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# Child Abandonment and Homes for Unwed Mothers in Ancient India: Buddhist Sources

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Much is known about ordinary family life in ancient India, and about the rituals and practices that were expected to order life cycles, at least ideally and for those who belonged to classes whose routines were recorded or referred to in literature. In particular, child-bearing and associated practices receive focused attention in a variety of Indian literatures. Less is known, however, about the unusual, about borderline cases or things that societies generally seek to hide (perhaps above all, from themselves)—about what happens when things go wrong. Nevertheless, sources do occasionally indirectly provide information of interest. The two related cases examined here introduce some Buddhist evidence touching upon issues of family life beyond the normal social structures. Specifically, they concern what might happen when pregnant women lack the usual support networks of family, and what might be done with unwanted infants. In the first case I will introduce some Buddhist references that I believe suggest the existence of “homes for unwed mothers,” places of refuge to which a pregnant but unprotected woman might flee. Less speculatively, Buddhist examples make clear that there existed established procedures for the abandonment of unwanted infants, designed to facilitate their discovery by others, as well as similarly stereotyped methods of less benevolent abandonment. While I will not suggest any necessary historical link between these two cases, that of the “home for unwed mothers” and child abandonment, there is a strong thematic affinity between them, since both concern what may happen when pregnancy and childbirth do not follow their normatively sanctioned and expected course. Obviously, not all the attitudes, institutions, and practices to which I make reference coexisted, nor were they necessarily shared by groups in different times and places. Rather than positing broad claims, the present paper seeks simply to draw attention to a range of ideas, institutions, and practices that may have been present, somewhere at some time, in ancient Indian society,<sup>1</sup> with the expectation that once such issues are raised, further relevant materials might be recognized.

While the evidence for the existence of formal procedures for child abandonment is considerably stronger than that for the existence of specifically tasked “homes for unwed mothers,” it makes sense to begin with the latter from the perspective of the temporal sequence of the birth process. In this light, then, let us look first at a suggestive passage in

I am indebted as always to the careful and critical comments I received from my friend Harunaga Isaacson. Jens-Uwe Hartmann and Paul Harrison were also of great assistance. In addition, I am grateful to Oskar von Hinüber, Stephanie Jamison, and the anonymous readers for the journal for their suggestions. I should stress that these colleagues do not necessarily agree with my conclusions here, and of course, any errors of fact or indefensible opinions that remain are my own alone.

1. From a historical and sociological point of view, it is important to distinguish Sri Lanka from India, to be sure, and therefore post-canonical Theravāda literature, much of which was written in Sri Lanka, should not be read as necessarily reflecting mainland conditions. However, in the present cases the overlap between literatures written or transmitted in Sri Lanka and those belonging to the Indian Northwest, namely Mūlasarvāstivāda texts, makes this caution unnecessary, I believe.

the commentary to the Theravāda *Therīgāthā*. This text begins its rendition of the tale of the nun Uppalavaṇṇā as follows:<sup>2</sup>

*sāvattiyaṃ kira aññatarassa vāṇijassa bhariyāya paccūsavēlāyaṃ kucchiyaṃ gabbho saṅṭhāsi |  
sā taṃ na aññāsi | vāṇijo vibhātāya rattiyā sakaṭesu bhaṇḍaṃ āropetvā rājagahaṃ uddissa  
gato | tassā gacchante kāle gabbho vadḍhetvā paripākāṃ agamāsi | atha naṃ sassu evaṃ āha |  
mama putto cirappavuttho tvaṃ ca gabbhinī pāpakāṃ tayā katan ti | sā tava puttato aññāṃ  
purisaṃ na jānāmi ti āha | taṃ sutvā pi sassu asaddhanti taṃ gharato nikkadḍhi | sā sāmikāṃ  
gavesanti anukkamena rājagahaṃ sampattā | tāva-d-eva c'assā kammajavātesu calantesu  
maggasamīpe aññatarāṃ sālāṃ pavittāya gabbhavuṭṭhānaṃ ahoṣi | sā suvaṇṇabimbasadisāṃ  
puttāṃ vijāyivā anāthasālāyaṃ sayāpetvā udakakiccatthāṃ bahi nikkhantā |*

The story is told that one morning an embryo was established in the womb of the wife of a certain merchant in the town of Sāvatti, though she did not know it. At daybreak, the merchant loaded his wares in carts and set off in the direction of Rājagaha. As time went by, the embryo grew and reached maturity. Then her mother-in-law said to her, “My son has been away from home for a long time, and you are pregnant. You have done something wicked.”

She said, “I have known no man but your son.”

Even though she heard her say that, the mother-in-law, not believing her, threw her out of the house. She went in search of her husband, and in due course she arrived [at the outskirts of] Rājagaha. Then as soon as her labor pains began, she went into a building close to the road and gave birth. She gave birth to a son who resembled a golden *bimba* fruit, and laying him down in the *anāthasālā*, she went outside for the obligatory [ritual] ablution [for purification after giving birth].

Where does a woman go who, pregnant and having been evicted from her husband's home (and who thus is, as we will see, *anātha* ‘without a protector’), wants to give birth to her child in a place of safety? In translating the *Therīgāthā* commentary, Pruitt, probably following *A Critical Pāli Dictionary (CPD)*,<sup>3</sup> understood the key term *anāthasālā* in the passage above as ‘rest house’. This word does appear elsewhere in Pāli (only post-canonically), as well as in Sanskrit, although dictionaries of the latter generally do not record it.<sup>4</sup> They do, however, know the structurally and semantically similar *anātha-kuṭī*, *anātha-maṇḍapa*, and *anātha-sabhā*,<sup>5</sup> which they understand to designate something like a ‘poor house’ or ‘pauper’s hostel’, indicating a place of refuge for one without material resources. Likewise, the meaning proposed by *CPD* for *anātha-sālā*, or something like this meaning, is clearly proper in a number of passages. For instance, the commentary to the *Petavatthu* tells the story of a young man who squanders the wealth left him by his parents. All his resources including his land and house gone, he “dwelt at the *anāthasālā* in that same city, eating (what he had got) after wandering about begging with bowl in hand” (*kapālahattho bhikkhaṃ carivā bhuñjanto tasmim yeva nagare anāthasālāyaṃ vasati*). Here the translator’s ‘hall for the destitute’ is surely an apposite rendering of *anāthasālā*.<sup>6</sup> Likewise, in the *Visuddhimagga* a pitiful man with hands and feet cut off sits in a ‘shelter for the helpless’, as Ñyānamoli rendered the term.<sup>7</sup> A similar passage, repeated several times, speaks of a helpless man

2. Pruitt 1998b: 189.6–16 (old page numbers 195–96). The translation is also basically that of Pruitt 1998a: 247.

3. Trenckner et al. 1924–, s.v.

4. It is listed in Wogihara 1964–74: 49a, \*7b, but not defined. I have not found it elsewhere.

5. Ghatage et al. 1976–: 4.2307–8.

6. U Ba Kyaw and Masefield 1980: 6. The text is that of the Sixth Council edition published by the Vipassana Research Institute in the Dhammagiri-Pāli-Ganthamālā, vol. 60 (Igatpuri, 1998): 4.

7. Warren and Kosambi 1950: 261.1–2 (§IX.78), translated in Ñyānamoli 1956: 340.

(*anāthamanussa*), afflicted with open sores, surrounded by flies and lying in an *anāthasālā*, to whom people bring bandages and medicines. This image again confirms the *anāthasālā* as a last-chance refuge for those in dire straits.<sup>8</sup>

Etymologically the compound suggests 'a hall (*sālā*, Sanskrit *śālā*) for those without protector (*anātha*), the vulnerable'. This would accord with the senses given Sanskrit *anāthakuṭī*, *anāthamaṇḍapa*, and *anāthasabhā*. The first member of this compound, *anātha*, in both Pāli and Sanskrit can refer generally to one without a protector, and as such has a rather broad semantic range.<sup>9</sup> I would like to suggest the possibility, however, that a rather more specific meaning could be in play, and that in the *Therīgāthā* commentary another, more directed meaning is possible for the compound as well. This suggestion is inspired by comparison with a Sanskrit passage.

Sanskrit *anāthasālā* (like the Pāli, feminine) occurs in the Buddhist *Ratnagotravibhāga*, where we find it alongside its evident synonyms *anāthāvasatha* and *anāthaveśman* in a set of three verses.<sup>10</sup> The text begins with a line in prose stating that the defilements (*kleśa*) are comparable to a pregnant woman (*āpannasattvanārī*), one of nine similes of the *tathāgata-garbha*, and then goes on:

*nārī yathā kācid anāthabhūtā vased anāthāvasathe virūpā |*  
*garbheṇa rājaśriyam udvahantī na sāvabudhyeta nṛpaṃ svakukṣau || 121 ||*  
*anāthasāleva bhavopapattir antarvatīstrivad aśuddhasattvāḥ |*  
*tadgarbhavat teṣv amalāḥ sa dhātur bhavanti yasmin sati te sanāthāḥ || 122 ||*  
*yadvat strī malināmbārāvrtatanur bibhatsarūpānvitā*  
*vinded duḥkham anāthaveśmani paraṃ garbhāntarasthe nṛpe |*  
*tadvat kleśavaśād aśāntamanaso duḥkhālayasthā janāḥ*  
*sannātheṣu ca<sup>†</sup> satsv anāthamatayaḥ svātmāntarastheṣv api || 123 ||*  
 † read \**sannātheṣv api* (Takasaki 1989: 316, n. 114.6)?

As an example: a certain unattractive woman without a protector (*anāthabhūtā*) might stay in an *anāthāvasatha*, and carrying in her womb glorious royalty might not know the king in her own womb.

Birth in a [samsaric] existence is like the *anāthasālā*, impure beings are like a pregnant woman, and that stainless essence in them is like that embryo, thanks to which they come to be possessed of a protector (*sanātha*).

Just as a woman, her body covered by a filthy garment, of disgusting appearance, might experience supreme pain while in an *anāthaveśman* when a king is within her womb, so living beings staying in an abode of pain, minds unsettled by the force of defilements, imagine themselves to be without a protector (*anātha*) even though true protectors (*sannātha*) exist residing within their very own bodies.<sup>11</sup>

8. See the commentaries to the *Dīghanikāya* (Dhammagiri-Pāli-Ganthamālā, vol. 4 [Igatpuri: Vipassana Research Institute, 1993]: 162.15; Pali Text Society 1.199), *Majjhimanikāya* (Dhammagiri-Pāli-Ganthamālā, vol. 15 [Igatpuri: Vipassana Research Institute, 1995]: 276.23; Pali Text Society 1.266), and *Saṃyuttanikāya* (Dhammagiri-Pāli-Ganthamālā, vol. 31 [Igatpuri: Vipassana Research Institute, 1994]: 228.2; Pali Text Society 3.196).

9. However, I do not believe it can mean 'elend, verfallen', as Couvreur 1957: 317 suggests with reference to a fragment edited by Härtel 1956: 160 (§116.1, 3). There we find a vihāra described as *anāthaḥ pramu . . . ita udakena*. [The sign . indicates a missing element of an *akṣara*, . . . a whole *akṣara*.] The Chinese parallel in T. 1438 (XXIII) 494a9, 12 has 精舍無主毀壞. Here *huìhuài* 毀壞 conveys the sense of decay, and *wúzhǔ* 無主 renders *anātha*, in the sense of 'ownerless', 'without a master', which must likewise be the sense of the Indic text. I understand the expression to mean that the monastery sustained water damage, because no one was looking after it.

10. Johnston 1950: 65, vv. 121–23. On the structure of the verses, see Zimmermann 2002: 78. The Tibetan and Chinese translations may be found in Nakamura 1967: 127 and T. 1611 (XXXI) 815c21–816a3 (*juan* 1), respectively.

11. Compare the translations in Takasaki 1966: 275; 1989: 114.

Takasaki interprets the clearly synonymous *anāthāvasatha*, *anāthasālā*, and *anāthaveśman* in the sense of 'retreat' (*kodokusha* 孤独舍) or 'orphanage' (*kojiin* 孤兒院).<sup>12</sup> Now, it is plain both that these verses repeatedly play with the word *nātha*, literally 'protector', and that key to the imagery is a pregnant woman whose status is problematic. The basic doctrinal point here is that we beings, although unaware of it, mired as we are in defilements, contain within ourselves the seed or embryo of buddhahood. Like an ugly and ill-clad woman who conceals within herself the embryo of a future king, we hardly manifest through our outward appearance the treasure of intrinsic awakening which lies within us.<sup>13</sup> Where does the pitiful woman, pregnant without a protector, go? To the same refuge to which the pregnant Uppalavaṇṇā fled, having been evicted by her mother-in-law, as we read in the *Therīgāthā* commentary passage cited above. Contextually the basic sense of *nātha* here must be 'husband'. The woman 'without a protector' (*anāthabhūtā*) is an 'unmarried' woman (or, as was Uppalavaṇṇā, functionally unmarried)—not only unmarried, but unmarried and pregnant. Immediately, however, the text plays with this, picking up *nātha* in its significance of 'lord', here used now both in the meaning of 'king' and of 'Buddha', or perhaps more abstractly, 'the potential of buddhahood'. What, then, of the *anāthāvasatha*, *anāthasālā*, or *anāthaveśman*? These designate the refuge of the pregnant and unprotected woman. While it is possible that a comparatively non-specific sense close to our modern 'homeless shelter'—an earlier generation's 'poor house'—is to be understood here, the rhetoric of the passage suggests otherwise. The text is so obviously layered with metaphor that a reading that would deny the possibility of an intentional special employment of *anāthasālā* here seems over-scrupulous. That said, the case is far from certain, and admittedly finds little support in the classical translations of the *Ratnagotravibhāga*.

The Tibetan renderings, *mgon med 'dug gnas*, *mgon med khyim*, and *mgon med khang pa*, are literalisms, and thus of little help in interpreting the Indic terms they translate, although they seem to be understood within Tibetan in the meaning 'pauper's hostel'. The Chinese text, however, offers *pínqióngshè* 貧窮舍 and *gūdúshè* 孤獨舍, the former indicating a lodging for those suffering in poverty, the latter a lodging for those alone—literally, children without parents and elders without children, with an extended meaning of 'solitary' or 'helpless'.<sup>14</sup> In the first line, moreover, *anāthabhūtā* is also rendered with *gūdúnǚ* 孤獨女. The Chinese translators may have understood the Indic vocabulary here to indicate a poor house or even, conceivably, in the second case, orphanage, although this is not obvious. Takasaki's rendering in both his English and Japanese translations as 'orphanage', therefore, is not wholly without justification, even if, apparently, his only support comes from a literal reading of one Chinese rendition. Despite this lack of positive evidence, it might be possible to imagine—keeping in mind that it is only imagination—that women without a social support network to raise a child, in ancient India as elsewhere paradigmatically the extended family, might have gone to a special place to have their babies, after which the child could have been deposited in that same establishment.<sup>15</sup> The etymological sense of *anāthasālā* could fit this scenario as well, since the child, without a father to support it and with a mother unable or unwilling to do so, would also be without any protector. Such an interpretation of

12. Takasaki 1989: 315, n. 2 to p. 114.

13. The theology actually gets quite complicated; some of these complications are discussed in Zimmermann 2002, with extensive references to other scholarship.

14. For the compound see Morohashi 1955:60: 3.857 (6966.213); Luo 1986–93: 1.2242c–2243a.

15. I owe this insight to my wife, who reminded me of John Irving's novel and film *The Cider House Rules*, in which just such an establishment is depicted. It is important to stress that I know of no Indian evidence that would support taking *anāthasālā* as 'orphanage'.

*anāthaśālā* could make sense of both the *Therīgāthā* and *Ratnagotravibhāga* passages in a coherent way.

While I believe that the overall structure of the similes of the *Ratnagotravibhāga* supports a specialized understanding of *anāthaśālā* as a 'home for unwed mothers', or something similar, this already uncertain interpretation is further complicated by a comparison with the *Ratnagotravibhāga*'s source. As with the other eight similes illustrative of the *tathāgatagarbha* likewise restated in the *Ratnagotravibhāga*'s verses, our simile, too, is drawn from the same scriptural source, the *Tathāgatagarbhasūtra*. And in that scripture, the sense of the imagery appears to be somewhat different.<sup>16</sup> This is not overly surprising since the *Ratnagotravibhāga* itself expresses a variety of positions, and frequently reinterprets its sources.<sup>17</sup> In this case the relevant difference between the sūtra text and its recapitulation in the *Ratnagotravibhāga* is this: in the sūtra the *anāthaśālā* is depicted as a refuge to which a confused and anchorless young woman might flee; while living in the *anāthaśālā*, she might become pregnant. "A woman without a protector (*\*anāthabhūtā*) . . . enters and dwells in an *anāthaśālā*. While staying there she became pregnant." In the *Ratnagotravibhāga*, in contrast, the *anāthaśālā* appears as a specific destination for an already pregnant woman. The central doctrinal point does not change, namely that even within the womb of one of society's lowest a future exalted emperor might grow, and hence even we wretches may be confident that we too contain embryonic buddhahood. What might differ, however, is the nuance attached to the primary purpose of the *anāthaśālā*, and whether it is better to understand it as a home for unwed mothers or instead as a pauper's hostel or something akin to a modern homeless shelter. For me, at least, the latter reading is flat and unimaginative, choosing a less nuanced and layered interpretation.

While the *Tathāgatagarbhasūtra* is not extant in Sanskrit, and its relevant technical vocabulary thus can be reconstructed here primarily by means of reference to the *Ratnagotravibhāga*, the rare word *anāthaśālā* is attested in Sanskrit in at least two Buddhist sūtras, the *Mahāparinirvāṇasūtra* and the *Viradattagṛhapatipariṣṭhā*, and these may shed further light on the problem.

The (Mahāyāna) *Mahāparinirvāṇasūtra* contains a passage mostly preserved in Sanskrit, available also in a nearly parallel Tibetan translation, and in two Chinese versions. The use of *anāthaśālā* in this passage seems to support the hypothesis offered above. I first quote the partial Sanskrit version, then the Tibetan translation, translating the latter into English:<sup>18</sup>

16. The text is edited in two Tibetan and two Chinese versions in Zimmermann 2002: 308–15 (§8A–C), translated by him 135–40, with copious and carefully detailed notes.

17. See Zimmermann (2002: 84ff.) on the *Ratnagotravibhāga(vyākhyā)*'s treatment of the *Tathāgatagarbhasūtra*. And as he says (p. 86), "the content of the verses in the *Ratnagotravibhāga* diverges in some cases quite significantly from [the *Tathāgatagarbhasūtra*]."

18. The full text is Bongard-Levin 1986: 18–19, fragment 4, verso ll. 3–6, of which I quote only the first portion here. The mark /// indicates the fragmentary end of the leaf. The corrections are those offered by the editor in his notes p. 20. The Tibetan text is that cited by Shimoda 1993: 133, n. 46 (Derge Kanjur 120, *mdo sde, tha* 24b, Peking 788, *mdo sna tshogs, tu*, 25ab). The corresponding Chinese translations read as follows: *Dabanniepan jing* 大般涅槃經 translated by Dharmakṣema 曇無讖 in the early fifth century has (T. 374 [XII] 374a12–15 [juan 2]): 復次, 文殊, 譬如貧女無有居家救護之者, 加復病苦飢渴所逼, 遊行乞丐. 止他客舍, 寄生一子. 是客舍主驅逐令去. 其產未久, 搆抱是兒欲至他國. The *Dabanniyuan jing* 大般泥洹經 translated in the same period by Faxian 法顯 has (T. 376 [XII] 859c28–860a1 [juan 1]): 復次, 文殊, 譬如貧女人無有居止加復疾病. 遊行乞匄. 止他客舍, 寄生一子. 其客舍主驅遣令出. 抱兒隨道, 向豐樂國. Although not necessarily evident in this passage, Shimoda (1991: 11) mentions the well-established idea that the growth of the text can be traced through Faxian's translation to the Tibetan version to Dharmakṣema. I owe my knowledge of this passage to the kindness of Jens-Uwe Hartmann.

*tad yathā nāma kaści daridrayu[va]tiḥ kṛpaṇā /// vyaśanam āpaṇā kṣudābhibhūtā<sup>1</sup> anyatarām anāthaśālām praviśya sā dhakam<sup>2</sup> pras[ū]eta<sup>3</sup> : tataḥ sā /// ta · sācirapra[s]ūtā tapasvini tam bālakam ādāya : anyatarām [d]e[śam] subhikṣam pra[tiṣṭh]eta ·*

1. → *kṣudhā* 2. → *dārakam* 3. → *prasūyeta*

*dper na bud med gzhon nu dbul mo | brken ma | mgon med pa | nad kyis thebs pa | bar ma dor sdug bsngal bar gyur pa | sbrum pas nyen pa zhid mgon med pa khang pa zhid tu song ba las | bu mo de bu byung nas | de na snga nas gnas pa gzhan dag gis de de'i nang nas bskrad de | nyong mongs me de bu btsas ma thag tu byis pa kha dmar khyer nas | lo legs pa'i yul zhid tu chas te song ba las. . . .*

For example, there might be a poor young woman, helpless, without protector (*\*anātha*), afflicted with disease, at loose ends (*bar ma do*), suffering, pained by pregnancy, and she might enter an *anāthaśālā*. Then that girl having given birth, others who had been living there before might drive her out from there. That suffering woman, immediately after giving birth, carrying away the newly born boy set out for a rich land. . . .

Here once again we find *anāthaśālā* used not to describe simply any pauper's hostel or poor house, not simply a 'homeless shelter', but a particular destination for a destitute, unprotected, and pregnant woman.<sup>19</sup> Moreover, the dramatic continuation of the story makes clear that this place is not intended as an orphanage, since postpartum the woman is evicted forthwith. The Tibetan translation renders *anāthaśālā* here with the more-or-less standard *mgon med pa khang pa*, while the Chinese versions both use *tākèshè* 他客舍. The latter term does not seem to appear in Chinese Buddhist texts other than in the present passage, although *kèshè* 客舍 itself appears not infrequently in the sense of an inn or lodge for visitors.

Our final passage is considerably less clear. In the *Viradattagrhapatipariṣcchā*, as quoted in Śāntideva's *Śikṣāsamuccaya*, we find a series of comparisons for the body (*kāya*), among which we read that it is *anāthaśālāvād aparighṛtaḥ*.<sup>20</sup> In their English translation Bendall and Rouse offered "like a poor house for the destitute not fenced about."<sup>21</sup> This is less clear than it might seem. What would it mean for a poor house to be 'not fenced about', and what for a body to be so? The problem here is *aparighṛta*. The body might be *aparighṛta* in the sense of being 'unoccupied', namely by a soul, for example, or 'unowned'. And while an *anāthaśālā* too might be unoccupied or unowned ('not taken possession of'), as might any structure, what would be the point of saying so? There is nothing particular

19. The renderings of the term here by both Bongard-Levin and Shimoda seem to me to miss the point. Bongard-Levin (1986: 22) rendered the phrase as "entered into a solitary empty house," and Shimoda (1993: 103) has ある住人のいない家に行った [went to an unoccupied house]. The relevant Sanskrit text is missing, but neither of these translations make sense, at least as far as the Tibetan text is concerned, because immediately thereafter the text says *de na snga nas gnas pa gzhan dag gis de de'i nang has bskrad de* "others who had been living there before might drive her out from there." If the house were empty and nobody living there, who were these others who had been living there before the pregnant woman arrived? (Both Chinese translations state that it was the master of the *anāthaśālā*, *kèshèzhū* 客舍主, who chased her away.) Either way, someone was there, and the place was not vacant.

20. Bendall 1897-1902: 231.5, Derge Tanjur 3940, *dbu ma*, *khi* 129b1: *mgon med pa'i gnas khang ltar yongs su gzung ba med pa dang*; T. 1636 (XXXII) 121b16 (*juan* 16): 身如邸舍, 妄執主宰. The sūtra source is found in the sTog Kanjur 11.28, *dkon brtsegs, ca*, 339b2-3, Derge Kanjur 72, *dkon brtsegs, ca*, 197b1-2: *mgon* [D *mgon*, S 'gron] *po* [P *ø po*] *med pa'i gnas khang ltar yongs su gzung* [S *bzung*] *ba med pa dang*; T. 310 (XI) 541a6-7 (*juan* 96): 如孤獨舍, 無所攝屬, T. 331 (XII) 67b17-18: 如無主舍, 無所攝屬. The Sanskrit is also found in an interpolated passage in Nepalese manuscripts of the *Arthaviniścayasūtra*, but it does not belong to that text. See Samtani 1971: 318.4-5. (The readings *mgron* and 'gron without doubt reflect transmissional errors within Tibetan, rather than being genuine and meaningful variants.)

21. Bendall and Rouse 1922: 218.

about a 'pauper's hostel', or a 'home for unwed mothers', for that matter, which makes it likely to be unoccupied or unowned, and in fact at least the *Mahāparinirvāṇasūtra* passage noticed above suggests that such a place was not regularly unoccupied. Therefore, this interpretation does not seem to make good sense. On the other hand, *aparighīta* may also mean 'unmarried'.<sup>22</sup> This is suggestive, and might even be compelling, save for the problem that it should be the inhabitants of the home for unwed mothers who are unmarried, not the structure (or institution) itself, as the grammar of the simile would demand. Moreover, unless we imagine a pun somewhat out of character with the remainder of the list of comparisons in the *sūtra*, it is also hard to understand what it might mean to say that the body is unmarried. This brief reference, therefore, must for the moment remain unexplained.

In summary, the specialized meaning suggested for *anāthaśālā* as 'home for unwed mothers' cannot be proved from the currently available sources. I do find it suggestive, however, that the same theme of a helpless pregnant woman on the run repeatedly occurs in the context of this *anāthaśālā*. The passages referred to, moreover, highlight the (obvious) fact that not all childbirths in ancient India were happy, family-centered affairs. Nor, predictably, were all children wanted. While we have no reason to imagine that children born to indigent or even unwed mothers were more frequently unwanted or rejected by those mothers than children of other mothers, what might become of those children who *were* unwanted? In ancient India, normally families and extended kinship groups would take care of children who had lost their parents, or were otherwise uncared for. But not every woman who has a child in less than optimal circumstances wants or is able to keep it, nor is every woman in a position to hand it off to relatives. In contrast to the lingering uncertainty about the *anāthaśālā*, we do have unambiguous evidence of how such cases might have been handled.

The episode with which we began was drawn from a Theravāda source recounting the story of Uppalavaṇṇā. A much more elaborate version of the same basic tale of Utpalavaṇṇā is found in the *Vinayavibhaṅga* of the Mūlasarvāstivāda Vinaya, extant now only in Tibetan and Chinese translations of the originally Sanskrit text.<sup>23</sup> After a series of (mis)adventures, Utpalavaṇṇā became a courtesan and seduced a perfumer's son, rising to the challenge set by her fellow courtesans. She then became pregnant. The narrative next mentions two city warders, guardians of the east and west gates of Vaiśālī. They pledge to each other that should one have a son and the other a daughter, they will marry these children to each other. The text then says:

When nine months had passed, Utpalavaṇṇā gave birth to a son, and thought to herself, "Men avoid a woman with a small child." So resolving to abandon it, she said to her servant girl, "Girl, take this boy and a lamp, go to a boulevard, and leave the boy someplace. Remain there off to one side until someone takes the lamp [that you have placed next to the baby] there in the public square."

She took him, and placed him in a spot not very far away from [the house of] the eastern warder. She put down the lamp, and waited off to one side. The eastern warder saw the lamp and, giving way to his curiosity, came over. As soon as he saw the boy, he took him and went

22. Sanskrit *aparigraha* is defined by Böhtlingk 1879–89: 1.72b as 'unbeweibt' with citation of *Kumārasambhava* 1.54 (*yadaiva pūrve janane śarīraṃ sādakṣaroṣāt sudatī sasarja | tadā prabhṛty eva vimuktasaṅgaḥ patiḥ paśūnām aparigraho 'bhūt*). In Pāli *apariggahitā* appears in the *Jātaka*, defined by CPD (Trenckner et al. 1924–: 1.275a) as, likewise, 'unmarried'.

23. Derge Kanjur 3, 'dul ba, nya 220a6–221a4; sTog Kanjur 3, 'dul ba, ja 481a2–482a7. Its Chinese equivalent is found in T. 1442 (XXIII) 897c22–898a7 (*juan* 49), which is considerably abbreviated in comparison with the Tibetan version. See Ralston 1882: 212–13.

to his wife, saying, "Dear, here is a son for you." She took him joyfully. Then at daybreak, there was great happiness [in their household]. Their neighbors said to each other, "Sirs, what has happened to bring about such happiness in the house of this eastern warder?" One of them said, "A son has been born." Another said, "If his wife was not pregnant, from where did he get a son?" And another replied, "Sirs, some women may be pregnant without showing it."

In the course of time Utpalavarṇā once again became pregnant, this time giving birth to a girl, after which the text repeats the same events as with the son, *mutatis mutandis*. These children are, in fact, subsequently married to each other, and further complications ensue.<sup>24</sup> What is of interest here are the elaborate and careful preparations made to ensure the discovery of the child.

The procedures of abandonment of an infant described in the story of Utpalavarṇā appear at least once more in Indian Buddhist literature, in the *Cīvaravastu* of the same Mūlasarvāstivāda Vinaya, in a description of the abandonment and adoption of the infant who would become the famous physician Jīvaka.<sup>25</sup> After King Bimbisāra (or as the manuscript consistently spells it, Bimbāsara) has a liaison with the wife of a merchant who was away on business, she becomes pregnant. She informs the king, who sends her a signet ring (*aṅgulimudraka*) and a brightly colored cloth, telling her that if the child is a girl it is hers alone (*atha dārikā tavaivety uktvā*),<sup>26</sup> but if it is a boy she should dress him in the fabric and, binding the ring around his neck, send the boy to him.<sup>27</sup> When the merchant sends news to his wife that he is on his way home, she panics and informs the king, who solves the problem by sending out the caravan again before the husband is able to return.<sup>28</sup> The text then continues:<sup>29</sup>

*sāpi navānām māsānām atyayāt\* prasūtā dārako jātaḥ abhirūpo jātaḥ prāsādikaḥ aśikṣita-  
paṇḍito māṭṭgrāmaḥ tayā peḍāyām prakṣipya gḥṭasya madhunaś cāpyam<sup>1</sup> pūrayitvā aṅgu-  
limudrakam grīvāyām badhvā virāhlikayā<sup>2</sup> pracchādya preṣyadārikābhīhitā gaccha tvam etām  
peḍām rājakuladvāram nitvā maṅḍalakaṁ kṛtvā pradīpaṁ prajvālyā ekānte tiṣṭha yāvat kenaci  
grhīta iti ` tayā yathākṛta yāvad rājā upari prāsādatalagato bhayena rājakumāreṇa sārḍham  
tiṣṭhati rājakuladvāre pradīpo dṛṣṭaḥ tataḥ pauraṣeyāṇām ājñā dattā : paśyata bhavantaḥ kim  
eṣa rājakuladvāre pradīpo jvalatīti | tair dṛṣtvā niveditām deva paidā tiṣṭhatīti sa kathayaty  
ānayeti | abhayena ca rājakumāreṇābhīhitām deva yad atra paidāyām tan mama dātum arha-  
sīti | rājñā pratyabhijñātaḥ evam astv iti yāvad rājñā peḍā upanāmitā rājā kathayaty  
udghāṭayata udghāṭitā yāva dārakaḥ rājā kathayati kim ayaṁ jīvaty āhosvin mṛta iti tai samā-  
khyātām jīvatīti : tato rājñā aṅgulimudrakam viralikām ca pratyabhijñāya : abhayā(ya)<sup>3</sup> sa  
rājakumārāya dattaḥ sa tenāpāyitaḥ poṣita samvardhitaḥ rājñā jivakavādena samudācaritā*

24. I have dealt with this story in detail in my forthcoming book, *Riven by Lust: Incest and Schism in Indian Buddhist Legend and Historiography* (Univ. of Hawaii Press).

25. Dutt 1939–59: iii. 2.23–25, and see the translation in Ralston 1882: 91–92. I owe this reference to the kindness of Gregory Schopen.

26. From the facsimile in Raghu Vira and Lokesh Chandra 1974: folio 801 = 244b9–10 (bold characters indicate the first letter of a line). Although Dutt prints *uktā*, the gerund is confirmed by the Tibetan translation as well (Derge Kanjur 1, 'dul ba, ga 59a6–7): 'on te bu mo yin na ni khyod nyid kyi yin no zhes smras nas.

27. This case cannot but remind us in some of its details of the story of Śakuntalā, King Duṣyanta, and their son Sarvadamaṇa, told many times over but most famously by Kālidāsa in his *Abhijñāna-Śakuntala*. Although of course Śakuntalā does not abandon her son, just as in that story there is no real question here of parentage; the king knows the identity of the father (namely, himself), and therefore something of the mother.

28. This is certainly a more gentle solution than that employed by King David against Uriah in order to possess Bath-Sheba (2 Samuel 11).

29. Dutt 1939–59: iii.2.24.7–25.6 (corresponding to Derge Kanjur 1, 'dul ba, ga 59b1–7), re-edited here on the basis of the facsimile published in Raghu Vira and Lokesh Chandra 1974: folio 802 = 245a2–7.

*bhayena ca rājakumāreṇa bhṛta iti jivakaḥ kumārabhṛto jivakaḥ kumārabhṛta iti sañjñā sam vṛttā :*

- 1) Dutt read *cāpyam*, which seems to be what the manuscript has. The Tibetan translation's *de 'grangs par bsnyod nas* might suggest the translators saw here something related to the causative of the root  $\bar{a}v\sqrt{py\bar{a}}$  in the sense of 'to cause to grow'. Can one read *cāsyam*?
- 2) MS *virahlikāyā*. This word is formed from *virala*, so the intrusion of the visarga is anomalous.
- 3) MS *abhayā*.

After nine months had passed, she gave birth to a son, beautiful and good looking. Women are wise even without being instructed, and thus she placed him in a chest,<sup>30</sup> filled his mouth with ghee and honey, bound the signet ring around his neck, covered him with the cloth, and surrendered him to a servant girl. "Go! Take this chest to the gate of the royal palace, draw a circle, light a lamp and stay off to one side until someone takes [the child]." She did as she was told, and immediately thereafter the king, atop the roof of his palace, standing with Prince Abhaya, saw the lamp at the gate of the royal palace, and gave an order to the servants, "Sirs, see what is going on with this lamp burning at the gate of the royal palace." They looked and reported, "Lord, there is a chest there." He said, "Bring it." Prince Abhaya spoke to him saying, "Lord, will you give me what is in this chest here?" The king agreed, saying "Let it be so!" Soon the chest was brought before the king, and the king said, "Open it." When it was opened, there was the boy inside. The king said, "Is he living or dead?" They reported that he was alive. Then the king recognized the signet ring and the cloth, and gave him to Prince Abhaya, who fed, nourished, and fostered him. The king addressed him with the word *Jivaka* (alive), and Prince Abhaya as *Bhṛta* (cherished), so he became known as *Jivaka Kumārabhṛta* (the living one, cherished by the prince).

The closely parallel story of *Jivaka* found in the Pāli Vinaya provides an interesting contrast.<sup>31</sup> There we find no mention of his father, and his prostitute mother is intent on disposing of her infant, intending him to die. To wit: the prostitute *Sālavatī* becomes pregnant, and believing that customers would not favor a pregnant prostitute, resolves to keep her pregnancy a secret. Subsequently giving birth, she then disposes of the child as follows:

*atha kho sālavatī ganikā dāsīm āñāpesi handa je imam dāraṇam kattarasuppe pakkhipitvā nīharitvā saṅkarakūṭe chaḍḍehi ti*

Then the prostitute *Sālavatī* ordered her slave woman, "Hey there! Put this boy in a reed basket,<sup>32</sup> throw it out, and get rid of it on the trash heap!"

The slave does so, but the boy is found by Abhaya and given the name *Jivaka Kumārabhacca*, much as in the Sanskrit version. While the *Mūlasarvāstivāda* version of the story

30. The meaning of the term *peṭā* (spelled *peḍā* and *paidā* here) is not entirely clear; it might also mean 'basket'. See Edgerton 1953 s.v. *phelā*, and Rhys Davids and Stede 1921–25: 473, s.v. *peḷā*. Here the Tibetan translation's *sgrom bu* has the meaning 'chest'.

31. Oldenberg 1879–83: i.269.13–15 (for the broader context *Mahavagga* §VIII.3–4). Compare the closely parallel expression in the commentary to the *Dhammapada* (Norman 1906–11: i.174.6–7): *handa je imam dāraṇam kattarasuppe āropetvā saṅkarakūṭe chaḍḍehi ti chaḍḍāpesi*. This, however, concerns the story of a man named *Ghosaka*, and is unconnected with that of *Jivaka*. It is interesting that this text adds a parenthetical comment (II. 7–9): *nagarasobhiniyo hi dhītaram pañjagganti na puttam. dhītara hi tāsam paveṇi ghaṭṭiyati* "For courtesans take care of daughters, not sons, for it is through daughters that their [professional] lineage is continued." This appears to be an explanation of why prostitutes abandon sons, but not daughters. Compare to this the remark of Sternbach quoted below in n. 38. I am grateful to Oskar von Hinüber for drawing my attention to these passages.

32. On *kattarasuppe* see Trenckner et al. 1924–: III.118a, 'winnowing basket made from wickers (?)'.

parallels that of the children of Utpalavarṇā in depicting an abandonment carried out with great concern, the Pāli version is brutal: the infant is to be thrown on a rubbish pile. Interestingly, there exists a third pattern falling between these two extremes, in which no evident special care is taken to safeguard the abandoned child, but in which likewise there is no explicit intent to harm him. A somewhat bizarre example of this third type appears in the Pāli commentary to the *Majjhima-Nikāya*, the *Papañcasūdanī*. There is recounted the following about the chief queen of the king of Benares. She is pregnant, and when the time is right, gives birth.<sup>33</sup>

She gave birth to a piece of meat resembling a bandhujīvaka flower, red like lacquer. Then she thought to herself, "The king, considering that the other queens give birth to sons who resemble golden images while the chief queen gives birth to a piece of meat, will have a bad opinion of me from the outset." And fearing that bad opinion, she enclosed that piece of meat in a container (*bhājana*), closed it, impressed it with the royal seal, and placed it in Ganges river. As soon as it was placed there by humans, gods arranged for its protection. They wrote out in natural vermilion upon a golden tablet the words "child of the King of Benares by his chief queen," and bound it to the container. Then making that container untroubled by waves and the like, they cast it into the Ganges river.

At that time a certain ascetic was dwelling on the banks of the Ganges nearby a family of cowherds. Early in the morning having gone down to the Ganges, he saw that container which had come by and, thinking it to be rags, grabbed it. Then, seeing on it the inscribed tablet and the impressed royal seal, he opened it and saw the piece of meat. Seeing this, it occurred to him, "This is probably a fetus, for it is not in a stinking, putrid state." Taking it to his hermitage, he placed it in a pure location.

Subsequently the meat bisects, and twin brother and sister are born. They are married to each other, following the ascetic's stipulation, and become the progenitors of the Licchavi clan. (As with the story of the children of Utpalavarṇā, abandonment of siblings here leads to subsequent sibling incest, a point to which we will return below.)

Examples of this third type of abandonment occur also in non-Buddhist sources, suggesting that the practice of infant abandonment was not limited to Buddhist spheres (if it is even possible to posit a divide between Buddhist and non-Buddhist communities in such matters). In the story of the birth and abandonment of Karṇa, as recounted in the *Vana Parvan* of the *Mahābhārata*,<sup>34</sup> Karṇa's mother Kuntī secretly gives birth, and then on the advice of a wet-nurse places him in a chest (*mañjuṣā*),<sup>35</sup> which she sets down in a river. Although this is said to have taken place at midnight (3.292.23b), there is no mention of lamps being lit to mark the chest, which is then found downstream, evidently in the morning. In terms of intent, this procedure, like that in the *Papañcasūdanī* study, stands between the two extreme models,

33. The passage is found both in the *Papañcasūdanī* (Burmese Sixth Council Edition, Dhammagiri-Pāli-Ganthamālā, vol. 15 [Igatpuri: Vipassana Research Institute, 1995]: 332) and in the *Paramatthajotikā* I (*Khuddakapāṭha* commentary, Burmese Sixth Council edition, Dhammagiri-Pāli-Ganthamālā, vol. 49 [Igatpuri: Vipassana Research Institute, 1995]: 128). I was much assisted in making my translation by studying that in Deeg 2004: 128–29. Note that similar expressions for making inscriptions on gold tablets in natural vermilion (*Jātaka* v. 67,19–20 *suvaṇṇapaṭṭe jātihiṅgulakena . . . likhitvā*) and enclosing such inscriptions in caskets (*Jātaka* ii.36,20–21 *suvaṇṇapaṭṭe likhāpētvā paṭṭam mañjūsāya nikkhipāpesi*) appear here and there in the *Jātaka*.

34. *Mahābhārata* 3.292–93, translated in van Buitenen 1975: 790–92. This example was kindly drawn to my attention by Tamar Reich (email 9 Dec. 2003).

35. Like *peṭā* discussed above, *mañjuṣā* might also mean 'basket'. Apte 1957: 1221a, s.v. *mañjūṣā* cites the lexicon *Śabdaratnāvalī* as follows: *mañjuṣā 'pi mañjūṣā peṭā ca peṭakety api*. Although not conclusive, the fact that the *mañjuṣā* must be opened with some mechanical implement (3.293.5c: *yantrair udghāṭayām āsa*) might suggest that the container is not a simple basket.

that of the lengths to which Utpalavarṇā went to protect her children on the one hand, and, on the other, the cold intention to abandon the child Jīvaka to his death in the Pāli account. There is a further similarity between the *Papañcasūdanī* story and that of Karṇa, namely the role of the river.<sup>36</sup> Given the centrality of rivers in the life of so many communities in India, setting a container into a river may have made its discovery possible, even likely, as it was with the infant Moses. This method of abandonment in this respect too may then have fallen between a benevolent and a malevolent one.

As further evidence that such depictions are not limited to Buddhist literature, an essentially secular story collection, the *Kathāsaritsāgara*, contains another interesting example, narrating a procedure close to that found in other sources. A thief, on the execution ground but not yet dead, marries a young woman, Dhanavatī, so that some future son of hers will be as if his. In return for this he offers her one thousand pieces of gold. The woman accepts, and subsequently is impregnated by a man whose appearance infatuates her. The text then continues:<sup>37</sup>

*sāpi tasmād dhanavatī saḡarbhābhūd vaṇīksutā |*  
*kāle ca suṣuve putram lakṣaṇānumitāyatim ||*  
*parituṣṭām tadā tām ca sutotpattiyā samātṛkām |*  
*ādideśa haraḡ svapne darśitasvavapur niśi ||*  
*yuktaṃ hemasaḡasreṇa nītvā bālam uṣasy amum |*  
*sūryaprabhaṇṡpasyeha mañcasthaṃ dvāri muñca tam ||*  
*evam syāt kṣemam ity uktā sūlinā sā vaṇīksutā |*  
*tanmātā ca prabuddhyaitam svapnam anyonyam ūcatuḡ ||*  
*nītvā ca tam tatyajatur bhagavatpratyayāc chiśum |*  
*rājñāḡ sūryaprabhasyāsya siṃhadvāre sahemakam ||*  
*tāvac ca tam api svapne sutacintāturam sadā |*  
*tatra sūryaprabham bhūpam ādideśa vṡṣadhvajāḡ ||*  
*uttiṣṡṡha rājan bālas te siṃhadvāre sakāñcanaḡ |*  
*kenāpi sthāpito bhavyo mañcakastham ḡrhāṇa tam ||*  
*ity uktaḡ śambhūnā prātaḡ prabuddho 'pi tathaiva saḡ |*  
*dvāsthaiḡ praviśya vijñāpto niryayau ṇṡpatiḡ svayam ||*  
*dṡṡṡtvā ca siṃhadvāre tam bālam sakanakotkaram |*  
*rekhācchatradhvajāyāṅkapāñipādam śubhākṡṡtim ||*  
*datto mamocitaḡ putraḡ śambhunāyam iti bruvan |*  
*svayam ḡrhītvā bāhubhyāṃ rājadhānim viveśaḡ saḡ ||*

And Dhanavatī, the merchant's daughter, became pregnant by him, and in due time she brought forth a son, whose auspicious marks foreshadowed his lofty destiny. She and her mother were much pleased at the birth of a son; and then Śiva manifested himself to them in a dream by night, and said to them: "Take this boy, as he lies in his cradle (*mañca*), and leave him, with a thousand pieces of gold, early in the morning, at the door of King Sūryaprabha. In this way all will turn out well." The merchant's widow and the merchant's daughter, having received this command from Śiva, woke up, and told one another their dream. And relying upon the god, they took the boy and the gold, and laid them together at the gate of King Sūryaprabha's place.

In the meanwhile, Śiva thus commanded in a dream King Sūryaprabha, who was tormented with anxiety to obtain a son: "Rise up, King, somebody has placed at the gate of your palace a

36. In contrast to the *Papañcasūdanī* story there is no mention in the Karṇa story of tokens placed with the child. However, as the son of the sun god Sūrya and as a result of his father's promise, Karṇa is born wearing golden armor and earrings, which may serve much the same purpose here.

37. *Kathāsaritsāgara* 93.47–56 (163G [19], Durgaprasād 1903: 452); the translation is that in Penzer 1924–28: VII.81–82).

handsome child and some gold, take him as he lies in his cradle." When Śiva had said this to the king, he woke up in the morning, and at that moment the warders came in and told him the same, and so he went out himself, and seeing at the gate of the palace that boy with a heap of gold, and observing that he was of auspicious appearance, having his hands and feet marked with the line, the umbrella, the banner and other marks, he said, "Śiva has given me a suitable child," and he himself took him up in his arms, and went into the palace with him.

Here it appears that the child is abandoned not in a chest or basket, as in the stories we have studied above, but in some sort of cradle or stand, the sense apparently being something raised up above ground level. The demands of the story have the abandonment take place before the doors of the palace, certainly a well-travelled location, and thus ideal as a place where a child would be swiftly discovered.

Three patterns are therefore evident in these stories. In one, an infant is placed in some container, and conveyed to a location in which its discovery is likely or even assured. In another, the intent is to dispose of the child, similarly in some sort of basket (that is, the infant is not exposed). In the third, no arrangements are made to assure the discovery of the child, but, at the same time, its well-being is not disregarded entirely. There must be more examples of similar abandonments, a survey of which may help clarify whether additional patterns to the use of such methods of abandonment are to be found.

One place we will be unlikely to find reference to such abandonment is in the legal literature, for normative literature does not appear to treat explicitly the practice of child abandonment. However, the legal status of foundlings, or at least those classified as adoptees, was a matter of great concern to those who composed and commented upon traditional Indian legal texts, since it relates directly to one of their central concerns, namely inheritance. These authors focused their attentions on the legal status of adoptees, rather than on the procedures through which a child might be abandoned or given away.<sup>38</sup>

A 'foundling' is most generally termed *apavidhā*,<sup>39</sup> and is understood in a number of legal texts as "a boy abandoned by his parents or by one of them and accepted by someone

38. The legal and ritual literature does pay attention to the procedures for adopting a son who is given by his parents directly (the *dattaka*), but this is a different matter.

The study by Sternbach (1965: 501–7, "Infanticide and Exposure of New-born Children in Ancient India") does not address the issue of adoption, but discusses rather the exposure of infants with the intent to kill them. As the evidence presented here suggests, however, he is not wholly correct to claim (§7, p. 507), in contrasting the case of female infants, that "in ancient India foeticide, infanticide and exposure of newborn boys were prohibited, and certainly unknown."

Comparison with the practices of abandonment in the Classical world might prove most interesting, on which see the fascinating study of Boswell 1988. (I am at the same time aware that some of what Boswell says must be read with care, as pointed out by de Jong 1996: 5.)

39. I thank Patrick Olivelle for his advice in this direction (email 9 Dec. 2003).

Recently, Karashima (2007: 84–88) has examined a term that appears in Pāli as *puttāhatāya* / *matāya putta* and (he argues, as the same word) in Buddhist Sanskrit as *putramoṭikāputra*, drawing attention to Edgerton's speculation (1953: 347a) that *moṭikā* be understood as 'basket', thus 'child-basket child', i.e., 'foundling'. It is clear that both Pāli *puttāhatāya putta* and Sanskrit *putramoṭikāputra* are used as terms of abuse. While I am not in a position to comment on Karashima's speculation that *puttamātāya* derives from \**puta-mūṭa*, with *mūṭa* ('basket') wrongly understood as deriving from *mṛta*, whence *mata* 'dead' became *hata* 'killed', this is less germane here than the question of whether and in what way *putramoṭikāputra* may mean 'foundling'. In this I find Karashima's reasoning problematic. Aside from reliance on Edgerton's speculation on the etymology 'child-basket child' > 'foundling', Karashima seems to base his suggestion on the background story of Cūḍapanthaka in the *Divyāvadāna* (Cowell and Neil 1886: 483–85). Cūḍapanthaka is at one point calumniated by nuns with the expression *putramoṭikāputro 'lpaśruta* 'uneducated *putramoṭikāputra*' (Cowell and Neil 1886: 493.20–21). Now, as Karashima narrates, it turns out that because his parents had lost prior children in infancy, the newborn Cūḍapanthaka was placed in an alley for a time in order to receive a long-life blessing from some passing brahmin or śramaṇa. However, after having received

as his own child.”<sup>40</sup> In his commentary to the *Nāradaśmṛti*, Bhavasvāmin cites the example of Kṛpa (and his twin Kṛpā), born without a mother (miraculously from semen of his father falling on a reed) and with a father who is unaware of the creation of any offspring.<sup>41</sup> It is therefore hard to say that these twins were “abandoned” as such, and certainly not in any of the formal ways we have seen described above. Nevertheless, this classification would appear to be the closest of those enumerated in the core Indian legal literature to the cases we have studied. In addition to this *apavidhā*, however, Indian legal tradition also knows another type of adopted son, the *kṛtrima*, ‘contrived son’ or ‘constituted son’, in Olivelle’s translations. This adopted son is generally understood to be adopted by his own consent, since he is said, by Manu for instance, to be acquainted with (that is, knows the distinction between) right and wrong, *guṇadoṣavicakṣaṇa*.<sup>42</sup> Therefore, such an adopted son cannot be a minor from a legal point of view, and he is certainly not an infant. Nevertheless, there appears to be a somewhat broader range of possible meanings for the term in practice. In the *Anuśāsana Parvan* of the *Mahābhārata*, the adoption of the *kṛtrima* is described as follows:<sup>43</sup>

*kidṛśaḥ kṛtakaḥ putraḥ saṁgrahād eva lakṣyate |*  
*śukraṁ kṣetraṁ pramāṇam vā yatra lakṣyeta bhārata ||*  
*mātāpitṛbhyāṁ saṁtyaktaṁ pathi yaṁ tu pralakṣayet |*  
*na cāsya mātāpitarau jñāyete sa hi kṛtrimaḥ ||*  
*asvāmikasya svāmitvaṁ yasmin sampratilakṣayet |*  
*savarṇas taṁ ca poṣeta savarṇas tasya jāyate ||*

Of what sort is the created son (*kṛtaka*), who is called a son due to having been received (into a family), or where he would be recognized, Bhārata, (if) the standard (were) the father’s seed or the mother’s womb [that is, who is recognized as equivalent to a natural child]?

One whom one should notice<sup>44</sup> abandoned on a road by his mother and father, and whose mother and father are not known, is a contrived son (*kṛtrima*). The mastership (*svāmitva*—that

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this blessing, he was brought home by the female servant deputed to this task (484.24). He was then raised by his natural parents, and thus cannot be considered a foundling.

According to Karashima’s n. 31, *putramoṭikāputra* is translated in Tibetan with *bu zan mo’i bu* in the version of the Cūḍapanthaka story in the *Vinayavibhaṅga* of the Mūlasarvāstivāda Vinaya (Derge Kanjur, ja 69b2). This word is defined by dictionaries (e.g., Btsan lha Ngag dbang tshul khriṁs 1997: 535) as *mku’ ’gro ma* or *srin mo* (\**dākinī* or \**rakṣasi*). In fact, it appears in usage in contexts that suggest, both structurally and in terms of nuance, something like English ‘son of a bitch’, though literally ‘son of a demoness’. As an example of usage for which we have contrastive interpretation, Derge Kanjur ca 132b1, 6 has the expression ‘*di ni bu zan mo’i bu sde snod gsum dang ldan pa*, which appears to correspond to T. 1442 (XXIII) 659c3 (*juan 7*) 是前妻之子解三藏者. This parallel suggests that the Tibetan is rendering some term of abuse that the Chinese translator took in a more explanatory way, the reference being to the son of the former wife of the speaker’s husband. Since the speaker is accusing him of murder, she naturally chooses a vile epithet, which the Chinese translator did not render. I therefore consider it still unproven that *putramoṭikāputra* means ‘foundling’.

40. *Baudhāyana Dharmasūtra* 2.3.23: *mātāpitṛbhyāṁ utsṛṣṭo ’nyatareṇa vā yo ’patyārthe pariḡrhyate so ’pavidhah*, translated by Olivelle 1999: 173; and almost identical in *Vasiṣṭha* 17.37, *Yājñavalkya* 2.132, *Manu* 9.171.

41. Lariviere 1989: 2.179, ad *Dāyabhāga* 44; for a version of the story see the *Mahābhārata* (*Ādiparvan* 120 in the critical edition), translated in van Buitenen 1973: 250. It is not clear to me from Lariviere’s note whether Bhavasvāmin himself explicitly refers to the *Mahābhārata*, or whether this is Lariviere’s identification of one source for the story.

42. See in particular *Manu* 9.169 (Olivelle [2005: 199] renders here ‘constituted son’; see also Bühler 1886: 362), and the remarks in Kane 1968–77: iii.660. At least in the context of *Manu* 9.177, the distinction of this son from the *svayamīdatta*, a son who has given himself in adoption, is not entirely clear to me. But there are some discrepancies in the handling of these terms that we need not explore here.

43. *Mahābhārata* 13.49.19–21.

44. I do not find the verb *pravlakṣ* in the dictionaries at my disposal, but see also *MBh* 6.2.25 (brought to my attention by Harunaga Isaacson).

is, parenthood) of one without master (*asvāmika*—that is, a foundling) should be recognized as residing in one who would nourish him, and his class (*varṇa*) becomes the class of his adoptive parents.

This description appears to correspond closely to what we have seen in the story of the son and daughter of Utpalavarṇā. The parentage of these children was not investigated by the gate guardians who adopted them, and in fact was concealed: it is clear from the story that these warders considered, and wished the community at large to consider, these children as their own. Both families claim the foundlings as their natural-born children. How their case should be considered from a legal point of view remains, therefore, unclear, and it is possible that there is some gap between the definitions of the lawyers and those evident in the *Mahābhārata*.

A final issue here concerns a point we noticed in passing above, namely the possible future consequences attendant on anonymous child abandonment. The twin episodes of child abandonment in the story of Utpalavarṇā lead, in the sequel, to the inadvertent marriage of the two separately abandoned siblings, and even to the son's marriage with his own mother. In the *Papañcasūdanī*, too, despite the oddity of the story as a whole, abandoned siblings marry each other. This motif raises the specter of inadvertent incest made possible especially by anonymous child abandonment. Other literatures do engage such questions, which nevertheless seem not to have been taken up explicitly by Indian authors. As a point of comparison, European literature contains frequent expressions of the fear that the common practice of the abandonment of children might lead to inadvertent incest, as, most dramatically, one might never know whether a younger partner was not one's own abandoned child.<sup>45</sup>

On the other side of the world, a similar concern finds a Buddhist connection, articulated in a rhetoric that could possibly offer some hint of how Indian authors, had they taken up the issue, might have framed it. The seventeenth century saw a debate carried on in China between the Jesuit Matteo Ricci and the prominent Ming Buddhist scholar Zhuhong 祿宏. To Zhuhong's explanations about karma and rebirth, Ricci responded by suggesting that if one were to believe such a doctrine, he could never marry, for fear that he might have sexual relations with his own mother. As Ricci wrote in his *Tianzhu shiyi* 天主實義 (The True Meaning of the Lord of Heaven), a work of 1603:<sup>46</sup>

To believe that the human soul can be transformed into another person means that there must be hindrances to marriage and to the use of servants. And why? Who can tell whether the woman you take to be your wife is not a reincarnation of your mother who has become a daughter in a household of a different name? . . . Is this not again to introduce great confusion into the rules governing human relations?

Questions of personal identity naturally weighed heavily on Buddhist thinkers, and the idea of a naive identity between one's "incarnation" in different rebirths was probably not

45. See Boswell 1988, with the reservations noted above. A similar fear was already expressed by Tertullian at the end of the second century as a possible outcome of plain sexual promiscuity: "Each act of adultery, each illicit relationship, each act of debauchery conducted in your houses or in the streets, results in another mixing of blood and thus another path leading to incest." See *Ad Nationes* 1.16.11, as cited in Rouselle 1988: 108 (§1.16.12 in the edition and translation of Schneider 1968: 102–3). As an example of how such issues may extend into different arenas, Jewish law addresses the problem of converts taking the traditional "family name" *ben/bat Avraham* ('son/daughter of Abraham'), the fear being that if adopted and converted siblings were unaware of their true family name, they might inadvertently marry.

46. Lancashire and Kuo-chen 1985: 255–57 [§282], and cp. Yü 1981: 88. For some context, see Lancashire 1968–69, 1969.

commonly held by Indian Buddhist philosophers. When Zhuhong replied to Ricci in 1615, then, in a work called "On Heaven," *Tianshuo* 天說, he offered what, from an Indian point of view at least, must seem a rather weak response:<sup>47</sup>

Since, from time immemorial, we have been bound to the wheel of transmigration and in each reincarnation we must have parents, then how can we be sure that they are not our parents of previous existences? But to say that they *might be* our parents is not the same as to say that they definitely *are* our parents. . . . Marriages between men and women, the use of carts and horses, as well as the employment of servants are all ordinary things in the world. They can never be compared with the cruelty of taking the lives of animals. That is why the [Brahma's Net] sutra says only that one should not kill any sentient being, but does not say that one should not get married or employ domestic animals.

As far as I know, no similar discussions have yet been located in Indian sources, nor am I sure who would have offered such a critique to the Buddhists (for the basic presuppositions of karma and rebirth were common to almost all traditions in ancient India). Still, that the Indian imagination is capable of thinking in this way is proved by our stories, above all that of Utpalavarṇā, but by Hindu stories as well.<sup>48</sup> That such anxieties may have a certain universal currency is, moreover, witnessed in contemporary discussions of the possibility of inadvertent incestuous results of anonymous egg and sperm donations.<sup>49</sup> The logic in these instances is the same: failure to keep track of one's progeny opens the possibility of future inappropriate relations. If one adds to this the complication that one must think not only of relatives in this life but from previous lives as well, as Ricci well saw, almost any sexual ethics at all would quickly conclude that celibacy is the only rational option.

What has emerged from our inquiries of Indian materials is that, despite some degree of "official silence" on questions of unwed motherhood and the disposition of unwanted infants, ancient Indian society, or some of its sub-cultures, does appear to have possessed informal, or semi-formal, procedures or institutions for addressing this type of social problem. There clearly existed pauper's hostels, and possibly more specialized institutions we might call homes for unwed mothers. More certainly, some mothers, whether wed or not, abandoned their children, sometimes with the intent of killing them, other times with the contrary hope and expectation that they would be found and fostered or adopted by others. Some texts even evidence a (possibly very abstract and theoretical) awareness that anonymous child abandonment might lead to inadvertent incest, although there does not appear to have developed any sort of moral discourse on this basis, as we do find in European theology. Now that we are aware of the possibilities of such discussions, however, there is some hope that we can freshly recognize in diverse sources additional references to such institutions and practices that may have previously passed unremarked.

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47. Yü 1981: 88.

48. I have discussed this in detail in my forthcoming book, referred to above in note 24.

49. See from among a sizable literature Edwards 2004, Lasker 1988, Schenker 2003, and, from a somewhat different perspective, The Ethics Committee, American Society for Reproductive Medicine 2003.

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