtues upon the minds of the student by the teacher.

The practical aspects of education is revealed in the advice given to the pupil to continue the line of progeny by marrying not to swerve from the path of glory, to attend to '*Kuśala*' or means of well-being in the worldly sense and to make gifts.

That education in ancient India was dominated by the ideal of self-development of character is clearly evident from the numerous vows and observances imposed on the *brahmācārin*.

Samāvartana

The *samāvartana* ceremony signals the close of studentship after which the *snātaka* could enter upon marital life and found a house-hold; his duty was to maintain his parents and other dependents of his family. He could enjoy normal pleasure, eat any kind of food usually taken by his class, and wear fine clothes and jewellery, which he puts on a special home-ceremony.

The *samāvartana* ceremony is now drowned into insignificance and is incorporated either in the *Upanayana* or *Vivāha*.

Vivāha

Of all the Hindu *samskāras*, the *vivāha* is the most significant one because it marks the individual's entry into the next stage of life, viz., the *gṛhasthāśrama*. Marriage became a religious duty incumbent upon every individual. The *Taittirīya Brāhmaṇa* says, "He is himself a half-man, the second half is wife." This signifies the importance of *vivāha* as an integral part of an individual's life.

The house-holder was expected to devote himself to three ends of life, viz., *dharma*, *artha* and *kāma*. According to tradition, the householder should regularly carry out the Five great sacrifices (*pañca-mahāyajña*). They are: (1) *Brahmayajña*, the worship of *Brahman* by reciting the *Vedas*, (2) *Pitryajña*, the worship of the ancestors, by libations of water and periodical *śrāddhas*, (3) *Devayajña*, worship of Gods, by pouring ghee on the sacred fire, (4) *Bhūtajajña*, the worship of all living beings, by scattering grains and other food on the threshold for birds and animals, and (5) *Puruṣayajña*, the worship of men, by extending hospitality to them. These are to be performed daily thrice by the householder at specified periods of the day.

Marriage gives woman, her social dignity. In it, she finds sexual fulfilment. She models herself after the fashion of her man's wishes. She sees beyond herself through him. She tries to be indispensable to him. The relation between man and woman is one of equality in difference. Each is other's needful counterpart. In

her desire to possess him, she makes herself an object of his desire. She merges herself in her man and happily seeks to lose her identity. She puts her future in his hand because it is he who gives it shape and value. Gradually she gets lost in him through love. Vātsyāyana gives a detailed example of the courtship of a newly married bride by her husband, which has won for him the admiration of most modern psychologists of the West. The ideal of feminine beauty in all its splendour is beautifully mirrored in the ancient classical Text, the *Kāmasūtra* of Vātsyāyana. 'This remarkable work gives, as may be imagined, detailed instructions on erotic technique, aphrodisiac recipes and incidentally very much valuable information about the life of the ancient Indian.'

The sacrament of marriage is to a female, what initiation with the thread is to a male. Hindu tradition has generally respected womanhood. The husband and wife constituted an indivisible unit in society. Women played an important part in religious life. A man could not become a spiritual whole unless he was accompanied by his wife.

Aesthetics of Love

For woman, love is a gift of her physical beauty and soul in their totality. Comte said, "Physical beauty is attractive because it is a mirror of the spirit which underlies it." In that mirror each of the couple finds the reflection of its own soul image and recognises the one who essentially belongs to the other. Coleridge, the English poet observed, "The secret of beauty, is unity and harmony." It is through the physical beauty, two souls feel the attraction and reveal by the attraction, the equal level of their consciousness and gain harmony, unity and perfection in their souls. Otherwise, the spiritual level of their consciousness will have to 'blush unseen'. This is the metaphysical law of beauty put forward by the great Tamil saint Tiruvalluvar. Beauty is thus the reflection of the inner soul. It spreads a halo of sunshine and affects the objects on which its rays fall, whether animate or inanimate. Its effect is proportionate to the potency of the spirit which emits the golden rays. This is the nature of aesthetic pleasure as contemplated by Kant and Plato. Plato considered absolute beauty as super-sensory and spiritual. Aristotle considered that emotion created by beauty, was disinterested. The

saint-philosopher Tiruvaḷḷuvar has elucidated the metaphysical principle of beauty in its attraction and as its ethical and spiritual value in human love. Immanuel Kant held "that sensitiveness to sublimity and natural beauty implies a strong susceptibility to moral ideas."

Love is the very basis of life. Love is a life-giving and life-sustaining power. Love and *dharma* characterise this life. Domestic life is the ideal life because it escapes the dangers inherent in other orders of life. Love is first of all giving and receiving, understanding and accepting, sharing and assuring. It is thinking of another's needs and feelings before own. Love is as necessary as breathing, and he who does not love does not live, for love is the very source of life. The Buddhist *Dharmacakra* represents love which is the eternal harmony expressing the great Truth that all who love are healers of those who are in need of it.

Universal Love

Love has to be transformed into that universal power, knowledge and truth of love. Love must expand in ever-widening circles. If the husband and wife grow and develop along with their sweet children, the home becomes a laboratory for love. With the children as the centre of love, the husband and wife begin to get themselves lost in the welfare and happiness of their children. They evince keener understanding of the fundamentals of life. The parents and children are greater than themselves, that they are recognised as perfect beings by the world at large. The blossoming of love in the concrete situations of a loving wife and a husband, enjoying the happiness of their children and making the family life, a source of happiness and joy, is typically illustrated with striking couplets by the saint par-excellence of Tamil Nadu, Tiruvaḷḷuvar.

Inner love should become manifest in righteous action and working for the welfare of all. Herein comes, humanity and self-control. As Mahatma Gandhi puts it, "Love is the strongest force the world possesses and yet is the humblest imaginable." Tolstoy accepted love to be the law of life. "Love" says Tolstoy, "is the aspiration for communion and solidarity with other souls, and that aspiration always liberates the sources of noble activities. That love is the

supreme and unique law of human life, which everyone feels in the depth of one's soul."¹⁵ Love is the fountain of activities that spring out for the betterment of all leading on to the universal brotherhood. The law of love and respect for life if courageously practised is bound to lead to the elevation of the accent, quality and character of politics and civilization.

Gandhi's view

Gandhi agrees in many respects with the Christian conception of love or charity. "Mutual love and trust are no trust and no love. The real love is to love them that hate you, to love your neighbour even though you distrust him."¹⁶ The New Testament expresses a similar attitude: 'If you love them that love you, what reward shall you have?' Love which lies on response only is passive, it does not urge one to moral effort. But active love, so to speak, makes new positive relations. Gandhi says like a Christian that 'love never claims, it ever gives. Love ever suffers, it never revenges itself.' As St. Augustine has shown us 'love never faileth.'

Love is spiritual but lust (*kāma*) is carnal and vulgar. It is fleeting. Pure love is eternal. It transcends time and eternity. Love softens the cruelest heart. Love brightens the path of life and inspires to gain universal vision of life. When true love develops and circumscribes within its fold, the entire society one lives in, a brotherhood of love develops and leads to the establishment of brotherhood of humanity. To share the feeling of harmony with the society at large gives one immense joy. Self-sacrifice inspired by the feeling of inner harmony leads to greater excellence of life. Love is a priceless gift bestowed on man by the Supreme. To use it for the good of society, lies the inner nobility of an individual. One must strive with friendly feeling for the good of all through the instrumentality of love which is sublime.

Like a mighty wind, the blessed one transforms the whole world with the wind of his love, so sweet and touching, delicate and devoted, that the whole world becomes his own. It is to this efficacy of the power of love that Gandhi strove throughout his life to transform human society into higher aspects of living. Such a transformation must come from within. He who has gained simplicity in thought,

word and deed becomes certain in the strivings of his soul. Gandhi described woman as the symbol of love. He also considered woman as the incarnation of *ahimsā*. "*Ahimsā* means infinite love, which again means infinite capacity for suffering. Who but woman, the mother of man, shows this capacity in the largest measure? Let her forget she ever was or can be the object of man's lust. And she will occupy her proud position by the side of man as his mother, maker and silent leader. It is given to her to teach the art of peace to the warring world thirsting for that nectar."¹⁷ If she seeks her self-fulfilment, she will find it only through recognition of her duties of loyalty, comradeship in study, worship and motherhood. Here, love plays a central path of progress.

Human aspect of love should be elevated to spiritual aspects of living and lead to love of mankind. Just as truth is the ideal of the intellect, so is love and beauty the ideal of the receptive and emotional side of life. Love and beauty are intertwined. Where love is combined with the splendour of beauty, it becomes sublime. When love is combined with beauty of character, we have something superb in its grandeur. Love arouses tender and noble emotions. It enhances our whole psychical life in a harmoniously integrated way and as a vital stimulant stirs us to noble actions. It reflects ever-new spectrums of delight and bliss. Love widens our horizons, gratifies our senses, chastens our taste, elevates our emotions, enlightens our thinking, broadens our lives, and helps in the better integration of our being. In short, love is a value-in-itself, a divine attribute, a noble sentiment of life, to be enjoyed and realized, in our bodies and minds, in our surroundings and interpersonal relationships with the members of family and society at large.

The intrinsic love which is inherent in the filial doctrine is the most valuable to mankind. The import of this virtue is the affirmation of affection for human life and society. A parent's love of his child is strictly biological, whereas filial piety, love and respect for one's parents, is not biological but it is moral, being based upon a sense of obligation or a debt of gratitude, and is therefore spiritual.

According to Sufis, Law is for the ordinary men, the raw souls. Elevating oneself above mere obedience to Law requires longing for

and striving for union with God which is considered as the supreme virtue. According to Sufis, happiness is neither in knowing the Law nor in acting according to the Law, but in union with the Beloved (God).

All of the human virtues begin with the observance of filial piety, which serves as the dynamic force of all other virtues. With genuine and unblemished affection and love toward one's own parents in its developing process, an individual learns to be benevolent to all living creatures, affectionate toward mankind as a whole, loyal to his country and to the duties of free children, faithful in keeping obligations, righteous in action, peaceful in behaviour, and just in all dealings. All moral virtues and moral actions, generally emanate from filial piety through its expansion. The classic of Filial Piety says, "It is filial piety which forms the root of all virtues, and with it all enlightening studies come into existence."¹⁸ According to Zen, *Sūnyatā* = *prajñā* + *karuṇā*. *Sūnyatā* is emptiness (0), and out of this emptiness (0), we have *prajñā* (super-knowledge) and *karuṇā* (compassion or love), which is infinity (∞). As Mahadevan rightly observes, "To guide an individual toward a state in which his own love will be more intelligent, and its conviction is that progress towards this goal, is essential, if the individual is to contribute dependably towards the reformation of others and the reconstruction of institutions. To become aware through deepened self-understanding of ways in which what one thought to be love, and to grow thus toward a fuller exemplification of genuine love, is surely to make one's love more intelligent and to become better able to reform social institutions wisely."

"The Hindu ideal of love for the mother is the supreme. Woman's eternal energy, her natural ability to give and to feed life, to add cell to cell, make man look relatively unimportant to the scheme of things One can be sure of one's mother if not of one's father; and if this is true on earth, it may also be true of the cosmos... All other loves, the loves of the betrothed, of married couples, of friends, of fathers for their sons, of brothers and sisters, are based on reciprocity, and are forms of friendship; mother's love alone can be disinterested and supreme."

Ethic of Love

The *Tirukkuraḷ* lays great emphasis on a positive ethic of love and forgiveness. A passage from the *Kuraḷ* reads thus :

“Men without love think only of self,
but the loving strip themselves to the bone for others.”

Love finds full expression in the hymns of the early Tamil devotees (Nāyanmārs and Ālvārs). The devotion of the Tamil hymnodists is no longer reverence for a transcendent deity, but ecstatic love for an immanent one. The love of God, moreover is reflected by the worshipper in love for his fellows. In the Tamil word, *anbu*, we have a term approaching the Christian virtue of ‘love’. Thus love formed the cementing bond of relationship between husband and wife, father and son, mother and children and this aspect of human love was transformed to the higher level of spiritual love between the *bhakta* and God.

The above observations will lead us to the conclusion that marriage according to the Hindu tradition is a *saṃskāra*, pregnant with spiritual significance. *Vivāha* acquires its true significance and gains perfection only when the conjugal relationship is based on the deeper realization that marriage is a willing sacrifice for the good of the partner, the family, the community, the society and the world at large. We shall examine in the next chapter, the crucial issues of marriage as a socio-spiritual institution.

Antyeṣṭi

Let us now shift the focus of our attention to the last of the *saṃskāras* which relate to the funeral ceremonies. The *Baudhāyana Pitr̥medha Sūtras* bring out the significance of this *saṃskāra* thus : “It is well-known that through the *saṃskaras* after the birth one conquers this earth, through the *saṃskāras* after the death, the heaven.”¹⁹

Death and Funeral Ceremonies

Hindu philosophers try to show that death is a mere illusion which appears to those who cannot fully grasp the one absolute reality. The dialogue between Yama and Naciketas brings out the futility of life’s struggle against the inevitable death. Men fear death as young children are afraid to listen to tales of demons. While

birth brings joy to the family, death drowns a person to irreconcilable sorrow of the departed soul. In his celebrated essay 'Of Death', Francis Bacon writes: "It is rather the accompaniments of death that frighten men than death itself."²⁰ Bacon further illustrates that "revenge triumphs over death, love slights it; honour aspires to it; grief flieth to it; fear pre-occupateth it."²¹ It is as natural to die as to be born; and to a little infant, perhaps, the one is as painful as the other. Death spares none. It lays its icy hands on all alike.

Cremation or burning of the dead body with the chanting of *mantras* is recognised as the mode of the disposal of corpse according to the Hindu tradition from the time of the *Vedas* upto the present day. The Hindus call the cremation ceremony, *aurdhvadehikakriyā* or the ceremonies that help the soul to release itself from the mortal body for its onward journey to heaven. Unless the ceremony is performed, the departed soul is believed to linger about in great distress as *preta*.

The chief of the funeral rites are: the burning ; the *abhiṣiñcana* and the *śmaśāna-citi* (the washing of the corpse and piling of the funeral pyre) ; the *Udaka-karma* (water oblations) ; and the *śāntikarma* (purificatory rites). The details of the performance of these ceremonies varied according to the passage of time, but the fundamentals remain the same. The ceremony that follows the cremation is the *asthisañcayana* or the collection of bones. *Śānti-karma* or the pacificatory rites were performed for the well-being of the living. The *Sūtras* prescribe that a *piṇḍa* or a 'ball of rice' should be offered to the dead on the first day. The ball was called *piṇḍa*, because it was supposed to constitute the body of the *preta*. The *Sapiṇḍakarāṇa* ceremony or 'uniting the *preta* with the *pitṛs*' takes place on the twelfth day after the cremation. Till then, it is assumed that the dead remain as a spirit and enters the abode of the Fathers only through the instrumentality of *Sapiṇḍakarāṇa*. Throughout the ceremonies, prayers are generally offered to release the soul from the cycle of birth and death.

Sati

The lot of the widow who survived her husband was far from enviable. The death of her husband placed her in an inferior

position, legally as well as socially. The practice of *sati*, though abolished now, was in vogue in India till recent past. Thanks to the social reformers, this practice was put to an end. The voluntary sacrifice on the part of the widow was really frightful. During the cremation of her husband's corpse, she climbed on to the blazing pyre and allowed herself to be burnt alive. This act was considered in the ancient past as the supreme sign of conjugal fidelity. However, we find that the modern law of the state, abolishes its practice in any form and is considered illegal.

Life and saṁskāras

Life is a great mystery to man. The Hindu *saṁskāras* attempt to fathom the mystery of life and to facilitate the flow of that mystery. The *saṁskāras* enable an individual to transform his crude animality into refined humanity. Life is a continuous cyclic process of birth and death. The *Grhyasūtras* contain eternal truths which one has to observe if he is to seek the Eternal. Man, as such is perishable. He has to discover within himself the germ of the Eternal. Between births and deaths like life, the *saṁskāras* revolve. These rituals help an individual to develop an integrated personality. They help in the refinement and purification of human life, imparting sanctity to the human body and helping the individual to prepare the ground gradually for his final exit from the mortal world. "The *saṁskāras* operated in the practical life as a graduated scheme of human life and its development." Some scholars hold the view that unless the *saṁskāras* are modified and transformed in the light of new developments, beliefs, sentiments and aspirations of individuals living in modern society, they may lose their appeal to the modern mind. However, the significance of the *saṁskāras* which ultimately give us an insight into the mystery of life is beyond doubt. Ultimately, one has to pass in a single file to the Alone.

It will be seen from what has been said so far, that family life is governed by certain ideals and in this context, a brief reference made to the Hindu *saṁskāras* which give expression to aspirations and ideals of the Hindus, become meaningful. We have already pointed out that the division of Hindu society into castes is of sociological significance. The *āśrama* discipline is the blending of *pravṛtti* and *nivṛtti*. The general rule states: "Renounce the world the

moment you achieve detachment." *Samsārayātrā* is *mokṣayātrā*. The spirit of detachment should be cultivated gradually in the stage of family life itself. Renunciation does not mean negativism. One has to synthesise the principle of active life with the principle of detachment. Hence, Manu praises the stage of the house-holder and the *Mahābhārata* calls it the refuge of the *āśramas*. The unique moral capacity which lies latent in an individual has to be aroused, if he is to lead a good *gārhasthya* life.

Against this spiritual background, let us examine the role of Hindu family as a socio-economic institution.

Hindu Family Relationships

In our contemporary world, no one can think or work with a single picture of what a family is. Family, as we said earlier, is a complex web of social relations and interactions. No one can fit all human behaviour, all thought and feeling, into a single pattern of living. The Hindu Family is no exception to this. A family tries to cherish the living, remember those who have gone before and prepare for those who are yet to be born.

The Hindu family system has generally provided an optimum measure of security and has ensured the continuity of sublime traditional values and culture. It is not an easy task to assess ties of affection and sentiment in the Hindu family. Of course, it is generally accepted that the mother-son relationships yield the greatest emotional intensity.

Etymologically, the word 'Family' is derived from the word 'Famulus' meaning servant. In the past, even servants were treated as common members of the household. A family is an *ecologically* balanced environment. It was God whose idea or sport (*līlā*) was to place a man and a woman together under the roof of a family. The family comes into existence by a man cleaving to his wife to become one with flesh and flesh and bone with bone. The relationships which characterize the nuclear family are parent-child and mates. Motherliness and fatherliness, separate but blends itself in a marvellous oneness called 'parents'. Natural child-birth is a marvellous act of God through the instrumentality of the fusion of man and woman. The delivery of the first-born child gives immense happiness

to the mother chiefly. She forgets the labour she suffers in the process of the delivery of the child. The baby is born almost directly into the hands of the father, to be held to the mother's breast a moment later. Both welcome the new born baby with unbounded affection that is natural to their two personalities, sharing in the struggle of bringing forth and sharing in the receiving of the child with loving welcome demonstrated in some vivid way.

The ideal Hindu family is one with two children — a son and a daughter. It is the family within which the child learns about his own and the world's potentialities. The arrival of another child also gives the older one his first experience of the inevitable. As the family grows, the oldest child assists the mother in nursing the younger baby and derives immense joy to play with him or her. Children try to learn to face the inexorable logic of elder and younger members within the family. Some parents are blessed with twins. They may be identical twins — children of the same sex, each the mirror image of the other. They may be brother and sister, alike in everything except sex. The twin children try to share every moment and thought and activity, doubling or dividing every pleasure. Herein lies, the drama of growing up in a family.

In a joint Hindu family, grand parents gain a second chance to play a second role with fewer of its tribulations and anxieties. For the grandchildren, 'grandpa' and 'grandma' are a refuge and a point of anchorage. From these old people, the children learn about the whole cycle of life. Grandparents narrate in vivid ways, the tales of bravery of Hindu mythological stories of the *Rāmāyaṇa*, the *Mahābhārata*, and the heroic deeds of national leaders. Generally, the parents neither have the time nor the inclination to teach stories to their children. Of late, the parents send their young kids of three or four years to nursery schools, where they expect that the children will learn better things in life ! With their matured experience, the grand parents look after their grandchildren, especially when parents both go out for earning their bread. A family is generally blessed, when there are elder members to look after the younger ones. These are the advantages of a joint Hindu family in India.

To-day, in a time of world-wide bewildering and rapid changes, grandparents appear to lose their traditional conserving roles, chiefly

due to the disintegration of joint-family system in India. For a family to progress, there must be a broadening out of human relationships. The role of grandparents is of no less significance than the parents. However, the super-elders must adapt themselves to the changing modes of family living.

Child: The Little Future Citizen

As an infant, a child loves to be alone in his mother's arms. Little toys awaken his imagination. Lovingly cared, warmly and comfortably fed, he is content to allow his wandering imagination to fathom into the mysteries of nature's beauty, at first fleetingly but soon with serious intent. From early experiences of meddling with toys, playing with kids, sporting with pet animals, the child gradually evolves a life-style of response to the bewildering world of joy and amusements and other fellow human beings.

It is generally said that the child contentedly alone is a child becoming himself. During the formative years the child loves to gain friendship with one and all. Some children may seek out friends who will make up to them what they lack. For instances, a homely girl attaches herself to a beautiful girl, a puny boy makes a hero of an heavy weight blustering companions. Smart girls may vie with their mothers to show themselves that they are more beautiful than mothers. Generally, a mother feels proud of her daughter's charming looks, inquisitive temperament, sweet nature, delicate feelings of action, mischievous looks of her son's actions and boldness of her sons.

Upto adolescence the child lives in a circumscribed world. At four or five, the child generally goes to kindergarten. No doubt, pre-school education run on scientific lines lays the firm foundation for the mental, moral, physical, and aesthetic development of children. When the children are in schools, the teachers take fond care of them, inculcating in their minds, a sense of discipline, rectitude and fostering brotherly and loving relationship with fellow beings.

It is the prime duty of parents to be concerned with the health of their children, their general development and cultivation of good habits and manners. In short, it is the duty of parents to teach the ABC of life, and of course, the teachers mould them as good citizens

of the country. Good habits learnt during the formative years will go a very long way to rekindle in their adulthood, a sense of responsibility and integrity of thought and action. Week-end outings and picnics will keep children lively and healthy. A healthy child is an asset to the family. Children are the objects of special love to their parents. The innocent smiles of children captivate the hearts of their parents.

Let us ask ourselves : Are we giving a chance to the growing children to develop into their fullness, to manifest all the capacities and talents which they possess ? Let no parent deprive his child of the requirement which his child needs if it wants to grow properly in a healthy atmosphere. It is absolutely essential, therefore, that the highest investment will have to be made in the care and in the training of the children. It is only through such training that the children will grow into full stature to become good citizens of tomorrow. By indoctrination, by miseducation, sometimes we create rivalries even among children. It is the imperative duty of parents in general to foster the feelings of commonness, strengthen fellow-feeling, and above all love and respect for elders, teachers and to the country at large. Education for good citizens must commence from childhood. Then alone, a nation can produce, healthier, happier and good citizens.

All children have abilities. Parents and teachers must put them on the right track. To-day, we need child-centred education. Education must begin from the cradle, so to speak. The perceptual learning of the child in his formative years must be the main concern of the teacher as well as the parent. Children's capacities are to some extent flexible and alterable. It is in the manoeuvrings of their educational worlds, both in and out of school, that abilities take firm roots which will ultimately, go a long way through life. Good teaching involves teaching pupils how to learn, what to learn and when to translate their learning into actual practice in life. Teaching in tune with development is particularly important with the young. Effective learning for young children must be meaningful. Teaching involves structuring the learning so that the child may partake of it, but also so that the child might create while learning.

In our country, not all children are fortunate to get good training because only children from affluent families alone can afford to send their children to good convents and schools, which maintain good standards. Children from poor families, and majority of them belong to this category, can ill afford to give sound training to their children. No doubt, the government spends a lot of money on the upliftment of children's education. But the results are not uniformly good due to inherent ignorance and backwardness of parents to avail such opportunities. As always, children should be educated according to their developmental level. There are problematic children. There are also maladjusted children. Children's behaviour must be individually evaluated in the context of the eternal triangle of home-school-child. Then, what is and what is not maladjusted behaviour of children may be analysed and adjusted. Socially deprived children are badly handicapped in many ways, such as nutrition, intellectual stimulation, etc. It is from this stratum of poor, backward, educationally impoverished, and discouraged children that delinquency behaviour arises. Herein lies the duty cast on the government, the parents and teachers to shoulder heavier responsibilities.

Schools are institutions which deliver values along with the information. In order to mould a good pupil, parents have equal responsibilities. Some of the maladies of the present-day youth may be attributed to irresponsible and discouraging tackling of children by the parents at the right age. Successful upbringing of children is no easy task of parents, but to train them well is their prime duty. Some parents are lucky to have gifted children. Children of high ability have a lot to offer to children of lesser potentialities. Co-operative endeavour on the part of children too, will narrow some of the social maladies.

Psychological education, as part of a child's development, is a primary source of opening minds. As stated earlier, child-centred education is focused on the individual child; it implies the growth of a human being. Learning begins even before birth. Everything in life is susceptible to changes. Although it is impossible to endow every new-born child with stability and wide-educational opportunity, an attempt, can however, be made to make them good citizens of tomorrow. Success lies in striving for good results. Deep in our

nature, there is reverence for life and this noble quality should be strengthened by the training given to children by parents and teachers. Children should be taught to develop respect for human dignity, decency and freedom. In a society, there are no wicked or bad children; there are only unfortunate, unhappy, uncared children whose interests should be taken care of by the government as well as by the members of society. The way in which parents develop the moral, mental qualities of our children lies the future of our nation's progress. Children can become great by themselves, not through mere intellectual prowess or wide learning but through sheer self-discipline being imposed on themselves.

*nāyamātmā balahīnena labhyaḥ
na medhayā na bahunā śruteṇa*

Children and youth should always look far ahead and not be short-sighted.

dirgham paśyata mā hrasvaṁ

It is then that the nation will prosper and become strong. The future lies with children of to-day, who when they grow up will become the torch-bearers of the cultural heritage of our country.

The Youth of to-day

The main problem in democracy is how best to educate the youth to contribute to the richness of the democratic way of life. The youth of to-day stands on the threshold of a future which has yet to unfold itself. The younger generation is in no mood to accept calmly obvious platitudes and stale aphorisms. They must be led to learn for themselves to appreciate the value of liberty. They must practice non-violence in thought and action. Violence produces greater violence and hatred. The remedy lies through self-discipline. Self-control is not a negative deliverance from habit. In fact, all duties have self-control for their end—*Sarvadharmāḥ manonigraha lakṣhaṇāḥ*. The *Gītā* tells us: "Let a man gain little by little tranquillity by means of self-control".

The youth are willing to learn how to think, but they want to see the relevance of thought to action. It is the duty of the parents and the educationists to guide them in the right path. Indiscipline

among the youth is not an incurable disease. It can be cured permanently by helping them to tame their passions, cultivate nobler values of life, conquer inner conflicts and resentments by allowing them to judge for themselves the good from the bad. It is true that the lure of greater material incentives may put them off balance. Unrest among youth may be because of the pace of social change and the extent of the break with traditional culture. The youth of to-day would like to be modern. Diverse styles of life, codes of conduct and belief systems are undergoing rapid changes. A spirit of accommodation is essential between the younger generation and the elders. To-day, we find that boys and girls would like to move freely at schools and colleges. Perhaps, this may lead to a healthy atmosphere. If undue restrictions are imposed, boys and girls tend to be aggressive. Old fashions of dress-styles are getting outmoded. The recent trend among the sophisticated and smart girls is introduce a touch of sex appeal into the traditionally chaste style of their costumes. Old order *changeth* yielding place to the new. As things stand to-day, they are complex. This complexity makes it all the more significant to find one's bearings within the traditional social matrix, and from there to work outwards from elements which have remained more or less constant for centuries to elements which are subject to change. The dichotomy between tradition and modernity can be solved if their deeper affinities are fully recognized. Education has to 'catch on' as a primary agent in social change. It is not difficult to extricate the problems of the youth of to-day from its predicament. Beneath all conflict, lies a unity which is hidden within our human nature. The Youth know their future and they have the capacity to mould their future rightly. Let us not forget that a sense of frustration, of alienation, of lack of integration would ensue, if the youth are not given the opportunities to develop their personalities fully. Let us see things both as they *are* and as they *can* be. In every situation, there is the possibility of improvement, in every life the hidden capacity for something better. True realism involves a dual vision, both sight and insight.

The Role of Woman in Family

The woman who rocks the cradle rules the family is not a mere truism; it is a proverb of seminal significance. The *house* becomes a *home* because of the woman who plays a significant role in shaping

her children, not merely physically, but mentally, morally and spiritually as well. In short, the woman is the axis on which the whole family world revolves. The sanctity of the home also depends on her. Her role as mother, as adviser, as civiliser, have to be protected at all costs. It is woman's sacrificing spirit which has saved many families from ruin. It is generally agreed that the mother, is the home-maker and is chiefly responsible for domestic care and love and the socialization of her children. She is the helpmate to her husband, providing moral support for him in his up-hill struggle for the family's survival. If parents feel that there is equity in their relationships and that the satisfactions that they accumulate with their pattern of emotional investments are acceptable, they are not only more likely to produce children who will have a well-trained moral development, but, this is likely to strengthen their own sense of individuality.

A mother who feels lonely and isolated, unfairly treated and physically and psychologically wasted is less likely to provide a satisfactory role model even for her growing daughters; and she is unlikely to be an effective disciplinarian for her growing children. Neither mother nor father are likely to present a strong moral foundation for their children's formation of values if they have divided feelings about their mental get-up. Mutual adjustment, mutual understanding and the capacity for endurance in times of trying situations in life are the *sine qua non* of a happy family.

The woman of to-day is torn between dual sets of values—orthodox or tradition and modernity. The new family laws reflect the great change in the ideas held by educated people about how family relations ought to be carried on. But they have not imposed restrictions on maintaining joint-family relations. Derrett, the jurist observes: "So long as the father and his sons regard themselves as jointly and successfully responsible for the maintenance of the members of the family, the joint-family will remain, and the Modern Hindu Law has not taken away its juridical framework."²²

Modern Indian Womanhood

We witness rapid changes accruing in society to-day. The modern woman feels now that she has remained long enough in the

abyss of ignorance, obscurity and neglect due to the dominance of the male member. Man should give her due share of equal respect and responsibilities. To-day, the modern woman has a place in both the home and the society. Never in the history of world civilization have women come so near to the real freedom that equality with men implies. This development is as revolutionary as anything this age has seen. By the end of the century it is most likely that full equality between men and women will be the normal state of affairs over the whole earth. Women's liberation in India has relevance to the extent that women should demand meaningful equality with men. Becoming conscious of their duties, if women stand firm on their right to freedom, they can achieve their ideal goal.

What is the place of modern woman in society to-day? In the new set-up of Indian society, women are given equality. This concept of equality was absent in the past. The intrusion of social concepts from Western countries is causing great hindrance to the development of woman's personalities. The economic conditions of the present day can hardly allow the women of even upper middle class family to enjoy the comforts of the home. How deplorable would be the condition of women from the lower strata of society is imaginable. This necessitates with the husband and wife to go out and toil for the maintenance of the family. The withdrawal of the woman from the home and family is naturally has its own repercussions. The warm and close ties of the mother in the home are absent in the formative period of the growth of children. Hence the home as the basic unit of society is gradually disintegrating.

A new status of women is fast emerging. We have lady ministers, lady parliamentarians, lady publicists, lady pilots, lady police-officers, lady brigadiers, lady personal secretaries, lady typists, lady lawyers, lady lecturers, lady doctors, lady nurses, lady dentists, lady engineers, lady educationists, lady drivers, lady players, lady athletes, lady social workers, lady preachers, lady astrologers, lady agriculturalists, and even lady scavengers and so on *ad infinitum*.

The question that arises is : should a woman seek a job? The economic need causing women to seek employment is no doubt a justifiable ground. But does not this way of life create endless problems on the domestic side? What about the upbringing of children

at home? The woman of to-day must meet the challenge of equipping herself in up-to-date scientific knowledge of child-care, and of being able to accomplish skilfully both household tasks and child care in the face of increasing opportunities for jobs outside the house. The big question is: What is her self-image in this changing milieu? Most of the women of to-day are caught in the throes of traditionalistic orientation and seek refuge in the historical symbolism of 'motherhood'. The great majority of illiterate women of India are unready for modernisation. The image of the Indian women holding high positions is only the image of a small negligible elite group of woman. If woman is to have an undistorted image of herself as the main socialiser, she must be taught to find out the ways and means of bridging the gulf between traditional and modern modes of living.

To-day, it rests with the women of India and more especially with women of the rising generation to see what sort of influence they want to cast on the nation. To-day, we are a free nation and the atmosphere — social, economic, political — is most conducive for the development of women's potentialities. There is a greater scope for them to work in union for the growth of the nation, the creation of better citizens, the creation of a better atmosphere by making use of the tools of scientific development and spiritual knowledge. The sphere of activity of the Indian woman has become wider than ever before. The woman is the linchpin of the family and, through it, of the community. She is the conservator of values and the transmitter of the ethos. It is in virtue of this function that she reigns supreme and is held in high esteem. Women's education in India has made spectacular progress. Education must lead a woman to spiritual transformation and self-mastery. Our homes must become the primary educational institutions, and here the woman has a significant role to play. The home has to be as much a replica of the school as the school has to be an extension of the home. Parents are the first teachers even as teachers are the second parents. Parents have to extend their enlightened co-operation to the teachers and fortify the influence of the school by a close watch and effective control of the young at home. Above all, the example of their conduct must be worthy of emulation. The gulf between the school and the home should be bridged and a network of co-ordinated activity in educational institutions should be organised to help the parents also appre-

ciate the higher values in life. Women have to play the most decisive role to shape their children. Creedless life leads to codeless behaviour. Re-orientation in the content of woman's education will help her to be well equipped to face the realities of life. If women have to play an important role in society, their education should be planned that they can play their roles in the family and in the nation efficiently and effectively. There is no denying fact that our system of education needs revolutionary change to make the women more useful citizens of society.

Is the Hindu Joint-family disintegrating?

Agreement or disagreement with the contention of the above question would proceed with a dispassionate analysis of the joint family system in India with special reference to the Hindu system.

Of all social institutions, the family is the most effective agency of altruism and familistic relationship. The Hindu family has transformed its members into a single unit, with a common bond of values, with common joys and sorrows, spontaneous help and willing submission to secure nobler values in life. The man and the woman are indivisible. They form one entity. Mutual affinity, adjustment, understanding, attraction, co-operation and the in-built capacity for endurance in times of crisis are the *sine qua non* of a happy family.

The Hindu family is essentially monogamous. A nuclear family, we have noted earlier is one which consists of the husband, wife and their child or children. After marriage, the daughters leave their parental household. The Hindu family is an extended family because it consists besides husband, wife and children, uncles, aunts, and cousins and grandsons. Earlier we have noted that a nuclear family typically becomes a joint family when the sons marry and continue to live in the parental home with their wives and later with their children. That joint family eventually splits into smaller families, usually after the death of the father is not uncommon in Hindu society. In general, it is contended that the tenure of joint family living tends to be longer among the affluent families. It is not so among poor families. The joint family in Kerala consists of a woman, her brothers and sisters, the children of her self and of the sisters, and the children of the women of the succeeding generations.

This type of matrilineal group, which is characteristic of Kerala joint family is called the *thārṇād*.

In the patrilineal joint family, the ancestral property is generally held in common, though, of course, every male after his attainment of age of majority, has the option to demand partition and claim his share.

In North India, the joint family succession is generally *linear* in order that collateral branches are barred from succession. Speaking generally, a family is joint inasmuch as the property is held in common. It is non-joint, inasmuch each unit lives separately and has a separate kitchen. We may note that the incidence of nuclear families is greater in the urban areas, while joint families are fairly common in the rural areas. It is contended by some scholars that temporary joint families are traced in large numbers and that 'sentiments' and 'customs' derived from the traditions of the joint-family continue to play a significant role in the family life in India. Some scholars use the term 'unseparatedness' instead of 'jointness' to describe a Hindu family. The two terms, however, mean the same,

The Hindu joint family ensures economic stability and growth. It provides division of labour. It provides opportunities for members, especially the women folk, time to develop their creative talents of work, enjoy leisure and above all, social security to its members. The old, sick, invalids and retarded children are taken care of by the earning members who pool all their resources together to make the family run smoothly. It avoids division of holdings. According to Sir Henry Maine, "the joint family is like a corporation where trustee is the father. Everyone in the joint family works according to his capabilities but obtains according to his needs. Thus it realises the socialistic ideal." From each according to his capacity, to each according to his needs. The doctrine of Trusteeship put forward by Gandhi, finds its full expression and manifestation in the structure of a joint-family.

Like Caste system, the joint-family system is encased in a religious shell and its primary significance lies in a sense of hierarchy. If the family gets split, the principle of religious offerings may get

violated either by the sons not performing or performing them separately which appears to be contrary to authentic religious injunction.

Karve observes that 'temporary joint families are formed in large numbers, and that sentiments and customs derived from the traditions of the joint family still play a role in the family life in India.'

J.D.M. Derrett upholds the view that 'the louder people clamour that the joint family is breaking up, the clearer they make what seems to be the fact, namely that the strains this adaptable institution now takes are heavy but not yet too heavy for it.'

We find that there is a higher degree of family solidarity as measured by financial aid and assistance given to all the members of a joint family. It is also argued that with advances in medicine, better hygienic living conditions, technological developments, new conditions of domestic and occupational life and new orders of organizational provision, social and domestic problems are lessened and this keeps the members of a nuclear family become self-dependent. Modern ways of living have changed rapidly and with the increased modes of urbanisation, the system of joint family is gradually losing its importance. Industrialization has contributed much to family disorganization. With the establishment of new factories workers from the villages move to the cities which ultimately leads to the break down of the joint-family.

It is criticised that in a joint family privacy is denied to the newly wed couple. Invariably the bride is greatly influenced and dominated by the mother-in-law of the house, that she does not get an opportunity to develop her personality. Though there may be exceptions here and there, yet it is generally observed that the members of the older generation do not give freedom to the new weds to adopt their life-styles suitable to their temperaments.

It is true that the joint family system which once formed the firm foundation of a Hindu way of life, is being confronted with unsurmountable obstacles caused by the introduction of new social legislation consisting of the Hindu Marriage Act of 1955 and the

Hindu succession Act of 1956. Further, the pace of social mobility and the gradual re-orientation of traditional values is slowly altering the picture of Hindu family life styles.

Whatever be the demerits of the Hindu joint family system, it cannot be denied that it is a co-operative family institution where every member does his duty under the guidance of the eldest members. In it, we have a harmonious blending and synthesis of individual and common interests. Whatever may be the impact of the Western modes of living and culture, yet Hindu way of life is based on *dharma*, and so long as dharmic principles govern our way of living, the Hindu joint family system will withstand the challenges of modernity. We can be sure that the inherited excellence of Hindu culture will offer stubborn resistance and preserve the noble ideal of Indian family life.

The ancient ideal a family is beautifully described in a hymn in the *Atharvaveda* :

"I will make you of one heart, of one mind and free from hate
Love one another as the cow loves the calf she has begotten
Let the son be loyal to the father, and one of mind with the
mother ; Let the wife speak sweet and gentle words to the
husband ; Let no brother hate brother, nor sister hate sister.
Unanimous, united in purpose, speak you words with friend-
liness."

If Hindu marriage loses its sanctity, there will be only four brick-layered walls and a tiled roof, but no *home*. Fortunately, the dharmic principles govern our day-to-day life and the future is quite bright. A nation is made up of families, bound together by steady marriages and happy homes. The sanctity of the marriage and homes determines the greatness of a nation. Secularism and materialism have debunked the sacramental conception of Hindu family life. But this is just a passing phase. However, we cannot ignore the serious threat posed in the name of modernity. To-day, we find that sex-life is identified with sex-living. The science of family planning with all its so-called efficiency 'has made the richness of sex experience cheap, trivial and divorced,' from the sense of *guilt*. Are modern Hindu marriages losing the religious moorings? The present-day types of marriages, *companionate*, *'open'*, the *registered*, etc., with the provision for

divorce as fundamental clause are really posing challenging trends of modern living. Does it mean that marriage, of late, has come to mean a loose sex companionship, as we find it common in the West ?

If we correctly comprehend the significance of Hindu marriage, due place should be given to women, for the sanctity of home depends entirely on them. 'Where women are honoured, Gods are pleased.' This Vedic statement is absolutely true to-day. The wife is called *sahadharmacāriṇī*. She is the complement of man integrating man's life and sublimating the narrow impulses of life. The prophet Mahomed said : "Paradise is at the feet of mothers."

The present generation dare not forsake the gems of ancient wisdom taught to us by our spiritual preceptors if we hope to secure peace and happiness and make our family life sublime and beautiful, in a world which presents to us the grimness of life with the clouds of uncertain future hovering over our heads.

To-day, what we need is the deep sense of values and not the mere pursuit of doctrinaire ideals. We must build on the past, without making 'a fetish of the past'. It is not the dawns of the past, but the noons of the future that call us to our highest destiny, as Aurobindo puts it. John Ruskin observes : "There is no question of superiority of one sex to the other. Each completes the other and is completed by the other. They are in nothing alike, and happiness and perfection of both depended on asking and receiving from the other what the other only can give." Woman is the embodiment of sacrifice. She alone can help to reconstruct the structure and basis of family life, and guide the inner personalities of individuals in a family.

Contradictory trends of thought have often been one of the characteristics of the human intellect. If humanity is to survive, man must see God in man and in every creature and even in a speck of dust. The Cosmic Order, the *Ṛta* of the *Vedas* is given to us, but man has to adapt himself to the *rhythm* so that while the individual strives to redeem the world, he redeems himself too. They are no separate entities. The *Vedas* are nothing more than a mere capturing of the experiences of people who wrestled with the problems of life and life's mysteries and who were able to conquer them. It is such

universalistic tendencies which we have, that we have to recapture for our own age to-day, if we want to live peacefully within our family and society at large. To-day, we find that there is growing tendency and conflict between spiritualism and materialism, and this has spread to the family life too. If we are to learn from the past, the one lesson we need is: 'Believe in the one Supreme and look upon all people as children of that Supreme One.' The success of future family life rests only with women. It is women of great intellectual ability, women of practical efficiency, women who conform to the traditions, which our country has bequeathed to us and above all women of great virtue who can transform the institution of family into a divine abode where peace and prosperity will reign supreme. Every one of us belongs to the same family of the Supreme.

To-day, we need a sane and well-ordered life; *aśāntasya kutaḥ sukham*, without inward peace, *sānti*, we cannot be happy. Our essential being is inward, spiritual, and it derives its strength from within, and not from without. We must make our life sacred. Man wishes to strive for a measure of pride and dignity in his own manhood only through a life of *saṁsāra*. Sound family life is the basis of a healthy social life. This ultimately depends on his passing through the stage of *grhastha*. Marriage becomes meaningful only when it is laid on the firm foundations of *dharma*. Life is a perpetual struggle between the visible and the invisible. *Vivāha* is a *śarīrasaṁskāra* which enables an individual to perfect himself in order to seek eternal bliss.

MARRIAGE

Of all the Hindu *samskāras*, the *Vivāha* is the most sacred and significant one, because it is the origin and centre of all *yajñas* performed by a *grhastha*. Marriage received spiritual significance as indicated in the literary expressions found in the *Rgveda*¹, and the *Atharvaveda*². Marriage is to every Hindu not an act of mere pleasure, not primarily a source of gratification to his sentimental longings or romantic loves, but an act of duty, a matter of moral and religious obligation, absolutely incumbent on him to his ancestors. To repay the debts to ancestors is possible only through marriage by having good progeny. It is true that there appears to be a dichotomy between spirit and flesh. However, this gets resolved into a larger unity of being and becoming. Marriage is not merely a union of physical bodies but of minds. Marriage makes an individual more human, more sublime, more truly living and is instrumental for creating tender love, deeper understanding and sensitiveness to nobler aspects of life.

Marriage - its spiritual significance

The following verses show that marriage is considered as an act of positive merit. "He, who out of stupefaction, puts impediments in an impending marriage, sacrifice or gift, O Vāsava, is born as a vermin after death"³. "For one dying without purificatory rites being performed unto one, the nuptials for a bachelor should be performed."⁴ So long as a man did not secure a wife (*patnī*) and a son (*putra*), he was not considered complete. The *Aitareya Brāhmaṇa* says: "because the father is born again of his wife (*jayate punaḥ*), she

is called *jāyā*. She is his second mother.”⁵ The marriage *mantra* bade her step into her husband’s abode as its queen *saṁrājñi*.

The Vedic statement ‘Increase and multiply’ was considered very sacred to a Hindu whose present bliss and prosperity depended, indeed upon male children ; but above all, his future and the future of his ancestors hinged upon the male descendents of the line. A son was called ‘the cancellor of the father’s debt’. Because the son rescues his father after death from hell called *puti*, he is called *putra*. It is not only necessary to have sons but grandsons and great grandsons. In fact the mandate is “Do not sever the thread of the human species. “By a son one conquereth the three worlds. By a son’s son, one enjoyeth eternity, and a grandson’s son, great-grand-fathers enjoy everlasting happiness.”⁶ During the Vedic period, we find that prayers were uttered for the birth of a son, though we do not come across any reference depreciating the birth of a daughter as in the *Atharvaveda*.⁷

We find in the *Ṛgveda*, several names were given to denote a girl at different stages of her life. A girl is variously called *kanyā*, *duhitā*, *kanīnakā*, *kanyakā*, *putrikā* etc. Of all these epithets for girls, the word *duhitā* seems to have been in frequent use in the *Ṛgveda*, referring to a daughter.⁸

Woman as wife was denoted in the Vedic period by the words, *Jāyā*, *Jāni* and *Patnī*, each denoting special characteristics of wifehood. *Jāyā* means the sharer of the husband’s affections ; *Jāni*, the mother of children; and *Patnī*, the partner in the observance and performance of religious sacrifices. Besides these, some references clearly go to show that the household fire was tended by the husband and wife together. The word *dampativā kratuvidyā* refers to the aspect of womanhood.⁹

In the time of the *Vedas*, all writers are agreed that, she enjoyed much freedom and was clearly in most cases an equal of man. Nevertheless, from the very outset we must recognise the fact that two conflicting views are set forth regarding women’s character. The *Ṛg-veda* contains no clear evidence of divorce obtaining in actual practice. Such an idea too was almost abominable. Marriage was considered sacred and divorce was against all occult and spiritual law. The

society during this period set up a high order of morality. Hence, there were hardly any instances of adultery among married women. Mutual fidelity of the husband and wife was expected to continue right up to death.

That a husband and wife constituted an indivisible unit in society, and the duties of each towards the other, can be inferred from the nuptial hymn as depicted in the *Atharvaveda* passage. 'Be thou supreme among fathers-in-law, supreme also among brothers-in-law, supreme over sisters-in-law, supreme also over mothers-in-law'.¹⁰ The above passage indicates the supremacy of woman during the *Atharvaveda*.

From the oft-quoted statements from the Vedic texts, it is quite evident that women played an important role, particularly in religious life. A man could not become a spiritual whole unless he was accompanied by his wife. The Gods were thought not to accept the oblations offered by a bachelor.¹¹ Besides the privileges she enjoyed in the matter of religion, the wife was greatly honoured in the family and after marriage she was looked upon as guardian of all the members of the new family. The *Aitareyabrāhmaṇa* after explaining the utility of a son, states that "a wife is a comrade; a daughter a misery, and a son is light in the highest heaven."¹²

In the *Bṛhadāraṇyaka Upaniṣad*, the ideal picture of a wife (*patnī*) as the other half of the husband (*pati*) has been beautifully delineated by a very telling simile of the half of a shell.¹³ Ceremonies for begetting a son is described as a religious duty.¹⁴ This does not preclude the role of having an educated daughter.¹⁵

In the *Dharma Sūtra* period, with the introduction of different forms of marriage, the status of women deteriorated. There was a definite sanction for the domination of the husband over the wife. The notion of spiritual union of husband and wife by magic *mantras* gave place to the idea of the transference of the ownership of the bride. Due to the introduction of lower forms of marriage, the wife lost her position and dignity of *gṛhapatī* and was precluded from participating in the religious ceremonies and rituals of the husband.¹⁶ The women always remained dependent. Ultimately, though her position was much lower in society, nevertheless, she was

protected by law. The necessity of equality of birth is stated in the *Gṛhyasūtras*. Inter-caste marriages came to be accepted. Viṣṇu and Bṛhaspati approved of the practice of *sati* and even considered it as an ideal for women. The doctrine of the indissolubility of marriage is found in the *Dharmasūtras*.¹⁸

The *Rāmāyaṇa* and the *Mahābhārata* have enshrined for us certain imperishable ideals of womanhood. That women were considered pivots not only of domestic life but of the entire society is clearly evident in the epics. A maid was not only an object of tender affection and care at home but her education also was taken care of and she had important duties as well to perform. A woman was never sacrificed at the altar of marriage. She was allowed to select her life-partner. 'Kanyādāna' does not necessarily mean her lower status. The sacramental nature of marriage also strengthened the position of a wife even in a polygamous society. The nucleus of family life was centered round her and on women depended the prosperity and future progeny of the family. She was to be respected by one and all. She was considered the creator, protector, and educator of her children. Children respected their parents, particularly the mother. Step-mothers also enjoyed equal privileges. Widowed mothers were protected by their sons. *Sati* was not in vogue then.

A few passages both in the *Rāmāyaṇa* and the *Mahābhārata* picture woman as degraded. Side by side with this black picture, exist many fine delineations of the highest traits of feminine character.

Woman's spiritual guide is her husband, so observe the great Ṛṣis of *Bhārata Deśa*. Sītā, the *pativrata*, consort of Lord Rāma, has been immortalised through Vālmīki's *Rāmāyaṇa*. King Janaka, who meant Sītā to be a true *sahadharminī*, imparted to her religious education.

The *Rāmāyaṇa* has an obvious allegorical significance and suggestiveness, as indicated in the *Ātmbodha* of Śaṅkarācārya, according to which the soul (Rāma) after crossing *moha* (delusion) here pictured in the form of a forest, and killing *rāga* (passion) and *dveṣa* (hatred)—symbolizing the *rākṣasas*—shines resplendently united with *śānti* (peace) in the form of Sītā.¹⁹ Sītā is depicted as the personification of absolute perfection. Like Umā for Śiva, Āṇḍāl

for Raṅganātha, Sītā fixed her heart upon Rāma.....the incarnation of Mahā Viṣṇu. Sītā's singleminded devotion to her lord Rāma is a glorious example of Indian womanhood. In short, Sītā's character shows the fine mingling of the conception of *sahadharminī* and *pativrata*. Her gentle disposition, simplicity, self-sacrificing spirit, quality of adjustment, aesthetic sense—all these qualities go to show that Sītā is indeed immortal.

The *Mahābhārata*, too, is resplendent with a galaxy of illustrious women. Mention may be made of Gāndhārī, Kuntī, Draupadī, Sāvitrī, Damayantī, Śakuntalā, Rādhā and Satyabhāmā amongst a galaxy of great women who, though *gṛhiṇīs*, were also reputed *brahmvādinīs* and saintly ladies.

The *Gāndharva* form of marriage between Śakuntalā, a paragon of beauty with King Duṣyanta, has become a love-story par-excellence in Indian literature. No less a great scholar than Kālidāsa has depicted this story in a language which is at once classic and beautiful. Goethe, the master-poet of Europe, rightly said that Śakuntalā combines the blossoms of spring with the fruit of autumn. It combines Heaven and Earth. Truly in Śākuntala, there is one Paradise Lost and another Paradise Regained. In short, Śākuntala is the finest and the most striking example of romantic love. Rādhā's sweet love for Kṛṣṇa gives us the ennobling picture of the role of woman in man's discovery of himself. Rādhā's union with Kṛṣṇa, her merging in Him, is the be-all and end-all of romantic poetry and philosophy.

Virtue-the object of reverence

The noble character that stands unique for all time by virtue of her simplicity, modesty, brilliance and compassion, and in which wisdom and knowledge combine to produce *trilokīmāṅgalā*, is Arundhatī as depicted in the Sanskrit work *Kumārasambhava*. Arundhatī, by her way of life has shown to the world that 'virtue is the object of reverence, not sex, nor age.' According to the last rite performed in a Hindu marriage, the bride looks at the polar star Arundhatī at sunset. This rite is performed before the couple leave the bride's father's home.

Manu on Hindu Marriage and Womanhood

The eight forms of marriage referred to by Manu, merely possess a historical significance. In all these forms of marriage, the woman is considered as a precious person. The first four forms i.e., Brāhma, Daiva, Ārṣa and Prājāpatya seem to be adopted from the customs of the paternal type of family consisting of Aryans and non-Aryans who were divided into four *varṇas*. The last four viz., Rākṣasa, Gāndharva, Āsura and Paiśāca were adopted from the customs of the maternal type of family.

Polygyny was sanctioned by Manu. Manu lays down in clear emphatic terms, the obligation to conjugal fidelity. The breach of this obligation, however, was not considered so serious as offence in the case of the husband as in the case of the wife. Manu observes : "Let mutual fidelity continue until death. This is the summary of the highest law for husband and wife. Let man and woman united in marriage constantly exert themselves so that even if separated, they may not violate their mutual fidelity."²⁰

According to Manu, woman should be protected and honoured in all stages of her life. The main reason for the guarding of the wife is to preserve the purity of the offspring.²¹ Manu did not give any praise to the female intellect. However, he insisted that women should be honoured. He says that there is no difference between the housewife and the goddess of Fortune, both illumine the home and are to be adored as such.²² Manu's famous statement reads thus: "Where women are honoured, there the Gods revel, where they are not honoured, all religious acts become futile."²³ He adds: "that home perishes in which the daughter-in-law suffers; homes cursed by them come to grief."²⁴ In that home in which the husband and wife are mutually happy, there is invariably auspiciousness.²⁵ No religious rite could be performed without the wife. Indeed the husband and wife are one.²⁶ Men should always honour women for their own prosperity and interests.²⁷ Yājñavalkya says that women should be honoured with ornaments, clothes and food by their husbands, brothers, fathers, parents, relations, mothers-in-law and maternal relations.²⁸ According to Viṣṇu, the person who is ready to die for the sake of a woman gets heavenly blessing.²⁹ For a woman, her husband should be everything. Through devotion and love for him,

she fulfils her duty and develops her highest personality. Whatever be the qualities of the husband with whom she is lawfully united, such qualities she assumes, like a river united with the sea. It may be of interest to note that Akṣamālā, a woman of the lowest birth, united with the sage Vasiṣṭh and Madanpālā united with the sage Sāraṅgi became worthy of honour. These and other women of lower birth have attained eminence by following their husband's good qualities.³⁰ If a wife obeys her husband, she will, for that reason, be exalted in heaven.³¹

Manu expresses the opinion that woman has a duty to perform in the social order, the arduous task of motherhood. To be mothers were women created, and to be fathers men; religious rites are therefore ordained to be performed by the husband with his wife.³²

Manu has laid down certain injunctions for regulations between husband and wife. The important principle is that wife, should ever remain obedient to her husband, must never do anything that might displease him, and faithful to his memory after his death, should not think of any other man.³³ 'Even though the husband be of bad character seeking pleasure elsewhere he must be constantly worshipped as God by a faithful wife.'³⁴ If a wife shows disrespect to her husband who is addicted to some evil passion, who is drunkard, or who is diseased, shall be deserted for three months and be deprived of her ornaments and furniture.³⁵

Manu further states that a vicious husband may be worshipped, but a bad wife at any time be superseded by another wife.³⁶ Besides this, the husband may leave the wife on other grounds. 'A barren wife may be superseded in the eighth year; she whose all children die, in the tenth; she who bears only daughters, in the eleventh; but she who is quarrelsome, without delay.'³⁷ Manu further says: 'A wife who, being superseded, in anger departs from her husband's house, must either be, instantly confined or cast off in the presence of the family.'³⁸

The wife has no right to regard herself as independent, for neither by sale nor by repudiation is a wife released from the husband.³⁹

If we compare Kauṭilya and Manu, we find that the position assigned by Manu to women was not so high as that accorded in the Laws of Kauṭilya.

Manu believes in the co-ordinated and harmonious development of human personality. He fully realises, the significant importance of woman as a component part of man, the two together making a complete whole.⁴⁰ It should be noted that his idea is that of oneness of the two and not of equality with each other.⁴¹ Manu does not despise sex life. He regards marriage as natural. In fact, Manu regards sex as the psychomoral basis of social organisation. The re-marriage of a widow was strongly reprobated by Manu as improper. But some of the later Smṛti writers like Nārada took a more generous view and recognised the right of a widow to marry a second husband.⁴² Owing to the growing ascendancy of the ascetic ideal of life for widows, the practice of re-marriage fell into disrepute and at the time of Alberuni's visit to India (circa 1030 A.D.), the practice of re-marriage of widows was prohibited by custom. The text of Parāśara which permits the re-marriage of woman clearly contemplates the dissolution of marriage otherwise than by death. The four other cases in which he holds that a wife is entitled to remarry are the disappearance of the husband, his renunciation of the world, his impotency and his expulsion from caste. The *Arthaśāstra* of Kauṭilya also declares the right of a wife to marry another husband under certain circumstances.⁴³

While the general Hindu law as enforced by custom sets its face against the dissolution of marriage, it has not been opposed to supersession of the wife by the husband. The later law-givers too lay down the husband's right of supersession in similar terms.

Inter-marriage between the main castes was recognised and permitted by the early law-givers. Inter-marriages of the *Anuloma* form (i.e. of woman with a man of higher caste) are mentioned without disapproval by the *Dāyabhāga*, *Smṛticandrikā*, *Vīramitrodaya* and other Law digests.

The Hindu law mentions in unmistakable terms the progress of moral ideals relating to sonship. The ancient Hindu was anxious to beget sons, and if he did not beget any himself, was anxious to

procure a son by some means or other. Illegitimate sons in the three higher castes are not heirs at all, but are only entitled to maintenance from the estate of their father, according to Yājñavalkya and Manu. Though early writers like Bodhāyana declared the incompetency of women for inheritance on the ground of their deficiency of strength, the text of Manu which lays down the inheritance of the nearest *Sapiṇḍās* has been interpreted by the commentators as recognising the right of the wife as a *Sapiṇḍā*.⁴⁴ There are also other passages to be found in Manu recognising the capacity of women to hold property.

In the foregoing paragraphs, an attempt is made to briefly survey the position of women in their various capacities and the general attitude of Manu towards them. Professor Rangaswamy Aiyangar has rightly estimated Manu's views on women when he says: 'The idea of the perpetual tutelage of the Indian women is a myth. It is contradicted by the large freedom enjoyed by the wife in the management of the household, in the wife's concurrence being necessary for all gifts by the husband, in their enjoying rights of separate property and by the rule that family estate should not be partitioned between the sons during the life-time of widowed mother.'⁴⁵ Thus an attempt has been made to reflect the social conscience of the period in which Manu and Yājñavalkya wrote. With the introduction of a new comprehensive legislation dealing with the personal laws of the Hindus, *Manusmṛiti* has ceased to be a law. Manu, however, will be venerated as the first law-giver of the Hindus.

'*Kanyeyam kula-jīvitam*' — the girl is the very life of the family, observed Kālidāsa.⁴⁶ The *Mahābhārata* declares: '*Nityam nivaṣṭe lakṣmīḥ kanyakāsu pratiṣṭitāḥ*.' In the presence of a girl, resides ever steadily fortune as well as grace.⁴⁷ The greatest tribute paid by Manu to women is expressed thus:

Yatra nāryastu pūjyante ramante tatra devatāḥ
*Yatraitāstu na pūjyante sarvāstatrāphalāḥ kriyāḥ.*⁴⁸

From time immemorial, India has always honoured women. Manu and his commentators *viz.*, Medhātithi, Govindarāja, Sarvajñanārāyaṇa, Kullūkabhaṭṭa, Rāghavānanda, Nandana Rāmacandra have paid eloquent testimony to the greatness of Indian

womanhood. Besides these, Yājñavalkya, Vātsyāyana, Nārada and others have paid glowing tributes and honoured women.⁴⁹

The Hindu Śāstrakāras, have emphasised the importance of *vivāha* for both man and woman equally. However, to a woman, marriage is the basis of the *puruṣārthas*. Her life becomes complete only when she gets married. The phenomenon of old spinsters was not altogether unknown.⁵⁰ They lived in their parent's home 'till the hair was white with age.'⁵¹

Chastity

The enormous importance of the purity of sexual life was recognised from the Vedic period and all deviations from it were regarded with disfavour. Chastity was recognised as the central and most indispensable aspect of a woman's character. Male chastity is not indeed a matter of complete indifference; it is an object of much praise in the sacred books. The Hindu ideal of purity is undoubtedly high; but it often makes enormous concessions to various circumstances. Adultery, however, stands condemned and its varieties are distinguished. "Sexual intercourse is of eight kinds:—*viz.*, thinking of woman, talking about her, dalliance with a woman, looking at a woman with an impure desire, speaking to her secretly, determination for holding a sexual congress, persistent endeavour for doing it and the actual deed. This should not be thought or spoken of, nor should it ever be done."⁵²

Several acts which constitute the offence of adultery with another's wife is described by Manu thus: 'Sending presents of scents and flower garlands to another's wife, cutting jokes with or embracing her, touching her ornaments and catching hold of her wearing apparel, and eating or sharing the same bed-stead with her are acts which constitute the *Strī-saṅgraha*.' A woman, who tolerates being touched at her private parts by a man other than her husband, and a man, who tolerates similarly being touched by her, other than his wife, are said to be guilty of adultery by mutual consent. Under the Indian Penal Code, adultery is an offence punishable. Similarly, the offence of rape is punishable under the act.

Morality is concerned with right feeling, right thinking and right conduct - all the three aspects of human personality - effective, cognitive and conative. One has to tame his emotions rightly in order to lead a righteous life. Healthy expression of emotions, creative living, is the way to dharmic living. In short, purity of mind is the essence of morality.

Love and Marriage

Love is the basis of marriage. The success of a married life depends on reciprocal ties of love between the partners. Love strengthens the bond of marriage. Love is sublime. It always gives, never receives anything for consideration. As Radhakrishnan observes, "True love is the union of soul and body, so close and firmly established, that one feels that it will last as long as life lasts. Love is not merely flame meeting flame, but spirit calling to spirit." Rādhā's sweet love for Kṛṣṇa gives us the ennobling picture of the role of woman in man's discovery of himself. Rādhā's union with Kṛṣṇa, her merging in Him, is the be-all and end-all of romantic poetry and philosophy. When Sītā was discarded by her loving husband Lord Rāma, she says, according to Kālidāsa, that "I shall, after the birth of the child, so try to practise asceticism with my eyes fixed on the sun, that in the next life, I may have you for my husband without separation."⁵³ Sītā is the embodiment of Love—the eternal.

Love comes to a person naturally and spontaneously without any touch of artificiality. Genuine love can only be felt and not expressed. Love gives meaning and significance to life through marriage.

Marriage is the process by which an individual merges his natural physical and emotional instincts with the spirit to form a sublime union. Man and woman are not merely one with flesh with flesh and bone with bone, but above all they are one in spirit. As the spiritual end receives empirical content, marriage is said to be sacred. The sacredness of marriage does not rest merely with the tying of *tālī* or *maṅgalasūtra* around the woman's neck with the chanting of *mantras*, but in preserving its purity by leading an indissoluble life with the partner till death without the least trace of

blemishness. Married life enables a woman to reflect her own image in the heart of her husband to whom she had surrendered her body, mind and soul. Married life should be lived under the enlightenment of disciplined convictions. Every emotion has its norm, every passion has its chastity, every action has its self-control. Married life can attain true fulfilment only when we realise that it is for love and friendship that we are born to lead a deeper and richer life.

Monogamy

Marriage is eternal. For religious duties, marriage is necessary and a single marriage resulting in the birth of a son, is deemed sufficient to meet the requirements. Hence the reason, the *Smṛtis* view with disfavour the taking of more than one wife. According to the *Hindu Marriage Act*, 25, of 1955, the second marriage of a person who was converted from Christianity to Hinduism during the lifetime of his first wife is valid. The protagonists of Hindu Law Reform found no justification for permitting plurality of wives and the time is certainly ripe for enforcing monogamy by law, which the present *Hindu Marriage Act* of 1955 clearly states.

A Hindu husband cannot marry another wife as long as his previous marriage is sustaining,

According to *The Hindu Marriage Act*, monogamy is essentially 'the voluntary union for life of one man with one woman to the exclusion of all others.' It enacts that neither party must have a spouse living at the time of marriage. The expression 'spouse' here used means a lawfully married husband or wife. Before a valid marriage can be solemnized, both parties to such marriage must be either single or divorced or a widow or a widower and then only they are competent to enter into a valid marriage. If at the time of performance of the marriage rites and ceremonies, one or another of the parties had a spouse living and the earlier marriage had not already been set aside the later marriage is no marriage at all. A person to a bigamous marriage, may go to a court for a declaration that the bigamous marriage is null and void.

Polygamy

Early legal literature discouraged polygamy. *Āpastamba* clearly forbids a man to take a second wife if his first wife is of good

character and has borne him sons. The *Nāradasūtra* forbids a polygamist to testify in a court of law. The *Arthaśāstra* lays down several rules which discourage wanton polygamy, including the payment of compensation to the first wife.

Polyandry

Polyandry is entirely opposed to all the Hindu scriptures and traditions. It is unvedic. There is no mention of it in the *Vedas*, it is clearly repudiated therein. The *Taittiriya Samhitā* states that as in one piece of wood there may be two strings, therefore, a man may have two wives. As there cannot be one string for pieces of wood for Yajñā, so a woman cannot have two husbands.⁵⁴ 'A man may have several wives but a woman cannot have many husbands.'⁵⁵ 'Polygamy in men is an act of great merit. In woman it is very sinful to betake to a second husband after the first.'⁵⁶ The fact of Draupadī's marriage to five Pāṇḍavas raises the question of existence of polyandry. Sage Vyāsa says that the practice had become obsolete. Drupada says, "it is sinful in my opinion being opposed to both usage and the *Vedas*. Nowhere have I seen many men having one wife between them."⁵⁷ The case of Draupadī remains, an isolated one, having no rootage in the Vedic past, nor any future after it. The inference, however, is possible that the practice was not entirely unknown in those times.

Polygyny

Polygyny is usually called Polygamy but strictly speaking the latter is a general term including polyandry and polygamy. Polygyny is closely related to the institution of slavery. Polygyny is based partly on the lower sex impulses of the male and partly on the desire to leave many descendants. Sororal polygyny means the marriage of one man with several sisters.

Other Forms of Marriage

Levirate is the marriage of a man with the childless widow of his deceased brother.

Sororate means the marriage of a man with the sister of his deceased wife especially if she has left no offspring.

Hypergamy means the marriage of the daughter in the superior and noble family.

Exogamy is marriage outside the group. Among the Hindus, the current practice is to marry outside the 'gotra'. People of the same *gotra* are considered to have the similar blood and so their intermarriage is prohibited according to custom. Marriage between persons belonging to the same *pravara* is also prohibited amongst caste Hindus especially brāhmaṇas. *Pravara* is a type of religious and spiritual bond.

In Hindu society, marriage within the *piṇḍa* is prohibited. The rule is generally accepted by the Bengal and Mitākṣara schools. The marriage of cognate *sapiṇḍas* beyond the limits prescribed has always been regarded as lawful and as not prohibited in the whole of Southern India, except between cousins who are children of two sisters. The rules restricting marriages between cognate *sapiṇḍas* are practically obsolete, e.g., the marriage of cognate first cousins (children of brother and sister) is common among Telugus. It was recognised by Baudhāyana. The marriage of a male to his sister's daughter is common among Reddis of Andhra Pradesh.

Marriage within the class is known as *Endogamy*. It may be noted that endogamy and *Exogamy* are not antithetical processes, but where both exist, they supplement each other. Thus a Vaiśya caste is an endogamous group but its sub-caste, i.e., *gotra* is an exogamous group. Tribal endogamy, caste endogamy, class endogamy, sub-caste endogamy, race endogamy are some of the forms of endogamy prevalent in India. It is contended that by preventing marriage outside the group, endogamy preserves the group's homogeneity, safeguards its prestige and status, sustains the numerical force of its group, preserves the purity in the group, and fosters the sense of unity within the group.

Classical Forms of Hindu Marriage

Hindu Law books recognize eight different kinds of marriages, viz., *Brāhma*, *Daiva*, *Ārṣa*, *Prājāpatya*, *Āsura*, *Gāndharva*, *Rākṣasa* and *Paiśāca*. The first four were approved forms, while the rest were unapproved according to the ancient Hindu Law. The only forms recognised are: (1) the *Brāhma* form, which is one of the approved forms; and (2) the *āsura* form, which is one of the unapproved forms.

Where the father or other guardian of the bride gives the bride in marriage without receiving any consideration from the bridegroom for giving the girl in marriage is called *Brāhma*. But where he receives such consideration, which is technically called *śulka* or bride-price, the marriage is called *Āsura*, even though it may have been performed according to the rites prescribed for the *Brāhma* form. Hindus belonging to any class may marry either in the *Brāhma* form or the *Āsura* form. Thus a brahmin may contract an *Āsura* marriage, and a *śūdra* may contract a *Brāhma* marriage.

Of the other three unapproved forms, only the *Gāndharva* requires notice. The *Gāndharva* marriage is the voluntary union of a youth and a damsel which springs from desire and sensual inclination. It has at times been erroneously described as an euphemism for concubinage. This view is based on a total misconception of the ancient *Smṛti* texts.

Āsura, is a form of marriage by purchase. *Rākṣasa* is a marriage by capture, and *Paiśāca*, which can scarcely be called marriage at all, is the seduction of a girl while asleep, mentally deranged or drunk. These are the prohibited forms of marriage.

Thus we find that the above forms of Hindu marriages cover a wide spectrum of matrimonial union between a man and a woman.

Marriage Ceremonies

The significance of the marriage ceremony lies in the chanting of *mantras*. Regarding the ceremonies given in the marriage hymns of the *Ṛg-Veda* and the *Atharva Veda*, one aspect should be observed that the main outlines of the Hindu marriage rituals of to-day are almost the same as they were some five thousand years ago. In the beginning, the marriage ceremony was performed in a simple way. In course of time, the society became complex and many local and chronological differences came into existence.

Marriage ceremonies, had, primarily, their origin in religious belief of the people, but as marriage is a festive event in the communal life of people, all sorts of music, mirth were associated with it in the form of feasts. The *Āśvalāyana-Gṛhya-Sūtra* indicates the variations in the observation of wedding ceremonies with peoples of

different villages and regions. However, it indicates the rites that are commonly observed by one and all. Of these, the *kanyā-dāna*, the *vivāha-homa*, the *pāṇi-grahaṇa*, the *aśmārohaṇa*, the *lāja-homa* and the *saptapadi* each succeeding in the order given above, are considered important and have significant implications and relevance.

Marriage being a spiritual institution is based on the dual pillars of *sāmya* and *satya*, i.e., equality and truth. The *Ṛg-Veda* exemplifies the statement thus in the following passages :

“Aum Mama Vrate Te Hrdayam Dadhatu
Mama Cittam Anucittam Te Astu.”

“Yadasti Hrdayam Mama
Tadastu Hrdayam Tava,
Yadasti Hrdayam Tava
Tadastu Hrdayam Mama.”

“Aum, May you give your heart to me for my great and holy *Vrata* or vow of marriage. May your heart be mine; may my heart be yours.”

The married woman of the *Ṛg-Veda* is the *sakhī* (companion) of her husband because she has similar interests. Hindu marriage does not aim at producing identical personalities. Differences are bound to be there. It is inevitable. Such differences should be bridged by mutual and reciprocal bonds of affinity and equality, thereby they should try to achieve an indissoluble bond of harmony. This can be achieved only if their lives are used on the principles of equality and truth. The ideals of Hindu marriage have come down from Vedic times and are preserved in the various rituals which are in force even to-day. As Radhakrishnan observes: “the marriage ceremony marks the beginning of the great opportunity for the development of an emotional maturity, in which the sense of justice, of understanding, of consideration of, and forbearance for, others are born.”⁵⁸

Kanyā-dāna

The first ceremony is called the *kanyā-dāna* or the ceremony of giving away the bride. This ceremony is performed by the father or other guardian in his place. While giving away his daughter, the

Kanyāvaraṇa

Vivāha-homa

According to *Vivāha-homa*, the bride has to offer oblations, the bride participating in the offering by clasping the groom's hand.

The bridegroom stands facing the west, while the bride sits, utters the 'Sūrya hymn' to the bride, clasping with his right hand, the right hand of the bride with the thumb. Then the groom says: "This am I, That art thou", "The earth thou, the heaven I" "The *Sāman* I, the *Rk* thou" etc.

Lāja-homa

The bride offers the sacrifice (*homa*) of fried grains mixed with *Samī* leaves which is poured into her hands by the father or the brother of the bride; she then sacrifices the fried grains into the fire without opening her joined hands. These operations *viz.*, the *Parīṇayana*, *Aśmārohaṇa* and *Lāja-homa* are generally repeated four times. It is generally stated according to the *Gṛhyasūtras*, that only the circumambulation and the sacrifice of fried grains are to be repeated thrice because the treading of the stone precedes *pāṇigrahaṇa* in the ceremonial order.

Agni-parīṇayana

The bride-groom leads her three times round the nuptial fire and water pot keeping their right sides twined towards the fire and the groom recites the *mantras* :

‘tāveva vivahāvahai’

‘prajāṃ prajāneyāvahai’

‘sampriyau, rociṣṇū, sumanasyamānau’.⁶¹

Aśmārohaṇa

The *purohit* places a stone in the northern direction and then the bridegroom makes the bride get up and directs her to tread with the tip of her right foot on the stone with a prayer like ‘Like the stone, be firm,’ “tread the foes down, defeat the enemies.” Henceforth, the groom loosens the two locks of her hair (*śikhe*) which have been previously tied, by uttering the *mantra* which rendered in English reads thus :

‘ I release thee, now

From Varuṇa’s bondage.’⁶²

Saptapadi

The most important ceremony essential to the validity of a marriage, whether the marriage be in the *Brāhma* form or the *Āsura* form is the ceremony known as *saptapadī*, that is, the taking of seven steps by the bridegroom and the bride jointly before the sacred fire, with prayers that their married life be indissoluble, full of love, grace, brilliance, prosperity, bliss, progeny and above all holiness. They express the words: “One step for sap, two for cattle, three for the

prospering of wealth, four for comforts, five for cattle, six for seasons. Friend! be with seven steps (united to me). So be thou devoted to me." This ceremony is important from the legal point of view, as marriage becomes completed when the seventh step is taken; till then it is imperfect and revocable.⁶³ Naturally, at the conclusion of the *saptapadi* ceremony, the bride passes into the family of her husband. Marriage becomes complete with it. According to *The Hindu Marriage Act of 1955*, consummation is not necessary to make marriage complete and binding.

Gṛha-praveśa

After the completion of the *vivāha* ceremony, the newly wedded couple proceed to the bridegroom's home. On leaving her parental home, the scene of parting is, of course, sad for the bride's parents. It is very touching and beyond description. The bridegroom helps the bride to mount the vehicle and he says: "Thou shalt be my mistress henceforth and bear me ten sons. Be mistress of thy father-in-law and mother-in-law. Be mistress of these and of the other daughters-in-law of the house, of the children, property and all." The nuptial fire is to be constantly carried and finally established in its proper place in her husband's home; and the newly wedded couple offer prayers to it. Then follows the rite of looking at the polar star, Arundhatī at sunset by the bride. The groom points to her the star called Dhruva (firm) because it has a permanent place in the heaven, while he recites the verse:

'Firm (*dhruva*) be thou, thriving with me'.⁶⁴

Hṛdayasparśa

The husband gently touches the heart of the bride reaching over his right shoulder with the words: "Into my will, I take thy heart, thy mind shall dwell in my mind; in my word thou shalt rejoice with all thy heart; may Prajāpati join thee to me."⁶⁵ The husband embraces her while saying this *mantra*. This performance indicates that marriage is not only the physical union of two persons but also the union of two hearts or souls. He then prays to Gods to bless them with a male child, reciting the verse: "I do with thee that work that is sacred to Prajāpati. May my embryo enter thy womb; may a child be born without any deficiency, with all limbs, not blind, not lame, not sucked out by the Piśācas."⁶⁶ Thus the bride and the

bridegroom approach their marriage with lives that are pure and chaste. As Radhakrishnan rightly observes: "The image of *ardha-nārīśvara* is India's recognition of the mutual relationship of man and woman, the idea of the co-operative, interdependent, separately incomplete but mutually complete masculine and feminine functions."⁶⁷ The Primeval one split itself into two for the sheer delight of a happy encounter with the other. Man and woman, male and female, became in themselves each an incomplete half, seeking their sublime fulfilment in a consummating union that made them truly an indivisible whole. It is this spiritual conception of marriage which makes it as a *śarīra-saṁskāra*, according to the Hindu tradition. It is the *gṛhastha* who makes his life, one of service and austerity. Marriage is not a concession to the general weakness of human nature. In no other system, has marriage been more strongly associated with, and motivated by religious moorings. To a Hindu, marriage is essentially a sacrament. In a Hindu married life, mutual fidelity continues until death. This is the highest and supreme law for husband and wife giving no room for any concession whatsoever.

From all this we have said that spirituality is the basis of marriage. There is a divine spark which helps an individual from things, from objects and from materials. Marriage provides the preparatory ground to train him to face the realities of life. The *Vedas* affirm the dignity of the human soul. Married life helps one to recognize it, to adopt it, in every aspect of human life. The *Gṛhastha* is better placed in life to practise with intense respect for every human individual.

A *gṛhiṇī* embodies in herself the spirit of truth and renunciation. The world cannot exist as *śūnya*, because we have apprehension thereof. Therefore, the institution of family gives us a place where we have to work and in this world, the way to salvation lies through *saṁsāra*. *Saṁsāra* and *Mokṣa* are bound together, so to say, Man's understanding of himself enables him to lead a life of dis-interestedness and of life of all. The disciplines of married life helps to make this potential into actuality. In short, men find spiritual fulfilment only in a married life.

All life is great and leads to sublimity. Greatness of life lies in worthy living among the common things of life. Marriage helps an individual to mature into a human being. Human happiness is not

the end of life. Growth to spiritual fulfilment is the end. Marriage in ancient India provided the participants a share in the superior gifts of these worlds.

A woman has the vision and the will to build a strong edifice for family life. To-day, we need a sane and well-ordered family structured life; *aśāntasya kutaḥ sukham*, without inward peace, *śānti*, we cannot really enjoy happiness or peace. The family is the place where human souls grow into nobler spirits. Religion is a lived truth, when the inward and the outward become one. Only moral law can bind the members of the human family together and gives them a new sense of appreciation, evaluation and responsibility for building up a better human family. A new conception of social institutions is gradually emerging.

Socio-Ethical and Legal aspects of Dowry

"Custom is to Society as what Law is to the State", observed Sir John Salmond, one of the greatest jurists of the world. Of many evil customs that have prevailed and continue to prevail in the social life of an individual in Indian Society, Dowry custom is one which still persists in spite of legal prohibition. Social reformers and revivalists from Raja Ram Mohan Roy to Mahatma Gandhi in recent times, have tried to rejuvenate society by purging it of evil customs. But the problem is stupendous, and no reform that lacked the support of the entire population could bear fruit. Consequently, social reformers' attempts touched only the fringe of society, its even tenor continues unchanged to a great extent.

It may be pointed out that most of the evil customs which prevailed in the Hindu society ran counter to the practices observed in olden times. As an instance, we may note, the dependent status of women, child marriage, prohibition of re-marriage of widows, restriction of marriage within the narrow circle of sub-caste to which one belonged, ignorance and seclusion (*pardah*) of women, female education, the practice of *sati*, the dowry system, various kinds of abstentions enforced upon women, restrictions as to inter-dining among various castes, untouchability, etc.—these were innovations for which no *śāstric* (scriptural) sanctions could be traced. The general principle enunciated by the reformers was to root out ideas and their

outward forms which were responsible for the decline of the Hindus during the past three thousand years. Regarding the existing customs, the primary question is not whether they were sufficiently old, but whether they would altogether suit the changing pattern and structure of Indian society. In other words, the fundamental basis of a social change was the real need of the country as rationally conceived.

Dowry system in Ancient India

Dowry system is connected with the conception of marriage as a *dāna* or gift. A religious gift in kind is usually accompanied by a gift in cash or gold. So the gift of the bride also was accompanied by a formal and small gift in cash or ornaments. Dowry system did not stand as an impediment to a daughter's marriage in ancient India. In pre-historic times, women were regarded as *chattels*, and so it was the bride's father and not the bridegroom's father who was regarded as justified in demanding payment at the time of marriage. The bridegroom carried away the bride and deprived her family of her services. He could not have dreamt of demanding a further dowry or donation. Such a request, if ever made, would have been summarily turned down as preposterously unreasonable. The wife in these very early times used to get no proprietary rights in her husband's family. Nor had her father-in-law to provide any expensive education to her husband. Dowry system, therefore, generally unknown in early societies, and the same was the case with ancient Hindus. In rich and royal families some gifts were given generally to sons-in-law. Thus, the *Atharva Veda* once incidentally refers to royal brides bringing with them a dowry of hundred cows. Draupadī, Subhadrā and Uttarā, also brought with them rich presents of horses, elephants and jewels at the time when they left their parents' homes after their marriage. The *Jātakas* often describe how very valuable presents were given to the bridegroom when the rich merchants like the father of Viśākhā sent their daughters to their husbands' house. In the *Raghuvamśa*, we find the king of Vidarbha sending handsome presents with her sister Indumatī at the time of her departure with her husband after her marriage. These presents, however, can hardly be called *dowries* for they were voluntarily given after marriage out of pure affection. There are no references either in the *Smṛtis* or in dramas to the dowry, *i. e.* to a pre-nuptial contract of payment made by the bride's father with the bridegroom or his guardian. If the custom

had prevailed to anything like its present extent, it would have been very vehemently condemned by the *Smṛti* writers like the counter custom of the bride-price (*kanyāśulka*). We meet with no such condemnation. The *Smṛtis*, no doubt, recommend that the bride should be given in marriage along with suitable ornaments, but their number and price is left entirely to the discretion and ability of the bride's father. A pre-nuptial contract in this respect is neither contemplated nor countenanced.

Evolution of Strīdhana

Vedic literature has very little to say about the proprietary rights of wives. That she was not incapable of acquiring property is, however, clear from the tradition in the *Upaniṣads*, of Yājñavalkya dividing his wealth between his two wives. Even before this in the wedding hymn of the *Ṛgveda*⁶⁸, and in the *Taittirīyasamhitā* we find references to *pariṇāhya* which are gifts to the bride by the father at her wedding, which according to the *Taittirīya Samhitā*,⁶⁹ is her own property.

We find several enumerations of *Strīdhana* or women's property in numerous *smṛtis*. Thus the *Viṣṇusmṛti* enumerates the following as *Strīdhana*.⁷⁰

1. Gifts by father, mother, son and brother.
2. *adhyagni*, i. e. gifts before the nuptial fire.
3. *upagata*, i. e. what is subsequently acquired.
4. *adhivedamka*, i. e. gift by husband on his second marriage.
5. Gift by *bandhus*.
6. *kanyāśulka* or bride price.
7. *anuvādheyaka*, i. e. gifts after marriage.

Manu gives a similar though not identical enumeration, but like Viṣṇu, he mentions that the kinds of *Strīdhana* are six. Nārada like Manu, speaks of six kinds of *strīdhana* :

1. *Adhyagni*
2. *Adhyāhavani*
3. *Bhartṛdhana*
4. *Bhṛātṛdatta*

5. *Pitr̥datta*6. *Mātr̥datta*.

An analysis of the evolution of *strīdhana* shows that the ancient law first assigned no separate property to females. The growth, therefore, of *strīdhana* — woman's property — was a slow growth. The Hindus were the first to give females, rights which they had not had elsewhere. Viṣṇu allots to daughters shares equal to three of their brothers.⁷¹ Nārada also takes this view. "To the eldest son a large share shall be allotted and a lesser share assigned to the youngest son. The rest shall take equal shares and so shall the unmarried sisters."⁷² Manu also assigns a share, equal to that of her brother, to a daughter, who is first appointed *putrikā*, but afterwards a son being born to her father, becomes an ordinary girl.⁷³

We may note that women in ancient Hindu society enjoyed certain rights to property. They gradually gained certain rights to inheritance and succession. But wealth obtained on marriage in the form of *Strīdhana* is to be distinguished from wealth given by way of dowry. While the former is given *voluntarily* and *without consideration* in marriage, the latter is *compulsorily extracted* in consideration of marriage.

Dowry System in Mediaeval Times

Emperor Akbar was, perhaps, the only mediaeval ruler who vehemently protested against high dowries, which were prevalent in those days. He was no doubt against high dowries and disapproved of them, since Abul Fazl writes: 'they are rarely ever paid, they are mere sham', but he admitted their utility also as a preventive measure against divorces. This evil system struck a serious blow to the poor parents who had not the means to procure even a wedding out-fit for their daughter. Some even had not the means to perform the marriage ceremony for their daughters.

Tukaram, the great Maharashtra saint could give his daughter in marriage only through the contribution of the villagers. Vallabhacharya was hesitant to let his daughter be engaged to Sri Chaitanya, since he was too poor to pay a handsome dowry.

The evil of bride price was wide-spread in the South, particularly among the Brahmanas of the Padaividu Kingdom in mediaeval times.

The custom became so coercive that Deva Raya II of Vijayanagara Kingdom, had to enact a legislation by which all marriages among the Brahmanas were thereafter to be concluded by *kanyā-dāna* and the father had to give the daughter to the bridegroom gratuitously. Both the father who received the money and the bridegroom who gave the money were to be excommunicated. Money transactions on the occasion of a marriage were declared to be legal offence.

Dowry under Islamic Law

The dower under Islamic law is significant to note. The *Mehr* is an essential part of the marriage contract determined by mutual agreement at the time of marriage and written into the document with witness. It represents the amount a man must pay to his wife if he divorces her. Since Islamic divorce for the male is very simple, a matter of uttering the words 'talak' three times in front of witnesses, this clause of the *Mehr* payable to her is considered necessary for women's economic stability, security and is virtually alimony. *Zahez* is analogous to dowry of Indian marriages but *Zahez* includes all other essential requirements of a newly wedded couple apart from money. This indicates the direct influence of social living on marriage customs.

Dowry System in Contemporary Indian Society

Modern social customs and the modes that govern the family life often hamper the development of human personality and are degrading to sensitive natures — customs such as the dowry system (though now prohibited legally) continue to flourish, which sometimes makes it obligatory on young girls to remain spinsters due to force of circumstances of poverty of their parents. To such an unmarried girl, life becomes treacherous and tragic. All her ambitious desires are dampened and she is forced to remain a spinster allowing her brothers (elder or younger) to get married and settle down in their lives happily. This invariably places her in a miserable plight and she is often abhorred by her in-laws, while others reject her. As years roll by, age withers away her physical charms and gradually she begins to lose all her wishes, desires and dreams to get married. She tries to gain some consolation by seeking a job to keep her going but this quite often lands her, in difficulties both at home and in the office, for an

unmarried woman is often a target of attack, suspicion and moral lapses. She suffers physical and mental torture as she is dampened in spirit. The stark reality of modern-day society is the growing degree of sexual crimes being committed against such women because human nature is such that an unmarried woman cannot but become meek and susceptible to human weaknesses. Her social status becomes shady and slippery. The vacuum created in the life of unmarried women is difficult to fill for the cup of love, once slipped is shattered to pieces.

‘There is something in a woman beyond all human delight ; a magnetic virtue, a charming quality, an occult and powerful motive,’ observed Burton. This is true of Indian womanhood. A woman is compared to a flower. The flower withers away after some time. A poet writes : ‘Why did the flower fade? I pressed it to my heart with anxious love, that is why the flower faded,’ ‘Why did the harp-string break ? I tried to force a note that was beyond its power, that is why the harp-string is broken.’ The permanent string tied round a woman’s neck breaks, when marital harmony is shattered. Harmony in life is the blending of the two roses, husband and wife. Honour to women, they twine and weave the roses of heaven into man’s life.

What is it that captivates a man’s heart ? Is it her physical beauty and charm ? The poet writes :

Perhaps there is no beauty in her face

To captivate a man’s imagination

And yet her soul is lit with such a grace

That fills each step with animation.

If she is ugly, what is beauty then ?

Why is it worshipped everywhere by man ?

Is all its value in the outward form

Or is it something hidden, live and warm ?

Life appeals man in all intensity, in all its strength; beauty, love, despair, agony, sorrow and joy are stark realities which men encounter in life. Is woman the cause of it? Nay, it is really the *māyā* of life.

The mystery of life is still unconquerable. 'Of woman are we born, of woman conceived...by woman is civilization continued, it is by women that order is maintained...without woman none would exist.' It is often claimed that women have always been taught to know what men feel, need, desire and fear.

In spite of the unrivalled culture and high ideals of society that ancient India placed before us, we have to bear witness to the tragic fact that we have fallen ever so far from that happy estate, and perhaps in no sphere of life has that fall been so great as in that of woman.

Gandhi's Crusade against Dowry Custom

In recent times, Gandhi championed the cause of women. A passionate lover of humanity, an implacable foe of injustice in whatever form or sphere, it is small wonder that Gandhi early espoused the woman's cause. Throughout his long life of service, he preached forcefully against the wrongs done to women in the name of law, tradition and even religion. He has spoken out fearlessly against enforced widowhood, *purdha*, the dedication of girls to temples, prostitution, early marriage, dowry system, the economic bondage and marital slavery of women.

Gandhi vehemently opposed the system of dowry. He said that "it was nothing but the sale of girls."⁷⁴ He further observes: "Marriage must cease to be a matter of arrangement made by parents for money. The system is intimately connected with caste. The girls or boys or their parents will have to break the bond of caste, if the evil is to be eradicated. Then the age for marriage has also to be raised and the girls have to remain spinsters, if need be, *i.e.* if they do not get a suitable match. All this means education of character that will revolutionize the mentality of the youth of the nation."⁷⁵

It is of significant importance and urgency to embark on a concentrated and concerted endeavour to purge our society of its flouting evils, especially the dowry system as it prevails to-day in society. This can be made possible by raising public opinion against this evil. As Gandhi observes: "A strong public opinion should be created in condemnation of the degrading practice of dowry and

young men who soil their fingers with such ill-gotten gold should be excommunicated from society.”⁷⁶

Let us not be blind to the impending danger facing us by allowing the custom of dowry becoming more rigid with the passage of time. In fact it is leading to economic exploitation, ill treatment and humiliation of the parties concerned and brings in fresh social problems.

Dowry in legal terms means ‘any property or valuable given by one party at, before or after the marriage, as consideration of the marriage.’ This implies that it is nothing but an unwilling extraction from bride’s father of all material things that the bridegroom’s parents desire for agreeing to accept the girl in marriage to their son.

Does this mean that marriage has no other purpose than to serve as an instrument for gaining secular objects and enormous wealth at the expense of the giver? Young men must cultivate a new consciousness to fight this evil tooth and nail.

It is for the youth of to-day to take up the challenge. Young men and women must first mobilise public opinion against the evil of dowry system, which he or she is out to eradicate by means of a wide and intensive agitation. When public opinion is sufficiently roused against a social abuse, even the tallest will not dare to practice or openly lend support to it. An awakened and intelligent public opinion is the most potent weapon with which they can seek to establish social justice. Any young man who makes dowry a condition of marriage discredits his education and country and dishonours himself and womanhood. When such a man supports a social evil in total disregard of an unanimous public opinion, it indicates a clear justification for his social ostracism. Social ostracism means complete non-co-operation on the part of society with the offending individual, nothing more, nothing less, the idea being that a person who deliberately sets himself to flout society has no right to be served by society.

It is for the young woman of to-day to face the challenge to ostracise the man who demands money (dowry) either directly or indirectly, by refusing to marry him. She could prefer to remain

a spinster rather than marry a person for money. She must develop the moral courage to face a situation, if it arises. A father must refuse to *purchase* a match for his daughter but choose or *let* the daughter choose one who would marry her for *love*, not for money. Love overrides all considerations of differences in social status, family background and the like. In fact, great differences and difficulties only make the affair more romantic adding interest to the period between 'boy meeting girl' and 'boy getting girl.' Love conquers all. This means a voluntary extension of the field of choice. Casteism must be up-rooted. Inter-caste marriage must be encouraged. This will pave the way for social, emotional and national integration.

The dowry system has reduced a father to penury and driven many a desperate girl to suicide as a relief from ignominious virginity. In some cases, where a husband has *purchased* his wife at a costly price, he is subject to ill-treatment by his wife. This has led to family frictions and even to moral disintegration. If marriages are analysed in consideration of *mutual love*, they are ever-lasting.

It is true that romantic love serves a useful purpose in society. It is a cultural modification of sex-drive, providing the youth with a means of sublimation and redirection of this impulse. It is true that there is such a thing as strong mutual attraction upon short acquaintance, something which the modern culture has prepared us to interpret as 'love at first sight'. But only as a couple become really well acquainted and discover mutual interests, enjoy one another's company, reach a certain measure of agreement on goals and values, and learn to accommodate to each other's personality-traits can they be said to have the kind of love necessary to successful marriage. As Gandhi rightly observes: "The true purpose of marriage should be and is intimate friendship and companionship between man and woman. The ideal that marriage aims at is that of spiritual union through the physical. The human love that it incarnates is intended to serve as a stepping stone to divine or universal love."⁷⁷

Traditionally in Hindu society, marriages are fixed by the parents of the boy or girl. Quite often we say that marriages are decreed in heaven. To-day, the Youth says: 'Though marriages might be decreed in heaven, they are broken on the earth.' In

other words, we find that marriages by *purchase* quite often lead to "broken homes" and divorces. Dowry system is as bad as prostitution. In both, there is a lack of a moral code of life. The major task of educated Indian young men and women is to gain greater maturity, wisdom, energy and perspective understanding in order that their married life will serve as a stepping stone to universal love and happiness.

There are two important factors which help young people achieve happiness in their married life. The first is the preparation for the marriage. It is surprising enough that men and women are educated today for all vocations but not for the task which will play a very important role in their life—that of marriage and parent-hood. The second factor is the selection of the mate wisely.

In both these factors, parents or guardians have to play a big role in shaping the young minds of their children to shoulder heavier responsibilities in life. They must train them to be good husbands or wives. On the contrary, to-day, we find that most parents fix the marriages of their daughters arbitrarily. Many educated parents still perform child marriages. The millions living in villages, ignorant as they are, have their own customs and consequent woes, of which we have as yet but little knowledge. Many 'dispose of' their daughters in order to relieve themselves of the burden of keeping an un-married girl at home exposed to all kinds of social restrictions and taboos. In the poorer sections of the people, as well as in the middle classes, parents do not find the means to provide sound education for their sons and daughters. Even in the highly sophisticated families, marriage has come to mean a matter of arrangement by parents for money. How is it that so many boys or girls who have even passed through colleges, and who have secured high academic qualifications and distinctions are found unable or unwilling to resist the manifestly evil custom of dowry which affects their future so intimately as marriage does? Why should educated girls be bound to commit suicide because they are not suited? Of what value is their education, if it does not enable them to dare to defy a custom which is wholly indefensible and repugnant to one's moral sense? There is something radically wrong in the system of education that fails to arm girls and boys to fight against social or other evils. As Gandhi

observes: "That education alone is of value which draws out the faculties of a student so as to enable him or her to solve correctly the problems of life in every department."⁷⁸

Excellence of life is not confined to its outer or abstract forms, but with its concrete actions and results. It is not the ordering of life, but the ordered life that is good. There is a grave and momentous responsibility which the present day generation has inherited; it has been charged with the stupendous duty to modify and to create. And there are some in to-day's generation who still hark to the good of the past customs and look with fear and horror at the emerging future. There are, of course, many others who beckon the shimmering hopes of the future and look with disgust at the fugitive past. Changes are brought about in many ways. Education is one such means. The highest service that education can render to humanity is to contribute to the flowering of an integrated personality.

The values of our changing complex culture include equality as well as discrimination, of social justice as well as entrenched privilege, co-operation as well as stiff competition; a sense of mission as well as a quest for material riches; a social need as well as a spiritual fulfilment; a fond hope and bright promise as well as disillusionment; faith and forbearance as well as reckless ambition, and above all a belief in gradual change as well as in tradition. The future depends on which values and institutions we choose to honour most.

To-day woman is fully aware of her constitutional rights, her legal and political rights and social privileges. Our laws have also changed with sputnik speed. However, we find that social laws are ahead of actual practice. There is a positive lag between the legislation of woman's rights and the social sanctions required to make the legislation a reality.

Legal Enactments

To-day the question of dowry *versus* no-dowry is a vital one. It is significant to note that *The Dowry Prohibition Act of 1961*, came into force on July 1, 1960, and it repealed the previous *State Dowry Restraint Act of 1960*. The present Act makes it an offence to give, take or demand dowry, or to abet the giving or taking of dowry. Any violation of the Act is punishable. Punishment for contraven-

tion extends upto six months imprisonment and a fine upto Rs. 5,000.

It is most depressing to note that in spite of legal prohibition, the evil custom of dowry prevails widely throughout India. No reform has ever been brought about except through intrepid individuals breaking down inhuman customs or usages. Merely to introduce certain legal restrictions, as *The Dowry Prohibition Act of 1961*, will not in any way remove the bane of dowry system from our society unless there is a change in the mental outlook of individuals. Moreover, a law which is not enforceable strictly is a dead law. Dowry system flourishes openly in society like that of prostitution. Just as administrative steps are taken by government to check tax evasion, similarly government must take drastic steps against those who demand dowry. It is not beyond the control of the government to enforce such a prohibition. A step in the direction will ensure social progress.

True, the Constitution of India heralds the birth of a new and historic epoch in the annals of India. It has pledged the country to the task of securing 'to all its citizens, Justice, Social, Economic and Political.' The ideal of a socialistic pattern of society is based on the evolution of a new social philosophy. The disabilities which Indian women suffered in the past have now been removed by the various Acts passed by the Parliament. Chief among them are :

The Hindu Marriage Act of 1955 which, among other provisions, made monogamy the rule for both men and women. It provides for registration of marriage. Section 8 of *The Hindu Marriage Act, 1955* refers to the registration of Hindu marriages. Clause 5 of the above section states : "Notwithstanding anything contained in this section, the validity of any Hindu marriage shall in no way be affected by the omission to make the entry." However, such omission will invite the penalty of a fine which may extend to twenty-five rupees. Furnishing false information by any person legally bound to give information to any public servant on any subject with knowledge or having reason to believe that it is false is punishable as an offence under section 177 of the Indian Penal Code. It may be noted that under the Indian Law, it is open to two Hindus if they so desire it to contract civil

marriage and have it solemnized under *The Special Marriage Act, 1954*. This provision simplifies the marriage ceremonies and thereby enables an individual to minimise to a great extent the huge expenditure involved in the performance of marriage ceremonies. Yet, it does not in any way affect the sanctity of marriage relationship between the parties. Thus Law recognises sacramental marriage, marriage before the Registrar of Marriages and any other form of marriage recognised by customary law.

Another salient feature of the above Act refers to section 5, clause III pertaining to the age of the parties and consent to be obtained. The Act does not in terms state that consent of the parties is necessary for a valid marriage but lays down the condition that at the time of marriage, the bridegroom must have completed the age of eighteen, and the bride the age of fifteen years, and where the bride has not completed the age of eighteen, the consent of her guardian in marriage must have been obtained for the marriage. Absence of consent of the parties or of the guardian in marriage of the bride does not, however, render the marriage void or even voidable if otherwise duly solemnized and the prime conditions are fulfilled. Section 6 of the Act gives a list of persons entitled to give consent as *guardians in marriage*. They include (a) the father, (b) the mother, (c) the paternal grandfather, (d) the paternal grandmother and so on.

The question of age at marriage is debatable. There are proposals to increase the age at marriage, with a view to limit the population growth and check the birth-rate of children as a policy of family planning.

It is an admitted fact that child marriages are now prohibited by law and public opinion has also gained strength that such marriages are detrimental to the interests of children. Thanks to Gandhi's crusade against such marriages. Gandhi observes : "What is *Kanyādān* in the case of little children? Has a father any rights of property over his children? He is their protector, not owner. And he forfeits the privilege of protection when he abuses it by seeking to barter away the liberties of his ward."⁷¹

Marriages between the age group of 20 and 30 for boys have become the order of the day. Primarily the reason being, that a boy gets married only after securing a permanent job in order to eke out his living independently. Further, job opportunities are becoming tougher due to unprecedented competition from the educated unemployed youth.

In the case of girls too, most of them are now inclined to secure a degree which would afford them to seek a job. The marriageable age ranges from 18 to 25 in females. This range is, however, variable with respect to places, habitant and such other factors like climatic conditions and social customs etc. Since most of the marriage alliances are based to-day on academic qualifications, professional status and earning capacities of the males, the age-factor for marriages is also advanced further. Whatever be the relative merits and demerits of late marriages, it has invariably become the order of the day.

In the contemporary Indian Society, there is a marked change in reforms of marriage, their rites and rituals, aspects of age, birth, social status, professional stability, earning capacities and social considerations. The functional purpose of marriage, is however, different from its ideal purpose. The social patterns of matrimonial alliances are fast changing. The young man of to-day is a rebel in a way. He revolts against the traditional view of marriage with a view not to refrain from it but to break it. Has he succeeded? The question is difficult to answer since marriage is the fulfilment of life-aspiration and it is very difficult to arrive at one particular generalisation. There is no clear-cut line of demarcation between the traditional and modern notions of marriage.

Nullity of Marriage and Divorce

Section 11 of *The Hindu Marriage Act of 1955* states: "Any marriage solemnized after the commencement of this Act shall be *null* and *void* and may, on a petition presented by either party thereto, be so declared by a decree of nullity if it contravenes any one of the specified in clauses (i), (iv) and (v) of section 5.

We have noted earlier that marriage is the voluntary union of one man with one woman to the total exclusion of all others satisfied

by the solemnization of the marriage. The three conditions non-fulfilment of which renders such a marriage void *ipso jure* are that :

“neither party has a spouse living at the time of the marriage; the parties are not within the degrees of prohibited relationship, unless the custom or usage governing each of them permits of a marriage between the two ; the parties are not *sapindas* of each other, unless the custom or usage governing each of them permits of a marriage between the two.”

Attention may be drawn to the distinction made between marriage which is *void ipso jure* and marriage which is voidable under section 12 of the above Act *viz.* :

- (a) that the respondent was impotent at the time of the marriage; or
- (b) that the marriage is in contravention of the condition specified in clause (ii) of section 5; or
- (c) that the consent of the petitioner, or where the consent of the guardian in marriage of the petitioner is required under section 5, the consent of such guardian was obtained by force or fraud ; or
- (d) that the respondent was at the time of the marriage pregnant by some person other than the petitioner.

In regard to the last clause, recent medical reports clearly indicate the increasing percentage of women becoming pregnant before marriage and of their willing submission to terminate their pregnancy by artificial medical aid. It may be asked : Does the objective law of the reflection of social being hold true in such cases ? We must note that it is quite insufficient to analyse merely the more or less theoretically formalised legal rules of conduct. In human society, immense significance is being attached to mens' moods and feelings. And it is very important to grasp the fact that all social action stem from one root, *viz.*, the *psychology* of the given age, characteristic of this particular age, the totality of its manners, customs, morals, feelings, views, aspirations and ideals.

Divorce

Section 13 of *The Hindu Marriage Act of 1955* indicates the various grounds for the dissolution of marriage by a decree of divorce. One has to note the distinction between Judicial separation (Section 10 of the Act) and Divorce. In the case of the former, three principal matrimonial offences are: desertion, cruelty and adultery. In the case of divorce, the dissolution is based on the ground that the other party—'is living in adultery' or 'has ceased to be a Hindu by conversion to another religion,' or 'incurably of unsound mind for a continuous period of not less than three years,' or 'is suffering from incurable and virulent leprosy or venereal diseases,' or 'has not been heard of as being alive for a period of seven years,' or 'where there has been no resumption of cohabitation for two years or more after decree for judicial separation,' or 'where there has been no restitution of conjugal rights', or 'husband having more than one wife alive at the time marriage was solemnized.'

It is generally conceded in all jurisdictions that public policy, good morals and the interests of society require that the matrimonial relation should be surrounded with every possible safeguard and its violation allowed only in the manner and for the cause specified by law. Divorce is not favoured or encouraged, and is permitted only for very grave reasons clearly established and proved. Even here, the intention of the legislature and judiciary is to provide for maximum opportunities for mutual adjustment and to see that the rules framed and applied are such that divorce is not easily granted or decreed by any court of law in India. This clearly establishes the supremacy of the sacramental aspect of Hindu marriage. In cases, where marriages result in grave hardship to the spouses, aggrieved parties are forced beyond redemption to seek relief from secular courts of law, for dissolution of marriage. While it is necessary to avoid undue facilities for dissolution of the tie, it is equally important to avoid too great stringency and obviate undue hardship. One has to view this sensitive aspect of matrimonial life with due care and with progressive attitude since this has a bearing not merely on the happiness of individuals, but upon the well-being of society in general. Marriage and happiness are inextricably bound up with each other and any loosening of the foundations of either is bound to

react on the strength of the other. Hence divorce is generally discarded.

Inheritance, Maintenance and Adoption

The ancient writers on Hindu law were disinclined to the recognition of women's rights of inheritance. As noted earlier, a woman has no right to freedom; the father protects her in her childhood, the husband in her youth and the son in her old age.⁸⁰ Bodhāyana and Vasiṣṭha state that women have no right to inherit.⁸¹ Manu recognises the right of a mother to inherit to a son who dies issueless. With the mother's death, the paternal grandmother is entitled to succeed to the estate. The Hindu law, of course, recognised the right of a woman to hold separate property of her own. The Mitākṣara included under the term *Strīdhana*, all property lawfully obtained by a woman. According to the ancient Hindu law, illegitimate sons in the three upper castes were not heirs, but were only entitled to maintenance from the estate of their father. The only exception was in the case of the illegitimate son of a *śūdra* who had the right to inherit under certain circumstances, either jointly or solely. The Hindu law-givers excluded persons from succeeding to an estate on various grounds, laying emphasis on merit rather than on need as the ground of inheritance. Under early Hindu law, rights of sons were recognised and they acquired equal interest with the father in the ancestral property as coparceners. The law of heirship was closely connected with the doctrine—"He who inherits the property, also offers the *piṇḍa*."⁸² The law relating to *strīdhana* had become by far the most complicated and difficult branch of the law of succession. *The Hindu Women's Rights to Property Act, XVII of 1937*, which made significant changes in the law of succession by conferring new rights of succession on certain females although it gave better rights to women in respect of property, was found to be incoherent and defective.

The Hindu Succession Act came into force on June 17, 1956. The present Act lays down a uniform and comprehensive system of inheritance and applies *inter alia* to persons governed by the Mitākṣara and Dāyabhāga school as also to those in certain parts of Southern India who were previously governed by the Marumakkattayam, Aliyasantana and Nambudri systems of Hindu law.

It is significant to note that under *The Hindu Succession Act, 1956*, a daughter inherits property equally with the son. She takes her share absolutely and not as a women's estate. There is no priority among married and unmarried daughters. 'Daughter' would include an adopted daughter too.

Against this general background, the aspect of dowry custom draws our pointed attention. In spite of the fact that under the present Act, daughters have equal share with sons, why is it the custom of dowry system still prevails? Partly because it is given a religious colouring and partly because of considerations of social status. Since the Constitution of India, provides equal opportunities to women in regard to employment, education, right to adoption, maintenance, inheritance, personal liberty etc., it is evident that women in India, before the law, occupy a position of equality with men. However, we find that the evil custom of dowry still persists in our country. The day may not be far off when the enlightened men and women of to-day, will gradually change their outlook on the problems of life, aided by intellectual progress and the growth of rationalism, and put an end to this evil practice of dowry in a gradual way.

The social custom of dowry which still flourishes in Indian society is bound to disappear. Its disappearance will positively elevate the status of men and women within a family, promote better understanding between the two, create harmony and peace in their wedded life. Adaptation and re-orientation to new modes of life will usher in a new age free from traditional ritualism, ceremonial observances, superstitious beliefs, fanatical orthodoxy, religious bigotry, caste segregation, false inhibitions, economic disparity and dogmatic attitudes of life. Change is the breath of life as well as its assurance; it is the symbol of nature. An inner dynamicity, an inner conviction, an unquenchable will to grow, to assert is the prime need of the society. This train of reflection is apt to produce a sense of optimism and a feeling of confidence that there is a lot to be done to purge society of many evils and to seek to do good to all.

Closely allied to the law of inheritance which we have presently analysed, are the other aspects of maintenance and adoption.

The Hindu Minority and Guardianship Act of 1956, which came into force on August 25, 1956, seeks to amend and codify certain parts of the law relating to minority and guardianship among Hindus. Another landmark in legal history is the introduction of *The Hindu Adoptions and Maintenance Act of 1956*, which came into effect from December 21, 1956. This Act seeks to amend and codify the law relating to adoptions and maintenance among Hindus.

Marriage and sonship constitute some of the salient features in the *litera legis* of ancient Hindu law which recognised twelve kinds of sons of which there were five kinds of adopted sons. Modern Hindu law recognised the *aurasa* or legitimate son begotten by the man himself on the lawfully wedded wife. Of the adopted sons it recognized only two kinds, the *dattaka* and the *kṛtrima*. While the former form prevailed all over India, the latter form prevailed in Mithila and adjoining districts.

It is of interest to note that in ancient times a daughter also could be adopted. Nanda Pandit in his *Dattakamīmāṃsā* has favoured adoption of a daughter and regards it as conducive to spiritual benefit to the adopter and his ancestors. This is on the principle that a daughter given in marriage, which is called *kanyādāna*, and a son given in adoption, which is called *putradāna* stand on the same footing being gifts for religious and secular purposes and the same consideration should apply to the gift of a daughter in adoption in order to secure spiritual benefit to the donee through the adopted daughter's son. It may be noted that an outstanding feature of the above Act is that it recognizes adoption both of a son and a daughter.

With the passing of *The Hindu Succession Act, 1956*, which treats sons and daughters equally in the matter of succession, it was only logical that this equality should be extended in the matter of adoptions and concrete shape should be given to the rights of women to be *in equali jura* in this branch of the law. *The Hindu Adoptions and Maintenance Act, 1956*, now provides for adoption of boys as well as girls. A widow can now adopt a son or daughter to herself, in her own right. Maintenance is defined in a comprehensive manner and includes provision for food, clothing, residence, education and medical

attendance and treatment ; in the case of an unmarried daughter, it includes reasonable expenses of and incident to her marriage.⁸³ Under the Act, a female Hindu as well as a male Hindu is now under a legal obligation to maintain legitimate or illegitimate children and aged or infirm parents. Section 19 of the Act states the circumstances in which a daughter-in-law is entitled to claim maintenance from her father-in-law.

As Professor Mulla rightly observes : "The objects achieved by the new legislation are substantial unification of Hindu law by blending much that was progressive in the various schools of law which prevailed in different parts of the country and removal of many anomalies and incongruous injunctions. One aim of this legislation was to act, it is submitted rightly, on the principle that where the reason of the rule had ceased to exist there was little justification for insistence upon its preservice. *Cessante ratione legis cessa ipsa lex*. Renascent India of the post-independence era appreciated the value of a fresh and broadened outlook in matters affecting the rights social, economic and political of the citizen regardless of sex. Adult suffrage and political parity were fore-runners to the recognition of all that was implicit in the constitutional directives and fundamental guarantees of equality of status and equality before the law enounced in the Constitution. The underscoring of the rights of women to be *equali juri* finds concrete shape in the new legislation."⁸⁴

Prostitution

The estimation in which women is held, the status and dignity possessed by her in society and the treatment accorded to her have been justly considered as marks of the degree of civilization and culture attained in any country. The ideals of womanhood of which we have evidence in the Vedic age or during the epic period is not the same as those of to-day. It is admittedly true that there have been radical changes in the position of women in society from age to age.

Man to-day is absorbed in an incessant toil by reason of the stupendous growth of his wants and the multiplication of his desires; his life has lost its validity and its charm. "The change from militant to peaceful conditions of society and from agricultural to industrial and commercial occupations, the concentration of

population in towns with the variety of occupations and communities, the looseness of ties between the different sections of the urban population and the growth of competitive conditions of life', observes Professor Sivaswamy Iyer, 'have all profoundly influenced our social ideals including our ideals of womanhood.'

The Family is the prime school of social virtues, the nucleus of the society, and marriage is undoubtedly the basic foundation of the family, giving it the distinctive character which is its essential privilege.

Social reformers of the contemporary age, tried to remove many of the social evils that have crept into society due to various factors like economic instability, caste-ridden norms, lack of moral reasoning, guilty conscience, cross-pollution of thoughts and emotions, the notions of inequality between the different orders in social status, forbidden crimes of immoral acts and so on.

The Suppression of Immoral Traffic in Women and Girls Act, of 1956, dealt with prohibition only in some aspects of prostitution which has cancerous growth and flourishment in various parts of India, particularly in urban places, where there is a floating population of men who try to seek outlets for gratifying their sexual desires. The above Act applies if a person exploits women and girls and makes them lead a life of vice, if a person promotes prostitution by another person and gains a monetary benefit therefrom and if a person solicits customers for prostitution in specific circumstances. The Act thus seeks to inhibit the commercialized, vice, *i.e.*, the traffic in women and girls for the purpose of prostitution as an organised means of living. It does not render prostitution *per se* a criminal offence. The Act merely imposes penalties for running a brothel, living on the earnings of prostitution, as also procuring, inducing or taking women or girls in premises where prostitution is carried on or detaining them in such premises with the overt object of forcing them to such a profession. In addition, there is a penalty for seducing or soliciting for the purpose of prostitution or seduction of a woman or a girl in custody.

Woman is a victim of situations. Biologically, both man and woman possess the same need for each other. Favoured by fate, man

should be more generous and considerate to women. To quote Simone de Beauvoir: 'to be justified by a God is easier than to justify herself by her own efforts.'

Prostitution is the surviving relic of promiscuity that existed before human beings regulated it. There is a general consensus of opinion that grinding poverty, privation, sexual starvation, monetary misery, oppressive domestication, lack of filial love, carnal desires, and sexual subjection or exploitation have desperately driven women to prostitution. To a prostitute, no single man is her master. She can manipulate and monopolise her so-called freedom. In a sense, she is subjective, even when she submits her body to a male thirsting for carnal nectar. Yet she maintains her subjective role by showing her indifference to love and emotion, warmth and pleasure. The woman who is economically emancipated from the man is not, for all that, in a moral, social and psychological situation, identified with that of man. The way she carries on her profession and her devotion to it depends on the context supplied by the total pattern of her life.

Critics have argued whether prostitution should be legalised or not. Valid arguments can be found to support both view-points. Some hold the view that 'Prostitution is a fact of life.' 'It is the only safety valve to keep rape, eve-teasing and crime under control.' Some contend that one has to give due recognition to its existence. Some others advocate the status of a profession for prostitution. They argue: 'What the hell does it matter what a woman does with her body? If going to liquor bar is not an evil, then prostitution is also not evil.' It is pointed out by those who advocate prostitution that 'legalization would only help see it die a natural death, while suppressing it would only lead to its spread.'

Against these views, there are many who strongly object to legalize prostitution on substantial grounds of validity.

The root cause of prostitution is due to poor economic conditions. Uncared girls who are deserted by parents due to poor economic conditions find themselves as victims to certain agencies who sell them to brothels for money. It is small wonder that once they are trapped, they become slaves to the profession and cannot free themselves from the shackles of men and women who capitalise them for their

own ends. They sell their bodies to a variety of clients who visit them and in the process lose all their charms of life and become victims of dreadful diseases. Prostitution is not a 'fact of life,' but a mere 'accident of life.' Desperate circumstances of poverty and want, force teen-aged girls to seek asylum in the brothels. There are cases where pretty, young looking, charming girls are kidnapped by bad elements and they land themselves as 'call girls' in posh hotels, where the professional practice, though lucrative is as bad as regular prostitutes except that their clients are from higher strata of society. To the critical view that 'once a prostitute, is always a prostitute', need not necessarily be true always.

The answer to this, is rehabilitation of these unfortunate girls and women. If social organisations can take the initiative to rehabilitate them, and give them due honour and status with other individuals in society, prostitution in India may decline to some extent. Such women should be allowed to marry and settle themselves as good house wives. This is not an impossible task, but such a progressive attitude must come from men who should enable them to transform their lives in order that they can enjoy brighter aspects of life. It is true that reformation must come from within. However, the danger appears to be, that just as a sinner cannot be condoned for his sins, similarly society treats these prostitutes, as untouchables. A touch of human sympathy will make a world of difference and the initiative has to come from men.

On the other hand, if prostitution is legalized, it would only result in legalization of human misery. Once you legalize prostitution, you are encouraging people to indulge in it to the point of saturation. It is also held that 'broken homes' result in married women turning as prostitutes. Whatever may be the resulting motivation, prostitution thrives, so long as there are rich customers to buy physical pleasure from them for a few moments.

There are some who hold the view that prostitution can be legalized, just as abortion is legalized in the West. It is also contended that married men who patronize the brothels can desist from committing such immoral acts, perhaps, prostitution then may face a natural death. As usual in all moral issues, the question of legalization

of prostitution bristles with pros and cons, and convincing arguments can be found to support both view-points.

Perhaps it may go a long way, if the present Act which only bans keeping or running a brothel, or soliciting clients for it, is further strengthened and made more stringent by cementing many legal loop-holes. Then prostitution may not flourish openly as it exists today. A bee 'visits' a flower for sucking honey. So long there is honey in the flower, its visit is frequent. Once the flower withers away, the bee changes its direction. Similarly, men who visit brothels thirsting for nectar of physical pleasure, get dissipated after some time. Besides, if the brothel homes are shattered to pieces, prostitution may not thrive as it does to-day. Further, prevention is better than cure. A diseased person is doomed for ever. Just as smuggling is effectively checked by the government, similarly the government should adopt stringent measures to punish those who trade in this shady business and also protect persons from falling a trap into this manhole whose depth is unfathomable. Marriage alone will justify a woman's existence and not the life of a prostitute. Marriage will give her social status, dignity and protection.

Morality is not an inexorable pursuit of the conventional scale of values. These values can be practised only when a man needs cloistered existence. Morality means the rudimentary rules of social behaviour and sane living, the one being dynamic and the other variable. Morality is both a discipline and a joy, a law and a reward. If we can uphold the highest moral principles of life, life on earth can be happy and peaceful. There are some recesses of the heart, some caverns of the mind which have remained shaded from the glowing light of reason and knowledge. There is a chasm, yet to be bridged, between what man has learnt by precept and what he practises in life. To bridge the gulf between precept and practice, should be our immediate task. It is an uphill task. But to succeed, we must, lest we perish for ever. One should be aware of this social responsibility which will provide us with a goal challenging us to right action. Right faith, coupled with right knowledge and right action will throw a silver lining among the dark clouds of our life.

Social Institutions and the Future

Those who have belief and faith in the institutions of family and marriage, cannot ignore the defects—latent and patent, which have

disclosed themselves in the working of these institutions and which are fundamentally responsible for not a little maladjustment and avoidable unhappiness and suffering. It is an undeniable fact that everyone is convinced to the core that both these institutions are basic for the progress and welfare of the human race and that stability in the relation between the sexes must be sought by some process of adjustment, adaptation, understanding and re-orientation. One should attempt to rebuild and re-structure these pivotal institutions in a vitalised form than to think in terms of demolishing these institutions by adopting some western models which are considered modern.

The real issue is that modernity consists in modifying the existing traditions and giving room for new and better traditions. Modernity does not eliminate everything that is old — it is a continual process of synthesis between the new and the old. The reason why tradition is not antagonistic to modernity is that tradition gives the individual the most pervasive and generalised value-scheme in terms of which our further social progress is directed. Cultural changes have to be both prescriptive and descriptive. Though an individual is moulded by culture, culture is super-individual in that the individuals need a common basis for sustaining a definite culture. A culture-pattern presumes an internal integration of all its parts. This integration can be achieved only in accordance with some basic or dominant principles or value-scheme underlying the whole set up. By the process of integration, a culture can change without creating confusion for, or consternation to, its members.

To-day, we need a new philosophy of marriage. Education for successful marriage begins in infancy. On the success of to-day's families depends the success of those established a generation hence. We are aware of the fact that marriage and family living will continue to change just as everything in life changes. Changes are brought about in many ways. Education is one such means. The highest service that education can render to humanity is to contribute to the flowering of an integrated personality.

Man being a social animal has to devise some method of social organization. In India, we have evolved caste system. In Europe,

they have organized class. Neither of them has the solidarity and naturalness of a family which perhaps is a "God-ordained institution", as Gandhi observes. The family still remains the dominant social situation in which an individual can be himself: In a family an individual experiences a certain security, and escapes from the rational, transient, and impersonal modes that characterize many relationships in general society. The marital family presents one group in which these regressive tugs may be responded to and expressed in accepted and adult ways. For the adult, the spouse is not only a purely sexual object, but also an emotional erotic object through which he both gratifies regressive needs and achieves mature fulfilment of his sexual role. Parents may offer the child an ascriptive emotional haven — one in which he is valued because he is who he is. The child is an individual the parent can love — sometimes emotionally, sometimes quasi-erotically — or hate; tensions and hostilities are released in interaction and in the process of socialization of the child. The family locates people within society. Above all, it socializes both child and adult. It is true that a new type of family life is slowly beginning to emerge. A family — blended, developing, changing, held in a balanced framework by the indivisible threads of love, fond memories, mutual trust, undivided loyalty, deep sympathy, sublime passion, unfailing help, co-operative spirit, indivisible unity and above all a spiritual awareness — makes an ideal family. There can be little doubt that we are to-day in one of those periods of change. Changes are inevitable but a directionless change can and often do spell the worst kind of disaster. A change should be for the good of the individual, the family, the society and the state at large. With foresight and clear vision, social change in India can be harnessed for a future richer than the past offering innovative ideas for restructuring the fundamental institutions of Family and Marriage.

The world is full of avoidable evils which most men would be glad to see them prevented. Nevertheless, the evils like dowry system, prostitution, untouchability, bonded labour still persist and nothing effective is done toward abolishing them. This paradox baffles the aspirations of social reformers and quite often produces disillusionment in those who are conscious of the difficulty of changing social institutions. It is generally agreed that most men live lives of monotonous labour, most women are subject to a life of drudgery which

almost kills the prospect of happiness before youth is past, most children are allowed to grow up in ignorance of all that would widen their horizons of thought or kindle their imagination. From the poorest to the richest, almost all men are absorbed in social struggle : the struggle to acquire social equality, economic stability and moral dignity. Material possessions, in fact dominate our general outlook, usually to the exclusion of all creative impulses. Possessiveness, in all its manifold aspects is the prime source of social malady, and the foundation of all the ills from which the world is suffering. Only by diminishing the strength of this passion and its hold upon our daily lives, can social institutions bring real benefit to mankind. Institutions which will diminish the sway of impulses like greed, hatred, jealousy are possible, but only through a complete restructuring our whole socio-economic system. It is toward this direction that the institutions of family and marriage seek to accomplish these diverse requirements of life.

Modern Family is in a crucial stage of transition. The challenge facing parents and society to-day is how to forge new alliances, both within the family and between the family and society that will accomplish these diverse requirements.

Every citizen of the world is first and foremost a member of the basic institution — Family. He is morally bound to obey the orders of the head of his family, and the contours of his life are set by the social norms that it imposes. The institution of Family, so to say, is the crowning-point of the social edifice and it is its unique supremacy over all other forms of social organization that its real nature is to be found.

Interested as we undoubtedly are in the survival of man as the bearer of values — social philosophers cannot really afford to remain indifferent to the social maladies which have crept deeply into the basic structure of society. There is neither freedom nor happiness save as we create them; there is neither freedom nor happiness save as we make peace. Gandhi showed to the whole world the efficacy of the principles of love and peace as instruments of social change. His undying faith in the goodness of man and the efficacy of non-violence is beyond doubt. Since the individual is the basis of all social progress, one should place greater reliance on the development

of the individual than of any institutional devices. Man is not a 'lost' creature. He is ever capable of self-development.

A critical appreciation of the ups and downs in human evolution reveals man's incessant struggle for freedom and self-reliance. He is subject to nature's dictates but is independent in thought and possesses a capacity to mould his own nature. Hence in his life, there is a dual-spell, both regressive and progressive. All the attempts aimed at man's freedom from external and internal entanglements can therefore be said to be moved by the progressive urge. In short, the individual is for society and society is for the individual. The institution of family is the training ground for the individual to mould his life, refine his thoughts, tame his passions and sublimate his will for the good of all. Man's nature as a social being and his innate desire to live meaningfully as a human being endowed with a spark of reason and a glimpse of the Moral Imperative enables us to understand his deeper nature and the significance of his social institutions. Perhaps it is meaningful to observe at this juncture that the social philosopher aims at viewing all the social aspects of human life in their totality or larger perspective and is directly concerned with man as a builder of institutions and all that the latter ultimately imply. As Professor K.S. Murthy observes: 'Imaginative reflection on the contents of all experiences culminating in an unhampered speculative reconstruction of all the aspects of experience is the goal of social philosophy.'

In an age when the place of individual is being threatened and the spectre of total mass-control is raised at every time, Mahatma Gandhi sought the Truth of Life most sincerely and intensely, the truth of Non-violence or Love as the law of human life, which when realised and lived ennobles life and raises it to sublime heights of consciousness. This truth has been one of the insights of ancient India as reflected significantly in the phrase *Vasudhaiva Kutumbakam* meaning "For people of generous heart the whole world is one family." The starry heavens above and the moral law within, said Immanuel Kant are our guides. The cosmic order, the *Rta* of the *Vedas* is there, but man has to tune himself to the *rhythm*, so that while the individual strives to redeem the world, he redeems himself. In the last analysis, life is self-attestation. It is not the ordering of life but the ordered

life that is important. In the words of Śrī Aurobindo : 'It is not the dawns of the past but the noons of the future that call us to our highest destiny.' While the past takes care of itself, we will have to cultivate the habit of seeing into the future. The future rests with young men and women of India. Will they rise to the occasion to face the challenge of the evils of social customs and help to establish a society based on the principles of social justice and equality and attempt to lead the world from imperfection to perfection? This is possible only when they use their moral and spiritual force as an instrument for bringing about progressive changes in the world.

Sa mānasīm merusakhaḥ pitṛṇām
Kanyām kulasya sthitaye sthitijñāḥ |
Menām munināmapi mānanīyām-
Ātmānurūpām vidhinopayame ||

(Kālidāsa's Kumārasambhava I, 18).

(T. FOULKES : *Kālidāsa*, vol. I. p. 393) Madras, 1904.

" Gladly obedient to the law divine,
He chose a consort to prolong his line.
No child of earth, born of the Sages' will,
The fair nymph *MENĀ* pleased the sovran hill.
To her he sued, nor was his prayer denied,
The Saints' beloved was the mountain's bride."

(S. R. SEHGAL, *The birth of the War-God*, p. 6.)

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6. *Ādiparva*, 98, 18-21.
7. *Atharva Veda*, VI.
8. *Ṛg-Veda*, VIII, 101, 15, X. 17, 40, 5.
9. *Ṛg-Veda*, I, 105, 2; 124, 7; III, 53, 4.
10. *Atharva Veda*, XIV, 44.
11. *Aitareya Brāhmaṇa*, I. 25.
12. *Ibid.*, VII. 13.
13. *Bṛhadāranyaka Upaniṣad*, I. 4.17.
14. *Ibid.*, IV, 4. 2.
15. *Ibid.*, VI, 4. 17.
16. *Baudhāyana-Dharma-Sūtra*, I, 11. 21.
17. *Viṣṇu*, XXV, 14.
18. *Manu*, IX, 101.
19. *tīrtvā mohārṇavaṁ hatvā rāga-dveṣādirākṣasān ; śānti-sītā-samāyukta ātmārāmo virājate.*
(verse 50); vide T.M.P. Mahadevan (ed.), *Self Knowledge*, (New Delhi: Arnold Heinemann, 1975), p. 72.

20. *Manu*, IX, 101-102.
21. *Ibid.*, IX, 6.
22. *Ibid.*, IX, 26.
23. *Ibid.*, III, 56.
24. *Ibid.*, III, 57, 58.
25. *Ibid.*, III, 60.
26. *Ibid.*, IX, 45.
27. *Ibid.*, III, 56-59.
28. *Ṛōjñavalkya*, I.82.
29. *Viṣṇu*. XXII. 32.
30. *Manu*, III, 14.
31. *Ibid.*
32. *Manu*, IX, 96.
33. *Ibid.*, 151, 155-60,
34. *Ibid.*, V, 154.
35. *Ibid.*, IX, 78.
36. *Ibid.*, IX, 80.
37. *Ibid.*, IX, 81.
38. *Ibid.*, IX, 83.
39. *Ibid.*, IX, 46.
40. *Ibid.*, IX, 45.
41. *Ibid.*, IV, 184.
42. *Nārada*, XII, 97; *Vasiṣṭha*, XVII, 20.
43. Kauṭilya, *Arthaśāstra*, pp. 158-159.
44. *Manu*, IX, 187.
45. R. Aiyangar, *Aspects of Social and Political System of the Manusmṛti*, p. 164.
46. *Kumārasambhava*, 6, 63.
47. *Mahābhārata*, 13, 11, 14.
48. *Manu-Smṛti*, 3, 56.
49. See the present writer's article, 'Indian Woman through the Ages' in *Encyclopaedia of Women in India*, edited by B. K. Vashishta, Praveen Publications, New Delhi, 1976, pp. 18 to 69.
50. *Ṛg-Veda*, II, 17, 7.

51. *Atharva Veda*, I. 14.3.
52. *Dakṣa*, VII, 31-33.
53. Kālidāsa, *Raghuvamśa*, XIV. 66.
54. *Taittirīyasaṁhitā*.
55. *Aitareya Brāhmaṇa*, 3.2.12.
56. *Ādiparva*, 172. 46.
57. *Bṛhaspati*, XXVII. 20.
58. S. Radhakrishnan, *Religion and Society*, (London: George Allen & Unwin Ltd., 1956), p. 162.
59. Quoted in 'The *Vivāhapaddhati*' by Jagannātha.
60. 'dharme ca arthe ca kāme ca naticaritaṃ trayīyam'
61. *Gr̥hya Sūtras*, I. 7, 6.
62. *Ibid.* I. 7, 16-17.
63. According to *The Hindu Marriage Act, 1955*, No. 25 of 1955, 7 (i) reads thus :

'A Hindu marriage may be solemnized in accordance with the customary rites and ceremonies of either party thereto. Where such rites and ceremonies include the *saptapadī* the marriage becomes complete and binding when the seventh step is taken. It will be seen that though the section emphasizes the importance of the *saptapadī*, it does not insist upon the same because under the Act, it must be in accordance with the customary rites and ceremonies of either party to the marriage. The custom must of course, be a valid custom. Whether it is a caste custom or a custom of any sub-caste or custom of a particular locality or of a family, it must be *ancient, certain and reasonable* and not opposed to public policy. It cannot be enlarged beyond the usage by parity of reasoning since it is the usage that makes the law and not the reason of the thing. There are, however, many ceremonies connected with

marriage, which are more or less non-obligatory or directory. If those ceremonies are not performed at the marriage, the omission may be cured by the doctrine of *factum valet*.'

64. *Āpasthamba Gr̥hya Sūtra*, 1, 7, 25, 1.
65. *Pāraskara Gr̥hya Sūtra*, I. 8. 8.
66. *Gr̥hya Sūtras*, 1. 7, 25.
67. S. Radhakrishnan, *op. cit.*, p. 164.
68. *Ṛg-Veda*, X. 85, 13 & 38.
69. *Taittiriya Samhitā*, VI. 2. 1. 1.
70. Viṣṇu, *Dharma Śāstra*, XVII, 18.
71. *Ibid.*, XVIII, 35.
72. *Ibid.*, XIII. 2.13.
73. Manu, *op. cit.*, IX. 134.
74. M. K. Gandhi, *Women and Social Injustice*, Navajivan Publishing House, Ahmedabad, 1958, p. 29.
75. M. K. Gandhi, *Harijan*, 25-3-1936.
76. M. K. Gandhi, *Young India*, 26-6-1928.
77. M. K. Gandhi, *Young India*, 21-5-1931.
78. M. K. Gandhi, *Women and Social Injustice*, *op. cit.* p. 29.
79. M. K. Gandhi, *Young India*, 11-11-1926.
80. *Bodhāyana*, II, 3, 45 ; *Manu*, IX, 3.
81. *Bodhāyana*, II, 3, 46.
82. *Viṣṇu*, XI, 40 : *Yas̥cārtharah sa piṇḍa-dāyī*.
83. Section 3 (b) of the Act.
84. Mulla, *Principles of Hindu Law*, N. M. Tripathi, Bombay, pp. 69-70.

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Sarvodaya and the Problem of Political Sovereignty

By

Dr T. S. DEVADOSS

This book, first published by the University of Madras in 1974, embodies an attempt at presenting the fundamental ideas of the socio-political philosophy of Mahatma Gandhi. The ideal envisaged is best expressed by the term—*Sarvodaya*, the all round wellbeing of all.

In Part One, the spiritual basis of Sarvodaya is analysed. It covers different aspects of Gandhi's philosophy and the relevant areas of Hindu thought. Part Two is concerned with the political order of Sarvodaya with special reference to the problem of political sovereignty. This is discussed against the background of ancient Hindu and Western political thought. In the Epilogue the author indicates how *Sarvodaya* shows the way out of the present day crisis and provides the basis of the hope for mankind.

* * *

"I am very glad to have had the opportunity to see this substantive study...It is obviously a work of thorough scholarship and should add immensely to our understanding of Gandhi and his background. The author is a gifted person who has already made considerable contributions to philosophical thought and scholarship."

—Dr H. D. LEWIS
London University

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