The Status of Women Depicted In the Manusmṛti

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1. INTRODUCTION

'Dharmaśāstra' is regarded as the foundation of ancient Indian culture. By prescribing the do's and don't's the Smṛṭi texts deal with different facets of this śāstra. Among these Smṛṭi texts, 'Manusmṛṭi' is the oldest and the most significant one. Even today, it has been considered to be the ideal in inspiring mankind to lead a happy life. Some would say-

"Yadvai kiñca manuravadat tadbheşajam |"

Whatever Manu said is beneficial, worthy of acceptance.

One of the main reasons for the *Manusmṛti* being revered in our tradition is its *Vedic* foundation. In the treatise '*Prayoga Pārijāta*' (III.91) it is mentioned that Manu has written his composition in conformity with the *Vedas*. Whatever has been prescribed by Manu as '*Dharmaśāstra*' is supreme. It would be beneficial to follow the same.

"Vedārthopanibaddhatvāt prādhānyam tu manusmṛteḥ /

Manvarthaviparītā tu yā smṛtiḥ sā vinaṣyati /

Yat purvam manunā proktam dharmaśāstramanuttamam

Na hi tat samatikramya vachanam hitamātmanaḥ ||"

As it is an ancient text, *Manusmṛti* has to be accepted with due respect and reverence without raising any dissent. As the saying goes-

"Taptam taptam punarapi punaḥ kāñcanam kāntavarṇam |"

The most the gold is heated, more is its luminosity. Manusmṛṭi is like pure gold.

If we review the original *Manusmṛti*, one can proudly assert that there is perhaps no other text in the world (except *Vedas* ofcourse!) that accords so much of respect and rights to women. *Manusmṛti* has grossly been interpolated. However it is very easy to identify the fraud verses and separate them from the original *Manusmṛti*.

Manusmṛti, also known as *Mānav Dharmaśāstra*, is the earliest metrical work in Hinduism. According to Hindu Mythology, *Manusmṛti* is the word of *Brahma*, and it is classified as the most authoritative statement on *Dharma*. The scripture consists of 2690 verses, divided into 12 chapters. While defending *Manusmṛti* as the divine code of conduct for all including women, thinkers often quote the verse-

"Yatra nāryastu pūjyante ramante tatra devatāļ /

Yatraiyatāstu na pūjyante sarvastatrāphalāḥ kriyāḥ ||"

(Manusmṛti 3/56)

Divine souls take birth in such houses, where women are respected. Where they are not respected, all works become useless there.

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Women are worthy of worship. They are the fate of the household, the lamp of enlightment for all in the household. They bring solace to the family and are an integral part of ritualistic life. Even heaven is under the control of women. God resides in those households where women are worshipped and in households where women are slighted all the efforts at improvement go in vain.

Yājñyavalkya Samhitā also has the same opinion about women. They are abode of all divine virtues on the earth. Gāndharva has given them sweetness of speech, Soma has bestowed all his purity on them and fire has showered all his brilliance to make them most attractive. Similar ideas are expressed in Rāmāyaṇa and Mahābhārata, too.

2. IMPORTANCE OF HAPPY WOMEN

The following verses by Manu are addressed to a couple. A husband who is happy with his wife and wife who is happy with her husband make an ideal couple. It is but natural that in such a family happiness, peace, solace, progress and betterment prevail. Likewise both should maintain mutual co-operation and cordiality throughout life. A father, brother, husband or brother in law should keep their daughter, sister, wife or sister in law respectively happy and pleased through gentle words, respectful behaviour, gifts etc. Those who desire prosperity should ensure that women in their family are always happy and do not face miseries.²

A family where women remain unhappy due to misdeeds of their men is bound to be destroyed. And a family where women are always happy is bound to be prosper forever.³ A family where women feel insulted or discriminated against and curse their menfolk is destroyed in the same manner as poison kills all those who consume it.⁴One desiring glory should ensure that he keeps women in the family happy by giving them respect and pleasing them with good ornaments, cloths, food. Women should always be revered under all circumstances.⁵

A person who does not keep his wife happy causes misery for the entire family. And if wife is happy, entire family appears as happiness incarnate. Women give birth to next generation. They bring fortune and bliss. Hence women are synonymous to prosperity. This verse forms the basis of women being called 'Goddess of fortune in the home' in India even today. Women is the source of all kinds of happiness in all generations – be it from children or from noble benevolent deeds or through conjugal bliss or through service of elders.

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<sup>1</sup> Manusmrti III.60, IX.101
संतुष्टो भार्यया भर्ता भर्त्रा भार्या तथैव च
यस्मिन्नेव कुले नित्यं कल्याणं तत्र वै ध्रुवम् ॥६०॥
       अन्योन्यस्याव्यभीचारो भवेदामरणान्तिकः।
       एष धर्म: समासेन ज्ञेय: स्त्रीप्ंसयो:पर: ||101||
<sup>2</sup> Ibid III.55
 पितृभिर्भातृभिश्चैताः पतिभिर्देवरैस्तथा।
पूज्या भूषयितव्याश्च बह्कल्याणमीप्स्भि ॥
<sup>3</sup> Ibid III.57
 शोचन्ति जामयो यत्र विनश्यत्याशु तत्कुलम् ।
न शोचन्ति त् यत्रैता वर्धते तद्धि सर्वदा 🏽
4 Ibid III.58
जामयो यानि गेहानि शपन्त्यप्रतिप्जित:।
तानि कृत्याहतानीव विनश्यन्ति समन्तत: ॥
<sup>5</sup> Ibid III.59
तस्मादेता: सदा पुज्या भूषणाच्छादनाशनै: |
भूतिकामैर्नीर्नित्यं सत्कारेषूत्सवेष् च ॥
<sup>6</sup> Ibid III.62
स्त्रियां तु रोचयमानायां सर्वं तद्रोचते कलम् ।
तस्यां त्वरोचमानायां सर्वमेव न रोचते ॥
7 Ibid IX.26
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In other words, women is the primary source of bliss in many forms as mother, as daughter, as wife and at times as a partner in spiritual deeds. It also means that participation of women is necessary for conduct of any religious or spiritual activity. Man and woman are incomplete without each other. Hence even the most ordinary religious duty would demand participation of both. A wise man should not indulge in fights and arguments with his family members including mother, daughter and wife. 10

3. PROTECTION OF WOMEN

Relationship of a woman with a man is three fold-daughter, wife and mother. The protection and well being of these three is the uppermost responsibility and foremost duty of man elaborated in *Manusmṛti*. It is also obligatory on the part of those receiving such protection to be obedient and not indulge in willful activities. One has to obey laws of Nature to protect oneself from natural havoc. One has to have devotion and obey divine laws to please gods and receive their protection. One has to follow the rules framed by the king to receive his protection. Similarly one has to obey a father- a husband- a son to receive their protection. This is no bodage or slavery. It is the most appropriate means for receiving protection. Keeping this in mind one has to regard this verse-'Father protects in infancy, husband protects in youth, son protects in old age. A woman has never been without protection.'¹¹

If a person negligently leaves gold ornaments in the open and they are stolen. Then he has no right to lodge a complaint with the police. Since he failed to take care of his belongings, the event was invited by him. Similarly, if one wishes to be safe, he/she has to abide by certain rules and regulations. The frame of such limitations is not equivalent to a prison, rather, it is a necessary arrangement for protection. The same meaning is differently stated in this verse. ¹²

In ancient times, the term 'Svatantrya' carried a different shade of meaning, being associated more with reckless or undesirably limitless behavior rather than freedom. In the Kālidāsa's *Abhijñyānaśākuntala*, *Śakuntalā* wishes to return to her father's house after being rejected by *Duṣyanta*. *Śāradvata*, a disciple of sage *Kaṇva*, asks her a significant question "Do you desire freedom?"- (*Kim svātantryam avalambase?*)......*Abhijñyānaśākuntala-V.27*

Woman is incapable of protecting herself. She has to be protected by father- husband- son. This is their sacred duty. A father is guilty when he does not take care of his daughter and arrange her marriage with a suitable groom at the appropriate time. A husband is guilty who does not keep her satisfied or contented.

After the demise of the father a son who does not look after the mother, is guilty. In brief, all the three become sinners for evasion of duty. Freedom is considered as 'license'-for a totally wishful way of life, no member of society has any such freedom. No man, no woman, no member of any caste, region, etc. has any such freedom.

प्रजनार्थं महाभागाः पूजार्हा गृहदीप्तयः। स्त्रियः श्रियश्च गेहेष् न विशेषोऽस्ति कश्चन ॥ 8 Ibid IX.28 अपत्यं धर्मकार्याणि श्श्र्षा रतिरुतमा | दाराधीनस्तथा स्वर्गं पितृणामान्मनश्च ॥ 9 Ibid IX.96 प्रजनार्थं स्त्रिय: सृष्टा: संतानार्थं च मानवा: | तस्मात्साधारणो धर्मः श्रुतौ पत्न्या सहोदितः ॥ 10 Ibid IV.180 क्षेत्रजादीन्स्तानेतानेकादश यथोदितान्। प्त्रप्रतिनिधीनाहः क्रियालोपान्मनीषीणः ॥ 11 Ibid IX.3 पिता रक्षति कौमारे भर्ता रक्षति यौवने। रक्षन्ति स्थविरे प्त्रा न स्त्री स्वातन्त्र्यमर्हति ॥ 12 Ibid IX.4 कालेऽदाता पिता वाच्यो वाच्यश्चान्पयन्पति: | मृते भर्तरि पुत्रस्तु वाच्यो मातुररक्षिता ॥

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All have to follow the rules and regulations related to the community and the well being of the society. It is the primary responsibility of everyone to discharge his/her duties in conformity to such rules and regulations. Secondly if any individual or group indulges in willful activities which endanger the peace in society, it is the weak who suffers the most. So the weaker sections have to exercise greater care. If man and woman indulge in license, it is the woman with a delicate body prone to pregnancy who suffers the most. So, a woman has to take greater care of her body, This is a warning for her, not a restriction.

Similarly when one examines whether such protection is essential, the answer is clear. A woman by nature is attractive and tempting. Rules for her protection are very necessary to protect herself- respect and chastity. At the same time, a woman is incapable of protecting herself. She is physically weak. She is tender by nature. She is frivolous also. She needs protection. If we think, it is clear that sexual harassment or rape is not possible on male without his consent. But due to the characteristic of female body, sexual harassment or rape is 100% possible without her permission even again and again. This is the fact.

So, keeping this in mind, Manu has prescribed rules for protecting her. This may be said to be true even today. These days governments have come forward to provide many types of security cover for women. Efficient implementation of such laws can be considered equivalent to rules of protection presented by Manu.

Currently India's Prime Minister Narendra Modi's government passed a law that as per Indian penal code 233, if a girl is suspected to be raped or getting raped then she has the full right to kill the man, injure his sexual part or cause to that person. The girl won't be blamed for murder. ¹³

It is true that Manu has restricted women from doing anything independently. 'Anything' here means 'anything prohibited'. In chapter 9, Manu advises men to keep women fond of looks-tastes under their control, without allowing them to have a free play in this matter. Women, by nature are incapable of protecting themselves. So at any situation they deserve protection. If they are not protected they bring shame and sorrow on both the families.¹⁴

This prescription is not restricted only to women belonging to *Brāhmaṇa* or *Kṣatriya* castes. Women belonging to all castes have to be protected by men of their respective castes. ¹⁵Manu says that women of all four castes deserve protection in such circumstances manu says by protecting a woman man will be in a way protecting his children, race, soul, property, religion etc.

The most important point to be noted here is that Manu's statement regarding protection for a women is aimed at the necessity of protecting a woman out of concern to maintain the purity of human race by giving birth to a legitimate child.

This holds good for all time. Manu has given great prominence to an age old institution like marriage. The prescription of protection for women to maintain their chastity can be considered a boon granted by Manu to women. So for the birth of legitimate children one has to make an all out effort to protect a women. Sons and grandsons are essential for continuation race and attaining heaven. Therefore women deserve all protection.

It is mentioned in Dharmasastra's that 'husband is reborn in the form of a son.' So the son, who is a prototype of the father, has to protect the aged woman. Manu considers it, his most sacred duty. Similarly, a woman begets a son of the same traits of the man whom she serves, so for the purity of the progeny, women has to be protected at all costs. ¹⁶ This emphasizes the fact that a women is accorded a special status in the family.

सूक्ष्मेभ्योऽपि प्रसङ्गेऽभ्यः स्त्रियो रक्ष्या विशेषतः।

द्वयोर्हि कुलयो: शोकमावहेयुररक्षिता: ||

स्वं च धर्मं प्रयत्नेन जायां रक्षन्हि रक्षति ||

 $^{^{13}\} http:/timesofindia.indiatimes.com/india/castrate-child-rapists-delhi-judge-suggests/articleshow/8130553.Cms$

¹⁴ Ibid IX.5

 $^{^{15}}$ Ibid IX.7. स्वां प्रसूतिं चरित्रं च कुलमात्मानमेव च \mid

¹⁶ Ibid.IX.5 यादृशं भजते हि स्त्री सुतं सूते तथाविधम् । तस्मात्प्रजाविश्वध्यर्थं स्त्रियं रक्षेत्परयत्नतः ॥

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4. MARRIAGE OF WOMEN

Regarding marriage, Manu's mandate is 'one has to marry good looking girl of the same caste. She must be adept in wife's duties and in sexual union.'¹⁷ Wife's duties means sacred sacrifices pertaining to religious observance. These are dependent on wife. ¹⁸ This means a householder is eligible to conduct religious rites only after marrying a girl who becomes his wife according to scriptures. In the absence of a wife, he is not eligible to undertake any such rites.

Secondly, she must be adept in physical intercourse. The object of such an intercourse is to get progeny. For the sake of obtaining progeny a husband has to unite with her only in proper period and be loyal to her. ¹⁹ Manu firmly believes that a wife's satisfaction plays a significant role in begetting a progeny. A wife must be an expert in amorous sport. An intense desire for such sport is born after she attains puberty. ²⁰

So, the time of attaining puberty is precisely the marriageable age. Even after attaining puberty it is better for a virgin to stay forever with her parents, instead of being married to a vagrant. If a father does not arrange marriage of his daughter during three years after she attains puberty, she may marry anyone of her choice.²¹

A father who does not get such a daughter marries is to be found guilty.²² It is better to keep the daughter unmarried than forcing her to marry an undeserving person.

1. Prohibition of Dowry:

Any kind of dowry is strictly prohibited as per *Manusmṛti*. No one should dare attempt to take away the property of a woman. Those relatives who rob away or thrive on wealth, property, vehicles or cloths of a woman or her family are wiliest of people. *Manusmṛti* suggests that a marriage along with dowry is of 'Devils or Āsurī vivāh'.

2. Poligamy is a Sin:

Husband and wife should remain together till death. They should not approach *any* other partner, nor commit adultery. This is in summery, is the *Dharma* or religion of all human beings.²³ Thus, those societies which justify polygamy or sex slavery or temporary marriage are bound to suffer miseries because they neglect the core tenet of *Dharma*.

3. Autonomy of Women:

Woman should be provided autonomy and leadership in managing the finances, maintaining hygiene, spiritual and religious activities, nutrition and overall management of home.²⁴A woman who is kept constrained in a home by noble

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Ibid III.5 असपिण्डा च या मात्रसगोत्रा च या पित्: |
               सा प्रशस्ता द्विजातीनां दारकर्मण्यमैथुने ॥
    Ibid IX.28 अपत्यं धर्मकार्याणि शुश्रूषा रतिउत्तमा |
                 दाराधीनस्तथा स्वर्गः पितृणामात्मनश्च ॥
    Ibid III.45 ऋतुकालाभिगामी स्यात्स्वदारनिरत: सदा |
                पर्ववर्जं व्रजेच्चैनां तदव्रतो रतिकाम्यया ॥
    Ibid III.61 यदि हि स्त्री ण रोचेत पुमांसं न प्रमोदयेत्।
              अप्रमोदात्प्नः प्ंस: प्रजनं न प्रवर्तते 🏽
<sup>21</sup> Ibid IX 89-90 काममामरणातिष्ठेद्दहे कन्यर्तुमत्यपि |
                  न चैवेनां प्रयच्छेत् ग्णहीनाय कर्हिचित्॥
    त्रीणि वर्षाण्य्दीक्षेत क्मार्यृत्मती सती |
    ऊर्ध्वं तु कालादेतस्माद्विन्देत सदृशं पतिम् ॥
     Ibid IX.93 पित्रे न दद्याच्छुल्कं तु कन्यामृतुमतीं हरन्।
                स च स्वाम्यादतिक्रामेदृत्नां प्रतिरोधनात्॥
* Manusmrti III.52
<sup>23</sup> Ibid IX.101 अन्योन्यस्याव्यभीचारो भवेदामरणान्तिक: |
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एष धर्म: समासेन ज्ञेय: स्त्रीपंसयो: पर: ॥

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men (husband, father, son) is still insecure. Thus, it is futile to restrict women. Security of woman would come only through her own capabilities and mindset.²⁵

Manu explains here, the futility in attempting to restrict a woman to home in the name of providing her security. On the contrary, for her security she should be given the right training so that she can defend herself and avoid getting misled by bad company. The prevailing notion of cornering women within a small home is against Manu's ideology.

4. Property Rights of Women:

A daughter is equivalent to a son. In her presence, how can anyone snatch away her right over the property?²⁶ A daughter alone has the right over personal property of her mother.²⁷ The reason for this special treatment of women is to ensure that women are never at the mercy of anyone. Afterall happy dignified women from the foundation of a happy society!

To further ensure safety of women, Manu recommended harsh punishments for those who rob the wealth of a woman, even if they are her relatives. If a woman is alone because she has no children, or no men to provide for her security in her family, or is a widow, or whose husband has gone abroad, or who is unwell, then it is the duty of the government to ensure her safety and security. If her wealth is robbed by her relatives or friends, then the government should provide strict punishment to the culprits and have her wealth returned.

5. Strict Punishment for Harming Women:

Those who abduct women should be given death sentence.²⁸ Those who kill women, children or scholarly virtuous people should be given strictest punishment.²⁹ Those who rape or molest women or incite them into adultery should be given harshest punishment that creates fear among others to even think of such a crime.³⁰ Now days, we are in agreement with such a law that, castration seems the best punishment to prevent alarming increase in rape cases. One should be punished if he puts false allegations or demeans mother, wife or daughter.³¹ Those who abandon their mother, father, wife or children without any reasonable reason should face severe punishments.³²

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24 Ibid IX.11
    अर्थस्य संग्रहे चैनां व्यये चैव नियोजयेत्।
  शौचे धर्में ऽन्नपक्त्यां च परिणाहयस्य वेक्षणे ॥
25 Ibid IX.12
  अरक्षिता गृहे रुद्धाः पुरुषैराप्तकारिभिः ।
 आत्मानमात्मना यास्त् रक्षेय्स्ताः स्रक्षिताः ॥
<sup>26</sup> Ibid IX.130
  यथैवात्मा तथा पुत्र: पुत्रेण दुहिता समा |
 तस्यामात्मनि तिष्ठ्यन्तां कथमन्यो धनं हरेत्॥
<sup>27</sup> Ibid IX.131
 मात्स्त् यौतकं तत्स्यात्क्मारीभाग एव स: |
दौहित्र एव हरेदपुत्रस्याखिलं धनम् ॥
28 Ibid VIII.323
 प्रूषाणां कुलीनानां नारीणां च विशेषत: |
मुख्यानां चैव रत्नानां हरणे वधमर्हति ॥
<sup>29</sup> Ibid IX.232
   क्टशासनकर्तृश्च प्रकृतीनां च दूषकान् |
 स्त्रीबालब्राह्मणघ्नानश्च हनयाद्विट्सेविनस्तथा ॥
30 Ibid VIII.352
 नाततायिवधे दोषो हन्तुर्भवति कश्चन।
प्रकाशं वाऽप्रकाशं वा मन्य्स्तं मन्य्मृच्छति ॥
31 Ibid VIII.275
 मातरं पितरं जायां भ्रातरं तनयं गुरुम्।
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6. Ladies First:

The concept of Ladies first seems to originate from *Manusmṛti*. A Man in a vehicle should give way to the following-aged person, diseased person, one carrying burden, groom, king, student and a women.³³ One should feed the following even before feeding the guests- newly married women, girls and pregnant women.

5. CONCLUSION

An objective assessment of *Manusmṛti* has to be made with a background of certain facts. Some are of the view that throughout history, human society has been dominated by men. But in reality human society has neither been male dominated nor female dominated. Actually it is based on power (strength). Power is of many kinds. Muscle power, money power, power of the mind, power of authority, power of scholarship learning, power of knowledge, power of the army, technological supremacy, spiritual power, divine power, etc.

Those who have such power and capacity have teased and tormented those who are powerless, weak and incapable. The trend continuous even today. This is the jungle law where the strong devour the waek. When men were powerful, they have overpowered others. When they were powerless they have been overpowered. Similarly women have been torturous while in power. Without power they have been victimized.

Subjugation and exploitation never can make a person happy. Those who are victims of subjugators and exploitors too are not happy. Society as a whole is not happy. Survival of the fittest is animal law. Beasts can boast of it. Under no circumstances it is justificable or made justificable in human society. It is for this reason that self restraint is advised for man.³⁴ Manu has made this arrangement in *Manusmṛti*.

After the divorce of his parents, the life of 19 years old American boy, John Philip Walker was in shatters. He had been the victim of worst effects of excessive individual freedom. He realized that the right to personal life does not merely mean ample money, reckless, fanciful behavior, disloyalty in relationships and endless luxuries. Disgusted with such an unstable family structure devoid of the control of limitations, he adopted Muslim religion.³⁵

Dr. Ambedkar has said in his essay (Woman and counter revolution) that, "Manu has lowered the status of woman. Manu has not only reduced her to the position of a servant, but in matters of inheritance, made her a slave."

If it was Manu's intention to degrade woman and their status in society, where was the necessity for him to appeal for their protection, maintain their status and uphold their honour in many verses of his composition. While speaking about their importance he has clearly stated that "Where women are held in respect, Gods feel elated there." The fact that such noble sentiments have been expressed about women is itself a proof that Manu was not anti-feminist.

Hence, it is clear that he never considered women as untouchables, slaves, maid-servants, etc. Therefore it is appropriate that we understand Manu in the right spirit and not distort his words and statements.

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आक्षारयच्छतं दाप्यः पन्थानं चादददः गुरोः ॥

32 Ibid VIII.390

न माता न पिता न स्त्री न पुत्रस्त्यागमहिति ।

त्यजन्नपतितानेतान्नाज्ञा दण्ड्यः शतानि षट् ॥

33 Ibid II.138

चिक्रणो दशमीस्थस्य रोगिणो भारिणः स्त्रियाः ।

स्नातकस्य च राजश्च पन्था देयो वरस्य च ॥

34 Ibid II.88-100

इन्द्रियाणि विचरतां विशयेश्वपहारिषु ।

संयमे यत्नमातिष्ठेद्विद्वान् यन्तेव वाजिनाम् ॥

वशे कृत्वेन्द्रियग्रामं संयम्य च मनस्तथा ।

सर्वान्संसाध्येदर्थानक्षिण्वन् योगतस्तनुम् ॥

35 विकास विश्वान विश्वान
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³⁵ Dainik Lokmat-Maitra puravani, Date-03-01-2002.

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Swami Vivekanand has hailed *Manusmṛti* as a great classic. Renowned Indian thinkers like Dr.P.V.Kane, Dr.Sarvapalli Radhakrishnan and reputed western scholars like Moris Winternitz, G.Buhler Duncan Deretta, Sir William Jones, Max Muller and Fredric Wiefze have reverentially justified Manu's view point about women.

Manu closely observed and understood this vast country and its rich and varied cultural heritage. He has based his observations on protection for women on a sound religious and moral foundation and codified his *Smṛṭi*. Which is an authentic guide for generations past and present.

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