

DISCURSIVE STRUCTURES OF GENDERED FAMILY IN THE *MANUSMRTI*

Maya S.♦

1. Introduction

Religious texts and literature have always been playing significant role in the social formations worldwide. *Manusmrti* is known as such a text in India that has influenced the organization of social institutions. An analysis of this ancient text would prove the fact that the structure of household and family is conceptualized in it through the descriptions and prescriptions of duties of men and women. The *garhasthyasrama* and the *dharma* concepts in the text, not only target the life of Hindu people but it is written with an intention to assist the good life of all human beings. Although such a claim could be accepted, on the basis of the values around the concept *dharma*, it could be supplemented by doing an analysis based on gender and by interpreting the discursive structures of the institution of family that is generated by the modern discourse around the text.

The linguistic invasion into the minds of people by the scriptures belonging to a religion could be beneficially analyzed by a journey through the verses of *Manusmrti*. Although there are various attitudes towards the relevance of *Manusmrti* 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 and have affected their conceptualizations all over the world. Various scholars opine that the *Manusmrti* had cast its spell over centuries not only in India but abroad as well.¹ With the ideas of social structuring, especially in installing the institution of civilized family, the text would seem to have a significant role. There have been extremist views about the significance of the text, while some people hold that it has to be accepted as a whole with due respect and reverence without raising

♦**Maya S.** is presently teaching Social Theory and Philosophy at the School of Social Sciences, Mahatma Gandhi University, Kottayam, Kerala. She has published *Yukthivadavum Streepakshvadavum (Rationalism and Feminism, 2008)*, a book in Malayalam about women's issues, feminist concepts, and activism.

¹D. N. Shanbhag, "Keynote Address" in *Manusmrti and Woman*, ed. K. B. Archak, Sambodhana Series 10, gen. ed. D. N. Shanbhag, Dharward: Karnataka University, 1998, ii.

any dissent. But, for some antagonists, if there is any text to be burnt it is *Manusmṛti*! Both the views were followed by the people in different regions that later on became India. The features of the so-called Hindu society in India such as, *Varnasramadharmā*,² the belief in the monarchy of a King (*Manusmṛti*, IX.301), etc., were all remaining unquestioned for long. It was only recently, after the introduction of the idea of the democratic governance that the adversaries became strong and the concepts got critics. The translations of the Sanskrit text of *Manusmṛti* into English (which was earlier available only to upper caste men who learned Sanskrit) by the orientalist, made it more accessible to the people in India to take it as a handbook for structuring the social life. In 1927, *Manusmṛti* was thrown into flames in Maharashtra, on the west coast of India by a group led by B. R. Ambedkar, who were fuming against the caste hierarchy decreed by such a text.³ Ambedkar regarded *Manusmṛti* as the greatest affront against humanity, equality, and justice.⁴ Thus, it could be maintained that *Manusmṛti* has ever been the mouthpiece of Indian culture and *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.

S. Radhakrishnan maintains that a high position had been given to *Manusmṛti* among the *Smṛtis*. According to him, Manu is the founder of the social and moral order, who first settled *Dharma* and he is the progenitor of the humankind.⁵ These points could be taken as the historical assessment to believe the prevailing outlook, as the rigid form of culture and civilization reflected in the work. Then, it could be argued that such reflections have formulated the metaphysical conceptions during ages which controlled the everyday lives of people, though not in a direct way. Yet, Radhakrishnan adds that we have to accept Manu as an exclusive advocate of the established order whose system provides no scope for progress. For, Manu has put forward four ways of right sources of human

²*Varnasramadharmā* is a job-based division of the society into four groups. The four *varnas* are *Brahmins* who are priests, *Kshatriyas* who were warriors, *Vaisyas* who were traders, and *Sudras* who did the jobs like cleaning and washing. The four *Ashramas* or stages of the life are *Artha*, *Dharma*, *Kama*, and *Moksha*.

³Shanbhag, "Keynote Address," i.

⁴Shamshul Islam, *Untouchables in Manu's India*, New Delhi: Book for Change, 2004, 7.

⁵S. Radhakrishnan, *Indian Philosophy*, vol. 1, Delhi: Oxford University Press, 1923, 515.

action: *Veda*, *Smṛti*, *Achāra*, and the conscience (*Manusmṛti*, II.12). We are allowed to do whatever agreeable to our conscience (*‘atmanah priyam’*) and convincing to our reason (*‘manah putam samacharet’*) (*Manusmṛti*, VI.46). The disappointing dot, however, is that there is another verse ordering that the teachings of *Smṛti* should not be put into the test of logic; for virtue has emanated from this text (*Manusmṛti*, II.10).⁶

2. *Garhasthya* and *Dharma* in *Manusmṛti*

Nevertheless the text seems to be more about *Dharma*, *Karma*, and *Moksha*, as the attainment of spiritual goals. It is evident that it gives primacy to family life from one perspective. All the chapters could be observed as revolving around the concept of family life while talking about the other ways of life as well. Even the sixth chapter, which elaborates on the life of recluse and ascetics striving for salvation, starts with an impression that *vanaprastha* and *sannyasa* 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*. There are interpretations which hold that the householder phase is central, as in the other phases people are fostered by the householders’ generous almsgiving. 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*.⁷ 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.⁸ 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 of *Manusmṛti* proposes the duties of women, which tie them inside the household and conceives their identity as something

⁶R. N. Sharma, ed., *Manusmṛti*, Delhi: Chaukamba Sanskrit Pratishthan, 1998.

⁷N. Gopinathan Nair, *Manusmṛti*, Kottayam: DC Books, 1983, 62.

⁸Romila Thaper, *From Lineage to State*, Bombay: Oxford University Press, 1984, 63, 64, 65.

simply inside the family. The femininity of a woman 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 to control the identity of woman. The fourth chapter tries to reinforce the family structure by elaborating the disposition and demeanour 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 obey the man. The third chapter also concentrates on the family formation, as it explains the marriage customs which are male-centric in conceptualizing the marriage to do with the man as the doer. The man is subject who would do the activity by 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-centred as all of them explain how a man can take a woman in marriage. Taking a woman in marriage is to lead a successful life of the householder, fulfilling the *purusharthas* of *kama* and *artha*; so is the idea underlying the marriage and family of *Manusmṛti*.

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 the idea of great respect that is to be shown toward mothers, sister-in-laws, and sisters. Surprisingly enough, for a gender analysis, they discriminate against women stating that serving husband itself is the same as the Veda-learning 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 deal 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 and myth of creation, woman becomes a secondary being 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, 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 kinsfolk. There are verses suggesting his obligation towards the daughter

as to give her duly married off on appropriate time. Some verses dealing with 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 to be the properties that could be detained as part of winning the war.

The ninth chapter of *Manusmṛti* forms the basic arguments against its gender coldness. This 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 women’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 system 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 *Manusmṛti* 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 has conceived may seem to be moralistic. There are many allusions in the text that illustrate the moralistic male-centred household construction as a main plan held by *Manusmṛti*. By going through all the chapters of the text, one perceives the deliberate attempt that the text has made in the conceptualization of household, family life, femininity, and masculinity through religious and cultural schemes. This may be more evident in the interpretations of the duties of man and woman in the *Manusmṛti*.

3. Conceptualizing Woman through Her Duties

The verses from 146 to 166 in the fifth chapter of *Manusmṛti* put forward the duties of women of all the four social orders. The usage ‘*uktho vah sarvavarnanam streenam dharmonnibodhath*’ makes it clear that the rules on women and their duty described in the text are for all the women from all the four *varnas* or social orders. Though the usage of the word *dharma* comes in the verse to denote the duty of a woman, in fact, it doesn’t refer to the same kind of *dharma* in the *purushartha* list meant for male human beings. “*Balaya va yuvathya va vrudhaya vapi yoshitha // Na swathanthryena karthavyam kimchitkaryam gruheshvapi*” (V.147). That means, a girl or a maid or an old woman, must not do anything independently (i.e., on her own will) even in the house. It looks outrageous that the list of the duties of women starts by such a statement. This verse evidently shows that the house is the one and only one possible space for the woman and she shouldn’t do anything on her own even in that place. This type of ludicrous laws are prescribed; following this verse would doubtlessly lead any researcher into the conclusion that the text has treated women in a very low manner compared to the treatment offered to men. Women have stages of life as daughter, wife, and mother that cannot be compared to any four *Asramas* of men. “*Balaye pithurvase thishtethpanigrahasya youvane // Puthranam bharthari prethe na bhajetstree swathanthratham*” (V. 148). That is, she is supposed to remain under the control of her father in childhood, under the control of husband in her youth, and under the control of her son after the demise of her husband in old age (V.148). That means, the women should not assume independence under any circumstances whatsoever.

The following verse restricts women even from wishing separation from her father, husband, or sons. A woman living separate from these relatives would be condemnable in both families, i.e., the father’s and the husband’s families (V.149). This indirectly clarifies that the woman has no house of her own and she only has either her father’s or her husband’s house. This could be seen as a crucial phenomenon in the ever strong dominant patriarchal family system followed in India. Though “the theory of patriarchal family”⁹ was questioned by his followers, Henry Sumner Maine has mentioned about the patriarchal family system in India as

⁹Patricia Uberoi, ed., “Introduction,” *Family, Kinship and Marriage in India*, Delhi: Oxford University Press, 1993, 8.

notable and he brought under consideration the rich data of Indian customary law that is patently connected with British imperial enterprise.¹⁰

Manusmṛiti holds that by being skilful in her household duties, a woman remain with a happy and cheerful frame of mind, keeping the furniture neat and tidy and avoiding extravagance: “*Sada praharshtaya bhavyam guruhakaryeshu dakshaya // Susamskruthopaskaraya vyaye chamukthahasthaya*” (V.150). This is, again, a testimony to the fact that the patriarchal family system continues to shamelessly prove its sovereignty over women. The verse shows that the duty of a woman is mainly to be at home taking care of the household materials. One cannot run off the criticism towards the duty assigned to a woman to be happy and cheerful all the time. It is an injustice that denies the existence of a mind for a female human being that may feel and think in different ways according to the surroundings and experiences.

Another duty of a woman is to serve her husband to whom she has been given in marriage by her father or brother with father’s consent. She is not supposed to transgress against him even after his demise (V.151). Total control over the sexuality of woman is enrooted in such verses. It is asserted and explained in another verse which tells us that after the demise of her husband (i.e., her lord), she is expected to control her passion by living on auspicious flowers, bulbs, and fruits, never ever to dream of taking the name of another man (V.157).

The woman is supposed to be a chaste wife, who would always serve her husband, even if he is found devoid of learning, character, and conjugal fidelity (V.154). This is the only way to get glorified in heaven for her as she has no other religious rites to do (V.155-156), while for the man it is not his wife, children, or parents, but his virtue alone glorifies him after death (IV.239). At the same time, a virtuous wife is one who attains the region of her husband, by serving him in life and death. This exemplifies one of the very anti-woman elements the text propagates as if she is just a part of the man, having no ‘self’ of her own. The verse, “*Mruthe bharthari sadhvi stree brahmacharye vyavsthita // Svargam gachathyaputrapi yatha the brahmacharinah*” (V.160), reveals the ‘self’-lessness of women in a strong manner saying that a *sadhvi* (virtuous wife), by taking the life of asceticism after the demise of her husband would go to heaven like a *Brahmcharin*. Interestingly, this declaration means that

¹⁰Uberoi, ed., “Introduction,” 10.

the woman has no possible way of her own to get heaven; moreover, the value of her asceticism could only be understood in terms of that of a male *brahmacharin*. The woman is never described as an ascetic without a marriage or after the married life, according to the text. The spirituality is, thus, seen as ‘gents-only’ realm and the women can only be “like a *brahmacharin*,” but never could she be a *brahmacharini*.

In the case of marriage, a virtuous woman is advised nowhere to take a second husband in any *Sastra* (V.162) even for the purpose of begetting progeny (V.161). A woman is condemned in the society if she marries a better husband discarding the inferior one (V.163). Denouncing a woman if she happens to divorce and remarry is still a social phenomenon prevalent in the modern India. For acts such as infidelity, according to the ancient belief yielded by *Manusmṛti*, the woman would be reborn as a she-jackal afflicted with many foul diseases like leprosy, etc. (V.164). This is the extreme way of regulating the sexuality of women, by frightening them repeatedly about the seriousness of sin and punishments. This implies the strong wish to maintain the family structure, keeping the woman permanently inside it. The strategy is very clear in the following verses. The good woman is always suggested to be controlled in her speech, body, and mind (V.165). “*Anen narivruthena manovagdehasamyatha // Ihagrayam keerthimapnothi pathilokam paratra cha*” (V.166). Repeating this in two consecutive verses, the virtue of a dutiful woman is emphasized to be controlled in her speech, body and mind (*manovagdehasamyathe*). Thus, *Manusmṛti* proposes that in the case of a woman (wife) to be faithfully doing the duties of matrimony, to acquire glory in this life, and to attain the region of the husband after death should be the only one ambition in her life. Thus, *Manusmṛti*, the respected textbook of social order in India, imprisons the woman with the tie of husband and family. No one can deny the fact that the text *Manusmṛti*, in fact, has caused some wretched conceptualizations to restrict the woman in the architectural space of the household. According to the text, the house is the only world for the woman and her self-realization is contained in the completion of duties towards the family members. The psychodynamics of social organization could be observed as evolving from these scriptural injunctions in the Indian context. The psychological constellations in individuals are formed by the legal monogamy, the organization of family, and the in-group formation that have been culturally of patriarchal in pattern. This could have turned a foundational reason for the

internalization of identities as a wife and as a husband by the textual enterprise of *Manusmṛti* as well.

4. Householder and His Dharma

In the process of family construction through the role formation as householder and wife, *Manusmṛti* has been endorsing the same laws in favour of men and against women. It has propounded many codes that hamper women's lives but, at the same time, one can see that the text has put forward many rules for men as well. They are compiled as the duties of a householder, but indirectly they conceptualize the masculinity and identity of a man and apparently regulating the man's movements and liberties in life. The fourth chapter elaborates on the duties of a man, as that of the householder in his second quarter of life and the rules and restrictions for him to lead a virtuous life. Connived by the rules, the householder in *Manusmṛti* might be regulated, though in a different manner a woman might have been. Although the laws are mainly for the life of a twice-born man, the way in which he is supposed to do things as per the text would show the command of the literature over the everyday life of the people who read them. As part of the well-known process of Sanskritisation in modern India,¹¹ the text could be proved to affect all the other caste people. Maybe some of the rules that prevent a householder from going away for long journey crossing a river, accepting gifts and food from others, etc., are particularly meant for *Brahmin* men.

The rules such as the householder should leave his bed in *Brahma muhurta* (forty-eight minutes before the sunrise, IV.92), defecate far away from the fire, bath in his own tank, offer fire five times a day, etc., illustrate how the day is ordered by the language of text (see the chapter four). But the laws on the virtues of a householder may be found important for all men as their observance makes him great in the death-after world but not his property or family relations (IV.239). The auspicious conduct of the man is strictly stipulated by the text. He is supposed to be self-controlled, properly behaved, and pure in body and spirit (IV.145). A man's purity and modesty are also proclaimed in the text even though we can find more options for a man to keep his liberty over sexuality and individual life. One verse says (IV.134): The worst thing which would

¹¹Radhakrishnan, *Indian Philosophy*, vol. 1, 515-518 and 477. Also see details about Sanskritisation in, M. N. Srinivas, *The Cohesive Role of Sanskritisation and Other Essays*, Delhi: Oxford University Press, 1989.

shorten the life of a man in this world is the act of (clandestinely) visiting another's wife: “*Na heedyasamanayushyam loke kinchan vidhyathe // Yadhya□□□sam purushasyeha paradaropasevanam*” (IV.134). The translation made by Sharma (1998) uses the word ‘clandestinely’ within brackets. It may leave questions about what if the act is done not secretly. It is a problem if the open relation with another's wife is acceptable or not. According to Buhler's (1886) translation, in this world there is nothing as detrimental to long life as criminal conversation with another man's wife. It is only taken as ‘criminal conversation’ by Buhler, what is said to as ‘the secret act of visiting’ in the other translation raising the doubt if the actual author meant a sexual act or just a conversation. The usage *paradaropasevanam* (*para daram* = other's wife) really makes it unclear that the *upa sevanam* (activity near by) extended to what limit. These types of use of language in the translations necessarily leaves confusion about what the actual or first writer (although the confusion may arise if the first writer is the actual writer, etc., as well) meant by saying something in a written form of language. This entailed in the textual reading all over and it is predominant about some verses in the *Manusmṛti* as well. It is more visible according to a gender-biased reading that such loopholes by the usage of the language are more clubbed with the verses which restrict men.

In the case of the duty to keep the auspicious conduct, the householder is reminded by the text not to quarrel with priests, *Rittvigs* (i.e., celebrants of sacrifice on his behalf), preceptors, mental uncles, guests, dependents, servants, infants, old men, sick folks, physicians, cognates, marriage relations, and relations (IV.179), nor with his parents, sisters, daughters-in-law, sons' wives, brothers, and slaves (IV.180). By avoiding such quarrels, a householder may be exonerated of all sins and by conquering them a householder can conquer all the worlds (IV.181). It is also said as the duty of the householder is to consider his wife and children as part and parcel of his own self (IV.184).

But these declarations on the duties of men would find the ultimatum when we go through the language in which it is presented in different verses in different chapters of the text. For example, in the ninth chapter, “the protection of wives” is said to be the highest duty of men of all four social orders (IX.6).¹² The following verses¹³ elaborate how the protection

¹²The translation of *Manusmṛti* is from Sharma, ed., *Manusmṛti*, 392.

is to be carried out. Any reader could easily see the fact that the mental and physical ‘control’ is the meaning of ‘protection’ prescribed by the text. This is a good example for the games played in the text using the language, which could be manipulating the minds of people in the process of conceptualization. At the same time, the type of a play allows the freedom to take either the positive or the negative connotations. Anyhow, the language use in the verses of text, with and without all the limitations of translation, mostly appears to be gender numb. This would be clearer by an examination of the duties assigned to woman and man, as householder and wife. This attempt may demonstrate the degree of discrimination in the justice made by the text towards both the genders and may reveal the linguistic invasion of the scriptures into the social formations.

5. Duties of Husband and Wife

The ninth chapter of *Manusmṛti* starts with the description of the duties of husband and wife leading a virtuous life (IX.1). Duties assigned to the husband and wife are applicable to the man and woman when they are together or separated as well. The codes on the obligations and rights of husband and wife are sophisticated through the verses from one to hundred in this chapter. According to Kulluka, the violations of the duties of married life dealt within this chapter, though do not fall within the purview of the ordinary legal duties of an individual, are punishable by law as crimes and the King’s court has jurisdiction to take cognizance of cases in which the rights or obligations, thus, to be legally established or enforced.¹⁴ Though the duties prescribed as such are not in the present legal system in India, many of the concepts are underlying in the laws existing in the country. Moreover, the social codes which are believed to be followed, as unwritten laws for an acceptable mode of social life, could be traced out clearly in the *Smṛti* statements. Especially the norms of being a husband and a good wife as well as good woman in general are obviously uttered in the text, which don’t seem to be altered much during any development period in the region.

“*Aswathanthrah streyah karyah purushaihi svairdivanisam // Vishayeshu cha sajjanthyah samsthapyathathmano vase*” (IX.2) prescribes

¹³See especially the ninth chapter, eleventh verse, which says that the woman should be employed day and night at home looking after the household materials, taking care of the cleanliness of the persons at home, etc.

¹⁴Sharma, ed., *Manusmṛti*, 391.

that men should never give any license to their wives in day and night. By keeping them engaged in commendable pursuits, it is the duty of the husband to maintain them under their own control. Kulluka has explained what would be the pursuits in which women must be engaged. The text says just “*vishayeshu cha sajjanthyah.*” Kulluka, however, explains it by “*Anishiddheshvapi ruparasadi vishayeshu.*” That is, the pursuit should not be in condemnable objects of sight, hearing, etc.¹⁵ In another verse, it is made clearer: “*Arthastha sangrahe chainam vyaye chaiva niyojayet // Sauche dharmannapaktyam cha panigrahasya vekshane*” (IX.11). That is, the wives should be employed in storing and spending money, looking after the expenses of the household, in maintaining the cleanliness of their persons and of the house, and in looking after the beddings, wearing apparels, and household furniture. This is seen as the duty of the husband but the verses themselves make it clear that it is not possible to control women by force and so these should be the way to organize them. It is deplorable to note that this is the hidden motive behind the well-known verse, “*Pita rakshati kaumare bhartha rakshati youvane // Rakshanti sthavire putra na stree swathanthyamarhati,*” meaning, “The father protects her in infancy, the husband in youth, and sons in old age; a woman does not deserve independence” (IX.3). This idea is repeatedly asserted in different chapters, as another form of the verse could be seen in the fifth chapter (V.148). It reflects as if the idea is propagated out of respect towards women. By stating that it is condemnable, for the father if he does not marry her daughter off at the proper age, for the husband if he visits his wife during her menstrual period and for the son if he does not protect his mother after the demise of her husband, the text attempts to depict that women are duly considered and there is no other issue if this idea is followed very well. The people who try to read the verses in a positive way do not see the fact that the concepts evolved and enforced by such practices would neglect the identity and liberty of women as individuals. The symbols and idols of ‘woman’ simply as daughter, wife, and mother are desperately evident in the hundreds of other verses, which would never give any duck to read the verse as favourable to women.

The following verse even conceptualizes a woman as the “brooch of dignity” (IX.5) of the two families (her father’s and husband’s). Because of the very reason, it is the rule that women should be protected from the slightest corrupting influence such as evil company, etc. This would

¹⁵Sharma, ed., *Manusmrti*, 391.

necessarily draw the question why only women are to be protected and why men get the position and duty to protect them. The text leaves no sign that the men are also human beings who may hold insecurity feelings and may have fear and fickleness, which are feminine according to the text (IX.15). Noteworthy is the fact that the text openly declares that this kind of control (in the name of protection) of women is the highest duty of male members of all the four social orders. “*Imam hi sarvavarnanam pasyantho dharmamuthamam // Yatante rakshintu bharyam bhartharo durbala api*” (IX.6). This also asserts that even a weak, diseased or physically deformed husband should endeavour to protect his wife. By protecting the wife, a husband (man) protects the purity of his progeny and his family as well as his character, self, and virtue (IX.7). Nevertheless, the text sees the possibility that women could protect themselves that is the best way of protection; maybe, as the experiences of many go, the imprisonment in the house under the guard of close relatives might not work as a sufficient protection (IX.12).

Outlandish is the way of presentation of duties of men and women, as it expounds points, making repetitions and contradictions; moreover, confusions abound all the way. Men are asked to protect women in the above explained way along with the comment that it would be the best way if women protect themselves. Then, the verses in the text proceed to assert again that men should protect their women because the god-given actual nature of women is easily corruptible. According to the text, women do not care about the personal beauty or young age and they only long for sexual intercourses with men, no matter the men are good-looking or bad-looking (IX.14). At the mere sight of men, and on account of the inborn absence of affection and innate fickleness of heart, women, though well protected by their husbands, make transgressions against them (IX.15). The fickleness of heart and inborn absence of affection along with the fondness of ornaments, beds, and cushions, intense erotic feelings, anger, crookedness, and scandal (IX.17) are said to be the symptoms of female identity and femininity. The text seeks support in the Vedas and the Nigamas to avow the proneness of women to infidelity (IX.19-20). The six factors that would defile a woman are stated as wine-drinking, evil company, separation from husband, idle rambling, sleep at the improper time, and residence at another’s house (IX.13). Women are considered unto inorganic things and they are not given any *mantras* for purificatory rites as men have (IX.18) and, thus, they are exempted from the duty to perform

religious rites. They are only supposed to do the supportive role for their husbands to do their religious rites. Such preposterous verses, describing the nature of women, contribute in abundance for conceptualizing and defining the woman's cultural and religious status, identity, and sexuality. There is no doubt, if we think about the theories on language and semiotics, that the symbols given by the text would affect the minds of people and social formations.

The wife has the duty of giving birth to a son, similar in every respect to the husband who impregnates her (IX.9), and the concept behind this is that by entering into the body of his wife the husband is again born in her (IX.8). Even by contemplating transgressions against her lord, the woman is sinning, the expiation of which has been dealt with in the Vedas themselves (IX.21). As per the text, the chance of being good for a woman is obtained by being with men of good characters. As a river in contact with the sea becomes briny, a woman acquires traits of mind and character similar to those of the man she is united with (IX.22). Even women from lower origins are said to acquire excellent traits of character through contact with auspicious mental traits of their respective husbands (IX.24). This presupposes the inter-caste relationships as favourable if women of lower caste marry higher caste men. But, at the same time, this envisages the verity of the text as to visualize woman (of any origin) as having no right existence with her own character and identity. The women are supposed to either opt for mimetic subject-positioning which prolongs the notion of plausible gender identification, or 'camp it up' and, so, perform gender as excess in order to reveal gender identification as pretence.¹⁶

The elaboration of the duties of husband and wife in a household would seem to be uncanny for any gender insightful critical study. There are said to be four levels production, reproduction, socialization, and sexuality, encompassing the male supremacy and female subordination by gendering process.¹⁷ The injection of laws in the text concentrates upon the fidelity of woman as wife and the duty of men to protect their women even by controlling them in every manner so as to keep the purity of their progeny and family. But, in some other verse, the primary duty of husband and wife is stated as mutual fidelity (IX.101). This could be found as a

¹⁶Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, New York and London: Routledge, 1999.

¹⁷Juliet Mitchell, "Women: The Longest Revolution" in *Women's Estate*, New York: Penguin, 1971, 75-122.

positive element as it equally insists on the fidelity of both men and women who are united in marriage. But the other verses previously stated prove that men are privileged and women are to be controlled in the case of their sexuality. Although the husband is not allowed to see women other than his wife, he has better options for remarriage.

The women are called “the lights of the households” and repositories of bliss and auspiciousness and even they are compared to goddesses of fortune in the house. It is also proposed that they should be honoured (with presents of apparels and ornaments) for the purpose of conceiving progeny (IX.26). One can reflexively trace the fact that this concept is very much prevalent even in the present society. These attempts by a text to construct the family life might have doubtlessly affected many other lifestyles of women. There is much evidence indicating that women do not live just as wives in the world at any historical moment. The possibility of women remaining unmarried and single mothered cannot be located in the text. Also, the slave/servant woman and prostitute woman were not imagined during the composition of *Manusmṛti*. These types of lifestyles were there in Indian region even from the ancient times. The ‘*ganika*’ or ‘*devadasi*’ woman concepts were acceptable and respectable in the then society. *Arthasastra* and *Kamasutra*, almost contemporaneous to *Manusmṛti*, are evidential for the existence of such women in India during that time. *Arthasastra* mentions the prostitute women who hold great economic status, having counted as playing massive role in contributing to state revenue.¹⁸ *Kamasutra* speaks of the life of *nagaraka* (city-man) in ancient India, who used to go to clubs and pleasure houses such as abodes of *ganikas*.¹⁹ The kingdoms of medieval India show the existence of many ‘*dasi*’ (servant) women in the history. The purpose of *Manusmṛti* as a law-book, to make a society with very well structured family, could be drawn as troubling such ‘other’ lives of women. This shows the double suffering of such women out of the pressure of *Manusmṛti*’s conceptualizations on a model family life.

It is true that there are a few verses (III.55-59) that talk about worshipping women in the family but not just for the function of making offspring as mentioned above. Among them, the famous verse says: “the

¹⁸N. V. Krishnawarrior, ed., *Kautilyante Arthasastram*, Malayalam translation Thrissur: Kerala Sahitya Academy, 1935.

¹⁹Haran Chandra Chakladar, *Social Life in Ancient India: Studies in Vatsyayana’s Kamasutra*, Delhi: Asian educational Services, 1929, 146.

deities delight in the places where women are revered, but where women are not respected all rites are fruitless” (“*Yatra naryashtu poojyante ramante tatra devatah // Yatraitastu na poojyanthe sarvasthatra bhalah kriyah,*” III.56). The following verses advocate wherever women of the family are miserable, the family is soon destroyed, but it always prospers where women are not miserable (III.57). The text prescribes that men should respect women properly; otherwise, their homes would be cursed. One might, however, find contradictions in the concepts on ‘woman’ along the text by comparing these verses with the copious other verses in the text that have been stated earlier, where women are described in the form of mere erotic objects with no character and virtue. This could be interpreted as a general trickery observable throughout the text while talking about the codes of conduct for social and family life. Or, this may be to make sense of the option the text has mentioned in an earlier verse, to act either as per the scriptures or unto the conscience (*Manusmṛti*, II.12) and convincing to one’s own reason. Anyway, a gender-based analysis would not escape a critique on the dominating ideas put forward in the text.

6. Conclusion

Manusmṛti, as an important textual resource for the existing structure of law and order in Indian society, proves to have caused immense impact on the construction of modern family. Nevertheless, as it is considered a religious text, its legal and social features also dominated the interpretations and social applications of many injunctions. The concepts of duty, that are disseminated by the language of the text, have still their impact in the minds of people in India, no matter what all socio-cultural changes that have being doctored in the past. The analysis of the verses of the text confirms that the ideas perpetuated and established by the *Manusmṛti* continue to prevail, especially in the basic institutional concepts on family, in present Indian society as well. The text holds *dharma* as its main agenda, on the one side, and assigns duties for men and women in the institutions of family and society, on the other. The household and the duties of husband and wife that are elaborated in the text visibly elucidate its gender lethargy in the construction of family and the related discourse generated over time. Although the text might seem to have enormous stuff for social organization at any particular historical period, its misogynistic nature calls for more thorough and critical analysis with regard to its formative value among the members of Indian family and other social organizations.