

Niyog and Widow Remarriage in Ancient India

Abstract

We find prevalence of widow remarriage and practice of Niyog in Ancient India. The lawgivers had propounded certain condition in which Niyog could be performed. References of Niyog or levirate occurred in vedic literature. Sati of widows was not prevalent in Rig Vedic period it is stated that widows would perform a ritual lying besides her dead husbands on the funeral pyre but would then actually descend from there at the call of her brother in law. Gradually widow remarriage was not given honour in the society and the condition of widow also started to be deteriorated. Remarried widows known to be "Punarbhū" were given certain legal rights. In modern India widow remarriage was given legal status through Hindu remarriage act of 1856.

Keywords: Niyog, Punarbhū, Levirate.

Introduction

The position of widows is one of the most important topics which historian of woman has to discuss and elucidate. Widows were not required to die with their husbands on the funeral pyres down to 300 B.C. So how they were expected to lead the rest of their lives. Three courses were opened to them. They could either pass their remaining life in widow hood or they have children by levirate (Niyog) or remarry. Custom of levirate was common in ancient times in several civilizations. It was prevailing in Sparata. Among Jews a widow would become her husband's brother's wife without any ceremony.

Objective of the Study

The purpose of present paper is to understand the concept of levirate or Niyog the condition of widows in ancient Indian society and the gradual decay in their condition. With the passage of time sati was glorified. Effort has been done to differentiate between Niyog and Widow marriage.

Source of study:- Besides Rigveda we find references of Niyog and widow remarriage in Manu, Apstamb and Narad's works. Mahabharata also contains the example of Niyog practice.

Present Paper is an attempt to paint the condition of widows in ancient India and the scope of remarriage for them.

The Rigveda allows the cohabitation of a sonless widow with her younger brother in law till the birth of a male child. This is known as 'Niyoga', but it was not widow remarriage. The ultimate end of Niyog was to procure male child and not benefit of women.¹ This custom doesn't reflect the dignity of woman as it was entirely for the fulfillment of need of a son.² Thus Niyog made women available for adultery but she was not given any legal status. The appointed man will do it for dharma and not for lust. Niyog was prevalent in epic period as its mentioned in Mahabharat, "A woman can bear children through Niyog after the death of husband. There are many examples of Niyog in Mahabharat if husband is alive even then woman can bear child through Niyog with her husband's permission.

The epic Mahabharata describes two instances of Niyog. Queen Satyawati compels her son Vyas to perform Niyog with widows of her son Vichitravirya. Widows Ambika, Ambalika and maid bear Dhritarashtra, Pandu and Vidur. Among these 'Pandu' was later cursed to die if he had sexual relation with her wife so Pandu's wives Kunti and Madri performed Niyog with Gods and bear five sons – Pandavas.

In Manusmriti – Niyog is described in IX 59-63 but the practice is forbidden in IXth Adhyaya – 64-68 Sukta. This text describes the child born by Niyog is Kshetraja Putra of the husband and wife.³

Niyog was not only allowed after the death of husband but also in case of husband being impotent, diseased or missing. The relatives of wife, sometime husband himself appoint someone to make his wife pregnant. After biological sons, Kshetraja son came next in legitimacy. Probably practice of Niyog was prevalent till 300 B.C. Earlier some dharma shastras



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allowed to bear two sons through Niyog but later on this was limited to one son. Narad (100 – 300 A.D.) mentions Niyog for fulfillment of duty and not for lust, but in the same age, there emerged a social group in society which was not ready to give legitimate place to Kshetraja sons by 600 A.D. this practice vanished totally.⁴

During Regvedic there is no mention of Sati of widows. It is stated that the widow would perform a ritual lying beside her dead husband on the funeral pyre but would then actually descend there at the call of her brother in law. However in later vedic her position changed. The ardent desire that a woman remains a non-widow is a powerful commentary on the deteriorating condition of widows in the later vedic times. During post Mauryan period, widow's life was burdened with disabilities as laid down in normative treatises.

In later vedic age we find constant desire not be widowed which signify deteriorating condition of widows in later vedic period.⁵

During the post Mauryan age (200 B.C. – 300 B.C.) the condition of widows had become worse. Her life was burdened with disabilities as laid down in normative treaties. It was expected from widows that they should spend their lives by following fasts, controlling her desires and protecting her chastity. Narad supports only one marriage in life but in one instance, Narad allows widow to remarry. It means some widow remarriages used to take place during Narad but these were not considered good.⁶ According to Manu a widow should never think of remarrying but it was not entirely unknown to law givers. Manu was aware of a remarried widow 'Punarbhū' but Brahmanical society never accorded honour and dignity to a remarried widow.⁷ We have

some hint in Rigveda which suggest widow remarriage. In Atharvaveda the widow sitting near the pyre of her dead husband suggested to hold the hand of a male whosoever loves her. Apstamb hinted sexual relation between wife and her husband's brother. A woman whose husband had not returned since a long time should wait for him till seven months and one year. We have example of Sungriv marrying his elder brother Bali's widow. Similarly Vibhishan married to widow of his elder brother.⁸

Conclusion

From the beginning of 10th and 11th Century A.D. widow remarriage were not encouraged.

The Hindu Widow Remarriage Act of 1856 legalized the validity of widow's remarriage. Moreover Hindu Succession Act 1956 and Hindu Marriage Act 1955 also features provisions of remarriage of the widows.

References

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