IV

Manu-Smrti : The Milieu
This chapter is an introduction to the text \textit{Manu-Smrti} which is taken under analysis in this study. The historical context of the text and the social relevance of analyzing it have been explained in detail raising references. An effort is made to bring out the influence of the ancient text in the modern Indian social condition, corroborating the terms of its gender implications. The philosophical background of \textit{Manu-Smrti} is examined and the themes involved in the text are also described in this section. A discussion on \textit{Smritis}, \textit{Dharma Sutras}, \textit{Grihya Sutras}, and \textit{Dharma Sastras} as interrelated texts is also made in this chapter.

\textbf{Social Significance of Studying \textit{Manu-Smrti}}

The social formations and transformations are not fabricated out of the blue, but are apparently from the thought systems prevailed in the region during respective periods. Romila Thaper has mentioned the influence of the \textit{varnasramadharma} concept of \textit{Smritis} and \textit{Dharma Sastras} in the social stratification process in India.\textsuperscript{289} The features of Rg Vedic society that was basically pastoral, seem to be pertaining in the later Vedic society as well. And this shows the significance of the post-Vedic texts that constructed the concepts of social life and depicted the institutional arrangements. D.R. Jatava maintains that the laws of Manu represent the soul of traditional and orthodox Hinduism.\textsuperscript{290} The entire social history and thought of the ancient India have been influenced by the religious laws of the \textit{Brahminical} schools represented by the \textit{Smritis} and later \textit{Dharma Sastras}, according to his opinion. Even

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  \item Thaper, Romila. \textit{From Lineage to State}, Oxford University Press,1984
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though he doesn’t see the notions of gender hierarchy stipulated by the text, he comments that the text has brought a strict code for social engineering and thus to produce a mechanical and automatic system of the ethical doctrines by the varnasramadharma explicated in it. He says, ‘The ethical life, too was related to the observance of caste rules, and the four ends: dharma, artha, kama, moksha of life were accepted in the Dharmasastras as people’s moral ideals.’

One may have a criticism that, it was part of the general tendency to place purushartha and varnasramadharma as systems availed among the whole Indian population. But Dr. Jatava uses the term ‘people’s moral ideals’ in the above quotation. This could be supporting to address the problem, who are the ‘people’ mentioned here. If we go through the ancient texts most probably we may find it as the ‘brahmins’ and if we apply some gender sense we may find it as the brahmin ‘men’. Because the four Asramas (stages of life) explained as, brahmacharyam, garhasthyam, vanaprastham and sanyasam are clearly applicable for the life of a brahmin man according to the references starting from Vedas and continuing with the Smritis. But there are references which states that the four goals of life called purushartha, beginning with dharma (concern for social order and religion) and proceeding to artha (wealth), kama (desire) and moksha (deliverance from the travails of life or spiritualism) are meant for all the male human beings. The term purushartha itself implies that it is the explanation for the meaning of the life of the

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291 Ibid., p.58
292 Sharma, Ram Sharan., Material Culture and Social Formations in Ancient India, Macmillan India Limited, Delhi, 1983. See p.7
purusha (man). These ideas of traditional Indian world-view and life-view would insist us to raise the questions about the life of female human beings in the world. Apparently enough the varnasramadharma has neglected the existence of women. It is clearer if we read Ram Sharan Sharma reminding that different scholars had argued, ‘the four goals guided the activities of man in India’. It leaves us in astonishment that the acclaimed concepts in the ancient texts as handbooks of the social formations in India have never identified the reality and life of the female human being as such. The whole metaphysical theories ever produced were from the reality of the experiences by the male human beings and for the welfare of male human beings.

About the pursuit of roots of social formations in India, Ram Sharan Sharan Sharma holds that one can overlook religious practices and ideologies. At the same time he says, these cannot be studied in isolation from changes in material life. He maintains:

> In fact Vedic and post-Vedic rituals serve as an indispensable guide to both social and economic developments. Unfortunately some scholars who consider the four-goal ideal as a key to the unfolding of the ancient Indian cultural treasure discard rituals as meaningless symbols. But myths and rituals have their origin and growth in reality. Even the wild growth of plants and vegetation is governed by certain laws. Myths and rituals therefore do not grow in vacuum or in barren soil.²⁹⁴

²⁹³ Ibid., p.8
²⁹⁴ Ibid., p.8
The relevance of rituals and myths also hold true when we try to trace the misogynist nature of the ancient Indian texts that gave a dimension for the concepts on family, man and woman that are prevalent in the present society as well. Considering rituals as meaningless symbols is one way of reacting against them if they are found to be unfavorable to any social group in terms of religion, caste, class or gender. Almost the whole population of India has been aware of *varnasramadharma* as Ram Sharan Sharma also puts it, and was committed to mythical Manu and his ideologies. Once we approach ‘mythos’ with the instrument of the ‘logos’ the myth disappears and hermeneutics becomes possible. So one can argue that the influence of the text in the social conceptualization through the related myths and religious ritual, might have caused a lot for the subordination and objectification of women as well. And even when the laws for the basic social space family and household were preached through the texts based on the rituals and myths, no justice was done to the selves of women as part of the system. As the myths would automatically acquire some meaning that would affect the meanings of people’s lives as well, the formations of self-identities by such meanings are mandatory. May be one can find the women having some *dharma as* they are allotted with some duties in the text *Manu-Smriti*. But the ideas and language used in the law-book to denote the duties of women are grave in the sense that they form the secondary roles for woman. If we make an intense analysis about the goals of life for a woman in comparison with that

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295 Ibid., p.8
297 Levi-Strauss speaks in the book, ‘Myth and Meaning’, about the irrational myths that would also turn to be making historical evidences and empirical reality.
of the *purusharthas*, we have to say that the *Smritis* give no role for a woman to attain any goals on her own. Woman is conceptualized to achieve everything including salvation (*moksha*) through the husband who is the lord to her.

Swami Vivekananda, even being a famous proponent of Hinduism, had prophesied the relevance of the text by giving a clarion call for the creation of new *Smritis*. He believed that the *Smrti* is only a manual of methodology and the positive ideas in the text could be traced back to the *Upanishads* which needs to be updated.\textsuperscript{298} A simple instruction given by Sri Ramakrishna Paramahmsa also is notable for the argument that any god-given *Smrti* would not rightly fit for all the ages. He says, ‘whatever is appropriate at a particular time, do that at that time; whatever is befitting in dealing with a particular person deal with him in that manner; and what is needful at a particular place, do that there.’ This gives the insight, how flexible we should become while following the scriptures.\textsuperscript{299}

*Smritis* are believed to be as old as civilization and are significant even today, but many writers and thinkers highlight the need for changes in *Smritis* according to the changes in time. As man started to live in groups in the form of families and societies, it necessitated the formulation of codes and conduct to facilitate each member of the groups to live in harmony with others.\textsuperscript{300} From such standpoint one would have to say that the codes of Manu which is considered as the first among the

\textsuperscript{298} The Vedanta Kesari, December 2002, p.498, 529
\textsuperscript{299} Ibid.,p. 484
\textsuperscript{300} Ibid., p.483
Smrtis was not evolving as if a description of any system prevailed. But there are varied arguments among scholars that the origin of law-books such as Smrtis might have been a demand for order, or it might have been originated to solve any chaotic social system prevailed.

Sakunthala Rao Shastri thinks that the text has held ultimate control over Indian society and Hindu population for centuries. Although she reads the anti-woman elements in the text, by raising the point that the text is liable to much modifications to suit to the present social needs, she tries to see the veneration of women by the text as hopeful. And she suggests that it is significant not only for the ephemeral period but to the future as well.\textsuperscript{301} Many recent articles and discussions also find Manu-Smrti as a valuable gift for the whole mankind as it proclaims to protect the women in a positive sense.\textsuperscript{302} There are a few verses in the text that literally praise women suggesting that women are to be worshipped like a deity. But by going deep into the hundreds and hundreds of verses in the text, we might think of repeating some revolutionary reaction such as the incident of the burning of the Manu-Smrti happened in 1927 accusing it out of the caste suppression. Such a confrontation shows how deeply it was rooted in the minds of the people and how terribly it has affected the lives of the people. The two extremist views on the text have been prevailing even in the twentieth century India.\textsuperscript{303} Some people insist upon the

\textsuperscript{301} Shastri, Shakuntala Rao., \textit{Women in The Sacred Laws}, Bharatiya Vidya Bhavan, Bombay, 1953, See p.78

\textsuperscript{302} Archak, K.B., ed., \textit{Manusmrti and Woman ( A Collection of Research papers) ,Sambodhana Series- 10 ( ed. Dr. D.N. Shanbhag)}, 1998. See the keynote address for the seminar on \textit{Manusmrti}. p.41

\textsuperscript{303} Ibid. p.i
acceptance of *Manu-Smrti* as such considering it as a holy text and some others stand against the law-book which creates inequality and hierarchy along with religious exploitation in the society.

Though there are arguments that it was only meant for the Hindu/Brahmin household, there is no doubt that *Manu-Smrti* laid down in greater detail the ethical practices for the human beings on this earth which termed as the code of conduct of Aryans (Hindus), according to Jawaharlal Gupta. The Aryan debate among eminent historians itself shows the problems of dividing the people in India as Aryan and Dravidian. They refer Manu to see the distinction between cultural and linguistic Aryanaodhood. The Aryanization of ethnically Dravidians could take place culturally, says Madhav Despande referring D.D.Kosambi. Anyhow there are views that *Manu-Smrti* influenced the life in India and prescribed the rules and regulations for an ideal social system which was virtually designed for the harmony in life-style. There is even more alarming opinion that the life according to the ordinances of Manu would be the ‘normal’ life. Parnasabari Bhattacharya also demonstrates how the ancient universal traditions, conserved and conceptualized in this unique text became the guiding principle of what was subsequently known as the

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Also see, Kosambi, D.D., *Ancient India*, Meridian, New York, 1965
306 Ibid., p.79
307 Sharma, 1998, p.vi
Indian way of life.\textsuperscript{308} Both these writers are holding that the text was laid down for the purpose of steering the life of people in India and creating harmony. These writers don’t raise any critical points seeing any issue with the evolution and existence of the text. And the way such Indian writers on \textit{Manu-Smrti} tend to accept the contents of the text as such, would seem to be a baloney especially for any gender sensitive interpretation.

But the European mind of Buhler finds the danger the text extends about the way of conceptualizations. He has expressed his view that, considering \textit{Manu-Smrti} from among the various \textit{Smrtis} and \textit{Dharma Sutras} is significant because of the high adoration in which this text has been held by Hindus without doubting the myths clustered around the name Manu from the very early times (Buhler, 1886: p.lvii). In the first chapter of \textit{Manu-Smrti} the mythology of creation maintains that \textit{Brahmavu} (the God of creation) created Manu by the power of \textit{tapas}. With reference to this idea, chronologically there are fourteen \textit{manvantarangal} each of which had one Manu as authority.\textsuperscript{309} Manu is also mentioned in the Rg-veda and according to this Vedic mythology, Manu or Manus is the heros eponymos of the human race and by his nature belongs to the category of both gods and men.\textsuperscript{310} May be the usage ‘of the human race’ in the previous sentence is just Buhler’s opinion, but it shows the presumption that the text provides some life concepts for the whole human beings. It has an implication while trying to corroborate that the text has been considered and followed as not just for Aryans, but for all the people on the earth. Wendy Doniger

\textsuperscript{308} Bhattacharya, Parnasabari. \textit{Conceptualizations in the Manu Smrti}, New Delhi, 1996 (see jacket)
\textsuperscript{309} N. Gopinathan Nair, \textit{Manu Smrti}, D.C. Books, Kottayam, Kerala, 1983, p.15
\textsuperscript{310} Bühler, Georg (trans.), \textit{The Laws of Manu}, SBE Vol. 25, 1886, p.lvii
and Brian K. Smith, who also have jointly made a translation of the text, makes the opinion that the text is a representation of ‘how the life is in the world and how it should be’.\footnote{Doniger, Wendy and Smith, Brian K. Trans. The Laws of Manu, Penguin, New Delhi, 1991, xxvii} It may be bizarre to note that any other laws in the text might hold true for the present universe, but the code and conduct stipulated for women around family would look like truly being followed even now. Along with the commentaries of Manu-Smṛti that were produced in the first millennium AD and first half of second millennium,\footnote{See for details of the date of the text, Radhakrishnan (1923), Shastri (1953), Sharma (1998), Buhler (1886).} those with the translations made by different western researchers after the orientalists, provide the proof for the relevance the text that has been holding through centuries.

Wendy Doniger writes that the fame of Manu Smṛti was beyond the bounds of Indology.\footnote{Doniger, Wendy and Smith, Brian K. Trans. The Laws of Manu, Penguin, New Delhi, 1991, p.xix} In the tradition of Western scholarship, no other Indian text has got this much attention accordingly. The text has been translated into Portuguese, French, German and Russian which could be evidential for the historical and religious importance that European Orientalists conferred on the text.\footnote{Ibid.} Startling is the fact that Friedrich Nietzsche who fought against Christianity, praised Manu-Smṛti with an astonishing construal.\footnote{Ibid.xix,xx} He thinks the breeding of castes in the text is a healthy plan and speaks of the height of the text saying ‘one draws a breath of relief when coming out of the Christian sick-house and dungeon atmosphere into this healthier, higher,
wider world’. No paltry of New Testament which smells ill, could be compared with Manu according to him. An overall analysis of the text with a gender perspective would no way find his opinion as drilling into the real sense. Nietzsche’s opinion lacks a gender perspective although he describes about the way in which the text eulogizes women. He admires the text noting the affectionate remarks about women, particularly about her body (see Manu-Smrti V:130-133) and the purity of the body parts. But he wouldn’t have been daring to extol the text, if he had noticed the other rules that control the women’s identity and life-style. Also by saving some efforts to see the commentaries and translations in different parts of India, one can become more convinced how the conceptualizations on women and family in the text might have affected the Indian mind. In the Hindi heartland there is a recent flood of low-priced mass editions of Manu-Smrti, and according to a writer who himself has written one translation, many of them are unconcerned with the social stigma the text promoted. Translations and commentaries on Manu- Smrti with contradictory positions could be seen in South India as well.

Wendy Doniger and Brian K Smith, in the translation of Manu-Smrti along with a proficient interpretation, asserts that no modern study of family life, concepts of the body, sex, relationship between humans and animals, caste, psychology, attitudes to

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316 Ibid. Also see, Nietzsche, Friedrich. The Twilight of the Idols (1889), The Improvers of Mankind, section 3, trans.R.J. Hollingdale, op.cit., p.57
317 Islam, Shamshul. Untouchables in Manu’s India, Books for Change, New Delhi,2004
He mentions the publishers, Sadhna, New Delhi, who tried to propound the necessity of such law-book as Manu Smrti by the book published in 1999
318 For example, Manu Smrti written by Prof. N. Gopinathan Nair,( D.C. Books, Kottayam, Kerala, 1983) tries to explain the text positively only. Manusmrtiyum Brahmana Mathavum Oru Vimarsana Padhanam, by M.T.Rishikumar , (Mythri Books, Thiruvananthapuram Kerala,2002) and a book on Manu Smrti and varnasramadharma written by Periyar E. V. Ramaswami (Tamilnadu) interpret the text critically showing the negative points up raising the gender and caste discrimination issues.
material possessions, politics, law, religious rituals and social practice could ignore Manu. Some aspects of the mind-set of the people in India have doubtlessly been determined or at least influenced by the text *Manu-Smrta*. The psychological and social intervention done by a text could never be neglected as it causes the formation of the ethical, political and religious beliefs and related taboos that construct and preserve the traditional model of woman and family. Feminist critique is confined to address the need for reinterpreting the textual sources of traditional historiography which has androcentric biases. Women scholars such as Uma Chakravarty have criticized *Manu-Smrta* for creating stereotypical models of woman by laying down laws by means of which female human beings could be contained. She raises the necessity of addressing the problem that the scriptural influence on the gendering process in the socio-economic history.

**Bringing Manu-Smrta into Modern Context**

While the discussion on the authority of the text *Manu-Smrta* in the modern context starts, a glance into the reference of the text during different historical periods entails. When we think about *Manu-Smrta* as an ancient Indian text, the formation of the region called India itself becomes a beginning discussion. The geographical diversity of Indian sub-continent is well-known and the arguments have

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322 The term ‘modern’ is used in this study generally to refer the contemporary historical period. This study does not intend to go into the issue, if it meant colonial or post-colonial modernity in India.
sometimes even gone to claim there was no such country as India and it was only an offshoot of colonial modernity.\[323\] Although the ideal was only infrequently achieved, the ideal political unity of the region was always there according to some historians.\[324\] The persistent reference in the ancient political texts to the domain of a universal emperor – ‘chakravarti –kshatra’ gives the idea of total sub-continental land mass of the ideal domain.\[325\] Vishnupurana refers to the land between the Himalayas and the sea as belonging to the mythical king Bharata and India had the name Bharata as well.\[326\] And thus, India as a geographical entity was evidential from the historical and cultural facts which suggest that even in the ancient period there was a notion of India.

There are many different clues to argue that the kind of power wielded by Manu-Smṛti in ancient India extended its arms to the medieval, modern and even to the transitory postmodern\[327\] times. The Arab traveler Al-Biruni who wrote about Indian social reality in the climax of medieval period refers to the varna classification and confirms the textual authority even at that period.\[328\] Any researcher living in the modern and perhaps post-modern context of Indian society would not be able to save herself from reflexively looking at the scriptural embargos that affect and afflict the

\[323\] Chakrabarti, Dilip K. *India: An Archeological History; Paleolithic Beginnings to Early Historic Foundations*, Oxford University Press, Delhi, 1999, p.28

\[324\] Ibid.

\[325\] Ibid.

\[326\] Ibid.

\[327\] The dominant Western terms of critical analysis like, postmodern and post-structuralist, might not be sometimes fitting to the third world situations. But the terms are used as part of the dominant nature of language use in the academic discourse.

lives of women inside and outside the family. *Manu-Smrti* has been one of the main ancient texts that were under debate during different chronological periods. Traditional elements of these institutional ideas fostered by the ancient text have not completely been exhausted by the emergence of the so-called modernity. Along with its caste hierarchy conceptualizations ideas on household and woman also seem to have taken part strongly in the modern discourse. There are observations that hold, a polarization such as ‘traditional and modern’ is seen flawed, once the gender perspective is taken into account in a historical overview.\(^{329}\)

Tradition and modernity are ubiquitous terms in the lexicon of contemporary nationhood.\(^{330}\) In the case of India the notion of an alternative modernity different from colonial modernity has been identified, which is conceived as distinct from the colonial and the traditional.\(^{331}\) These terms are also significant in the feminist social thought as they cannot be neglected in an analysis of social system and institutional concepts of gender in India. The terminological correspondence between tradition and lived social reality in the Indian context has been discussed in terms of factors of *varna*.\(^{332}\) The traditional ideas of gender that are similar to *Manu-Smrti* also could be traced out in the modern social reality in India. There are references to see the fact


\(^{331}\) Panikkar, K.N. *Colonialism, Culture and Resistance*, Oxford University Press, New Delhi, 2007

that the micro-traditions were amalgamated by the *brahmanical* worldviews in India and the micro-tradition tradition eventually became the influential factor for the formation of the macro-tradition.\(^{333}\)

In India modernity and tradition reveals themselves to be gendered making sense to the general connotation of ‘modernity for male and tradition for female’\(^{334}\). With reference to this allegory of dualist way of thinking, an impression of the passage from tradition to modernity historically would be contradictory. Thus any critical gender analysis would have to deconstruct the notions of tradition and modernity that are linked with female lives. The concepts of masculinity and femininity in modern and traditional would prove the hold of the ancient textual ideas even in the historical time period prevailing. The identity of the woman would be in intensive trap in future as the modernity has started giving way to post-modernity nowadays. The traditional and the modern concepts on woman that are not free from ancient textual affiliation, reveal the scriptural injunctions that concocted such concepts. The traditional law-book *Manu-Smrti* in Indian region would seem to be insisting the same idea that ‘the woman should be the symbol of tradition’. This makes the necessity to place the text in the historical junctures and deconstruct thoroughly.

\(^{333}\) Ibid. Also see, M.N. Srinivas. *Social Change in Modern India*, California,1966, pp.1-52

\(^{334}\) Yogendra Singh, *Modernization of Indian Tradition*, New Delhi, 1977

Hancock, 1999, p.13
Philosophical Context and Concerns

Incursion into the scriptures starting from Vedas would be one of the compelling tasks for tracing Manu-Smrti in philosophical traditions. Manu-Smrti is found to hold conceptual frameworks of Vedanta along with the other systems of Indian philosophy especially Sankhya and the epics that had geared up during the same time period. Indian philosophy had been flourishing with Vedanta through the era in which Manu-Smrti is also believed to be evolved. It was during the Sutra period that is roughly dated around from 200 AD, the six systems of Indian philosophy also appeared. Although the dating of history of Indian philosophy is dynamic with many allusions the evolution of the text Manu-Smrti could be seen in the context, which is also controversially dated by commentators. However any historical investigation into the text would necessarily try to find some cross reference between the texts of the same time period, though they might be sometimes basically conceptual.

Among the ancient scriptures it was smrtis and puranas had unified elements that are fabric of philosophy of spiritual life for the common people. According to G.C. Pande Manu-Smrti which proposed a concrete way of life, declares the Vedic karma-yoga within which all values are included. It includes pravrtti –leading to

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335 Though the correct dates of these texts are not available, scholars date them all during the same period and they try to find the cross references. Vedanta is supposed to be created after in the second half of first millennium BC and Manu Smrti was approximately dated between 200BC and 200 AD. The epics period is calculated to be 600 BC to 200 AD, just before the Sutra period which starts approximately from 200 AD. See for details, Radhakrishnan (1923), Buhler (1886)
336 See for details, Radhakrishnan (1923), Shastr (1953), Sharma (1998), Buhler (1886) etc.
happiness by freedom from obligation as well as nivrtti- leading to spiritual knowledge. According to Pande, Manu’s karma-yoga has advanced far beyond mere Vedic ritualism and works like a synthesis of Vedic worship, socio-ethical activism and Vedantic gnosticism.\(^{338}\)

An earnest look at the view-points of philosophers of the recent centuries would prove to be decisive about the existence and practice of Smrti codes during the time period. Sree Ramakrishna and Swami Vivekananda have showed the opinion that scriptures are not the ultimate authorities and should be changed according to time.\(^{339}\) In dialogue with deconstruction, a research would always be concerned with the changing meanings and interpretations. The very experience of meaning is an experience of difference and this difference according to Derrida, is present even in the structures of the unconscious.\(^{340}\) Derrida’s criticism of logocentrism i.e. belief in the self-presentation of meaning proves to be critical about the textual analysis. Since the writing is to be given primacy over speech as Derrida said and the ‘written being’\(^{341}\) could be the problematic as well.

There are lots of misconceptions in the minds of people about the role of Smrtis in organizing the social and individual life even in the modern times.\(^{342}\) Sree Ramakrishna’s writings show the fact that the misunderstanding of scriptural

\(^{338}\) Ibid.
\(^{339}\) The Vedanta Kesari, December 2002


\(^{342}\) The Vedanta Kesari, December 2002, p.453
injunctions stems from dry scholarship that has no connection with the practice aspect of any theory. He says, ‘scriptures contain sand and sugar that are difficult to separate…There are two interpretations of the scriptures: the literal and the real. One should accept the real meaning alone- what agrees with words of God. There is a vast difference between the words written in a letter and the direct words of its writer.’ Albeit one can be skeptical and critical on the statement as it assigns the authority to God instead of the author of a text, the comment of Sree Ramakrishna ensnares the issues of authorship and the literal and practical meanings of any text and thus leaves the tips for the purpose of deconstructing the text. With the logocentric metaphysics of the presence of meaning, Derrida proves that there is no relevance if the author is existing or not.343 This may be accommodating for an interpretation of the text *Manu-Smrti* that has only an ambiguous author or authors.

*Dharma-Sutras, Grihya-Sutras, Smritis, Dharma- Sastras*

Although they are supposed to be compiled in the geographical areas which represent the present India , the *Smrti*344 texts and *Sutra* texts are known among the Sacred Books of the East .They claim their decisive foundation as Veda which could be termed as *Sruti* as well. The Indian theory is that *Sruti* or revelation eternally existing, and *Smrti* or traditions based on *Sruti* are the authoritative sources of the conduct of life in all matters. Sir William Jones, who was the first pioneer into the texts exclaims, no real pandit (scholar) would have ever suggested it, but accident has given them the supreme position, which is even now, hardly weakened. He adds,

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344 The spelling is used in two different ways in different texts as ‘smruti’ and ‘smrti’.
this led to the most hopelessly stereotyped and rigid system ever seen. Nevertheless, R.N. Sharma says, the Smrti came into existence to satisfy the demand of the society for new provisions in matters of Dharma, religious and secular.\textsuperscript{345}

*Dharma* is a word that means variously as sacred law, duty, justice and religious merit in the whole range of Sanskrit literature. It also designates any act which can give heavenly bliss and ultimate liberation to human soul. In ordinary usage it has a wider meaning, as it includes the customs and practices of any caste or community. And so, the special manuals of the sacred law are called, ‘*Dharma Sastras*’ or ‘law books’\textsuperscript{346}. *Dharma Sastras* fall under the category of *Smrti* literature which is the traditional records and these law books have governed and moulded the life and evolution of the Hindu community from age to age.\textsuperscript{347} *Dharma Sastra* is a genre of Sanskrit texts refers to the learning of religious and legal duty, i.e. *dharma* and the life of and ideal householder. The voluminous textual corpus of *Dharma sastra* is primarily a product of Brahminical tradition in India and represents the sophisticated scholastic system of an expert tradition. Dr. S. Radhakrishnan gives the historical and socio-cultural elements behind the beginning of Brahminical period. He writes:

> While systems of revolt were agitating the eastern part of the country, in the west, the home of the Brahmins, great changes were taking place, though unconsciously. New communities professing strange beliefs were being freshly taken into Aryan fold, the old Vedic culture had to undergo a transformation

\textsuperscript{345} Sharma. R.N. ed., 1998, p. v
\textsuperscript{347} Ibid., p. 13
agreeable to the new hordes who were actually swamping the country, or fail to ary
aryse them, it had either to expand and remodel its own religion, to accommodate new beliefs, or die and disappear. (Radhakrishnan, 1923: P.477)

The *Brahminical* revivalism after the *Budhist* thrust in the East could be vied out of the fact that the *aryanisation* caused a significant social restoration. According to Radhakrishnan, the *Brahmins* tried to allegorize the myth and symbol, the fable and legend, in which new tribes delighted. The attempt to merge the *Dravidian* with the *Aryan* and the Vedic culture could be noticed as well. The *Smrti* and *Dharma Sastra* also were produced as part of this *Brahmanical* social transformation, according to Radhakrishnan. 348 This point itself could be a pedestal for arguing that the laws laid down by these texts were not only meant for Aryans, but also for the other people who reconciled into the *Vedic- Brahmanical* culture. And it is also evident that these texts altered the life style of the original inhabitants after the historically pondered Aryan invasion into the region presently termed India. Radhakrishnan has noted down about the encompassing spirit adopted by the Vedic Aryans in view of the new Gods and goblins worshipped by the original peoples of the country whom they were slowly subduing (1923: p.65).

348 See, Radhakrishnan, 1923: P 515-518. The dates of the Brahmanical period seems to be difficult to be derived from the varied descriptions about this. Anyway from the notes given by Radhakrishnan we may have to put it as 1300-200 B.C. Because he has references that epics also would come under this period. Accordingly Mahabharata was written around fourteenth century B.C. and *Manusmriti* was around thirteenth century B.C. And also other evidences are there to maintain that *Manusmriti* comes after Dharma Sutras which were compiled during Sutra period which has been dated after 200 A.D. by Dr Radhakrishnan himself. It may be understood to be in the later Vedic period as well.
The systems of law that followed the great ritualistic period of the *Brahmanas* were known as *Dharma-Sutras*. It has been also understood as the codification of the Sacred Laws. They deal with rules of conduct, law and custom including rituals of domestic life. Veda, the divine revelation was the main source of all the *Dharma-Sutras*. In the *Brahmanas*, *Dharma* means the whole range of religious duties. *Dharma* had always played a vital role in the Indian philosophical tradition. It has asserted prominent place in the lives of men and women even though the shades of meanings changed from age to age. In the time of Vedas, this term was used to denote religious duties. Rg-Veda used this term to mean ‘upholder’ signifying religious ordinances. In Upanishads the dharma of a student or *brhmacharin*, the dharma of a householder and the dharma of a hermit were explained and thus covered the entire life of a man. Thus the whole life of an *Aryan* man was regulated by the laws and in later periods the law-givers widened its scope to the various other castes too.

It may be possible to recognize even on a superficial examination, for what purpose the *Dharma-Sutras* were originally composed. Nobody can doubt for a moment that they are manuals written by the teachers of the Vedic schools for the guidance of their pupils, that at first they were held to be authoritative in restricted circles, and that they were later only acknowledged as sources of the sacred law applicable to all

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349 See ibid, p.65-66. Each Veda consists of three parts known as *Mantras, Brahmanas* and *Upanisads*. The *Brahmanas* include the precepts and religious duties. The *Upanisads* and *Aranyakas* are the concluding portion of *Brahmanas* which discuss philosophical problems. *Brahmanas* are the work of the priests.

350 Shastri, 1953, p.5

351 It is to be noted that the ‘man’ here is to denote only the male human being.
Aryas. Dhrama-Sutras no longer remained as a property of any particular Vedic school, but it could be experiential that some of the systems of laws inherited from them are still being followed, as an acknowledgement by the Hindu tradition.

Buhler writes:

The metrical Smritis, on the other hand, are surrounded by clearly fictitious traditions, by mythological legends which either may have grown up spontaneously, because the real origin had been forgotten or may have been fabricated intentionally in order to show that these works possess divine authority and hence, have a claim to implicit obedience on the part of all Aryas. Nay, what is more, such legends or portions of them have been introduced into the text, and obscure the real character of the Smritis. These peculiarities are particularly marked in the Manava Dharmasastra, where the whole first chapter is devoted to the purpose of showing the mighty scope of the book, and of setting forth its divine origin as well as the manner in which it was revealed to mankind.\(^{353}\)

From the quote it is more or less obvious that Smritis preceded Dharma Sastra and they conjured traditions by using some sort of mythological legends so as to build obedient Aryans. It may be also comprehensible from the usage of the term ‘mankind’ in the later Manava Dharma Sastra, that the book was set forth and revealed to the whole mankind but not only for Aryans, even though it was dealt by

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\(^{352}\) See, Bühler, Georg (trans.), *The Laws of Manu*, SBE Vol. 25, 1886. See, pp. xi, xii.

\(^{353}\) Ibid., p.xii
Brahmins alone. All these scriptures were belonging to the Brahminical period of Indian Philosophy, particularly to the time of orthodox systems of Sutra period. Nevertheless the Sutra period is considered to be from 200 AD onwards by Dr. S. Radhakrishnan\textsuperscript{354}, Buhler locates it as 600-200 B.C., following Max Muller`s contention.\textsuperscript{355} And he puts forward the point that the nature of Smritis seemed to be vague and there might have had many additions to the original text during different times. Anyway, he thinks some of the Smritis really blend philosophical ideas into Sacred Laws. According to his reading, the metrical Smritis are later than Dharma Sutras and each of the Smritis is based on particular Dharma Sutra. Manava Dharma Sastra has been understood as the recast corroboration of Manava Dharma Sutra of the Manava Sutrakarana, a subdivision of Maitrayaniya School, which adheres to the redaction of the Black Yagur-Veda.

Although the Manava Dharmasstra was exclusive property of Maitrayaniya school, Buhler examines, the circumstances in which the locally authoritative Sutras were converted into law-books. He calls Manava Dharmasstra as secondary Smritis and finds the establishment of special law schools as one reason for the production of Manava Dharmasstra independent of any particular Sakha of the Veda. For him if adherents of the Vedic Manava school had undertaken the revision of their Dharma Sutra, according to their Grihya Sutra, they would not have forgotten to mention

\textsuperscript{354} Radhakrishnan, S. Indian Philosophy, Oxford University Press, 1923, p.58
\textsuperscript{355} Bühler, Georg (trans.), The Laws of Manu, SBE Vol. 25, 1886, p.xxii
such ceremonies as those which must be performed on the beginning of the study of particular portions of their Samhita\(^\text{356}\).

**Grihya-sutras** in particular treat with the customs and laws of domestic life. Sankhayana- Grihya Sutra, Paraskara- Grihya Sutra, Khadira- Grihya Sutra, Asvalayana- Grihya Sutra, Gobhila-Grihya Sutra, Hiranyakesi- Grihya Sutra, Apastamba- Grihya Sutra, and Apastamba’s Yagna-Paribhasha-Sutras are the main Grihya Sutras. In the most ancient literature of Vedas there are no direct sketches of Grihya ceremonies. Certainly it is either contemporaneous or even earlier than the ancient hymns of Rg-veda. Even if some of the verses are the same as the Vedic hymns there is no evidence that they were meant for Grihya ceremonies. The connection we would find for such hymns in the Vedic literature proves it as contrary. Some of the verses which are particularly composed for the Grihya rituals seem to be more recent than the old parts of Rg-veda.\(^\text{357}\) This proves that every particular Grihya ceremonies are not based on Vedic literature and thus not given by the God. Many of the verses could be seen in the Vedic Samhitas, particularly Atharva-veda. Atharva-veda is considered as the treasure of Grihya verses and the same point shows their low acceptability into the Vedic divinity since Atharva-veda was perceived as a negative Veda.\(^\text{358}\)

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\(^{356}\) The collection of the Mantras (which is a part of Veda) is known as Samhita.


\(^{358}\) See, Radhakrishnan, 1923. p.65. “The Atharva-veda for a long time was without a prestige of Veda, though for our purposes it is next in importance only to the Rg-Veda. for, like it, it is a historical collection of independent contents. A different spirit pervades this Veda, which is the production of a later era thought.”
Several parts of the *Grihya Sutras* are found in *Brhmanas*, especially about the sacrificial matters. *Satapatha Brahmana* and *Aitareya Brahmana* are having points upon *Paka-sacrifice* or *pakayagna* and other matters. For example, some sections of the *Satapatha Brahmana* are also belonging to *Grihya Sutras* which talk about the rules and conditions for marital cohabitation for the purpose of getting a learned son.

An exposition of *Grihya* ritual proceeds from the description of the studentship to that of the marriage. *Grihya Sutras* are not as broad as *Dharma Sutras* and they don’t exhaust all the subject-matters of the daily life of the household as *Dharma Sutras* do. While *Dharma Sutras* describe the whole rights and customs prevail in private, civic and public life, the *Grihya Sutras* confine more to the sacrificial or ritual side of the household life. The old *Grihya* began mainly with the main division of all the *Pakayagnas* into four classes, and then preceded to the marriage rituals. The supplementary matter was then inserted strangely and abruptly, when the texts which existing were formulated.

*Manu-Smrti*

Although there are various attitudes towards the relevance of *Manu-Smrti* today, the discussion about the relevance itself could be raised as showing the relevance of the text and its content. The texts which are known as religious texts have influenced the minds of people all over the world all the time. *Manu-Smrti* had cast its spell over

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359 Ibid., p.xxi
360 Ibid., p.xxxiv
361 Ibid., p.xxxix
centuries not only in India but also abroad.\textsuperscript{362} There have been extremist views about the significance of the text, while some people held it has to be accepted in \textit{toto} with due respect and reverence without raising any dissent. But for some antagonists if there is any text to be burnt it is \textit{Manu-Smrti}. Both the views were followed by the people in different regions, which latter on became India. The features of the so-called Hindu society in India such as, \textit{Varnasrama Dharma}\textsuperscript{363}, the belief in the monarchy of a King (\textit{Manu-Smrti}, IX.301), were all remaining unquestioned for long. It was only recently, after the introduction of the idea of the democratic country the adversaries became strong and the concepts got critics. In 1927 \textit{Man- Smrti} was thrown into flames in Maharashtra, on the west coast of India by a group led by Dr. B.R. Ambedkar, who were fuming with the caste hierarchy decreed by such a text.\textsuperscript{364} He regarded \textit{Manu-Smrti} as the greatest affront to humanity, equality and justice.\textsuperscript{365} Thus it could be maintained that \textit{Manu-Smrti} has ever been the mouth-piece of Indian Culture and \textit{Manu} seems to a votary to the cultural and social organization even in the twentieth century. This process was successfully carried out by destroying the democratic and humanistic features of Indian society.

\textsuperscript{362} Archak, K.B., ed., \textit{Manusmrti And Woman ( A Collection of Research papers)} ,Sambodhana Series- 10 ( ed. Dr. D.N. Shanbhag) ,1998. See the keynote address for the seminar on \textit{Manusmrti}. P.ii

\textsuperscript{363} \textit{Varnasrama Dharma} is the job-based division of the society into four realms. The four \textit{varnas} are \textit{Bhahmins} who are priests, \textit{Kshatriyas} who were warrior, \textit{Vaisyas} who were traders, \textit{Sudras} who did the jobs like cleaning and washing. The four \textit{Ashramas} or stages of the life of a man are \textit{Artha}, \textit{Dharma, Kama} and \textit{Moksha}. See also, Ahuja, Ram. Indian Social System, Rawat Publication New Delhi, 1993.

\textsuperscript{364} Archak, 1998.On 25\textsuperscript{th} December 1927 \textit{Manu-Smrti} was burnt in Mahad of Colaba district in Maharashtra. This movement led by Dr. B.R. Ambedkar, who was also the main person in the making of Indian Constitution, is legendry in India.

Dr. S. Radhakrishnan sustains that a high position had been given to *Manu-Smriti* among the *Smritis*. He says, *Manu* is the founder of the social and moral order, who first settled *Dharma* and he is the progenitor of mankind (1923: p.515). These points could be taken as the historical assessments to believe the outlook prevailing, as the rigid form of culture and civilization reflected in the work. Then it could be argued that such reflections have been formulating the metaphysical conceptions during ages which controlled the minds the every-day lives of people though not in a direct way. Yet, Radhakrishnan adds we cannot say that we have to accept *Manu* as an exclusive advocate of the established order whose system provides no scope for progress. Because, *Manu* has put forward four ways of right and wrong as- *Veda, Smriti, Achara* and Conscience (*ManuSmriti*, II.12). We are allowed do whatever agreeable to our conscience (‘*atmanah priyam’*) and convincing to our reason (*‘manah putam samacharet’*) (*Manu Smriti*, VI.46). But the disappointing dot is that another verse orders that the teachings of *Smriti* should not be put into the test of logic for virtue has emanated from this text (*ManuSmriti*, II.10).366

*Manu-smriti*, the first and the most well-known among eighteen *Smritis*, is often called *Manava-Samhita* or *Manava-Dharma Sastra* as well. *Yajnavalcyya Smriti, Parasara Smrti, Narada Smrti, Brhaspati Smrti* and *Manu Smrti* are the important *Smritis*. But *Manu Smrti* alone is treated as the authority in the literature of Indian Philosophy and Law, and it presents the normal form of Hindu society and civilization (Sharma, 1998: p.vi). According to Shakunthala Rao Shastri it stands

366 Sharma, ed. 1998. Kulluka reminds, their imports should not be misconstrued by sophistry (Kutarka)
midway between the old law-books and the new, forming a connecting link between the ancient and the modern legislatures. She writes:

As a code of law, it has for centuries held supreme sway over India and Hindu population. The later law-givers all based their treatises on Manu. Its authoritative position in society has rendered it liable to additions by later writers, who included their views in this treatise, to make them popular and authoritative in society. Hence, under the name of Manu we have a huge mass of legal opinions of different ages. Of this heterogeneous mass of legal rules it is hard to determine how much is the genuine composition of Manu and his predecessors and how much we owe to later writers. (Shastri, 1953: p.78)

From her words it is evident that there were many amendments to the original text by the later writers or translators of the text. And it is also clear that during different ages Manu Smriti have undergone careful studies by the legislators. Then there is no way to doubt indirect influence the text might have cased in the social-life of the human beings to internalize themselves as divided hierarchically by caste, class and gender. And if the text have gone through many changes, deletions or additions, the authorship claim of the text also could be problematized so as to invalidate the need for the compliance to the laws given by it. The text has been believed to be given by the ‘first man’ or adimanushya or ‘svayambhuva’, Manu, even though there were skeptical arguments about the existence of such a one single author.
The views about the authorship and time of the text are diverse and controversial. George Buhler (1886: p.xii) calls Manu as the ‘descendant of self-existent Bhrahn’ which leads us to the connection with the Vedas and Upanishads. And he quotes some lines in Mahabharata which refers to the authority of Manu. (1886: p. lxxvii) It is the Sakunthalopakhyanam, where King Dushyantha tries to persuade the heroine Sakunthala for a Gandharva marriage, which he tries to prove legal by quoting the authority of Manu Svayambhuva. This seems to be contradictory with some references on the dates of the texts. The Sutra period is noted as after the Epic period by some writers. So it is contradictory that a character from the epic Mahabharata talks about the rules by Manu Smrti which was compiled in later Sutra period. Dr. S. Radhakrishnan (1923) observes there had been attempts to relate author of this law-book to the Manu mentioned in Vedas. In Rg-Veda Manu is often called ‘father Manu’ and according to Taittiriya Samhita (ii.2.10.2; iii. 1.9.4) ‘A Smrti opposed Manu is not approved’. These references are ascertaining the nature and source of the strong authority of the text.

Nevertheless Dr. S. Radhakrishnan doubts about the existence of a unique author but says that, even though Manu might not have been an individual law-giver, the Dharma Sastra ascribed to him was held in great respect. And about the date of the text Manu Smrti, he notes down different estimations by different scholars:

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367 Also see, Shastri,1953: p.81 , and (Mahabharata I. 73. 8-13)
Sir William Jones assigns a very early date to the Code of Manu, that is, 1250 BC. Schlegel holds its date as 1000 BC and for Monier Williams it is 500 BC. Weber thinks the text would be more recent than the latest parts of Mahabharata. The author is familiar with Vedic literature and refers to previous legislators and traditions. Weber, Max Muller and Burnell think that the versified edition of Manavadharmasastra is a later rendering of an older treatise in prose. (Radhakrishnan, 1923; p.515)

As per the opinion of Shakunthala Rao Shastri (1953: p.6) the period of Dharma Sastras begins from the seventh century B.C. The age of the Smritis begins with Manu who is assigned to the second century B.C. Later in another version she maintains it must be anytime between 2nd century BC and 2nd century AD. In the introduction of a recent edition of translation of the text, R.N.Sharma (1998) marks that Manu Smriti was composed between 2nd century BC and 2nd century AD.

Buhler (1886: pp. lxxv-xci) offers interesting arguments taking note of its relation with Mahabharata, to determine the date and author of Manu Smriti. He tries to read the meters of length common themes of the verses to analyze it. He draws views of Prof. Hopkins hypothesis that the law-book is a conglomerate of the Manava Dharma Sutra and the floating sayings attributed to Manu, the father of mankind (p.xci). And he goes through Prof. Jolly’s investigations to maintain that Manu’s Smriti has been given first place and has been allotted to get corrected its rules on various vyavaharas occasionally. As per Jolly’s contention this was mentioned by Brihaspati who has written another Smriti.
Buhler (pp.cxviii-cxxxv) relied mainly upon seven Sanskrit commentaries on *Manu Smriti* for the purpose of translation. The commentators are *Medhatithi, Govindaraja, Sarvajna-Narayana, Kullukabhatta, Raghavananda, Nandanacharya* and an anonymous *Tippana* contained in a *Kashmir Manu Smriti*. The oldest extant is the voluminous *Manubhashya* by Batta Medhatithi and the *Bhashya* clearly proves that *Manu`s* text had been made for centuries an object of deep research, and that many of its verses had given rise to widely different interpretations. Bhuler finds the translation happened not later than tenth century AD and the translator’s birth place might be Kashmir as he quotes the place a lot in the *Bhashya*. *Manutika* of *Govindaraja* compiled during thirteenth or fourteenth century AD and the commentator seemed to be from Benaras. *Sarvajna-Narayana`s Manvarthavivriti or Manvarthanibadha* would be placed before the first half fourteenth. The fourth commentary *Manvarthamukthavali* by Kullukabhatta lived in Bengal probably during fifteenth century AD is found most trustworthy in Buhler’s opinion. *Manvarthachandrika* by Raghavananda Saraswathi is dated to be in sixteenth or the beginning of seventeenth century AC and it was brought from Gujarat to deposit in the Bibliotheque Nationale at Paris which means the author might have lived there. Buhler got the copy of *Manuvyakhyana* by Nandana from Bahadu Raghu Natha Rao from Madras. And he found the author who lived at the end of eighteenth century or in he beginning of nineteenth century AD, was a South Indian native and he belonged to *Bhardvaja Gotra* unlike the other *Brahmin* commentators from North India. And the anonymous *Tippana* contained in a Kashmir *Manu Smriti* shows its
origin clearly but nothing else importance. However, the different commentaries by authors from different regions of India, during different centuries, prove the fact that Manu Smrti had been taken in to account in all the ages.

Manu-Smrti is of twelve chapters containing 2694 anustubh couplets (verses) in total. The first chapter deals with the origin of the world, creation of beings, the origin of the text as Manu taught it through Bhrgu etc. 2nd chapter gives the sources and grounds of Dharma for the four classes. In the third chapter the house holder’s life, marriage and its eight forms, married life and duties of a householder etc. are described. Chapter four contains the description of the householder’s life and means of livelihood and principles of character and conduct. Fifth chapter of the book deals with the food, death, pollution, purification ceremonies and special Dharma of women. Chapter six is about the hermits and the ascetics. Seventh and eighth chapters are about rulers and their duties, along with state crafts, peace and war. The ninth chapter deals with women, their duties, property and inheritance. In chapter ten the people born by promiscuous mingling of the four classes and their duties are dealt with. The penultimate chapter speaks of different kinds of sins and their explanations. Last chapter acquaints with the theory of Karma and Dharma and the attainment of spiritual goals.

Nevertheless the text seems to be more about Dharma, Karma and the attainment of spiritual goals, it is evident that it gave a primacy to family life at one level. All the chapters could be observed as revolving around the concepts of family life while
talking about the other ways of life as well. Even the sixth chapter which elaborates
the life of recluse and ascetics striving for salvation, starts with an impression that
vanaprastha and sanyasa are some stages that are spawn from garhasthya. Thus the
chapter draws our attention to the fact that the householder is the most important and
basic stage of asramas as the other stages is either merging into it or breeding out of
it. With this argument, brahmacharya could be seen as a preparative stage for
entering into garhasthya. And there are views of interpretation that the householder
phase is central as the other phase people are fostered by the householders’
bhikshadanam. This shows that the householder is responsible for paying for the
other asrama people and thus it can be claimed that other asramas are generated and
maintained because of garhasthya.\textsuperscript{368} Romila Thaper has mentioned that the gift-
giving served to reinforce social status and reciprocity between dominant groups in
the varna system and the redistribution of wealth was done through such gift-
giving.\textsuperscript{369} She draws empirical evidences from north Indian regions for the rituals of
Grhya-Sutras and the domestic rituals being enjoined upon every grhapati as they
were counted among the occasions in expending wealth. The gift forms were danam
and dakshina and social obligations were also the sources of economic distribution.

The fifth chapter proposes the duties of women which ties them inside the household
and conceives their identity as something simply inside the family. The femininity of
women is imagined in the degree of her ability to do the household work and to obey
the men in the family. The verses in the chapter confirm the clear attitude of the text

\textsuperscript{368} Gopinathan Nair, N. Manusmriti, D.C Books Kottayam, 1983, see p.62
\textsuperscript{369} Thaper, Romila. From Lineage to State, Oxford University Press,1984, p.63,64,65
Also see Thaper, Romila. “Dana and Dakshina as forms of Exchange”, in AISH, p.105 ff.
to control the identity of woman and sexuality as well. The fourth chapter tries to reinforce the family structure by elaborating the disposition and demeanor that a householder should keep, for the purpose of leading an elegant family life. At one level this depicts the idea that only the man would have to develop the character, since woman is supposed only to do obey the man. The third chapter also concentrates on the family formation as it explains about the marriage customs which are male-centric as it is conceptualizing the marriage is for men. The man is subject that would do the activity making use of the object woman. The objectification is obvious in the verses which even suggest the women of grey hair, over-bodied and diseased are not eligible to take in marriage. The eight forms of marriage are again man-centered as all of them explain how a man can take a woman in marriage. Taking a woman in marriage to lead a successful life of householder, fulfilling the purusharthas of kama and artha is the idea underlying the marriage and family of Manu-Smrti.

The second chapter which speaks about the source and applications of dharma leads to the brahmachari life stage and the mannerisms of brahmachari towards women including gurupatni. The verses maintain great respect is to be shown toward mothers, sister-in-laws and sisters. But surprisingly enough, for a gender analysis, they are discriminating female beings stating that, serving husband itself is the same as the veda-learnings, for a woman. This is strategically following an attempt to control women just to fit into the family structure. The mythical male-chauvinistic stories in the first chapter deals with the creation of beings claiming that man and
woman were formed from the splitting of the body of Brahma who was believed to be the god of creation. The god himself is a man and was made up of the ovum put into the water by a male bhagavan. According to such metaphysics of myth, the creation of woman becomes as a ‘secondary entity’ in every sense.

The seventh and eighth chapters describe about the rulers and their duties including their duty to marry properly. Along with the responsibilities toward the people the king has the duty to lead an apt family life looking after the wife and children. In this section also the text has carefully depicted the objectification of woman saying that he should marry a beautiful and good-tempered woman from the same class and kinfolk. And the verse suggesting his obligation towards the daughter as to give her duly married off on appropriate time. Some verses talking about women by including them in the group of wealth, horse, chariot etc that are captured by a king in the war, show the objectification of female beings. The women of the defeated party were considered as one of the properties that could be detained as part of winning the war.

The ninth chapter of Manu-Smrti forms the basic arguments against its gender coldness. The section is totally devoted to explain the duties of husband and wife that formulate the very anti-female family concepts. The verses are thoroughly appropriating woman’s identity and sexuality engaging their lives simply inside the family. The tenth chapter which deals with promiscuous mingling also targets at the marriage and family matters in a way. The people born out of the four varnas are accepted but it is notable that the relationships of upper varna men and lower varna
women are only mentioned as a possibility. The relation between the hierarchy in terms of caste and gender is patent in such concepts. Also the verses express the male-centeredness by talking only about sons born out of such inter-varna conjugality.

The eleventh chapter that verbalizes sins and expiations portray the possibility of violations of family laws in terms of women`s chastity. Although this part doesn`t pay much attention to criminalize women some verses express the anxiety of spoiling conjugal systems by the transgression. For example the student brahmachari is to lie in a burning iron bed or hug a burning iron woman-statue, if he happens to share bed with the teacher`s wife. The final chapter of Manu-Smrti is also concerned about the high position of morality while talking about dharma, karma and spiritual goals. It stipulates dharma as ordered by the parishad formed by vadikabrahmana who are morally fit. Grihastasrama brahmana also is included in the group of ten brahmana that makes a niyamaparishad. The law-makers forum that the text itself conceived may seem to be moralistic. There are many allusions in the text that illustrate the moralistic male-centered household construction as a main plan held by Manu-Smrti. By going through all the chapters of the text, one can perceive the deliberate attempt the text has made in the conceptualization of household, family life, femininity and masculinity through religious and cultural schemes.
Summary

*Manu-Smrti* is the most well known among the *smritis* and it seems to have influenced the form of social life in Indian region. It caused a great influence in the social stratification in India and modern life proves to reflect the same ideas. Various references prove that the text to be significant socially and philosophically in India, being a law-book for the purpose of a good-life. Although the doctrine of *dharma* among the four *purusharthas* was the main concern in the text, it could be seen as mainly revolving around the householder’s life. The *garhashtya* stage among the four *asramas* is interwoven with all other *asramas* and so the family construction could be seen as a main agenda of the text that has to be probed because of its gender apathy. *Dharma Sastra* and *Dharma Sutra* which were compiled after and before *Manu-Smrti* respectively, elucidate almost the same ideas that the text wanted to propagate. But *Manu-Smrti* was more popular in the middle of the people and various thinkers have suggested the need to make changes in it according to the demands of changing time.