

Are Hindu Women Allowed to Erect a *Śivaliṅga*? A Question Asked in a Letter to Jaṅga Bahādura Rāṇā, Dated 1863 CE¹

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Introduction

In 1863, a Brahman named Jīvanātha Śarmā sent a letter from Benares to Prime Minister Jaṅga Bahādura Rāṇā, the then factual ruler of Nepal. In this letter (see Appendix; NGMPP DNA 4/18) Jīvanātha reports on a dispute between Paṇḍitas of a *dharmasabhā* in Benares on the question whether a woman should be allowed to erect independently a *śivaliṅga* by touching it (*liṅgasthāpana* and *liṅgasparśana*).

This document opens up a number of questions that have to be contextualized. They concern the position of women in society and ritual, the relationship between Kathmandu and Kāśī, or Nepal and British India, the function of Paṇḍitas in religious and political affairs in and at the periphery of the colonial empire, and the authority of the Great Tradition, in particular the Dharmaśāstra, in shaping a nation.

The Document

After the *praśasti*, Jīvanātha Śarmā, apparently a Brahman in service of Jaṅga Bahādura Rāṇā's administration based in Benares, refers in his letter (*patra*) to a *rukkā*, a short royal note, which he had previously

1 Many thanks are due to Manik Bajracharya and Rajan Khatiwoda for helping me better understand the document(s), Simon Cubelic for invaluable hints to further material, Vasudha Dalmia for facilitating the access to the KVS, and Philip Pierce for improving my English.

received from him and in which Jaṅga had shown a heavy grief because of the dispute on establishing a *śivaliṅga* by women. Jīvanātha then tries to explain the complex situation. First he complains about the Paṇḍitas in general who never admit mistakes and always keep on fighting, so that a mediator has to be appointed. In the concrete case, Jaṅga had indeed fixed the “king on the other side (*pāravāla*, i.e. Rāmnagar on the other side of the Gaṅgā) and his *dharmasabhā*” as such. Jīvanātha explains how the dispute among the Paṇḍitas evolved. One side insisted that there are so many mandatory injunctions in the *smṛti* prohibiting women to act independently in any ritual unless they have the order of the husband, have performed their *saṃskāra* (i.e. are married) or have been initiated (for the daily worship).

However, says Jīvanātha, the famous Paṇḍitas Rājārāma Śāstrī and Bāla Śāstrī objected this position, stood up in the *dharmasabhā* and went home. On the next day they returned with a *paddhati* in which it was written that no *yajamāna*, male or female, is allowed to do any work by his or her own hand but only through the hand of a priest. However, the assembly rejected this text. Apparently, both Paṇḍitas then were upset and

... sent [a message back] through the reputable (*mahājana*, lit. great person) Harican Bābu, who said: “If you want your *vyavasthāpatra*² (a written extract from the Dharmaśāstra, given in a decision by the Paṇḍitas) criticized, send it to our houses. We will return it to you after criticizing it [ourselves].” The Paṇḍitas sitting in the *dharmasabhā* replied: “Let them (the two Śāstrīs) send a *vyavasthāpatra* which denies permission; we will in turn criticize [their decision].”

The King of Benares then complained:

“What proof is consensus [reached] among such biased Paṇḍitas? They need not agree. I don’t expect any consensus from them. Prepare the *vyavasthāpatra*!”

[Thus] the king from the other side ordered a *vyavasthāpatra*, which was dispatched to you. Through this everything will be

2 *Vyavasthāpatra* is a “discourse on controversial questions of Hindu law” (Sen/ Mīshra 1951: 1) or a written extract from the Dharmaśāstra, given in a decision by the Paṇḍitas or Dharmaśāstrins; see also Regmi 1983: 114, and Subhadra Sharma’s *Dharmaśāstrīya-vyavasthā-saṃgraha* (1957).

known. From now on whenever the king on the other side—who has himself no interest in money or cowries—assembles all the Paṇḍitas in his *dharmasabhā* and a decision is made through consensus among [those] Paṇḍitas, then this is [enough] proof. [By contrast,] a *vyavasthāpatra* signed by persons of one's own liking who have agreed after taking bribes cannot be considered as proof. If given a lot of money, today's Paṇḍitas agree on all topics. They don't think about what *dharma* is and [what] *adharmā* [is].

In petty things they have reached consensus on both sides at various places. In something of very great importance, too, they once took money and reached consensus in a *vyavasthāpatra* to the king of Jaipur, saying that the doctrine of Rāmānuja ascetics (*raṅgācāri*) is not taught in the Veda. After the *raṅgācāris* gave [them] a lot of money, they (the Paṇḍitas) also reached consensus in a *vyavasthāpatra* to the *raṅgācāris*, saying that the doctrine of Rāmānuja is taught in the Veda. They are ones who agree because of money; they do not consider the *dharma*.

Finally, Jīvanātha says that already *vyavasthāpatras* from three other places have been sent to him and summarizes:

As long as a clear prohibition is not found in the *smṛti* to the effect, explicitly, that women have absolutely no right [to establish a *śivaliṅga*] regardless of their husband's orders, of their being married and of their having heard the mantra (of initiation), it seems to me that you should not have any doubt regarding the customs which have always been practiced. After all, you are the knowledgeable one. Your orders are [always] correct. What more can I say?

My suffering and poverty will disappear if you cast your compassionate eyes on me saying: "He is my well-wisher." ... May it be auspicious.

The Persons

Who were the persons mentioned in the document? We do not exactly know who Jīvanātha was. In another (unfortunately undated) letter (NGMPP DNA 1/116) sent by him to Jaṅga Bahādura Rāṅā he asks

for his lifelong annual remuneration. From this *patra* it is clear that he worked for the Nepalese administration at least since VS 1917, Vaiśāka *badi* 11 (1860 CE). He also wanted to erect himself a Śiva temple in Benares and requested King Rājendra Vikrama Śāha to donate for this (NGMPP DNA 6/59, undated).

About the two Paṇḍitas in Benares, we know from Bāladeva Upādhyāya's *Kāśī kī pāṇḍitya paramparā* (1983) that both Paṇḍitas were most likely Citapavan Brahmins from Maharashtra/Konkana. Rājārāma Śāstrī (1805–1875) was a professor at Benares College (Dodson 2010: 179) and a judge who was often asked for advice. He composed many *vyavasthās* and the *Vidhavodvāhasaṅkā*. It is heard that he had once come to Nepal where he was invited to the palace and had a discussion with Paṇḍitas for several days, in which he finally could win. He was not only a Paṇḍita but also a boxer (*kuśṭivāja*) and he even had a boxing competition in Nepal, which he also won (Upādhyāya 1983: 161). It seems that he was in favour of re-marriage (ibid.: 164) and a large number of Paṇḍitas backed him in this respect (see ibid.: 164–165, for the list of their names). He was appointed as a judge at the court (*kacaharī*) of Ājamagaḍha by John Muir. Later, he was appointed as a judge (*nyāyādhiśa*) at the Divānī Kacaharī in the same place (ibid.: 159).

His disciple Bāla Śāstrī (1839–1882) wrote in 1869 an extensive commentary on a *vyavasthā* of 1855 regarding the invalidity of remarriage of widows at the request of a group of Bengalis in Calcutta: *Vidhavodvāhasaṅkāsamādhi* [a proof on the subject of widow remarriage], Benares: Medical Hall Press, 1869 (Dodson 2010: 181); he participated in the 1869 *śāstrārtha* with Dayānand Sarasvatī and was a member of the Literary Society of Benares Pandits (also known as the Brahmāmṛtā Vṛṣiṇī Sabhā). The king of Kāśī, Īśvarī Prasāda Nārāyaṇa Siṃha, respected him highly (Upādhyāya 1983: 186) and never agreed upon any decision if it was not consented by Bāla Śāstrī (ibid.: 186). He had no descendant but he adopted a Brahman boy who was four years old (ibid.: 189). When Queen Victoria was adorned by the Great Queen of India, he had composed a *praśasti* (ibid.: 192).

Both Paṇḍitas belonged to the well-known Paṇḍitas of Benares (Dodson 2010: 173); signed a short exposition in Sanskrit in the Benares College journal *The Pandit* (2.24, 1868, pp. 271–272), established 1866, applauding a reputed cure of leprosy (Dodson 2010: 177). Both were members of the Kāśī Dharmasabhā, which was founded in 1869 or early 1870 by the king (*mahārāja*) of Benares (Dodson 2010: 181; see Tripāthī 1871a, 1871b). Its members (*parīkṣāsahāyaka*) are listed

in *The Pandit* vol. 5.56 (Jan. 1871), pp. 205–206. Among them is also Bhāratendu Hariścandra (9 Sept. 1850–6 Jan. 1885), the so-called father of Hindī literature, but not Rājārāma Śāstrī and Bāla Śāstrī, the two Paṇḍitas mentioned in the *rukkā*. Hariścandra might be the “great person (*mahājan*)” Harican Bābu mentioned in the *rukkā* as a helper of the two Paṇḍitas. However, there is a problem of the date. For, the *rukkā* is from VS 1920 (1863), when Hariścandra was only 13 years old.

We therefore could give up this hypothesis if there were not an intriguing article in the journal *Kavivacanasudhā* (KVS), “A Bi-monthly Journal of Literature, News and Politics”, established by Bhāratendu Hariścandra in 1868. In the issue of Saturday, November 25, 1871, pp. 54–55, it is written (most probably by Hariścandra himself) that a certain Nīladeva Pantha from Nepal³ has brought up the same issue that was discussed in Jīvanātha’s *rukkā* (see Dalmia 1997: 357f.). We learn from this article that the case was decided arguing that women have no right for an independent (*svahasta*) *liṅgasthāpana* and that every man agreed on this conclusion apart from Candrasekhara Bastirāma. The Paṇḍitas had consulted the following Dharmaśāstra texts, mostly Nibandhas:

Nirṇayasindhu, Dharmasindhu, Puruṣārthacintāmaṇi, Mayūkha, [Smṛti?] Candrikā, Pratiṣṭhākaumudī, Raghunan-danakṛta-Pratiṣṭhātava, Tristhalīsetu, Liṅgārcanacandrikā, Śivārcanacandrikā, Nṛsimhaprasāda, Mīmāṃsaka-Rāmakṛṣṇabhaṭṭakṛta-Liṅgapratiṣṭhāpaddhati etc.
(KVS Saturday, November 25, 1871, p. 54)

However, since Bastirāma (*śrīpaṇḍitavastīrāmadvivedaḥ*), the “errant pandit”, as Vasudha Dalmia (1997: 358) calls him in a short remark on this incidence, did not agree to this, the Paṇḍitas addressed the king in a public letter. They reported that when the final decision had to be taken by the king, suddenly Bastirāma was invited by the *dharmasabhā*. However, he could not give any proof neither by referring to Gauḍa (Bengal) or South Indian Brahmans nor by any Nibandha. In the discussion he apparently said that the right to establish a *liṅga* by women is the practice of the Gauḍas, but others said that it is up to the king to decide. The Paṇḍitas came back to this debate thinking that it is not

3 *nepāla se liṅgapratiṣṭhāpanādhikāraṇīyayakaprasāna paṇḍita nīladevapantha* (KVS, vol. III, no. 7, 25 November 1871, p. 54). The Paṇḍita is supposed to have come from Palpa (oral communication by Rajan Khatiwoda).

lawful to decide without consulting any valid Nibandha (as Bastirāma did). They wrote that they had disputed this in the *dharmasabhā* being afraid of *adharmā* and the denigration such an uncultured *sabhā* would get. They requested him (to decide) that it is completely against the *dharma* if women are allowed to establish a *liṅga*, and that it would be unlucky and defaming to send such a *vyavasthā* to the other land (*deśāntara*, i.e. Nepal).

The article in the *Kavivacanasudhā* ends with this notification:

*aneka koṭi sāṣṭāṅgadaṇḍavatpraṇāmānantara.
paṃ. Bastīrāma tārācaraṇādīkam log sab kal rāmnagar gae
the para unko kāśīrāj ne pher diyā aur kahā ki jab tak bābū
na kaheṅgeṃ maiṃ kuch na mānuṅgā aur yah bhī kahā ki yadi
śrībālaśāstrī ka sammat nahiṅ hai to mujhe āyaha nahiṅ āj
se lekar āth din tak barābar nitya dharmasabhā meṃ baiṭh ke
vicāra karo jo siddhānta ho us par saṃmati karo.
ab bicār karnā cāhie aur maiṃ us vicār kā madhyastha huṅgā.*

With several crores of eight-point stick-like salutations.⁴ Paṇḍita Bastirāma and Tārācaraṇa etc. yesterday went to Rām-nagar [but] the king of Kāśī sent them back saying that he will not agree as long as Bābū (Hariścandra) does not agree. He also said: “If Bāla Śāstrī doesn’t agree, I have nothing to say. Starting from today, consider this matter in the *dharmasabhā* repeatedly, every day for eight days. Whatever conclusion will be made, give a consensus on it.” Now we should consider this and I (Hariścandra) should be the mediator in this [matter].⁵

As this case is so similar to the *rukkā* document, one wonders whether we are not talking about the same thing. However, the date of Jīvanātha’s letter is quite clearly readable as (VS) 1920 (1863 CE). If this date stays, “Harican Bābū” can hardly be Bhāratendu Hariścandra. And we must assume that the case of 1863 was still pending in 1871.

4 A greeting gesture involving making ground contact with eight body parts while stretched out at full length face-down.

5 This is also quoted in Upādhyāya 1983: 186.

The Conflict

Why did Jaṅga Bahādura Rāṇā contact the king of Benares for an advice in the *liṅgasthāpana* question? I first assumed that there would be perhaps a particular case to which the document refers, but the only incident, which came to my mind, is the Sāṃrājyeśvara Mahādeva temple, better known as Lalitā Temple in Benares, erected in 1843 by King Rājendra Vikrama Śāha (r. 1816–1847) and his son Surendra (r. 1847–1881) in the name of senior queen Sāṃrājya Lakṣmī Devī (see Gaenszle 2008: 308); this temple, however, could not come into question because of the time gap of almost twenty years.⁶

After all, establishing and worshipping a *liṅga* by women is common practice in Nepal—since Licchavi time. Not only are there numerous inscriptions⁷ verifying exactly this but we also find a description of the procedure in the popular *Svasthānī Vratākathā* (p. 4):

*yasa kramale māghaśukla pūrṇimāko dina āepachi kathā
samāpta garī ārśī (tāmāko thālī) mā oṃkāra lekhī śabda
bāluvāko śivaliṅga banāī sthāpana garnu ra jau tīla akṣatā
belīpuṣpa yajña-sūtra pāna supārī mapuvā battī aru pani ...*

Likewise, on the full moon day of the bright fortnight of Māgha, [women] should finish the recitation of the story [of the Goddess

6 In RRS 21.6 (June 1989): 76, we find evidence of a Śiva temple established by the “Dharmadhikara Gururaj Pandit Nagendra Raj Pandit” in the Mangalagauro area of Kāśī, dated Caitra *sudi* 9, VS 1912 (= RRC 66, pp. 157–160).

7 See, for example, RRS 2.7 (July 1970): 158: “The Shivalinga inscription (460 Samvat or 540 AD) near the Pashupati temple as installed by a woman called Abhiri. In this inscription, Abhiri has referred to Bhauma Gupta as her son. This inscription was installed by Abhiri along with a Shivalinga in the name of her husband. The Shivalinga is named Anuparameshwara. It is possible that the Shivalinga was named after the husband of Abhiri. This shows that Bhauma Gupta’s father was called Anuparama. However, Abhiri has not referred to her husband by name. She has referred to him only as the son of Paramabhimani. The name Anuparama occurs in another inscription also, found in front of the Satya Narayan temple at Handigaun in Kathmandu. The inscription, which has been inscribed on a Garuda Pillar, contains verses meant to propitiate Vyasa. It then states that the verses were composed by Anuparama.” See also Vajracārya/Śreṣṭha 1980: 567–572, no. 158; RRC vol. 66, pp. 59–60; and Michaels 1994: 73–77, table 1b, nos. 6–8, 23–24, 28–29, 32–35, 66–72, 87, 103, and 106. It is also not a problem when women let a temple be built by granting land, e.g. Dīrgha Laxmī Devī, wife of Captain Bīrabhadra Kūvara Rāṇā, had built the temple of Śrī Dīrghabhakteśvara Mahādeva and Śrī Hemamuktesāvara Mahādeva near the Pacali Bhairava Temple at the banks of the Bagmati river in Kathmandu, Jyeṣṭha *sudi* 3, VS 1912 (RRC vol. 66, pp. 59–60).

Svsthānī] and [then], having written [on the ground] the *om* [sign], establish a *śivaliṅga* out of pure sand and establish it. [After that they] should offer each 108 barley seeds, sesamum seeds, *akṣatā*, flowers, sacred-threads, *pān*, betel nuts ... etc. ...

This practice stands in contradiction to the many prohibitive injunctions in the Nibandhas, which limit the right (*adhikāra*) for women establishing a *liṅga* and of which I quote only one from the *Tristhalīsetu*:⁸

*yadā pratiṣṭhitam liṅgaṃ mantravidbhir yathāvidhi,
tadā prabhṛti sūdraś ca yoṣid vāpi na saṃspr̥ṣet.*

When a *liṅga* is erected correctly by those who know the mantras, from then on a Śūdra or a woman cannot touch it.

*strīnām anupanītānām sūdrāṇāṃ ca nareśvara,
sthāpane nādhikāro 'sti viṣṇor vā śaṅkarasya ca.
yaḥ sūdrasaṃkṛtam liṅgaṃ viṣṇuṃ vāpi namen naraḥ,
ihaivātyantaduḥkhāni paśayaty āmuṣmike kim u.
sūdro vānupanīto vā striyo vā patito 'pi vā,
keśavaṃ vā śivaṃ vāpi spr̥ṣtvā narakam aśnute.*

Women, the uninitiated, and Śūdras do not, O Lord of men, have the authority to erect figures of Viṣṇu or Śaṅkara (Śiva). A man who would bow to a *liṅga* or Viṣṇu image consecrated by a Śūdra sees extreme sorrow even in this world—and how much more in the next! *A Śūdra or a non-initiate, a woman or an outcaste who touches Keśava (Viṣṇu) or Śiva goes to hell.* (*Tristhalīsetu*, no. 680 and 682, transl. R. Salomon, emphasis added)

8 Salomon 1984: 175–176 and 444–445. The verses are also quoted in the *Nirṇayasindhu* (pp. 240–241), from which the Paṇḍitas most probably got it.

The Solution

How was this conflict solved? In a document recorded in our database⁹ that was sent from Benares to Jaṅga Bahādura Rāṇā (NGMPP DNA 9/26) we might find the answer to this question:

śrīḥ

- 1 *svasti śrījīśivīpadavīsamalaṃkrteṣu*
śrīmanmahārājādhirājaśrī3-mahārājajaṅgava-
- 2 *hādūrarāṇāvarmasu. kāśīsthānāṃ strīśūdrāṇāṃ*
sparśapūrvakaliṅga-sthāpanaṃ bhavatīti ni-
- 3 *nditamatonmūlane baddhaparikarāṇāṃ viduṣāṃ*
ubhayapakṣakṣema-samabhyāvedikāḥ śubhā-
- 4 *śiṣāṃ tatayo vilasantu. samaye vyaṃ smaraṇīyā iti śam.*

Hail! To the thrice venerable great-king Jaṅga Bahādura Rāṇā Varmā, the supreme king of the great-kings, adorned by the title venerable GCB.

When the despised opinion that it is possible to establish a *liṅga* touched by women and Śūdras is eradicated, heaps of auspicious blessings based on the comprehensive knowledge of the prosperity for both parties of the learned and devoted [Paṇḍitas] who live in Kāśī may flourish. On proper time we are to be remembered. [Let it be] auspicious.

Unfortunately, this document is not dated, but we can conclude that it must be a kind of *vyavasthā* with a final decision because it is in (slightly corrupt) Sanskrit. It looks like a copy of the beginning of the main text of the *vyavasthā* leaving out, however, the signatores and the evidence from authoritative texts (even on the back side of the original) though such sources have not always been mentioned in *vyavasthās*.¹⁰ We do not know which consequences this ‘*vyavasthā*’ had in Nepal.

9 <http://abhilekha.adw.uni-heidelberg.de/nepal/index.php/catitems/viewitem/22/1> [accessed July 17 2017].

10 See Dodson 2010: 154. For a similar case concerning the question whether a *śivaliṅga* may be shifted or not, see Michaels 1993.

Conclusion

Given this orthodox situation in Benares, did Jaṅga Bahādura Rāṇā want the Paṇḍitas of Benares to help him to change a widespread ritual practice in Nepal where the ritual agency of women was much stronger than in North India? After all, there were other regions where the restrictions for women in religious and worldly matters were not so strict as in Kāśī. Thus, there is inscriptional evidence for women donating to temples (Orr 2000). Likewise, in Bengal there was some independence (*svātantrya*) of women regarding the disposal of their property, as well as the *strīdhana* and its *yatheṣṭaviniyoga* (using something as it pleases).¹¹ There is no direct mention of women being allowed to establish temples etc., but the principle of autonomy may have made this possible because for donating a temple the donor needs (land) property.

However, we do not know whether Jaṅga wanted a ‘progressive’ or a ‘conservative’ answer. From a certain standpoint, Nepal was more ‘progressive’ because it allowed women what was forbidden by a majority of Banarsī Paṇḍitas. From another standpoint it was digressing from dharmashastric orthodoxy. The only thing we so far know is that Jaṅga apparently wanted a second opinion for a delicate question—a question that belonged to a number of heated debates on the status of women in the 19th century: re-marriage of widows, child marriage, *satī*, *mūrtipūjā*, *strīdhana* (daughters = sons in inheritance: Sen/Mishra 1951: 23). Reform movements like Brahma Samāj and Ārya Samāj held public debates (*śāstrārtha*) over such controversies, e.g., on *mūrtipūjā* with Dayanand Sarasvati in fall 1869, and the Paṇḍitas played a crucial role in them as intermediaries. Such problems must have also affected Nepal, but I doubt that it was relevant for Jaṅga.

To me it seems more important, that he apparently intended to place himself on the same level with the British Raj. After all, it was mostly the colonial power that asked for *vyavasthās*. And Kāśī was the traditional place for Nepal to link with a kind of orthodoxy. It was the centre out there, the most prominent pilgrimage place (*tīrtha*) outside Nepal, the place for *śrāddha* and *kāśībās* (residence in Benares until death), and an important business centre.

11 See, for instance, Jīmūtavāhana’s *Dāyabhāga* (ch. 4). I am grateful to Patrick Olivelle for pointing this out to me.

Jaṅga is not known to have been a very religious person,¹² but he stood in the tradition of the Śāhas to see and propagate Nepal as *asal Hindustān* and a guarantor of purity in this Kali Yuga dominated by Muslims and cow-eating Christians. In the *Mulukī Ain* of 1854, a legal code, he positioned the country as the world's only (left) Hindu kingdom (see Michaels 1997), and again in 1866, Jaṅga announced:

We have our own country, a Hindu kingdom, where the law describes that 'cows shall not be slaughtered', nor woman nor Brahmans sentenced to capital punishment; a holy land where the Himalayas, the Basuhi ksetra [sic], the Arya tirtha, and the refulgent Sri Pashupati Linga and Sri Guhyesvari Pitha are located. In this Kali Age this is the only country in which Hindus rule. (RRS 1972: 101, quoted after Burghart 1984: 116)

Jaṅga could gain credibility and even legitimation only through being sensitive to traditional and religious norms and practices. His attempt to clear the right of women to establish a *śivaliṅga* must be seen in this context.

In preserving the religious state, the Ranas radically changed the relation between state and religion ... Throughout the period of Rana rule the state emerged as the transcendent force in society, all the while legitimating itself in reference to religion. (Burghart 1996: 272)

Jaṅga did not rule directly against the King Surendra and the ex-king Rājendra. "Jung realized that in conservative Nepal more was achieved by example ... than by force" (Stiller 1993: 103). Perhaps the *rukkā* refers to such an example. The Brahmans had suffered under Prime Minister Bhīmasena Thāpā, Jaṅga gave them back prestige and authority promoting Hinduism as all Rāṅās as a hallmark of his rule.

As said before, whether the *vyavasthā* of the Banarsī Paṇḍitas pleased him or not, we cannot say. But what we clearly can learn from

12 "Jung was wary of the priestly class. Because of the priest-client relationship in Nepalese society they exerted a strong influence on public opinion. The *Raj Guru* (the Royal Preceptor) reinforced this influence. ... Any over pressure Jung might exert on either the elite or the priestly class would weld them into rigid opposition. Jung preferred to use existing institutions to win the support of some members of each class and so divide them" (Stiller 1993: 102).

the document is that the positions of the Paṇḍitas in Benares and the Nepalese Brahman intermediaries had by no means been uniform. It is thus not possible to categorize the Paṇḍitas into simply traditional or liberal, progressive or conservative. Brian A. Hatcher was right in saying that we have to free ourselves from such dichotomies: "... we do not find paṇḍitas lined up against reformers" (Hatcher 2012: 56). This view is also supported by Michael Dodson:

Characterisations of *paṇḍits* as 'traditional', 'conservative', and 'disingenuous', as well as the comfortable stereotypes of 'orthodoxy' and 'reform', 'tradition' and 'modernity', and indeed, 'defensiveness' and 'innovation', with which we delineate so much of the intellectual encounters of nineteenth-century India, are clearly insufficient to account for the range of these Sanskrit scholars' activities. (Dodson 2010: 183).

Brian A. Hatcher (2012: 48) rightly pointed out that "pandits worked with or against the shastra, and hence with or against one another". The Nepalese Brahmans were no exception in this regard. Given the many religious traditions in this country, the diversity among the priestly class was even higher.

Appendix

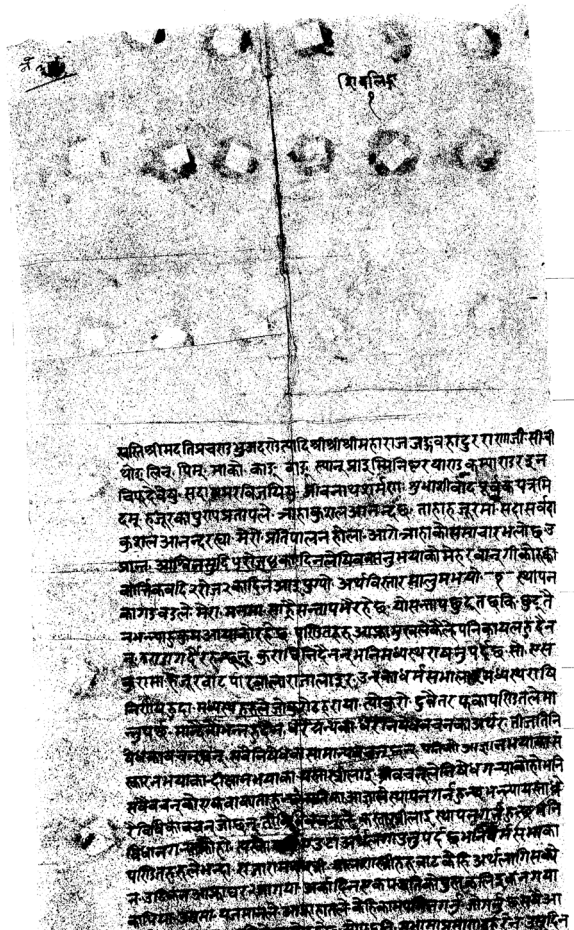
Annotated Edition

A Letter from Jīvanātha Śarmā to Prime Minister Jaṅga Bahādura Rāṅā re the Erection of a Śivaliṅga by Women

Dated VS 1920, Friday, the 12th of the dark fortnight of Kārttika (1863 CE); NAK ms. no. 357; microfilmed as NGMPP DNA 4/18; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.39464>.

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शिवलिङ्ग

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- 1 स्वस्ति श्रीमदतिप्रचण्डभुजदण्डेत्यादिश्रीश्रीश्रीमहाराजजङ्गवहादुरराणाजीसीवी-
थोङ्गिलन्पिम्माकोकाङ्वाङ्स्यान्प्राइम्मिनिष्टरयाण्डकम्याण्डरइत-
चिफ्देवेषु सदा समरविजयिषु जीवनाथशर्मणः शुभाशीर्वादपूर्वकं पत्रमि-
दम् । हजूरका पुण्यप्रतापले आहा कुशल आनन्द छ । ताहा हजूरमा सदासर्वदा
- 5 कुशल आनन्द रह्या मेरो प्रतिपालन होला । आगे आहाको समाचार भलो छ । उ-
प्रान्त आश्विन सुदि ५ रोज ४ का दिन लेषिवक्सनुभयाको मेहरवान्गीको रुक्का
कार्तिक वदि २ रोज २ का दिन आइपुग्यो । अर्थविस्तार मालुम भयो । ---? --- स्थापन-
का गडवडले मेरा मनमा साह्रै सन्ताप भैरहेछ । यो सन्ताप छुट्छ कि छुट्-
न भन्त्या हुकुम आयाको रहेछ । पण्डितहरू आफ्ना मुखले कैल्हे पनि कायल हुँदैन-
- 10 न् । झगडा गर्दै रहन्छन् । कुरा छिनिदैनन् भनि मध्यस्थ राषनु पर्दछ । सो एस
कुरामा हजूरवाट पारवाला राजालाई र उन्का धर्मसभालाई मध्यस्थ राषि
निर्णय हुदा मध्यस्थहरूले जो कुरो ठहराया त्यो कुरो दुवै तरफका पण्डितले मा-
च्युपर्छ । मान्दैनौं भन्न हुदैन । धेरै ग्रन्थका धेरै निषेधवचनका अर्थ र ती जति नि-
षेधका वचन् छन् सवै निषेधका सामान्यवचन् छन् । पतिको आज्ञा नभयाका सं-
- 15 स्कार नभयाका दीक्षा नभयाका यस्ता स्त्रीलाई यी वचन्ले निषेध गर्याको हो भनि
सवै वचन्को एकवाक्यता हुन्छ । पतिका आज्ञाले स्थापन गर्नहुन्छ भन्त्या यस्ता धे-
रै विधिका वचन् जो छन् ति विधिवचन्ले कस्ता स्त्रीलाई स्थापन गर्न हुन्छ भनि
विधान गर्याको हो त्यस्को पनि एउटा अर्थ लगाउनु पर्दछ भनि धर्मसभाका
पण्डितहरूले भन्दा राजाराम शास्त्री वाल शास्त्रीहरूवाट केहि अर्थ लागिस्क्ये-
- 20 न । उठिकन आफ्ना घर २ मा गया । अर्का दिन एक पद्धतिको पुस्तक लिइकन गया-
का थिया । उस्मा यजमानले आफ्ना हातले केहि काम पनि नगर्नु जो गर्नु छ सवै आ-
चार्यद्वारा गराउनु भनि लेष्याको रहेछ । त्यो पद्धति सभामा प्रमाण ठहरेन । उस् दिन
उत्तिकै भयो । अर्का दिन फेरि वोलाइ पठाउँदा राजाराम शास्त्री वाल शास्त्रीहरू सभामा
आयानन् । महाजन् हरिचन् वावुका हात हामीहरू आउँदैनौं । तिमिहरूको व्यवस्थाप -
- 25 त्र खण्डन गरावनु छ भन्त्या व्यवस्थापत्र हाम्रा घरमा पठाइदेउ । खण्डन गरि पठाइ-
दिउँला भनि पठायो । सभामा वस्याका पण्डितहरूले पनि तिनीहरूको हुदैन भन्त्या व्यव-
स्थापत्र पठाइदिउन् हामि खण्डन गरि पठाइदिउँला भनि जवाव दिया । एस् उस्ले
यस्तो पक्ष गर्ना पण्डितहरूका सम्मतिको क्या प्रमाण छ । तिनीहरूले सम्मति गर्नुपर्दैन । ति-
नीहरूका सम्मतिको मलाइ अपेक्षा छैन । व्यवस्थापत्र तयार गर भनि तयार गराइ पार-
- 30 वाला राजाले च्हाइपठायोको व्यवस्थापत्र हजूरमा दाषिल भयो हो । उसले सव हाल जाहे-
र होला । अव एति भयापछि कसैका पैसा कौडिको अपेक्षा नराषन्त्या पारवाला राजाले आ-
फ्ना धर्मसभामा सव पण्डित वटोली निर्णय गर्दा पण्डितहरूले जौन् कुरामा सम्मति ग-
र्या त्यो कुरो प्रमाण हुन्छ । रूपैया षाइकन सम्मति गर्याको मन्पर्याका मानिसको नाम

- लेष्याको व्यवस्थापत्र प्रमाण हुँदैन । धेरै रूपैया दयादेषि आजकालका पण्डितले सकल
 35 कुरामा सम्मति गर्दछन् । धर्माधर्मको विचार केहि राषदैनन् । साना २ ठाउँमा त धेरै जग्गा-
 मा इनीहरूले दुवै तरफ सम्मति गर्याका छन् । ठुला ठाउँमा पनि रूपैया षाड पैल्हे जयपुर-
 वाला राजालाइ रंगाचारिहरूको रामानुजमत वेदविहित होइन भन्त्या व्यवस्थापत्रमा स-
 म्मति गरिदिया । पछि रंगाचारिले धेरै रूपैया दिदा रामानुजको मत वेदविहितै हो
 40 भनि रंगाचारिलाइ पनि व्यवस्थापत्रमा सम्मति गरिदिया । इनीहरू पैसाले सम्मति गर्न्या
 हुन् । धर्म हेर्न्या होइनन् । आजकाल नदिया सान्तिपुरवाट स्त्रीलाइ ---१ --- स्थापन गर्न हुदै-
 भन्त्या व्यवस्थापत्र मगाइ पठायो भन्त्या कुरा सुनिन्छ । इ सवै पोकाका सम्मति भयाका
 व्यवस्थापत्र हुन् । तिनीहरू भन्दा पैल्हे मैले पनि कलकत्ताको पाठसाला भाटपारा नदीया
 सान्तिपुर इ तीनै जग्गाका पण्डितहरूको सम्मति गराउन मानिस पठायोको थियो । त्यसै
 विचमा नदिया सान्तिपुरको व्यवस्थापत्र सकारिमा दाषिल भयो । उतैवाट मगाइयो भ-
 45 न्दा सुन्या र षर्च धेरै लागन्या हुदा डरले नदिया सान्तिपुरको रोकाइपठायो । कलकत्ता-
 का पाठसालाको र भाटपाराको व्यवस्थापत्र मसित छ । अरू पनि त्यस्को काम छ भनि हुकु-
 म भया हजूरमा चह्लाइपठाउंला । जहासम्म पतिको आज्ञा भयाका भया पनि संस्कार भ-
 याका भया पनि दीक्षा सुन्याका भया पनि स्त्रीलाई सर्वथा अधिकार छैन भन्त्या यस्ता स्मृति-
 का स्पष्ट निषेध भयाको वचन मिल्दैनन् ताहासम्म यो सनातन चलिआयाका रितिमा
 50 हजूरवाट कति पनि सन्देह राषिवक्सनु पर्दैन कि भन्त्या झै मेरा चित्तमा लाग्दछ । वाहा प-
 छि जान्या हजूर होइवक्सनुहुन्छ । जो हुकुम सो सहि । बहुत कहातक विन्ती गरू । ई मेरा
 शुभचिन्तक हुन् भनि मेरा उपर मेहरवान्गीको नजर राषिवक्सनुभया मेरो दुष्
 दारिद्र्य दूर होला । विज्ञेषु प्रतिपालकेषु किमधिकमिति सम्वत् १९२० सालमिति
 कार्तिक वदि १२ रोज ६ मुकाम बनारस रामघाट पटनीमलका हवेली शु-
 55 भ ---

Translation:

No. 357

Śivaliṅga 1

Hail. This is a letter [written] with the good blessings of Jīvanātha Śarmā to triply glorious and favored Mahārāja Sir Jaṅga Bahādura Rāṇā, who holds very formidable power in his arms etc., GCB, *thoñ. lin. pim. māko. kāñ. vāñ. syāñ*,¹³ Prime Minister and Commander-in-Chief, who is always victorious in battle.

By your meritorious dignity [everything] here is fine and pleasant. I will be protected if with you there [everything] is always fine and pleasant. Further, the tidings here are well.

[Regarding the] following: The *rukkā*, which was written by you in your kindness on Wednesday, the 5th day of the bright half of Āśvina, reached [here] on Monday, the 2nd of the dark half of Kārttika. The purport of the details is understood.

The order has come from you [that begins with the words] “Because of the dispute over establishing -1- (a *śivaliṅga*), I have been grievously tormented in my mind. Will this torment disappear or not?” From the mouth of Paṇḍitas never comes an admission [of mistakes]. They keep on fighting. Since they never come to an agreement, a mediator needs to be appointed. A decision was made after you had fixed as mediators in this matter the king on the other side (*pāravāla*, i.e. Rāmnagar on the other side of the Gaṅgā) and his *dharmasabhā*. Whatever is concluded by these mediators needs to be accepted by the Paṇḍitas of both sides. One [side] must not say, “We don’t accept [that].” [Regarding]

13 Title bestowed by the Chinese Emperor upon J.B. Rāṇā. See the document No. 149, dated Nepal Residency, the 1st–7th (received 10th) November 1910 (Confidential) from: Lt. Col. J. Manners-Smith, VC, CIE, Resident in Nepal, to: The Secretary of the Government of India in the Foreign Department: “7. The title, or that of ‘Thong Lin Pin Mako Kang Wang Sian,’ which it has been the custom for the Chinese Government to bestow upon the Ruling Prime Ministers of Nepal, implies any acceptance of suzerainty on the part of Nepal. He suggests that this point could be best ascertained by a reference to the British Minister at Peking where the exact meaning of the titles may be known” (<http://www.madanpuraskar.org/mppwp2012/1910/11/01/chinese-mission-being-despatched-to-nepal> [accessed Oct 3, 2015]).

the meaning of words of prohibition from various scriptures, these are all general statements of prohibition [no matter] how many words of prohibition there are. [Thus] whatever prohibitory statements have been made [in the *smṛti*] for women who have no orders from their husband, no *saṃskāra* (i.e., are not married), [and] no initiation [for the daily worship], there is unanimity in all these mandatory injunctions. [However,] Rājārāma Śāstrī [and] Bāla Śāstrī could not provide a meaningful interpretation [of the scriptures] when they were asked by the Paṇḍitas of the *dharmasabhā* to explain what kind of women are allowed to establish [a *śivaliṅga*], given the fact that there are so many mandatory injunctions which allow [married women] to establish [one only] by order of their husband.

They [both] stood up and went to their respective houses. The next day they returned with a ritual handbook (confirming their position). In it was written that a *yajamāna* is not allowed to do any work by his own hand; whatever is to be done should be done [only] through the priest. This handbook was not accepted as probative authority in the assembly. That day passed, [and] the next day Rājārāma Śāstrī and Bāla Śāstrī did not come to the assembly [even] after an invitation had been sent to them. They sent [a message back] through the reputable (*mahājana*, lit. great person) Harican Bābu, who said: “If you want your *vyavasthāpatra* criticized, send it to our houses. We will return it to you after criticizing it [ourselves].” The Paṇḍitas sitting in the *dharmasabhā* replied: “Let them (the two Śāstrīs) send a *vyavasthāpatra* which denies permission; we will in turn criticize [their decision].”

“What proof is consensus [reached] among such biased Paṇḍitas? They need not agree. I don’t expect any consensus from them. Prepare the *vyavasthāpatra*!” [Thus] the king from the other side ordered a *vyavasthāpatra*, which was dispatched to you. Through this everything will be known. From now on whenever the king on the other side—who has himself no interest in money or cowries—assembles all the Paṇḍitas in his *dharmasabhā* and a decision is made through consensus among [those] Paṇḍitas, then this is [enough] proof. [By contrast,] a *vyavasthāpatra* signed by persons of one’s own liking who have agreed after taking bribes cannot be considered as proof. If given a lot of money, today’s Paṇḍitas agree on all topics. They don’t think about what *dharma* is and [what] *adharmā* [is]. In petty things they have reached consensus on both sides at various places. In something

of very great importance, too, they once took money and reached consensus in a *vyavasthāpatra* to the king of Jaipur, saying that the doctrine of Rāmānuja ascetics (*raṅgācāri*) is not taught in the Veda. After the *raṅgācāris* gave [them] a lot of money, they (the Paṇḍitas) also reached consensus in a *vyavasthāpatra* to the *raṅgācāris*, saying that the doctrine of Rāmānuja is taught in the Veda. They are ones who agree because of money; they do not consider the *dharma*.

These days it is heard that (these two Paṇḍitas) asked for a *vyavasthāpatra* to be sent from Nadiyā Śāntipura (a university in Bengal?)— [one] stating that no woman is allowed to establish -1- (a *śivaliṅga*). The packages that I am sending now contain all the *vyavasthāpatras* in which consensus was reached. Before them, I also had sent my people to generate consensus among Paṇḍitas from the following three places: Kalkattā Pāṭhaśālā, Bhāṭapārā and Nadiyā Śāntipura. Meanwhile I have heard that the *vyavasthāpatra* from Nadiyā Śāntipura has arrived at [the seat of your] government, and being afraid of incurring [too] many expenses, I put a stop to [my order] of [another] *vyavasthāpatra* from Nadiyā Śāntipura. The *vyavasthāpatras* given by the Kalkattā Pāṭhaśālā and Bhāṭapārā are with me. If this needs further work I will send it to you upon your orders. As long as clear of prohibition are not found in the *smṛti* to the effect, explicitly, that women have absolutely no right [to establish a *śivaliṅga*] regardless of their husband's orders, of their being married and of their having heard the mantra [of initiation], it seems to me that you should not have any doubt regarding the customs which have always been practiced. After all, you are the knowledgeable one. Your orders are [always] correct. What more can I say?

My suffering and poverty will disappear if you cast your compassionate eyes on me saying: “He is my well-wisher.”

Thus, on Friday, the 12th day of the dark half of Kārttika, in the [Vikrama] year 1920, from the temporary residence at Vārāṇasī Rāmāghāṭa, Paṭanīmala Haveli. May it be auspicious.

Abbreviations

KVS	<i>Kavivacanasudhā</i>
RRS	<i>Regmi Research Series</i>
RRC	<i>Regmi Research Collection</i>
VS	Vikrama Saṃvat

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