

WOMEN IN MANU

Manu and Manusmṛti are the two words that invoke mixed feelings. There are some who would like to perform the funeral rite for the man and his work as many times as possible, while others would like to make it the centre of Hindutva, relying point on matters of religious, social and legal importance. The rise of Dalit movements in India has one important point to make: remove everything that is related to Manu. Its consequences we have been watching with concern for the last few years as they have disturbed the very foundation of social, religious and political life of the Hindu orthodoxy. Women's voice of protest has not been so loud, nor their organizations that political clout, though, as we shall see, they have much to complain about for their present state of affairs which has been sustained mainly by the laws of Manu.

Manu and Manusmṛti

If mere mention of the name is the criteria to place a man in his historical context then Manu may be a mythical/historical person. He is mentioned in the Vedas itself and is described as the law-giver (1). The later commentators and law-givers such as Yaska (2), Baudhayana (3), Apastamba (4), Samkara (5), often quote him and his works. There is no doubt about the antiquity of the name, but we do not know the time of the man who was really the author of the work. Manusmṛti has been placed between 200BC - 200 AD by the scholars, rather a very long time for a person to exist in his earthly life.

However this time in the history of the Indian nation is of permanent importance. It was the time of the rise and decline of Buddhism as religion and political power, decline of Vedic religion and its ascendancy through a newer form, great Indian empires of Ashoka, Mauryan, Gupta; influx of groups from central and western Asia, Greek invasion development of Sanskrit and its literature, and the evolution of great Indian culture are not all but few to mention. Manu's work codifies, enacts and creates the laws on the authority of the supernatural to give direction, stability and sanctity of human institutions of his times, and in process, beyond his own time. Manusmṛti, therefore is a mirror of the society in its past, present and future times, and therefore can be held responsible for the condition of anyone/anything in the present Hindu/Indian society, including women and Dalits. Its all-pervasive authority derives its strength from the sacred and secular powers of times, including our own.

Manu, Manusmṛti and Women

The position and status of women can be ascertained from the myths, lore, traditions, customs and laws that a civilization/nation/community evolves during its long history of existence. It is in the social and religious framework that we find the truest picture of the placement of an individual or institution in any culture and civilization. Many represent the continuity from the past, to the present of his own as well as ours, making it impossible for us to ignore him and his

codes. Manusmṛti can give us a fair amount of information about the position of women in the Vedic times as well as in the early Christian era and offer some insights on the present state of affairs in the life of women in our times.

Manu does not regard women as necessary evil, but as the prime factor in man's life. (6) She is not inferior to man in any respect. She is as much part of the creator as man is; for He divided himself into two parts - one being male and the other female - to imitate the creation. (7) He sees women as a component part of man, in the manner man is a component part of women, and together they make a complete whole. (8) At the sometime, Manu sees the hand of God in allotting women a love for bed, chair and ornaments, physical desires, anger, dishonesty, malice and bad conduct. (9) He finds them weak enough to fall into falsehood. (10) He, therefore, does not consider the parts of the divine equal, though they are one. (11) So the no equal part needs protection, which should be provided but not forced upon against her will. (12)

We now have a fair idea of Manu's views on women: she is a creation of God, as man too is; the male and female created by the divine from his own body divided into two equal parts; but the female part is weaker, hence needs protection. Let us look into other aspects of womanhood in the light of Manu's perception. These aspects are:

- a. Daughter/Maiden
- b. Wife
- c. Widow
- d. Mother
- e. Others

Daughter/Maiden

Contrary to the Vedic preference to a male progeny, Manu does not show any favour to either. He is interested in the increase of progeny in general and not of sons only. He therefore uses a moral, *santati*, denoting a child without mentioning the gender, (13) in place of definite and indicative word. *Putra* (Son) for him son and daughter are equal, (14) which should have been able to remove the social prejudice against a female child by advising people to treat daughters with tenderness, and parents not to enter into argument with them. (15) They should be well-kept, well-dressed and well-ornamented in her own house as well as in her-in-laws house. Her unhappiness and dishonor will only be at the loss of the sanctity of the house and its ruin. (16)

Manu gives a special place and preference to the daughters. The elder sister gets preference in marriage first. The man who marries a girl, whose elder sister is yet married, is considered to be an undignified man. (17) He gives instruction that unmarried girls should be given preference over the Brahmans at the feeding on ceremonial occasions, making them no way less auspicious than them. (18) He makes it mandatory to invite the daughter, her husbands and son at *Shraddha* ceremony and assigns a very high place of honour to the son of the daughter. (19)

According to Manu, father is the real guardian and protector of the daughter as long as she is not married. (20) It is his duty to arrange for her marriage to the deserving groom at the right age,

otherwise he is looked with contempt. (21) In his anxiety to secure a suitable person, he even argues for pure-puberty marriages and keeping them un-married if that is not the case. (22) His over-action in keeping them unmarried for life is diluted by his permission to let them choose their own groom after waiting for three years; but then, he makes them responsible to make the choice within his own caste equal rank and absolves them from any sin or guilt. (23) But his disapproval of such marriages are quite evident as he deprives them the right of *stridhan* in such cases of self choice. (24)

Virginity and chastity is associated with the dignity, honour and reputation of the maidens in the Hindu society. In the laws of Manu, the personal right of a woman not to be defamed is subject to the limitation that it is not infringed by a truthful implication. He recommends a heavy fine to a man who defames a maiden unwarrantedly. (25) At the same time, he denies religious marriage sacrament to such females who have lost their virginity. (26) But he shown his leniency towards those who do not conceal the truth regarding the physical and moral defects from the bridal family. (27) Manu does not tolerate any fraud in marriage relationship and makes it null and void if so proved, making provision for the punishment to the party concerned.

In dealing with laws against adultery, Manu is very sympathetic and lenient towards maidens. If the maiden is unwilling, the crime is serious enough for death penalty, but she is a willing partner, it is not so serious, and she is punished with confinement in her home. (29) Punishment for minor cases involves physical punishment and fine. (30) Manu treats lesbian relationship as criminal offence and provides punishment, fine and lashes for the maidens; public insult for the married women. (31)

Pollution of a maiden is considered by Manu, a criminal offence and he deals with it from the legal social, and religious stand point. He considers the offender as an outcaste (*apankleya*) and prescribes expiratory rites. (32)

Manu places restriction upon women in case of sacraments performed by them, or for them: though all the sacraments should be performed for them, but without mantras (33) and with this, he takes away their right of *Upanayan* and merges with the marriage in case of women. (34) It is strange that such injunctions are made against those who he considers auspicious and blessed so much so that he advises parents not to name them with inauspicious and unacceptable names. (35)

Manu does not give any right to daughter over the paternal property after the death of her parents, through the sons are given equal shares, only after the death of both of them. (36) He however, accepts the inheritance of a brother-less daughter and a share in mother's property. (37) He only exerts moral pressure upon brothers to give one fourth of their share to the unmarried sisters by threatening excommunication. (38)

In case of mother's property, Manu provides equal share to her children, sons and daughter, irrespective of their marital status. (39) He even allows grand daughters a share in maternal grandmother's property, not as a legal right but a token of her love and affection. (40)

In the context of inheritance for a father without a son, Manu recognizes daughter as equal to a son, and hence the heir of her father's property. (41) But he prefers daughter's son as he considers him to be proper heir with respect to worldly matters and sacred duties, the one who can perform the last rites of his father, mother and grand parents. (42) In the ultimate analysis, the sum and substance of the laws governing the inheritance of a man who does not have male off-spring, the right of inheritance belongs to a son who may not be his own, and never to his female off-spring. Mother's personal belongings and *Stridhan* belongs to the unmarried daughters alone. (44)

Wife

Manu has very high regards for married and family life and places women at the centre of men's life, equating her with the goddess of prosperity. (45) He regards the wife as the half of her husband, and man incomplete without the company of his wife. (46) The unity between husband and wife is of a permanent nature, which is ordained and established by the creator himself. (47) She is not purchased from the market like cattle and gold; she is a gift from gods as a result of man's meritorious works. (48)

Her personhood is held in high esteem by Manu: court of law requires man to touch the head of his wife and take oath; defamation of her results a heavy fine; she cannot be deserted unless found guilty of crime against the castes, otherwise husband is fined; husband cannot exchange hard words to her. (49) He, however, recognizes a fair amount of reciprocity between husband and wife, which he appreciate, as well as prescribes punishments for the lapses: husband acquires the qualities of her husband as does the river those of the sea; the husband suffers for the sins of his wife and vice-versa; the ruler should not exempt from punishment even the wife of the accused. (50)

Mutual fidelity till death, according to Manu, is the dharma for the husband and wife. (51) They are created to procreate and perform religious rites together. (52)

Manu required wife to serve obey and honor her husband and never do anything that might displease him whether he is alive or dead. (53) He commands the faithful wife to worship her husband as a god, even if he is virtue-less, seeks pleasure elsewhere, has no good qualities. The centre of her sacrifice, vow, fast must be the husband. The reason for such devotion is the happiness that she receives from him in this world and the next for this devoted service; he assumes her exaltation in heaven. (53) Her duty is to produce children; hence she should always keep her face smiling and radiant with beauty, in order to attract her husband. She should be clever in managing her household affairs. She should avoid alcohol, association with wicked people separation from husband, rambling about, sleeping at unusual hours, and living in other's houses, for they are the causes of the ruin of a woman. (55) Manu required women not to seek independence; hence, in her youth as married women should be under the control of her husband and must not seek separation from him. In doing so, she saves both the families from dishonor. (56) Manu takes away their independence, liberty and freedom from women as such by laying

down a general principle that nothing must be done independently by her, even in her own house. (57)

There are certain rights that a woman enjoys as the wife. The first and foremost is her participation in the religious activities of her husband, of course without the mantras. (58) But this rite is received only for the *savarna* wife - the wife of equal caste and by no means a wife of a different caste. (59) For this reason, he ordains that a twice-born (*Dvija*) man, versed in the sacred law, shall burn the dead body of the wife of equal caste with the sacred fires, and marry again to kindle the fire anew. (60) Partiality and injustice to the women-folk and caste bias of Manu the law-giver is quite evident here. Manu stamps out any rebellious attitude of women with his assertion that there are no separate sacrifices for women independent of her husband, nor fast without his consent. (61) To force his views, he prohibits Brahmana to attend a feast given on the occasion of the sacrifice performed by a woman. (62)

Manu holds husband responsible for the support of his devoted and faithful wife, as a tribute to gods, who has given her to him. (63) One can mark the word *Sadhvi*-faithful and devoted as a condition for the support though the marriage rite provides unconditional support. She cannot just be cast off unless proved guilty of causing loss of caste. (64) Even an exceeding corrupt wife is allowed by Manu to stay in her house, confined and compelled to perform penance. (65) Husband has to make provision for the maintenance for his wife. He reminds the husband that even a virtuous wife may be corrupted if she is not allowed at least minimum subsistence. (66)

It is the duty of the husband even if he is weak, to provide protection to his wife. (67) This protection has different meanings and reasons for money. The protection almost means to guard, to keep an eye and to imprisonment in the context of women. The reasons which one described by Manu are to preserve the purity of his offspring character of all concerned and the Dharma. (68) Husband has to guard his wife in order to be sure that she conceives from him only. (69) In yet another reason, law-giver himself charges women of adulterers in nature as they do not come for beauty, nor age, and give themselves to any man. Through their passion for men, through their unstable temper, through their natural heartlessness, they become dislodged to their husband. (70) He absolves himself by pointing out that this is inherent in nature, for the creator allotted to women a love of bed, of comfortable sitting place, of ornaments, passion, anger, dishonesty, malice and bad conduct. (71) Manu is a step forward from Adam; instead of blaming women, he blames the creator.

Manu is conscious of the fact that it is neither helpful nor advisable to apply force in guarding wives nor possible to arrange a security set for that purpose. He prefers brain washing and suggests inculcating the importance of chastity in their mind so that they may be their own guards. (72) They should be kept away from drinking, associating with wicked people, tendency to be away from the husband, gambling, sleeping and residing at other's houses, as they corrupt her mind. (73) Thirdly she should be kept busy in management of the household affairs, so that she does not have any time to think or do any undesirable or shameful act. (74)

Conjugal relationship as considered by Manu, is a religious duty because through this alone a son is born to provide spiritual benefit to the family. (75) He has some days to suggest which results in the conception of a male child and also days to avoid for they result in female child. (76) Manu is very particular about the fact that one should be very understanding of women in her period and should avoid physical relationship. To make them understand, he emphasizes the evil/good consequences of having/not having physical relation with his wife with the loss/gain of wisdom, energy, strength, sight and vitality. (77) He gives such a man credit and honour of a *brahmachari*. (78) He applies the laws of touchability/un-touchability (purity/impurity) in case of women in period. (79)

Manu provides the laws taking away the conjugal rights of a woman and giving it to another and taken by a man. He allows super-cession only on two conditions: the wife is not virtuous and she is not endowed with offspring. Another wife may, at anytime supersede the one who drinks alcohol, is of bad character, rebellious, diseased, mischievous or wasteful. (80) He is a bit careful about the one who is not endowed with off-spring; therefore allows super-cession in the eight year for the barren wife; in the tenth, whose children die off; in the eleventh, who is bearing daughters only; but immediately the one who take harshly. (81) The concern of having son is so great that even a good matured and virtuous, but sickly wife, is not spared from super-cession, with her own consent and without disgrace. (82) Surely not a good way to show generosity in maltreatment of a helpless wife. It is natural that a wrong wife may protest, but Manu does not allow her that right and suggest her immediate confinement or abandonment from the family. (83)

Manusmṛiti coins a technical term *Adhivedana* for super-cession. There is a difference in super-cession. There is a difference in super-cession and polygamy. In polygamy, all the wives could enjoy the conjugal rights, but in the case of super-cession conjugal rights of the superseded wife are taken away and bestowed upon the other. She, however, continues to live in the same family. Marriage in Vedas and Vedic society cannot be dissolved as it is considered a sacrament. Manu too does not allow divorce at all, and observes that neither by sale nor by repudiation is a wife released from her husband, (84) let their mutual fidelity continue until death; (85) wife is a gift from God and not something he got from his will, as such he should support her as a gratitude to gods. Manu does not give any right to husband of a crime causing lose of caste; and even if she is an outcaste, she is not to be cast off, but to undergo the penance. (87) A misbehaving wife can be deprived of her property and cohabitation with her husband; where as a wife who shows disrespect to an addicted, drunkard or diseased husband can be deserted for three months and be deprived of her ornaments and furniture. (88) But Manu spares a wife who respects to a husband who is mad, outcaste, eunuch or afflicted with incurable diseases from any punishment. (89) Manu does not allow to caste off an adulterous wife providing only confinement and penance. (90) She could be put to death by the King, but could not be abandoned by her husband. (91) Conversely, the wife too has no right to abandon her husband and take to another. (92)

Manu denounces in strongest possible terms, adulterous relations with other's wife and prescribes heavy punishment - corporeal as well as banishment. (93) He argues that adultery causes mixture of castes and the destruction of Dharma, hence heavy punishment is justified. (94) Even talking with other's wife with no proper justification leads to a penalty (95) and considered to be an adulterous act. (96) Manu prescribes the punishment of death in such cases to all except the Brahmin. (97). The laws of Manu do not protect the wives of actors and singers as he considers them involved in adulterous relationship. (98) He punishes man involved in such cases, or female slaves, with female ascetics lightly. (99)

Manu's attitude towards erring wife is far more sympathetic than towards men. In most cases of adultery the wife is neither given legal punishment nor is she driven out of the husband in the laws of Manu, which recommend religious penance and confinement in her house. (100) It is in the rare case of an audacious wife, Manu advises the King to let her devoured by dogs in a public place. (101)

With regards to property, Manu does not allow any share to the wife: wife, son and slave are declared to have no property and the wealth they earn goes to him to whom they belong. (102) She only had the right of maintenance against her husband who could never be denied to her even if she becomes unchaste, or outcaste or persisted in immorality. (103)

But what really belongs to her is *Stridhana*. After the death of mother, this goes to the children. (104) If she was childless, and was married by the condemned form of marriage (*Asura*, *Paisacha*, *Raksasa*), it is returned to her family. (105) It is only in the case of five recognized marriage (*Brahma*, *Daiva*, *Prajapatya*, *Arsa*) that the property remained with her husband. (106) It is strange that Manu does not give her any specific powers regarding the sale or gift of their own *Stridhana*. She cannot spend anything from it without the sanction of her husband. (107) It does not mean that he has right over it. He can only temporary seize her property as a disciplinary measure if she is inimical towards him. (108) If the relatives of her husband try to use her property, Manu ordains their punishment as thieves, and considers their action a sin that leads them to hell. (109)

Widows:

According to Manu, the union between the man and the women performed in front of the sacred fire and according to the accepted form of marriage is indissoluble and subsists even After the death of one of the partners. Of course this mutual fidelity is most applicable in the case of women, she is expected not to do anything that displeases him whether he is alive or dead and be patient of hardship, self-controlled and chaste. (110) He does not recommend that the widow should die with her husband, but he expects her to live, a life of self-negation after the death of her husband.

Manu is absolutely against the marriage of the widows. He says, no where a second husband is declared for virtuous women. (111) it is not mentioned in the procedure of marriage, (112) a maiden can be given only once, (113) Vedic mantras are applicable to the maidens only. (114)

Though the necessity of having a son is stressed on religious grounds by Manu himself; he ordains a life of celibacy, spent in the studies which leads to heaven, though sinless. (115) As many thousands of *Brahmachari* Brahmins have gone to heaven, it is in her own interest to remain unmarried and go to heaven. Manu has made provision for an adopted son through whom her dead husband could very well get the benefit of *sraddha* (116) for him if a woman wants a son through marriage or otherwise, she violates her duty towards her deceased husband, brings disgrace to herself and loses her place in heaven. (117) Such a son does not belong to any one, as the second husband himself cannot be treated as husband to a chaste wife. (118) He treats the son born to a remarried widow merely kinsmen to his father, and not an heir, (119) and therefore prohibits him to be invited to a funeral repast along with his father. (120) He shows his utter contempt for the son of a remarried widow saying whatever is given to him resembles oblations thrown into ashes. (121) This much is enough to dissuade a widow to remarry.

Manu does not even allow the marriage of a betrothed girl to anyone but to her brother-in-law, if necessary, a son through him. (122)

The custom of *Niyoga*-appointment of a male or female for the procreation of a son for a childless married male or female - is described at length by Manu, (123) through he himself is not in favour of it and condemns its practice among the twice born (124) exception however, is given to a betrothed girl. (125) He lays down strict conditions for *Niyoga*, making its practice as rare as possible. (126) Husband must have no son, personal appointed must be younger brother of the deceased, appointment by the elders of the family of deceased, the relationship must not continue later, only one son be produced and the partners to regard themselves as a father and as a daughter-in-law after the birth of the son, are some of the conditions laid. In spite of these, the mishaps in the life of a widow in Hindu family could not be curtailed, even during the time of Manu. He therefore suggests the adoption of son/sons of brothers as the common son/sons of all brothers and the same be applied to the wives of one husband. (127)

Manu does not recognize the widow as an heir to her sonless husband and nowhere mention her as possessing the right of inheritance, though the mother of a sonless son is recognized as heir. (128) He does not allow the partition of the property as long as parents or one of them is alive. (129) So the widowed mother can use the property, though does not inherit it.

Mother

The mother is undoubtedly the object of greatest reverence for her children in Indian religious and culture as also it is found in world over. Manu also has the same emotions. The neo-*brahmachari* receives his first aims from his mother, indicative the honour and position she holds vis-à-vis father. (130) She should never be shown disrespect even if highly offended. (131) Her image is that of earth, bearing all the trouble and pains for the sake of children, compensation of which is not possible even in a hundred years. (132) Obedience to mother is declared as the best form of austerity. The care con conquers the worlds and enjoys the bliss in

heaven. The son should not perform meritorious acts without her permission. By honoring her, all that ought to have done is accomplished.

Manu considers the abandonment of mother by her sons a crime and provides punishment. (134) He treats such a son as outcaste who should not be entertained at social and religious ceremonies. (135) Defaming the mother is also a punishable crime. (136). Manu pays his highest regards to mother in allowing a student to carry the dead body of his mother to the place of cremation and not considering it a break of *Brahmacharya* vow requiring purification rites. (137) The mother has collateral rights over her son along with the father. Manu prescribes the performance of adoption ceremony by both the parents jointly. (138)

With regards to the parents' right of succession to the property of the issueless son, Manu is not so clear. In one place, he gives it to the mother, at another, to the father. (139) But if the son leaves behind his widow with son, the property remains under the control of the mother as guardian and it is not divided among them as long as she is alive. (140) It is an irony of the laws that Manu acted that the mother can be declared as the legal heir of her son's property, only if they die in her lifetime. Not solace to a grieving mother at all.

Motherhood is considered the cherished ideal of the life of women, as Manu observes, to be mother mere women created. (141) He grants several concessions to her; such as, pregnant women are exempted from paying toll-tax, no punishment if the path of the King is made unclean. On the contrary, a barren woman is looked down as impure and Brahmana are not allowed to take food from them. (142)

The duties, assigned to mothers by Manu, are quite clear. She is the caretaker of her children and as such, they are not permitted to separate from them on any account. (143) She is not granted independence and existence of her own and has to live with the super-vision of her own sons after the death of her husband. (144) She is expected to uphold and not to discredit her own family as well as her fathers. (145)

Others

The discussion on the subject may not be complete if we leave out the women in the most unfortunate situations, those involved in flesh trade and those held as slaves.

Manu reserves his most unsympathetic comments and attitude towards, prostitutes. He forbids a Brahmana from taking food offered by them (146) condemns those who subsist on their income (147), their homes are said to be worse than slaughterhouse. (148) He regards them as social evil liable for punishment (149) and recommends simple penance for killing them. He denies them the rite of post-mortem offering. (151) Manu treats their case at par with unfaithful wives. (157) One can only wonder, in spite of such condemnation, such women and the profession, not only continued, but flourished too.

The institution of slavery existed in the days of Manu, as he refers to slave girls who waited upon the Kings to look after his comforts. (153) Manu requires the King to fix their wages and allowances suited to their rank and position for the women employed in royal service. (154)

They are treated on the same level as sons in the matter of giving corporal punishment. (155). Their earning belongs to the master, (156) however; not the son produced by the Master (157) and, as such has no right over his property (158); so also, the slave girls. (159)

Few Observations:

Much has been written and said about Manu, the greatest lawgiver of the Hindus, and aptly so. He tried to frame, and present, a comprehensive personal law for the Hindus, which has become a point of reference to the later authorities on personal laws and subsequently became the accepted norm for social and religious relationships in Hindu society and culture. It is natural, therefore, to blame him for all the evils in the society and the present state of affairs in our social and religious realms. This man and his work have sustained many social, religious and political movements. One can either love him or hate him.

Like Moses, he was both a sociologist and theologian. His admixture had such a strength and validity that not many could succeed in presenting an alternative to his laws. In course of time, Hindu religion and Manu's laws became so much interdependent that they merged into each other to the extent that one could say; to be a Hindu is to be a *Manu-vadi* (follower of Manu), though the vice-versa may not be true. The implication and dangers of such simplification are not difficult to discern. One can only be a bit cautious in his/her approach.

Manu provides us a methodology for social and religious reforms. He applied religious insights in providing solutions for the socio-ethical problems of the people and society of his time. It is for this reason, his laws were universally accepted and became transcendental in scope and application. He has proved that a correct religious ideology, with scriptural support has the most potent force to regulate human and societal behaviour and to preserve the basic fabric and structure of the community. Reformers may take note of it.

Manu may be the first lawgiver who has provided a theological, philosophical, ethical or scriptural foundation for the principle/criteria applied in the formulation of his laws. Gender equality, for example, is derived from the scriptural and theological foundation of creation of man and women by the creator through the division of his own body; so also the theory of joint partnership. It is therefore, not surprising that he used the same scriptures in support of laws perpetuating injustice, suppressing human insights taking away human dignity, denying freedom and liberty, especially in the context of the women.

Manu provided legal framework for the support and continuation of institution of patriarchy in the evolving Hindu society; matriarchy and matriarchal principles were made secondary and subordinate to patriarchal ones. They are only highly honored, greatly idealized and mostly commended, but never rewarded and protected. This led to the male dominated society; superiority of the Aryan gave way to superiority of the male at every level of the society.

The noble ideas of freedom and liberty, in the context and their application to women are the worst sufferer in the codified laws of Manu. In the pretext of protecting their rights and personal security, women are forced to come under the complete control of men and made fully

dependents upon them from birth till death. In the laws of Manu, the social mobility, economic freedom and personal liberty are more or less fully curtailed and are brought under the control of their men folk in the family. She lost her freedom to shape and determine her own future, personal freedom to choose her own partner in life property right and economic independence.

The dignity worth and value of women and her personal became the victim of inequality structured by the laws of Manu. Prisoner has no freedom; accused no dignity and slave no value, and the women was assigned that status and position in the society by the lawgiver. Male member is given a status higher than his counterpart female, be it mother, wife or sister, and got more than his due share. She was robbed off her dignity and worth by the one who was supposed to uphold and protects them.

The noble concept of natural justice was given a new meaning and perspective in the laws of Manu. The man-made prejudices against women were taken to be natural tendencies of women and they were made to pay the price. They were considered weak in every Aspects of their personality; hence every effort were made to protect them from falling by providing support and concession here and there, but largely by withdrawing, to the extent of destroying her natural and in-built support.

Manu cannot claim to be the unbiased lawgiver. He has shown his preference to the male and his institution than those to female, sympathetic, considered and preferential treatment he might have given in some places and in some situation to the women, but in the matters that concerned most for the dignity, liberty and independence in human existence were heartlessly taken away by him through legal methods. Law of inheritance as enacted by him is the glaring example of his open preference for man instead of women in every aspect of her womanhood.

Manu is not only biased, but also a profounder of double standard and criteria in his dispensation of justice. A woman caught in adultery may be heavily punished or lightly changed; a high caste has the right of lenience whereas low caste none; polygamy is acceptable while polyandry condemned for extinction. This concept of contextual justice is worth analysis.

Manu is credited to provide and infuse Dharma *Drsti* (religion world-view) in the totality of laws that govern human life and society. His contribution in evolving laws from this aspect cannot be denied. He must, at the same time, accept the discredit that comes along with this credit for all that emerged and develop as corollaries from his world-view upon the law. 'Dharma' does not always mean religion; it means 'duty', ought-ness and imperative. It denotes a task that is bound to be done. It does not necessarily mean just and proper. It is in this context, Dharma as duty (secular) can be superseded by Dharma as duty (religious) and vice versa. This can play havoc in the lives of people, and this is what it exactly did in the lives of Hindu women throughout the ages. A women as wife as bound to her husband once for all in life and life-beyond, had to be chaste, meaning not marrying again, after the death of her husband as her religious duty; but husband is free from this duty in this life weather his wife is alive or dead and will be guided by his right and duty (secular/religious) to have a male child. For the sake of the law of convenience, the religious imperatives of rites and sacrament were withdrawn as they were

linked with the general education of the women, by none other the law given him-self. Assigning secular meaning to a religio-ethico term has paved the way for the dilution and syncretistic denotation and confusion that led to all kinds of contextual interpretation to a well-defined term: Manu may not be able to come clean from the charges of impairing the image of women, her personality and her psychosexual schizophrenia. In accordance with his analysis, and laws, the women, at every stage of her life is treated, brainwashed and taught that she is not wanted, she has no separate identity, she is helpless, she is weak full of evil desires and passion, and worthless. What else than a psychic wrack one can expect coming out from such a situation. If not so, then a timid, and well domesticated slave only. All rebellion of any sort has been crushed by the brute force of manliness with the active, moral and legal support of the laws of the law-giver.

But all is not lost. Manu is a *Drsta* (visionary). He is conscious of the limitation of codified laws; he has accepted the principle of flexibility and mobility and left the room for its application to suit the varying conditions. (160) He has expressly declared that the laws change with the age of the human race. (161) This may be starting point for the evaluation of his laws, not only specific but general also, including the principle involved or applied. He has trust and faith in the learned and the gentle, who can always enact suitable laws. (162) One can always take advantage of such views and do his/her part in changing old laws and enacting new ones as per the need, hopes and aspirations of people - specific or general.

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