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Position of Women in Kautilya's Arthashastra

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Abstract

This research work marks the relevance of Kautilya's influential work Arthashastra with regards to the position of women in the contemporary world. The primary objective is to bring out the condition of women in ancient times as articulated by the laws and rules laid down upon women in the Arthashastra. It further points to the subservient role performed by women in those times and the limited agency offered to them. By comparing the position of women in those times with that of the women in contemporary times, this paper seeks to analyse the extent of transition in the condition of women. The study relies primarily on the secondary sources of information that includes several research works analysing the portrayal of women in the work of Kautilya. It has been found that the status of women has not changed much since the ancient times, women were suppressed earlier, and they are degraded and disrespected today as well.

Keywords: *Kautilya, Arthashastra, women, rights, marriage-laws, female spy, wives, widow.*

Introduction: In the ancient India, Kautilya composed his masterpiece *Arthashastra* in Sanskrit, translated as *The Science of Material Gain*. As stated in *Kautilya, The Arthashastra* by Rangarajan (1992), a copy of this book written on palm leaves was rediscovered in India in 1904 CE, as it had been lost for many centuries. In this treatise, he has summed up his political ways and elaborated on several issues for effective governance by the rulers.

Delving into the governing social structures and institutions of contemporary times, it has been found that this book and the discourses presented in it hold significance today as well. Apart from the statements given on constructive administration and theories on statecraft, this work also contains the discourse on the status of women in the hierarchical society. Also, there is other works in which judgements on women's conduct in society have been given, such as *Manusmriti* but here this research aims to study the position of women in Kautilya's *Arthashastra*.

In *Arthashastra*, women has been portrayed as ancillary presence to the primarily patriarchal institutions of the time. His dictates such as the aim of taking a wife is to beget sons confirm his stand on considering women as mindless beings and mere objects to be used by men for procreation (Rangarajan, 1992). He has deprived the women of any feelings and minds of their own and subjected them to become a part of the duty to be fulfilled by men i.e. to reproduce, specifically sons. There is no denying the fact that the current scenario of women's exploitation in India relates to the mindset of people regarding women, formulated by such works as explored by the research work of Mukherjee (1994). Shirin (2009) also addresses this issue in the study and affirms that a married woman's life revolved around begetting a son in the context of *Arthashastra*. Her study brings to the fore how the upper caste women were subjected to more stringent rules than a low caste woman. Besides the societal roles inhabited by women, there are several other strictures and marriage laws imposed upon women by Kautilya. As per *Arthashastra*, purpose of giving women the right to property is to have protection in case of a calamity. Other than this, a widow was not allowed to inherit all the property of her husband; in case of lack of any heir, the property should be confiscated by the king leaving only some amount required for her maintenance.

A number of researches have been conducted on *Arthashastra* in order to access the much sought after- art of statecraft. But this book also indulges in politicizing the role of women as he also devised several rights which a woman could attain on begetting a son. Kautilya adopted a generalised view when it came to statecraft and the ways to improve the efficiency of governance. Nevertheless, he had no right to objectify women for the sake of effective governance of the state. In this study, the representation of womanhood in *Arthashastra* will be studied which will include exploring the depictions of women and critically interrogating the nature of these portrayals with respect to contemporary socio-economic structures. In the contemporary times also the women face suppression, which can be traced back to the conditioning formulated by such religious and statecraft based texts. This study will undertake a comparative analysis of the portrayal of women in those times and in the contemporary times. The aim of this review paper is to critically analyse the extensive research done on the position of women in *Arthashastra* and to register the research gap, if there is any.

Research Objectives:

The objectives of this research are as follows:

1. To interrogate the representation of womanhood in Kautilya's seminal work, *Arthashastra*.
2. To explore the depictions of women and critically interrogate the nature of these portrayals with respect to contemporary socio-economic structures.
3. To bring out the strictures and marriage laws imposed upon women which includes an enumeration of limited rights offered to them as articulated by Kautilya in *Arthashastra*.

4. To define the various societal roles inhabited by women in the ancient times.
5. To critically analyse the decision making process and the limited agency offered to women.
6. To delineate a synthesized view of the position of women in Kautilya's *Arthashastra*.

Literature review:

Strictures for women, their rights and marriage laws: To study the 'woman question' Mukherjee (1994) has cited Kautilya's *Arthashastra*, which has been considered to have secular overtone as against other sacred writings in ancient India. In "Hindu Women: Normative Models", the author has listed the eight types of marriages in two categories, out of which first four marriages have been called as approved and the rest as unapproved by Kautilya. Her study further recognizes that the approved marriages are male-emphasized, whereas the unapproved marriages are female-emphasized. In this regard, it undertakes discussion on the absence of rights of women in social and economic matters which further reinforces the dominance of men. The discriminatory attitude towards men and women gets professed in the form of such negative stipulation for women linked with their dependence on father and husband for marriage and the expenditure of her 'stridhana'.

Pertaining to these marriage laws and the categorisation of marriages with the prevalent dominance of male in them, the author has aptly brought out the discrimination practiced against women. However, another researcher namely Shirin (2009) has brought a new dimension by undertaking a comparative analysis to say that the *ganika* (prostitutes), slave or the employed woman was freer than the wife as evidenced by given textual references-First, at the time of marriage, not being a virgin was a punishable offence, subject to the levying of fines. Pretending to be a virgin incurred a greater fine, whereas there was no stringent virginity rule to be followed by *ganika* and the female slave. Moreover, the researcher has also noted that bride price of a virgin was not more than 2,000 panas while the amount to be paid for redeeming a courtesan in the king's service was 24,000 panas. Second, a slave woman could not be beaten, but a wife could be punished physically by her husband, though the punishment was limited. Third, the marital rape was not taken into account. Even worse was that if a wife refused to sleep for seven menstrual periods, she was obliged to return her dowry to her husband and also let him sleep with another woman.

After reviewing the given points it has been analysed that the issue of marital rape could have been elaborated in the present context, or say a reading of *Arthashastra* could be done in the light of contemporary times as such issues have come at the surface level these days. This has enabled people to look at it from the perspective of a woman and the issue of reducing women to objects has been addressed thereby. As the name of the book suggests 'artha' means material, Kautilya has seen every entity from that perspective only. Therefore, it fails to offer a human insight into the 'woman question' as posed by Mukherjee (1994).

Coming back to Shirin's study (2009), the fourth aspect was that the prostitutes were not dependent on their clients except for monetary purpose, but wives were dependent on their

husbands and sons in all aspects of their lives. For instance, legal contracts made by prostitutes were valid unlike the case of wives. Here, the researcher compares the status of bonded labourers with that of wives as they were also not entitled to make independent contracts. Fifth aspect tells us that prostitute was free to move; on the other hand, wife was forbidden to visit her father's house without her husband's permission with the exception of special occasions such as childbirth, illness and death. There were other ways in which women had been suppressed as they were prohibited to take divorce from her husband in the first four marriages acknowledged by Kautilya. Moreover, the wives could not even use her own property according to her wish. If she died before her husband, her property was divided equally among her daughters and sons. Interestingly, on a courtesan's death, her property could be inherited by her sisters and daughters and not her sons. In the case of absence of daughters, her property was taken back by the state. Thus, traces of matriarchal society can be seen in case of inheritance laws regarding the prostitute, which would be unthinkable in case of a wife's property.

Das's article (1939) accounts for the norms of remarriage as per *Arthashastra* which allows a man to remarry if his wife is barren or unable to reproduce a male child. He goes on to say that a man can marry as many girls as he wants for progeny on the condition that adequate sustenance has been provided to them. Talking about the remarriage of woman, it has been stated by Kautilya that wives from the first four kinds of marriage cannot remarry. In the other four marriages, women can remarry but several provisions had been imposed upon that. It can be noticed that the elaborate rules formulated by Kautilya centers around the propagation of progeny and the utilitarian approach has been adopted by him.

Societal roles inhabited by women: Shirin's research (2009) also confers that as per *Arthashastra*, marriage is related to the concept of attaining *moksha* or liberation through self-realization. It further states that before attaining *moksha*, procreation is one of the three-fold debts which must be discharged. Thus, procreation has been considered to be a religious duty. Thus, Kautilya has defined the role of women in *Arthashastra* as that of the "begetter of sons". Several other commandments for woman have been given in the book, such as she should not conceal her fertile period from her husband and the husband should try to get a son during his wife's fertile period.

However, women were given certain rights because of this preoccupation of society with sons. For instance, if a father remains indifferent to his daughter's marriage for a period of three subsequent years after she has attained puberty enables her to choose her husband, even if he belongs to different *varna*. Nonetheless, the dominance of patriarchy was re-established by objectifying the married women. Discrimination practised against women in those times is evident from the precept that a husband could take a second wife without paying compensation to his first wife or even returning her dowry if she was barren for eight years or had only borne daughters for twelve years.

The nuances of other social roles defined for women by Kautilya can be elaborated further by talking about the prototype of women as widows. Shirin's study mentions that a

woman's ability to perpetuate the husband's family name also affected her rights to keep property and to remarry as a widow. The *Arthashastra* does not recognize widow as an inheritor of her husband's property. In case of the absence of any heir, the husband's property would be seized by the king, leaving some amount needed for her maintenance. Lack of any standard for defining how much amount would be sufficient for a widow's maintenance caused the problem. As witnessed by the study, there was mention of rich widows being plundered by the king in the *Arthashastra*, thus the loopholes in the law to protect the widow has been ironically admitted in the *Arthashastra* itself. It renders her unprotected against exploitation by even more powerful factors outside the husband's family such as the king. The study further criticizes the verdicts given by the book over widows by stating that the seizure of the property by the king if heirs are not present signifies the assumption held by the male dominated society that considers women to be incapable of managing her husband's wealth. Or it assumed that women themselves plunder the husband's wealth by keeping more than the required amount for her maintenance. This is how, the widow could use her husband's property until she gets remarried with her previous father-in-law's consent. This way, the leakage of property from patriarchy was prevented.

Counting prostitute as the third kind of "Kautilyan woman" referred to as *ganika*, the researcher brings to the fore the three types of *ganika* as mentioned in the *Arthashastra*. Prostitution generated revenues for the state and thus it was endorsed by the state. The head of the brothels were accountable to the Chief Control of Entertainers. The prostitutes dependent on state as well as those independent of state, both paid one-sixth of her income as tax to the state. So, it becomes clear that the prostitute's income was a stable source of revenue for the state. It goes on to comment that if compared to a regular housewife, the prostitute was more skilled and accomplished, equally intellectual as any man in those times. The state encouraged men to visit brothels but didn't grant legal status to the heir of a prostitute.

Shirin's research (2009) also talks about the position of woman slave who was also given some legal protection like that given to the prostitutes. It was not allowed to beat her, treat her violently or to make her give bath to a naked man, or to deflower her virginity. If a female slave is pregnant, she could not be mortgaged or sold without ensuring her welfare during pregnancy. It suggests that the state was hell-bent upon increasing the number of skilled workers, so it protected the pregnancy of a slave as well. In the context of the divergent roles like that of a female spy, Kautilya stated that experts in love making could be used as spies. Therefore, this can be concluded that prostitutes had been used to spy in those times. The female spies were given extra legal protection.

Boesche (2003) talks about the women as weapons to be used for protection of a king. Also, besides using women for protection, the king could also use them against an enemy owing to their powerful addiction to women. Kautilya enumerates using 'women as weapon' to be one of the tactics that can be used by a weak king to stave off disastrous conquest by a stronger king. Terming assassination as an efficient tool to be used against the king's enemy, Kautilya desired to train many women to be assassins, which can serve as a

substitute of a whole army or more. The assassins could also “stir up princelings enjoying low comforts with (a longing for) superior comforts and cause a fight between high officers and the king. Women could also be used as a ploy to instigate fight amongst high officers or officials. For example, a beautiful women who had stirred the lurking desires of two men at high stature, she could urge the murder of one by claiming to be harassed by the second official. The aim here was to sow discord and to inflame “mutual hatred, enmity and strife”. After analysing the research by Boesche (2003), it can be pointed out that the author could have brought out the ambiguity prevalent in this scenario where the sexuality of women has been used as a tool for nefarious purposes.

Women and the decision making process: As opposed to the viewpoints shared by Shirin's research (2009), another researcher Kumari (2016) calls *Arthashastra* to be the only source of those times that depicted women in a better condition and position than today. Her study states that in *Arthashastra*, Kautilya has assimilated provisions which seeks to establish an equal balance between men and women. Kautilya's endeavour to envision everything from the perspective of material gain has been kept in a positive frame by the research conducted by the writer. One more research by Boesche (2003) can be talked about in this context as he brings out the comparison between Kautilya and his contemporaries like Manu and further states that on the issue of remarriage, Kautilya urged women to receive more equal treatment. Allowing for divorce in the four impious marriages has been considered as a significant break from the customs of the time and a radical diversion from Hindu law.

Talking about agency he further elaborates that quite a few circumstances have been enumerated by Kautilya in which a wife might leave or abandon her husband if he had committed a crime against the king, if he was impotent, if he was “degraded”, if he was “dangerous to her life”. He further mentions that a wife could leave her husband's house “in case of ill-treatment”. Jumping on to another discourse discussed by Boesche in his study *Women in Kautilya's Arthashastra: persons, addictions and weapons* (2003) that computes women as addiction and weapons, it can be deciphered that women had been provided with a sort of agency as and when they served the king to conquer over his enemies. Besides using their sexuality as a tool, they could have been used as a weapon also, for assassinating the enemies of the king. In this manner, their sexuality has been termed as the biggest merit a woman could possess and some agency has been provided to her pertaining to that merit. In the book *Eastern and Cross Cultural Management*, Singh (2012) has also mentioned that as per *Arthashastra*, women spies were given the same salary of 1,000 panas per annum as given to expert engineers, miners, doctors, lower household people and the registrars of villages or village incharges. Although the study does not focus on the position of women in *Arthashastra*, yet this can be taken as strengthening the claim that women were equally treated and some sort of agency was held by them.

Mukherjee (1994) has addressed the lack of women's perspective as there is hardly any piece of literature of the ancient times that can be found to be written by women, they have just been represented and viewed by male's gaze. This research work can be cited to explore

the question of agency about decision making processes (or the lack of it) that Kautilya stipulates for women who were given different roles as that of a spy or a wife. It brings out the disparities according to socio-economic position of the women that predominantly influences the nature and extent of authority that women possess when it comes to private and public resolutions. As laid down by Kautilya, women having the status of wives had to conform to some rules, on fulfilment of which the women would be given higher social status and considered as an ideal woman, but noticeably no agency. On the other hand, a woman performing the role of spy or prostitute procured some authority but was not held in high esteem.

Discussion and Conclusion: In this study, various writers have been taken into account who have studied Kautilya's *Arthashastra*. After critically evaluating Kautilya's representation of women in existing literature, it has been found that women have been portrayed as mere tools to be used by the rulers and men for the purpose of running an empire and for propagating their race respectively. In his work, Kautilya has devised a range of laws to be followed by married and unmarried women of disparate social strata. A woman was always dependent on her father, husband, or son, however her ability to procreate enabled her to exercise some rights as production of more and more skilled men was the main aim of that age. As per *Arthashastra*, to beget sons has been considered to be the only purpose of marriage, the discrimination against women gets apparent in this commandment by Kautilya.

Besides the regular roles performed by women as wives, widows, unmarried women, female slave and prostitute; female spy was a rather irregular profession performed by women in those times. Although the profession of prostitute deprived them of any social status, yet they possessed agency and freedom more than the socially acceptable wives. A female spy was used by the kings to seduce high officials of the rival king and also as assassins who can poison the rival king which could help in conquering their territory. The sex-role of women has also been acknowledged in this book that offers the use of women's sexuality as a tactic to defeat the counterpart by the kings.

By thoroughly analysing various studies relating to the position of women, it can be concluded that there is a lack of synthesized study on the position of women in *Arthashastra*. This discontinuity offers avenues for further research that can be addressed in the current study. Also, the study endeavours to answer the question of what agency was exercised by the female spies and were they really having any authority of their own or it was given by men as per their pleasure. This research also aims to study the dichotomy of those times as the woman were being offered some agency by the society but it deprived her of any social status. For instance, the role of a prostitute which offers her more agency than a regular passive housewife but deprives her of any social status. Her contribution in the revenue of the state enables her profession to be recognized by the state but social position has been denied to her by the state very conveniently. The present research offers a different dimension as it brings to light the present scenario of depriving social status to the prostitutes and raising fingers on their profession and the crimes related to it. Therefore, this

research offers more avenues for further research by linking the position of prostitutes in past with the contemporary ones.

Kautilya's *Arthashastra* has been studied mostly by economists, but its relevance in the context of condition of women in the past as well as in present has not been attended by much researchers. Therefore, this work aims to offer a synthesized view of the women in those times as portrayed by Kautilya's *Arthashastra*.

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