

The *Laws of Manu* and Women

The Laws of Manu are one of the three major Dharma Sastras whose authorship is attributed to Manu, a Hindu Lawmaker (Neufeldt 144; Kumar 207). The text is also known as *Manusmṛti* or *Manavadharmasastra* and is often referred to as simply *Manu*. *The Laws of Manu* are a comprehensive set of codices that outline dharmic practices; many scholars refer to them as legal codices (Monius 334). This particular text is widely used by orthodox Hindus to instruct their day to day lives. This practice became even more widespread after the British came into power in India as the *Laws of Manu* were implemented at a state level as a way of handling legal issues with the Hindu population (Mitra, 78).

The *Laws of Manu* have often been criticized as it appears to serve at continuing to propagate inequality within Hindu Society. This is perhaps the case with some practices. However it is important to recognize that the text also has its strengths. Mitra argues throughout her piece *Human Rights in Hinduism* that the practice of *dharma*, which is the focus of the *Laws of Manu*, focuses on justice and thus it does in fact consider the rights of individuals by prescribing dharmic practices. The text outlines the ways in which individuals should protect their families and conduct themselves in public to outline a properly functioning Hindu society.

Like many religious texts, one must consider that interpretations of the verses contained within the *Laws of Manu* are simply that, interpretations. Different groups and individuals will focus their attention on a particular section of the *Manusmṛti* while completely ignoring others that may contradict their viewpoint. This is particularly present when considering the treatment of women in Hinduism.

Kumar argues throughout his article *Manu: The Meaning of Svatantrya and Its Implications for Women's Freedom* that many of the codices in *The Laws of Manu* itself are

actually put in place to protect women. Unfortunately, throughout history women have been particularly vulnerable to rape and other forms of attack and thus, Manu devoted much of his ninth chapter to the proper treatment of women within one's family (Buhler). Kumar also points out that there are only two main areas where Manu prescribed the control of women's actions: "... (1) attachments to worldly or sensual objects and (2) sexual relationships with men of inferior classes." (Kumar, 213). Despite this, Kumar does not deny that in practice the *Laws of Manu* have also caused the grave mistreatment of Hindu women as well. If one observes verses 147 through 149 of chapter five of the *Laws of Manu*, it is noted that Manu also prescribed that women should never do any activity independently or try to separate herself from her male family members (Buhler). This may be one explanation for why the advancement of women in the workforce in India has been so difficult. By attempting to independently contribute the household or to support oneself as women would imply that you are directly disobeying the religious doctrine.

The only apparent time that a woman obtains any real power is when she becomes the senior married woman in a household. It is then that other women are expected to turn to her. However even this status has its limits. According to the *Manusmṛiti* the wife must still obey her male relatives, which in this case would mean chiefly her husband. So what does a woman do when her husband dies? If a Hindu woman is lucky she will have other male relatives who will care for her, in particular her sons.

A husband is a Hindu woman's main support explains Wadley (92). Once a woman becomes a widow not only is she viewed as a burden economically, but due to scriptures (for example *Laws of Manu* chapter 3, verse 57) they are also viewed as a liability. If a woman does not have a son to look after her after her husband's death a woman is almost guaranteed to suffer

many hardships. Especially in the lower classes women often have difficulty supporting themselves as *Manu* does not encourage an independent woman. Some orthodox Hindus go so far as to argue that a widow is half dead herself as her husband was half of her being (Wadley 105). This leads to even further harsh treatment as there is a sense of becoming untouchable. Chapter three of the *Laws of Manu* touches on this at several points. When discussing who should not be invited to or served food at the ceremony for the dead several references are made to sons of widows and remarried women and men who have taken their older brother's place; i.e. a younger brother who has married his deceased brother's widow (Doniger 57-62). It is quite clear that in the context of the ceremony of dead, individuals associated with widows are not to be thought of highly.

Doniger (xliv) points out that the *Laws of Manu* appears full of contradictions, but really is a series of rules and a list of their exceptions. Part of the text actually does focus on the good treatment of women, as is seen in chapter 3 verses 51 through 63. These verses focus both on the necessity of women's happiness to a household's happiness and the proper practice for arranging a daughter's marriage. In my opinion, verse 51 (Doniger 48) shows a respect for women as people because it states, "No learned father should take a bride-price for his daughter, no matter how small, for a man who, out of greed, exacts a bride-price would be selling his child like a pimp." Throughout the text we see verses like this and then others which appear to knock women down to an inferior level. However, it is important to note that the majority of verses which hold women in a negative light are context specific, and thus it is not the text that has caused injustice to women, but its use outside the context which were outlined.

The *Laws of Manu* are deeply entrenched in Hindu society. This particular Dharma Sastra is perhaps the most influential religious-legal scripture in existence. Its far reaching

influence has been both beneficial and troublesome throughout Hindu history and certainly cannot be discounted within the tradition. However, it is also important to note that the text was compiled between the second century B.C.E. and the second century C.E. thus policies that were once useful and protective must be taken within their historical context and adjusted to the different eras they are used in, in order to prevent undue discrimination and maltreatment.

REFERENCES AND OTHER FURTHER READING

Buhler, Georg (1886) *The Laws of Manu Sacred Text of the East. Volume 25.* Gloucestershire: Clarendon Press.

Doniger, Wendy (1991) *The Laws of Manu.* Toronto: Penguin Books Canada.

Kumar, Sanjay (2006) "Manu: The Meaning of Svatantrya and Its Implications for Women's Freedom." *The Journal of Religious Studies*, 34, 207-223

Mitra, Kana (1982) "Human Rights in Hinduism." *Journal of Ecumenical Studies*, 19, 77-84

Monius, Anne E. (2005) "Origin of Hindu Ethics." In *The Blackwell Companion to Religious Ethics* (William Schweiker, Editor) Oxford: Blackwell Publishing

Neufeldt, Ronald W. (2001) "Justice in Hinduism." In *Spiritual Roots of Restorative Justice* (Michael L. Hadley, Editor) Albany: State University of Albany Press

Olivelle, Patrick (2004) "Manu and the Arthashastra A Study in Sastric Intertextuality." *Journal of Indian Philosophy*, 32, 281-291

Sharma, Pajendra Nath (1980) *Ancient India According to Manu.* Delhi: Nag Publishers

Wadley, Susan (1995) "No Longer a Wife: Widows in Rural North India." In *The Margins of Hindu Marriage* (Lindsey Harlan & Paul B. Cartwright, Editors) New York: Oxford University Press.

Related Topics for Further Investigation

Hindu Widows
Untouchables
Ancient India
Dharma Sastra
Arthasastra
Religion in Society

Noteworthy Website Related to Topic

<http://www.sacred-texts.com>

<http://www.happyvalues.com/ebooks/he20061432/HinduismEbook0509.pdf>

Written by Rachelle Lamoureux (Spring 2008) who is solely responsible for its content.