

# THE RELEVENCE OF MANUSMṚTI IN MODERN SOCIETY

MRUDULA.V

From the time of primitive humans to the modern era, certain systems of rules emerged, either knowingly or unknowingly, in human life. These rules encompass aspects such as how to live, how to think, what to speak, and how to act. However, these systems do not imply a state where one's preferences are forcibly imposed on others. The emergence of legal systems must have been solely to shape a human being who is thoughtful about their surroundings and the conditions of life. The earliest documentation of such moral and practical codes of conduct is found in the Vedic literature. Since the Vedas are immutable, extensive and systematic **Smṛti texts** emerged to deal with dharma-related matters. It is believed that the Smritis originated within the renowned guru-disciple tradition of Indian culture, being transmitted orally from gurus to disciples, who then compiled them. Consequently, certain shifts in thought reflective of the times can be observed in the Smritis.

As time changes, the Smritis have also absorbed some of the transformations that occur in society and culture. Evolving legal systems undoubtedly influence human thought and lifestyles. However, one can confidently say that there is no other domain of knowledge in Indian culture as capable of developing a structured way of life from very limited living conditions. Indian culture, which evolved from forests to villages and from villages to cities, is a civilization that preserves a grand heritage encompassing literature, art, and science, enriched by broad perspectives. Beyond suggesting certain lifestyles to bring humans into an organized way of life, the Smritis should not be viewed in a manner that undermines democracy or humanity. Rulers of each era have the freedom to implement changes appropriate to their times, don't they?

In social life, involving both men and women, the concept of equality has always been a topic of discussion. Even today, situations where law, justice, and punishment are equally accessible remain rare. Law is not just about committing offenses and meting out punishments; it also outlines the values an ordinary person should uphold in life. Freedom should not be exercised in a way that inconveniences others. The law has always been about enabling all actions that contribute to societal welfare and inspire progress, ensuring a nation's

development. This includes the protection of everyone, from mothers to children, as a fundamental principle.

*pitā rakṣati kaumāre bhartā rakṣati yauvane |  
rakṣanti sthavire putrā na strī svātantryamarhati ||*

The Smriti texts are highly debated works, particularly concerning gender roles. However, the Smritis advocate that a woman should not have to struggle for her survival throughout her life. Instead, they emphasize that at every stage of her life, her father, husband, and son bear the responsibility of protecting and supporting her. It is the responsibility of a citizen to uphold the law.

However, there is no other field of knowledge that has analysed in such depth the measures to prevent those who are meant to protect the law from misusing it. If humanity still faces certain limitations in today's technologically and scientifically advanced modern world, how can one question the limitations of ancient times?

*yatra nāryastu pūjyantè ramanṭè tatṛa dèvatā  
yatraitāṣṭu na pūjyantè sarvāstatṛfalāḥ kriyāḥ*

"Where women are honoured, divinity becomes powerful and radiant! Where women are not honoured, all virtuous deeds become fruitless." A Smriti that proclaims this will never promote gender discrimination. Society is still governed through human intervention. To some extent, the law can reduce a person's tendency to commit offenses. However, humans, driven by their survival instincts, occasionally violate the law. It is in such scenarios that the necessity of studying legal texts like the Smritis becomes evident. Understanding the transitions of time and history, as well as recognizing the possibilities for development, makes a Re-evaluation of the Smritis essential for today's society. Until legislation advanced to new turning points and the Constitution came into being, smriti texts served as guiding legal texts in India. Smritis also implemented the duty of making the knowledge associated with the Vedas accessible to the common people. It is challenging to examine only the sections dealing with laws in the Smritis because legal codes themselves are the primary subjects addressed in them. The minimum qualification required for evaluating a text is a clear understanding of it. However, due to certain reasons that led to overlooking many good topics for study and discussion, Manusmṛti has been subject to significant criticism.

Whether old or new, humans have the freedom and right to discard the unnecessary and embrace what is essential. The key lies in clearly understanding what Dharma is and why it is important to follow principles rooted in Dharma. Based on this, one must take responsibility for the protection of fellow beings and self-awareness as a human. This is precisely what the *Smritis* advocate. It is worth reflecting on how many stages of development we have traversed, starting from the period's historians' term as the Prakrit era to the Renaissance India we see today. Even while enjoying the highly modern conveniences of today, knowingly or unknowingly, we continue to follow the pure Indian culture rooted in Vedic philosophy.

There is no doubt that Manusmriti has an inseparable connection with social structure. However, some may question whether it was merely a written code or actually implemented. This is why examining the relevance of Manusmriti in the social structure of modern times becomes significant.

There are certain norms that humans must adhere to for a harmonious social life, but these are not laws forcibly imposed. The origin of laws was rooted in the objective of teaching humans organized social structures to establish a disciplined way of life. Since the time humans began living collectively as a society, the necessity for such norms has existed.

Facilitating communication and exchange of information among people, consolidating ideas, and participating in developmental activities of the society—these aspects touched all dimensions of public social life. It was the aim of the creators of the *Smritis* (ancient texts of societal codes) to enable such development through them. However, immediate transformation during the various stages of societal evolution was not feasible. The progression from an undeveloped environment to a state of advancement could only occur gradually.

For this, it was essential first to make people aware of the law, its application, necessity, and value. Following that, they needed to understand the importance of abiding by these laws and their purpose. This was an immensely challenging task. Yet, within the constraints of their era, the *Smritis* managed to achieve this, which is indeed remarkable.

The Indian culture, rooted in the value of *Vasudhaiva Kutumbakam* (the world is one family), is what sets India apart from other nations. Even today, if Indians continue to live by the concept of family, it is a reflection of the way of life envisioned in the *Smritis*. The

responsibility of caring for one's mother and father fosters awareness in individuals about their own lives.

Though the transformations over time have brought changes to human lifestyles, the sacred concept of the family is still upheld. This enduring value is why Manu stated:

***“Tayornityaṁ priyaṁ kuryād ācāryasya ca sarvadā,  
teṣveva triṣu tuṣṭeṣu tapaḥ sarvaṁ samāpyate.”***

*"Always act lovingly toward your parents and teacher. By satisfying these three, all spiritual austerities are accomplished."*

The authors of Smritis, who were deeply devoted to the fields of knowledge, aimed to bring about a harmonious transformation in society through their wisdom. However, due to changes in social conditions and developmental contexts, Smritis faced criticism in certain areas. This could be because ordinary people found it challenging to comprehend the true meaning of Smritis, which were written in a highly advanced language. Additionally, certain interpolations that crept into the interpretations further subjected the Smritis to criticism.

Sanskrit, to a certain extent, was a language predominantly handled by scholars, and it remains unclear whether it was used for everyday communication. It is possible that the scholarly community of sages chose Sanskrit, a language bound by strict grammatical rules, for their writings to ensure that their fields of knowledge would not be easily accessible to everyone. This decision had both advantages and disadvantages in interpreting the Smritis.

The advantage was that without a clear understanding of the language, it was nearly impossible for anyone to misrepresent or misinterpret the subject matter. The disadvantage was that the lack of proper comprehension could lead to incorrect interpretations. Both these outcomes have occurred in the interpretations of Smritis.

Since Smritis are inherently subject to interpretation, some scholars began interpreting them according to their own preferences. As a result, Smritis became a topic of discussion and debate worldwide.

When society fails to move in the right direction, the decline of social life begins. It is the duty of dharmic texts like the Smritis to regulate and guide society. Even in this era of easily accessible technology, if we are facing certain crises as human beings, it can be argued that the era of Smritis was more advanced in terms of law and its enforcement.

One of the main issues faced in today's legal system is the existence of loopholes. The guilty party might remain in prison for years without conviction, and the plaintiff is often denied justice. Isn't this a harsh reality? In contrast, the punishments prescribed in the Smritis were designed to deliver swift verdicts.

This efficiency ensured a well-ordered social structure during the period of the Smritis, which leads us to assume that societal harmony was better maintained at that time.

India is a nation where numerous discussions about justice and its execution are widely recognized. The Indian Constitution, built on clear and profound principles, upholds the complete personal freedom of individuals. However, there are several loopholes in the context of punishments.

While giving priority to fundamental rights is essential, it is equally important for lawmakers to recognize that timely and appropriate punishments can deter individuals from committing crimes. In this regard, the Smriti texts provided highly effective interventions.

Therefore, the significance of Smriti texts in areas related to law enforcement is undeniably crucial.

After the Krita Yuga, the beginning of civilized human society is considered to have started. Until then, there were no kings or organized societies. Hence, Manu is regarded as the progenitor of the human race. Manu is seen as the one who structured the eternal practices of a society founded on culture, and he was chosen as the king. By doing so, Manu became the voice of human dharma.

..3+The laws suggested by Manu represented the norms of a particular time period. Therefore, it is clear that Manu had no necessity to transcend the social structures of that era. If that is the case, it is more appropriate to view Manu not as someone who implemented laws based on personal whims, but as someone who empowered humans for the development of a cultured society.