

Original Article

The Role and Position of Married Women in Smritis: A Critical Study with Special Reference to Manusmriti

Athira. M J

Research Scholar, University College, Thiruvananthapuram

Email: athiramj7@gmail.com

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Abstract

Smritis, or Dharmasastras, are treated as the sources of Hindu law and played a significant role in governing society and shaping Hindu law. It is the recollection of Vedic knowledge and those works are written on the basis of Vedic directions and have authoritative value. The Smritis of Manu and other great sages, Kalpasutra, Vedangas, the two epics like Mahabharata and Ramayana, Puranas and Upapuranas are included in the category of Smritis or Dharmasastra. Dharmasastra, commonly known as Smritis, belongs to the golden age of Hindu Law. The role and status of women were not constant throughout history, and society's perception of them changed accordingly over time. There are different opinions about the nature and importance of women. The first opinion is that women are the highest gift of God to man and the second one is that the best way to reach God is to avoid women. According to Indian tradition, the great sage Prajapathi Manu has created most of the Smritis, Manusmriti is the oldest and authentic text of human theology, and it contains twelve chapters [2600 slokas]. Manu made the position and status of women very miserable and pathetic. During this period men were treating women as their personal property, ineligible for any holy sacrament and religious sacrifices, denied Vedic studies, married at a very young age, unable to exercise any influence on the choice of their husband, discouraged from widow remarriage and lost their high status and position in the family. In Manusmriti mentions very hard rules and regulations for women and they were discriminated against based on gender. In short, the Manusmriti is the only book in the world that has the greatest impact on the life of a human being and it gave valuable information about the position and status of women during the Smriti period.

Keywords: Smritis or Dharmasastra, Manusmriti, Women, Status, Position, Role, Patriarchy,

Introduction

Since, ancient times, Smritis or Dharmasastra has served as the foundation of the Indian culture and an important guiding force for ensuring justice in Hindu society in India. The Smritis deal with various aspects of life such as duties of individuals, family relations, marriage, inheritance, caste system and administration of justice. During the Smriti period, some new notions were established in society and they gradually affected the position of women. In the Vedic period, women had the freedom to take part in religious and public activities, freedom of education, freedom to select their mate, freedom in family matters, rights to property and inheritance, and economic and occupational freedom. During the epic period, women enjoyed an honourable position in the family, society and women were called the root of dharma, prosperity and enjoyment. The position and status of women changed only after the period of the Smritis. During the Smriti period, the position and status of women declined slowly and underwent some changes. In this period, the girl child was kept away from formal education and treated as a second-class citizen in the family. In short, the girl child lost their freedom. The main reasons for the miserable condition of women were the caste system, lack of education, and rigid and strict rules followed by society. The Smritis like Manusmriti, Yanjavalkya Smriti, Narada, Vasista, Kapila, Lohita etc. strongly described the status, rights and position of women.

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Address for correspondence:

Athira. M J, Research Scholar, University College, Thiruvananthapuram

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Among these *Smriti* works, *Manusmriti* and *Yajnavalkya Smriti* were the most prominent and *Yajnavalkya* represents a more scientific approach than *Manu*. For example, *Manu* allows a Brahmin to marry a *Sudra* girl and condemns *niyoga* but *Yajnavalkya* does not. Hence, the *Manusmriti* is regarded as the precedent one.

In ancient Indian society, as in all patriarchal societies, the birth of a girl was generally an unwelcome event and sons were valued more than daughters. A son is considered the permanent economic asset for the family, because he lives with his parents, does not migrate like the daughter to another family after marriage, perpetuates the name of his father's family, and defends himself or attacks an enemy. Ancient Hindus believed, a son could release the souls of his parents from the bondage of bodies by offering oblations to God and supporting the parents in old age. Gradually the birth of a daughter was hardly welcomed and sometimes she was abandoned after her birth or she was even killed. According to J P Singh, "in Brahmin literature there is one passage which observes that while the son is the hope of the family, the daughter is the source of trouble to it".[1] *Manu* is considered the father of humankind and he is recognised as an ancient writer on the *Dharmasastra* in the *Dharmasuthra*.

The great sage *Manu*, clearly described the duties and obligations of a woman and he says that women are subordinate to men and they require protection throughout their lives. He stated that consuming liquor, separation from her husband, and gambling are the main demerits of women. According to *Prithvi Nath Tikoo*, he states that "Manu equated a woman with a slave and his laws epitomize complete submission of woman to man and they are still the sanctioned codes of conduct ascribed for and by and large, accepted by women".[2] The greatest religious duty of a man is to protect his wife, to exert total control over his wife. Even a physically weak husband must control his wife. The great sage *Prajapathi Manu* wrote *Manusmriti* and it is an ancient law book prescribing rules for the governance of the Hindu society as a whole. The *Manusmriti* is also known as *ManavDharma Sastra*. In this work, he described the position and status of Hindu women in the ancient Hindu society. According to *Vijaya Ramaswamy*, "the *Manusmriti* must have been composed before the beginning of the Christian era, while the *Smritis* of *Yajnavalkya*, *Narada* and *Brihaspati* were composed within the limit of the Gupta age and those of *Katyayana*, *Vyasa* and *Parasara* in the post Gupta period".[3] According to *Manu*, woman is the foundation of a family and she engaged in household shores only. He also provides valuable information about the position and status of women, forms of marriages, sexual life, the duty of a wife, the duty of women and men, inheritance, property rights etc. He explained the duties of women in a very harsh manner and restricted their rights in all spheres of life in comparison to men. He gave the statement that; a woman must stay in the guardianship of her father in her childhood, husband in her youth and son after she has been widowhood. Whether she is a young girl or a woman or an old lady she should never execute any important duty of her family and she has no right to live separately from her father, husband or son. He assigns women primarily domestic roles and emphasises their duties as wives and mothers and denies them education, decision-making and property. In short, during this period women have no right to live independently and her only engaged in household activities.

According to *Dravidian Encyclopedia*, "Manu opposed female education and even declare that to a woman the marriage is a Vedic sacrament, serving the husband is equivalent to her residing in the *Gurukula* and the household duties are her daily worship of the sacred fire".[4] He sanctioned women to allow only the domestic and religious education that means he flavored the giving of training in music and dance to please her husband. During this time women were denied the *upanayana samskara* and the right for Vedic study and remained illiterate. From very early times, the killing of a woman was regarded as a disgraceful offence. According to *A. S. Altekar*, "in some of the *smritis* it is no doubt stated that the sin of killing a woman is equal to that of killing a *Sudra*, this however does not refer to the gravity of the crime, but to the theological dogma that the status of women was equal to that of the *Sudras*, both not being entitled to the privilege of the sacred initiation".[5] According to *Manu*, for the offence of killing, a woman is prescribe as the capital punishment and to die in the defense of a woman is declare the surest way of ensuring a seat in heaven. *Yajnavalkya* also emphasised that slaying the embryo is a heinous crime the murder of a child born alive could not have escaped their thundering denunciation. Hindu marriage is considered an indissoluble union between wife and husband under a sacred tie or bond. Child marriage prevailed during the *Smriti* period. According to *Dr Prabhat Chandra Tripathy*, he says, "the system of child marriage evolved either due to religious injunctions of *Smriti* and *Puranas* or to save chastity of Hindu women from Muslim invaders".[6] In this period girls were married at the age of 12 and they did not receive any formal education. *Manu* mentioned that the proper age for boys to get married was 24 years. *Manu* classified marriage into eight categories and the most important are *Brahma*, *Daiva*, *Arsha*, *Prajapathya*, *Asura*, *Gandharva*, *Rakshasa* and *Paishacha*. *Paishacha* was the most inferior one. According to *Usha M Apte*, "Manu suggests that a daughter is given away in marriage only once by meritorious people".[7] During the marriage time, if the father was absent, the maternal grandfather or maternal uncle or any relatives gave the *kanyadan* for the bride away from the same family and if the mother was absent, the people of the same family or caste did the *kanyadan*. If there is no one to perform *kanyadan*, the bride goes to the king and after his consent, she may approach the groom and may herself ask for his hand. *Vasishta* and *Yanjavakya* described the same order to perform *kanyadan*. *Manu* described that

Brahmanas, Kshatriyas, Vaishyas and Shudras should never marry women from the *Sudra* caste. He also prescribed different marriage rites for women of different castes, recommended marriage within the community and prohibited marriage of a girl to a family. Manu clearly stated that one should not marry a girl who is unhealthy and physically disproportionate. In his work, he explained that wise men should not marry a woman who does not have a brother whose parents are not socially well known. In short, one can say that during this time, women had no right to choose their mate and marriage was done at a very young age. Manusmriti strictly prohibited any kind of dowry. Manu considered marriage along with dowry to be of *Asura Vivah*.

Manu constituted that, wife should always be obedient to her husband, not do anything that displeases him and she should worship her husband like God to get salvation even though her husband is corrupt, immoral and lacks good qualities. According to Dr Prabhat Chandra Tripathy, "In the *Smriti* era was preached that even a vicious husband must be worshipped, but a bad wife may at any time be superseded".[8] *Smriti* prescribed that a wife committing any fault, may be beaten with a rope or split bamboo. Manu clearly refers to the duties of women in the following words, she must always be cheerful, clever in the management of her household affairs, careful in cleaning her utensils and economical in expenditure. According to Manusmriti, Chapter 9, Verses 22 state, "Manu compared a wife to a river and a husband to an ocean".[9] In short, if the husband is pleased with the wife and the wife with her husband, happiness will assuredly be lasting. Manu is completely silent about the rights and status of a widow. A widow was not considered independent and was expected to be under the control of a male family member. Hence, he placed widows in a subordinate and restrictive position, denying remarriage and he emphasised chastity, austerity and dependence. These rules reflect the patriarchal social structure of ancient Hindu society. Manu condemns the custom of *niyoga*. The custom of *niyoga* originated during the Vedic period. It means a sonless widow could get a son through sexual relations with her husband's brother. This custom was not mentioned by Manu in his work *Manusmriti* but he permitted it in cases of misfortune only, which implies the absence of a child on account of the death or disease of a man. He described that if the husband of a woman dies after *kanyadan* and her husband's younger brother should marry her. The son born of this form of union is known as the *ksetraja* son. According to S K Ghosh, "in that case, a *sapinda* or *sagothra* or a younger brother of the man could be appointed to raise a son on his wife. After the birth of a child, the relationship between the man and woman must cease because it was allowed only temporarily".[10] In short, it is clear that Manu does not support *niyoga* but it was a practice in his time.

Manu gave much importance to the status and position of a mother. He stated that the mother is greater than the Guru which means the mother not only gives birth to the child but also is the first teacher of her child. According to Dr. Sukhram, he stated, "the father a hundred times more than the teacher but the mother a thousand times more than the father".[11] In short, the child is in the care of his mother and becomes physically and mentally strong and even if the mother is very young and inexperienced, she is considering superior because in consideration of duties the age is irrespective. During the *Smriti* period, women were exploited and termed as Dark Age of women's progress. Women in the *Smriti* period were regarded as she is not ineligible for religious sacrifices, *Vedic* studies, and marriage was done at a very young age, unable to exercise any influence on the choice of her husband, and lost their status and position in the family as a wife. Summarily, there was a steady deterioration only the nature of the relationship she had with a man in this age. The right or equality of women in comparison to men in the *Manusmriti* is different from modern age. *Manusmriti* have a negative influence on the female role and it contains the laws for the oppression of women. Manu sometimes compared the women in some situations. In his work *Manusmriti*, he praised and worshipped womanhood but the inferior status of women is also exhibited. He described that, the duty of family members is to worship the female child by giving her new clothes and ornaments and the girl child should be given a name easy to pronounce and beautiful. On the other hand, the woman does not deserve independence and her only duty is to obey and please her husband is the only way to go to heaven.

End Notes

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