

How to Read the *Manusmṛiti*?

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The title of the paper—How to Read the *Manusmṛiti*?—implies some dissatisfaction with the way it is being read. This raises the question: is such an assumption justified?

Permit me to settle this point by offering you two brief statements and asking you which of the two you actually associate, or are likely to associate, with the *Manusmṛiti*. The first is 'a woman is not fit to be independent' (*na strīsvātantryamarhati*) and the second is 'equality for all' (*samatā caiva sarvasmin*). In all likelihood the auditor or reader will associate the first of the two statements with the *Manusmṛiti* and the second with any text except the *Manusmṛiti*, perhaps with the *Bhagavadgītā* or the *Yogavāsīṣṭha*, for example.

The fact of the matter is that both the statements are found in the *Manusmṛiti*—the first in verse 3 of chapter IX and the second in verse 44 of chapter VI. If most auditors or readers failed to locate both the verses in the *Manusmṛiti* then something is obviously amiss with the way the *Manusmṛiti* is being read and room is created for me to proceed. One wonders whether it has suffered the fate of many works which are reviled without being read.

I

I would now like to present what I have to say in three parts: a beginning, middle and an end or with an introduction, a discussion and a conclusion—hopefully in that order. As soon as the introduction is over, I shall identify five ways of reading the *Manusmṛiti* (or *Manu* for short) which will yield three conclusions, but let me begin with the introduction before I proceed any further.

Some years ago I had the opportunity of reading the *Manusmṛiti*

from cover to cover for the first time, in the course of preparing a presentation on it. Reading it as a whole, as distinguished from reading it in selected citations, began to produce in me an understanding of the text somewhat at variance from the prevailing one and I will now share these altered understandings with you to see where they might lead or point to.

So how to read Manu? Different people could make different suggestions; different people could also make the same suggestion, or the same person could make different suggestions. My present effort belongs to the last category.

II

Let me begin by classifying the manner in which these fresh understandings were generated, as they provide the natural channels along which the discussion might proceed. You may, if you will, call it a five-point plan for reading Manu.

(1) I found it necessary to understand Manu in the tradition as a law-giver, as distinguished from the author of the law-book which bears his name. Let me share with you the examples which led me in this direction:

(i) Manu has a very bad press in relation to what he says about women. It therefore came as a great surprise to me, and may surprise you too, that in his famous eulogy of women in the *Bṛhat-Saṃhitā*, Varāhamihira (sixth century) cites Manu in support while lauding women! Lest this be considered a misreading on my part I cite the following remarks of P.K. Kane in extenso:

Varāhamihira (6th century AD) in his *Bṛhat-Saṃhitā* chap. 74 (ed. by Kern) makes a spirited defence of women and eulogises them highly. He first says that on women depend *dharma* and *arth* and from them man derives the pleasures of sense and the blessing of sons, that they are the Lakṣmī (goddess of Prosperity) of the house and should be always given honour and wealth. He then condemns those who following the path of asceticism and other-worldliness proclaim the demerits of women and are silent about their virtues and pertinently asks 'tell me truly, what faults attributed to women have not been also practiced by men? Men in their audacity treat women with contempt, but they really possess more virtues (than men)'. He then cited the dicta of Manu in support (verses 7-10). 'One's mother or one's wife is a woman; men owe their birth to women; O ungrateful wretches, how can happiness be your lot when you condemn them?'¹

I consider it a point of some importance that Manu, who is

regularly cited as offering a negative estimate of women and their rights on the basis of the *Manusmṛti*, should be cited in the self-understanding of the tradition itself, as holding a positive view about them.

(ii) It is widely believed that women do not possess the right to inherit according to the *Manusmṛti* and, moreover, that women did not have the right to inherit in Ṛg Vedic period.² It seems, however, that 'there was a school of jurists representing a small minority, which favoured the recognition of the right of inheritance of the daughter along with the son as early as c. 500 BC'.³ One of the authorities it relied upon is a passage in the *Nirukta* (III.4), as passage which is attributed by Yāska to Manu! 'This verse does not, however, occur in the present *Manusmṛti* and it contradicts its views on this point.'⁴

So we now experience yet another moment of 'cognitive dissonance'. First we found Manu, denounced for his negative portrayal of women, being cited in the tradition for his positive portrayal of the same women. Now we find Manu, branded as the denier of rights to women, being cited within the tradition as an upholder of the daughter's right to inherit!

(iii) The *Manusmṛti* is regularly cited as the classical proof text of the Hindu caste-system. This caste-system is the subject of discussion between Naḥuṣa (in the form of a snake) and Yudhiṣṭhira in the *Mahābhārata*. I cite a summary of the dialogue below.

When Yudhiṣṭhira, the incarnation of righteousness, is asked by the snake, to define a Brāhmaṇa, he answers, 'He is considered a Brāhmaṇa in whom one can see truth, liberality, forgiveness, character, non-violence, self-control and the -*Satyam dānam kṣamā silam ānyāmsyam damo ghrṇā/ Dṛsyante yatra nāgendra sa brāhmaṇa iti smṛtaḥ*. At this, the snake logically points out that these qualities may be found in a Śūdra. Yudhiṣṭhira then goes on to declare, 'In that case the Śūdra is not a Śūdra, nor the Brāhmaṇa a Brāhmaṇa, where this conduct can be discerned, he is a Brāhmaṇa, where it is not found that one is to be indicated a Śūdra'. In that case, the snake argues, jāti would be quite meaningless. Yudhiṣṭhira replies by saying that jāti is impossible to discern since all men constitute a single species. Hence, according to Yudhiṣṭhira, Manu rightly stated that all are Śūdras by birth till they are spiritually regenerated. It is conduct, therefore, that really distinguishes the *varṇas*. Otherwise, their confusion is unavoidable.⁵

It is worth noting that the view, that all are *śūdras* by birth, is

attributed by Yudhiṣṭhira to Manu – a view highly subversive of the caste system. G.C. Pande notes that ‘The view attributed to Manu does not occur in the present *Manusmṛti* but may be traced in other *dharmā-śāstra* authors’.⁶

Here then is a third example to ponder in which the modern understanding of Manu diverges almost diametrically with the traditional understanding of his position as articulated in the *Mahābhārata*.

(iv) The *Manusmṛti* is also associated with extravagant claims made on behalf of the Brāhmaṇas. Thus when A.L. Basham describes the ‘Brāhmaṇa as a great divinity in human form’⁷, he is paraphrasing *Manusmṛti* (IX. 317). And these claims are based on birth as a Brāhmaṇa.

Such claims of the Brahmanhood on the basis of birth are contested both in the *Vajrasūcī*⁸ attributed to Aśvaghoṣa, as well as in the *Vajrasūcīkōpaniṣad*.⁹ Both the texts take the view that Brahmanhood is not based on birth (*tasmān na jātir brāhmaṇa iti*).¹⁰ In the *Vajrasūcī* the statement takes the following form: *tasmāt jātir na kāraṇam*.¹¹

What is striking is that this statement is introduced in *Vajrasūcī* as a citation from the *Manusmṛti* (*iha hi mānavadharme’ bhīhitam*).¹² The verse cited, however, is ‘not found in the extant *Manusmṛti*’.¹³

(v) In present-day perception, Manu is perceived as a Hindu law-giver par excellence. This is at variance with the fact that the ‘Burmese are governed in modern times by the *Dhammathat*, which are based on Manu’. The Buddhist appropriation of Manu in Burma and Indo-China has been amply documented by R. Lingat.¹⁴

(2) When one places the *Manusmṛti*, or the precepts of Manu, alongside what other *smṛti* texts attributed to Manu, one undergoes another cycle of cognitive dissonance. Three illustrations must suffice.

(i) A verse which permits the right to divorce to the wife in traditional Hindu law is found in *Parāśrasmṛti* and *Nāradaśmṛti*.¹⁵ It states that ‘another husband is ordained for women in five calamities, viz. when the husband is lost (unheard of), is dead, has become a saṁnyāsin, is impotent or is a *patita*’.¹⁶

Although the text of the *Manusmṛti* is said to regard marriage as indissoluble, this verse permitting divorce is attributed to Manu in the *Smṛticandrikā*.¹⁷

(ii) Two other versions in which the *Manusmṛti* is found are

referred to as *Vṛddha-Manu* and *Bṛhan-Manu* or the later or older Manu and the larger Manu. The exact relationship of these, whose existence is known only from citations, to the *Manusmṛti* as we know it is a matter of conjecture.¹⁸ What is significant for us is the fact that these citations diverge from the existing text. 'For example, our Manu is silent about the widow's right to inherit to (*sic*) her husband, but *Vṛddha-Manu* recognizes the right of a chaste widow to take over the entire wealth of her husband.'¹⁹

(3) Another differential understanding of Manu was also generated when the key concepts of the culture were read only in terms of the text of Manu itself and when they were read after the *Manusmṛti* had itself been placed in the broader context of the tradition. The concept of *varṇa* provides an interesting illustration of this point.

The *Manusmṛti* is a text avowedly organized on the template of the fourfold *varṇa* system. The second verse of the text informs us that Manu was requested by the sages as follows: 'Deign, divine one, to declare to us precisely and in the due order the sacred laws of each of the (four chief) (*varṇas*) and of the intermediate ones (*antaraprabhava*).'²⁰

Thus the text really is a *varṇa-dharmāśāstra* by explicit request. The *varṇa* division of society is taken as a given. This template virtually governs the entire text.

As against this the following consideration must be kept in mind: that the scheme of the four *varṇas* is therein subject to a higher justification. This point is important inasmuch as the text alludes twice clearly to the *puruṣa sūkta* of the *Rg Veda* while explaining the origin of the *varṇa* system. Thus it is squarely within the tradition. However, before alluding to that account, it attaches a rider on both the occasions it refers to that account: in I.31 and I.87. The first allusion is prefaced by the remark: *For the sake of the prosperity of the worlds (lokānām tu vivṛddyartham)* and the second is prefaced by the remark: *But in order to protect the universe (sarvasyāsya tu sargasya guptyartham)*.²¹ That is to say: the four *varṇas* were created and separate duties assigned to them not in some random or purely natural fashion but with a definite purpose in mind: to secure the protection of creation and the prosperity of the worlds.

What happens then if the world does not prosper? Is one supposed to change or even abandon it?

The answer is provided by Manu in the fourth chapter. Verse

176 of this chapter states:

Let him avoid (the acquisition of) wealth and (the gratification of his) desires, if they were opposed to the sacred law, and even lawful acts which may cause pain in the future or are offensive to men.²²

The translation barely conveys the force of the verse, which may well be one of the reasons why its significance has been overlooked. The Sanskrit text runs as follows: *parityajedarthakamau yau syātaṁ dharmavarjitau, dharmam cāpyasukhodarkam lokavikruṣṭameva ca.*

Thus *dharma* which is reviled by the people and is not conducive to welfare may be abandoned. Does this not apply to *varṇadharmā*? The Vedas are said to be the root of *dharmā* (*vedo'skhilo dharmamūlaṁ*) and from that root the *varṇa* scheme is derived. And Manu explicitly states that such *dharmā* may be given up under two circumstances: (1) when it is going to result in unhappiness and (2) and when it is denounced by the people. One may wish to note that it was precisely for the benefit of the people that the *varṇa* was set up in the first place: *lokānāṁ tu vivṛddhyartham.*

These three differential perspectives may be described as paratextual in nature: they dealt with the text of the *Manusmṛti* by placing it within a larger context.

The next two differential perspectives have to do with the text itself.

(4) Concepts in the *Manusmṛti* take on a different complexion when read only in one part of it, as compared to when read as embedded in the text as a whole. An interesting example of this shift in perspective is provided by the term *yuga*, when it is read first as only occurring in chapter I and then as also occurring in chapter IX. As a matter of fact the theory of the four *yugas* provides further illustration of the basic theme of the paper – that one should look at all the relevant before firm conclusions about what the *Manusmṛti* says might be drawn.

The references to the *yugas* occur often in *Manusmṛti*. Their celestial chronology is spelled out in I.60-71, as follows:

They declare that the Kṛta age (consists of) four thousand years (of the Gods); the twilight preceding it consists of as many hundreds, and twilight following it of the same number.

In the other three ages with their twilights preceding and following, the

thousands and hundreds are diminished by one (in each).

These twelve thousand (years) which thus have just been mentioned as the total of four (human ages), are called one age of the Gods.²³

Its implications for the state of *dharma* are spelled out in I.81-86:

In the Kṛta Age *dharma* is four-footed and entire, and (so is) Truth; nor does any gain accrue to men by unrighteousness.

In the other (three ages), by reason of (unjust) gains (*āgama*), *Dharma* is deprived successively of one foot, and through (the prevalence of) theft, falsehood, and fraud the merit (gained by men) is diminished by one fourth (in each).

(Men are) free from disease, accomplish all their aims, and live four hundred years in the Kṛta Age, but in the Tretā and (in each of) the succeeding (Ages) their life is lessened by one quarter.

The life of mortals, mentioned in the Veda, the desired results of sacrificial rites and the (supernatural) power of embodies (spirits) are fruits proportioned among men according to (the character of) the Age.

One set of duties (is prescribed) for men in the Kṛta Age, different ones in the Tretā and in the Dvāpara, and (again) another (set) in the Kali, in proportion as (those) Ages decrease in length.

In the Kṛta Age the chief (virtue) is declared to be (the performance of) austerities, in the Tretā (divine) knowledge, in the Dvāpara (the performance of) sacrifices, in the Kali liberality alone.²⁴

In another section of the *Manusmṛiti*, however, this chronological scheme is transformed into a conceptual one. The Ages are associated with the diligence with which the king pursues his royal duties (IX.301-302):

The various ways in which a king behaves (resemble) the Kṛta, Tretā, Dvāpara and Kali Ages; hence the king is identified with the Ages (of the world). Sleeping he represents Kali (or Iron Age), waking the Dvāpara (or Brazen) Age, ready to act the Tretā (or Silver Age), but moving (actively), the Kṛta (or Golden Age).²⁵

(5) Our current understanding of *Manu* is also altered when the verses are topically correlated instead of being read independently on their own. Again three examples must suffice.

(i) Consider, for instance, verses which attribute an extravagant status to the Brāhmaṇa. Read by themselves they seem self-

laudatory, as texts like the *Manusmṛiti* were 'Written by Brāhmaṇas and from the Brāhmaṇic point of view, and represent conditions as the Brāhmaṇas would have liked them to be'.²⁶ Let us however now examine the point more closely. The role of the Brāhmaṇa in relation to other *varṇas* possesses a twofold dimension; (1) how should they be respected by the other *varṇas* and (2) what should their own attitude be towards such respect shown to them. That the *Manusmṛiti* inculcates respect for the Brāhmaṇas is widely accepted and documented. What has been ignored is its statement on how the Brāhmaṇas should respond to such respect when displayed. This is laid down in verse 162 of chapter 2: 'a priest should always be alarmed by adulation as by poison and always desire scorn as if it were ambrosia'.²⁷

(ii) Manu's statement that a woman is not fit for independence has been legally construed to mean that she has no legal right to possession. Such right belongs only to the father, husband or son (Manu. IX.3). In the same *Manusmṛiti*, however, the wife's right to *śtrīdhana* is unequivocally upheld.

(iii) It has often been alleged that Manu held the life of a *śūdra* of little account, largely on the basis of XI.132, which prescribes the same penance for killing small animals such as a dog, etc. as 'for the murder of a Śūdra'.²⁸ By the logic of the same level of penance, however, it can be argued that a Śūdra gets away scot free by killing women, and even other Śūdras, Vaiśyas, Kṣatriyas, because such offences cause the same loss of caste (XI.67)²⁹ and a Śūdra cannot commit an offence causing loss of caste (X.126).³⁰ If the life of a Śūdra were held in such contempt as it is claimed, would Manu permit one to even commit perjury to save the life of a Śūdra? So Manu VIII.104: 'Whenever the death of a Śūdra, of a Vaiśya, of a Kṣatriya, of a Brāhmaṇa would be (caused) by the declaration of a truth, a falsehood may be spoken; for such (falsehood) is preferable to the truth.'³¹

On the basis of this text the life of a Śūdra is worth that of a Brāhmaṇa! The order of enumeration of the *varṇas* is also worth remarking. The usual order is reversed, with the Śūdra being enumerated first. According to the logic of enumeration, then, the Śūdra's life is even worth more than that of any other *varṇa*, including the Brāhmaṇa.

These then are the five ways in which one could supplement our current habit of reading the *Manusmṛiti* piecemeal.

III

What do all these accretions of detail lead to? Ideally they should lead to a finely shaded conclusion. Let us see what we can do.

The Manuvāda presentation of Manu is for me an illustration of how information without context can lead to, or at least contribute to, alienation. It provides scope for ideologies to provide the context, or scope for speculation or worse to provide the context. Information in contrast, promotes analysis.

I draw the following three conclusions from the foregoing analysis.

(1) When read holistically on its own terms, the *Manusmṛti* is not as formidable an obstacle to social reconstruction as it has been made out to be. Individual verses can be used to draw toxic conclusions; generate synthetic outrage and magnify it into a generalized fear about the future. When judged by selective quotations, one tends to look upon the *Manusmṛti* with an air of excited horror, while evidence to the contrary from the same text is tactfully, or perhaps I should say tactlessly, withheld. Read as a whole the text helps us break out of circumscribably limited hermeneutical circles, in which people have been going in circles for two centuries now.

I am not saying that it is not an obstacle. What I am saying is that it is not that formidable an obstacle. Its negative features are lessened when the text is read as a whole but they are not erased; much in it still remains obnoxious to the evidence of daily life. The yearning for justice and equality is present but it is a complicated yearning and the egalitarian and just impulses within it have remained an underutilized option.

(2) When, in the light of points two and three of the previous section, one lifts one's sights beyond the *Manusmṛti* and reads it in the light of other law books, and in the light of the key concepts of the tradition, one can offer a bolder conclusion. Take the caste system, for instance. Some have argued that to be a Hindu one must belong to a caste—so closely is Hinduism tied to it. To dissolve caste, they say, would be to dissolve Hinduism. They remind one of the following comment of Chesterton: 'Do not free the camel from the burden of the hump; you may be freeing him from being a camel.' To me *Manusmṛti* seems to be saying—in the second and third ways of reading it—that caste is not the hump of the camel, it is the saddle.

Read this way the Manu of the *Manusmṛti* is not so much of an impediment as a stimulus; not so much an obstacle as a stepping stone, on which one may confidently place one's foot to step beyond.

(2) Manu, read in the light of the first way of reading the *Manusmṛti*, emerges as an icon: an ideal law-giver. And Manu as a symbol of and therefore in the role of an ideal law-giver one is in a position to offer an even more challenging suggestion. Those whose sympathies for Manu extend further may wish to claim that Manu does not even represent a bar on the high pole of social idealism we have to vault over, it is the very pole which will help us leap over the bar. In our ignorance we mistook the vertical pole for a horizontal bar.

If we read Manu in the five ways I have briefly outlined there is still a controversy then about Manu's role in the social destiny of India, only it is now transformed into a controversy of a nobler kind, than that to which we are accustomed, once Manu is allowed to rise from the procrustean bed of Manuvāda.

NOTES

1. P.V. Kane, *History of Dharmasāstra*, Vol. II, Part I, Bhandarkar Oriental Research Institute, Poona 1974, p. 579. See note 1353, *ibid.*, for the Sanskrit text.
2. A.S. Altekar, *The Position of Women in Hindu Civilization*, Motilal Banaridass, Delhi, 1962, p. 239.
3. *Ibid.*
4. *Ibid.*, p. 240
5. G.C. Pande, *Dimensions of Ancient Indian Social History*, Books & Books, New Delhi, p. 162.
6. *Ibid.*, p. 174, note 172.
7. A.L. Basham, *The Wonder That Was India*, Sidgwick & Jackson, London, 1988, p. 138.
8. P.V. Kane, *op. cit.*, Vol. I, p. 330, note 350.
9. S. Radhakrishnan, ed., *The Principal Upaniṣads*, NJ, Humanities Press, Atlantic Highlands, pp. 935-8.
10. *Ibid.*, p. 936.
11. P.V. Kane, *op. cit.*, Vol. I, p. 330, note 350.
12. *Ibid.*
13. *Ibid.* The verse runs: *araṇḍīgarbhasambhūto katho nāma mahānuniḥ. Tapasā Brāhmano jātastasmātāt jātirna kāraṇam.*
14. *Ibid.*, p. 346.
15. *Ibid.*, Vol. II, Part I, p. 610.
16. *Ibid.*, p. 611.

17. J.L. Shastri, ed., *Manusmṛti*, Motilal Banarsidass, Delhi, 1983, appendix, p. 9.
18. P.V. Kane, op.cit., Vol. I, Part I, pp. 345-9.
19. Ibid.
20. G. Bühler, tr., *The Laws of Manu*, Clarendon Press, Oxford, 1886, p. 1.
21. Ibid., p. 13-14.
22. Ibid., p. 156.
23. Ibid., p. 20.
24. Ibid., pp. 23-4.
25. Ibid., p. 396.
26. A.L. Basham, op.cit., p. 138
27. Wendy Doniger (with Brian K. Smith), *The Laws of Manu*, Penguin, Harmondsworth, 1991, p. 34. The Sanskrit text is worth citing: *sammānād brāhmano nityam udvujeta viṣādīva amṛtasyeva cakāṅkṣed avamānasya sarvadā*.
28. G. Bühler, tr., op.cit., p. 457.
29. Ibid., p. 443-1.
30. Ibid., p. 429. By resorting to such logic it can also be argued that Manu accords the same status to a slave as to a son, because he equates them in a verse (VIII. 299).
31. Ibid., p. 272 (emphasis added).