

## ***SMARTHAVICHARAM***

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**Abstract:** This is the translation of an article written by Sri Punnassery Nampi Neelakanta Sarma and summarised by his biographer K.P. Narayanapisharodi. It was originally published in the journal *Vijnanachintamani* (Meenam 8, 1080). The author criticizes the practice of Smarthavicharam.

**Keywords:** Vijnanachintamani, Punnassery Nampi, Smarthavicharam, critique, ostracize.

In Kerala, when a Brahmin woman is suspected of having committed adultery, the trial that follows is known as *Smarthavicharam*. This trial is conducted by Brahmin *Smarthas* belonging to certain families, who have acquired the necessary knowledge through family tradition, study and experience. Some *Meemamsakas* and a representative of the king assist them at the trial. There should be three or four extremely trustworthy persons to supervise this. While such a trial is going on, the Brahmin woman who is being tried is referred to as the *Sadhanam* (literally an 'object'). The detailed story of the adultery has to be heard straight from the woman's lips. Without this, even the testimony of a thousand reliable witnesses will not count. All the men who, according to the woman, have been her partners in adultery will be ostracised without any further evidence. This procedure has been set down in Sankaracharya's book *Laghudharma Prakashika*, based on ancient practice. *Smarthavicharam* in Kerala conforms strictly to this.

Some of those who are thus ostracised consider the decision unjust and refuse to honour it. Many people of modern outlook are of the opinion that it is not right to ostracise so many men on the basis of no better evidence than the word of a woman, an adulteress at that, delivered at a place where only a select few are permitted to enter. They argue thus: Perhaps in olden times Brahmin women of good families, even though they might have swerved

momentarily from the path of righteousness and committed adultery, could still be put into a repentant and conscientious state of mind through the admonitions of *Smarthas* and the *Meemamsakas* in the presence of the king's representative. Such women may never again utter a lie. But times have changed and today women are no longer like that. They may lie, either of their own will or instigated by someone else. In the present time, it would be advisable that the decision be taken only after the *Sadhanam*'s testimony has been publicly verified through witnesses. In a close analysis, this could be seen to be the real essence of Sankaracharya's words. Certain amendments should be brought about regarding the credence given to the *Sadhanam*'s words and the men accused of adultery. In any case, the procedure for *Smarthavicharam* has to be amended within the limits set by the authoritative texts, or else it will encounter public disapproval.

Sixty-five men were ostracised when the *Sadhanam* denounced them. Only two or three of them have admitted that they had relations with her. All the rest of them denied it. Yet all of them have been ostracised. About thirty of them are Namboothiri Brahmins and about ten belong to the Pattar category, who are Brahmins from outside Kerala. The rest are said to belong to Nair, Pothuval, and other such communities. Reportedly no witnesses were presented. Many people feel that even if God Himself took a fallen woman at her word and ostracised so many men, it would be insupportable.

**Punnassery Nampi Neelakanta Sarma also wrote about this Smarthavicharam in the Vijnanachintamani of Kanni 15,1081.**

The Brahmin woman who was ostracised after the *Smarthavicharam* now lives at the Maharaja's expense, in a cottage built for her at Chalakudy. She also gives music lessons to some girls. But the ostracised men are wandering about with no fixed dwelling. Even though these outcasts are forbidden to associate with others and may not even desire it, circumstances may force them to come in contact with worthy people. And even though they have been cast out of their homes, how can they live out their lives without performing daily rituals? For that they will need a pond to bathe in. It would not be easy for all of them to stay together at the riverside. There is no habitable land for them there. Nobody will give them a place to live. The rulers and the Brahmins of Kerala should think about a way to provide them with homes at some riverside and a livelihood.

About thirty of those ostracised are Namboothiris. Some among them are learned in the divisions of all the Vedas. There are others who have cultivated their minds through the study of *sastras* like *tharka* and *vyakarana*. Some are *thanthis* who are entitled to perform

*pooja, prathishta* and the ordained daily rites. Some others are Brahmins only in name. There are rich men and poor men and some in between these. We can only say that it is God's will.

Another most distressing fact needs to be mentioned here. Some of those who had relations with the *Sadhanam* did not know that she was a highborn woman. There are a lot of women who are seen all over Kerala like prostitutes. In Kerala, it is not considered wrong if women other than Brahmin women have relations with men of their own caste or a higher caste. Even when married women have relations with other men, it is not considered very sinful. So why should the men lose caste? We have to say that the ostracism of men for a sin they have not knowingly committed is deplorable indeed. Moreover there are instances where the names of the men denounced by the *Sadhanam* are not revealed by the *Smarthas* and other Brahmins present at the trial. It sometimes happens that people give their daughters in marriage to such men. Later, when these men are ostracised, these parents have to witness their daughters living as widows even if the marriage has not been consummated. This is terrible.

And that is not all. The sons and daughters of some of those now ostracised, since they were born after the adultery was committed, are forced to enter the Chakyar caste. Some of these children are just a few months, or two or three years old. Even for them there is no escape. This is sad indeed.

Some headstrong men refuse to accept the ostracism, and try to enter temples and to create trouble in their homes. The public find it difficult to stop them. This gradual contamination of Dharma will lead to Kerala's ruin. All good people are now in a state of moral perplexity.

Therefore all the kings in Kerala should immediately consult with the Brahmin, hold detailed discussions on the *Dharmashastras* and formulate an irreproachable system that is in keeping with the *Yukthipramanas* and also makes allowances for time and place. It is the Maharaja of Kochi who should take the initiative for this. With these remarks, I reserve further discussion for another occasion.