

Caste in Law of Manu

The Law of Manu (100 BCE- 100 CE), the *Manavadharmasastra* or *Manusmṛti* (in Sanskrit), means the laws or treatise of the wise human race. It is the centerpiece of Hinduism's *varnasram-dharma*, the social and religious responsibilities of social class and stage of life, which include the family life, psychology, concepts of the body, sex, human relationship, caste, politics, money, law, purification and pollution, ritual, social practice and ideal, karma, redemption, and worldly and transcendental goals.¹ It was compiled by priestly and householder Brahmins for them and for their paradigmatic human and spiritual authoritarian throughout many centuries.² Its themes focus on the karma and rebirth, the purification and restoration, and good and bad people.³ Since time and space are limited, I am going to concentrate my writing on the Caste system and its problem in the Law of Manu.

Historically, before the white, tall, and cultured Aryans invaded Northwest India, there was no stratification of priest, warrior, merchant, or slave in India. After the Aryans' invasion of India and their population grew, to maintain the order, personal privilege, and control over the non-Aryan indigenous people, they devised a caste scheme of Varna system which divided society into quadripartite structures of Brahman or the priests, Kshatriyas or royal nobles, Vaisyas or common people among the Aryans, and Sudras or the conquered indigenous people.⁴

Theoretically, the varna system is the Indian variant to the general Indo-European "tripartite ideology," the social manifestation in which divides society into three "functional castes." Due to the concerns of religion, regulation, defense, and productivity, later on the Vedic "tripartite ideology" extended to a quadripartite to include the non-Aryan indigenous people, the

¹ Wendy Doniger and Brian K. Smith, trans., *The Law of Manu* (Auckland, New Zealand: Penguin Books, 1991), xvii-xviii.

² Doniger, xxiii.

³ Ibid., 1-li.

⁴ Brian K. Smith, *Classifying the Universe* (New York, NY: Oxford University Press, 1994), 27.

Sudra.⁵ The tripartite or quadripartite social hierarchy formed a series of binary oppositions of the “ruling class” and “oppressed class.” As the Aryan invaders became natives in the occupied areas and some of original inhabitants were assimilated into some degree within Aryan society, the latter came to be known as “Sudras” and took over the bottom rung in social order, namely below the Vaishyas, the commoners or peasantry.⁶ For many centuries, Indian people did not pay much attention to the word “Aryan” which had been assimilated into the indigenous habitants from being the invaders, except proudly considering themselves as noble, intelligent, and of high quality. According to the Manu writer, an Aryan is a man who is not Mlechcha, Dasyus, Vratya, Vahya, or Sudra.⁷

Legendarily, amongst the most famous of all Vedic hymns is the *Purusa-sukta* whose gods created the cosmos by performing a sacrifice of Purusa, or personified man, from the various organs of whose body the essential phenomena of the cosmos, including the four *varnas* social categories. His mouth became the Brahmin priest; his arms were transformed into the Warrior Kshatriyas; his thighs were the Vaisyas or commoners; from his feet, the Servants Sudras were born.⁸

Philosophically, the Manu writer believed that the past karma determined the innate quality (gunas) of the four castes:⁹ goodness (satva) belonging to the Brahmin; activity (rajas) belonging to the ksaya; and darkness (tamas) belonging to the Vaisya and Sudra. Namely, if one

⁵ The expansion from the tripartite classification system into a quadripartite one may be stimulated by the historical enlargement of Vedic society to include the non-Aryan indigenous people, i.e. *dasyus* or “slaves” (Smith, 14-15).

⁶ Smith, 15.

⁷ Mlechchas’ countries and languages were different from that of Aryas. Dasyus were the slaves; Vratya were the people of various castes without going through sixteen ceremonies. Vahyas were the people who were excluded from caste community. Sudras were not twice-born people, who were qualified for going through sixteen ceremonious sacraments in their life time (Shridhar V. Ketkar, *The History of Caste in India* (Ithaca, NY: Booksellers and Publishers, 1909), 80-81). Ketkar, 79-81.

⁸ Smith, 27-28.

⁹ The word “Caste” was used since seventeenth century in Indian context; it came from the Spanish word of “Casta,” which means pure. Ketkar classified “Caste” into two social characteristics: confined membership by birth and exclusive endogamy (Ketkar, 12, 15).

had done good deeds in a previous life, one would go into the superior womb (of Brahmin and Ksatriya); if one had done bad deeds in the past life, one would go into inferior womb (of Vaishya and Sudra). If the lower caste is doing good deeds and obeying this Law of Manu now, he will obtain a higher caste in the next life.¹⁰

Ideologically, the Aryan or twice-born castes were more pure and sacred than other castes largely due to the sacraments done for generations.¹¹ Namely, the foundation of caste system was based on karma, purity, and pollution that graded the time, places, and condition of people, not much by rank, social position, or economic condition. Therefore, things associated with the higher castes of Brahmin and Ksatriya are considered pure and sacred, while any thing related to the lower caste is deemed impure or polluted such as food, birth, and death. If the twice-born people were impure, they could use the mind, austerities, fire, holy food, water, earth, the wind, the sacred rites and texts, golden or silver vessels, and others to purify the pollutions.¹²

Structurally, the writer constructs social hierarchy based on several distinctive castes: four original castes; castes were produced by mixture of pure and mixed caste;¹³ castes have lost their status because of sacred rites' neglecting; castes of exclusive person from the community; slaves and their descendants; and others excluded from their community of four castes and their respective descendants.¹⁴ By having sacramental initiation, one could obtain his social or caste status even if there was no need for having the formal conversion into Hinduism because of the concept of belonging to certain caste by birth.¹⁵

¹⁰ Ketkar, 114-115.

¹¹ According to the Law of Manu, the twice-born castes should perform sixteen sacraments in a life time from birth to death (Ketkar, 80-81).

¹² Ketkar, 119-120.

¹³ There are thirty mixed castes which can be classified into three types: caste produced from two different pure castes; castes produced by mixture of pure castes on one side and mixed on the other; castes produced from parents of mixed origin on both sides (Ketkar, 84).

¹⁴ Ketkar, 83-84.

¹⁵ Ketkar, 89.

Constitutionally, in order to maintain social order, the castes' members are required to perform their determined and innate obligations, or Dharma.¹⁶ According to the writer, the Brahmin caste is the Lord of creation and the best natural birth; its Dharma is the holder of Veda. It has the power over others in religious and secular life. It has the wealth of entire earth, servants, religious treasury, and leadership.¹⁷ Namely, Brahmins are the gods on the earth, and their powers are prior even to the creator gods, because of their knowledge in Veda and sacrifice.¹⁸ The Brahmins separately occupy the highest position in any taxonomical classification. Specifically, they are the superior social entity and the "lord" of the sacrifice. They have absolute spiritual authority of lordship over all other social classes, because of their most manifestation of the human being according to an ontological and Vedic point of views. The secondary metaphysical forces or "essential powers" of Brahman are the Brahmavarasa ("the splendor of the Brahman power, the "glow" of obtaining Vedic knowledge, and the "fiery luminosity or energy"). Since the Brahmins have the ability to recite Veda orally (the "feminine" qualities of speech), their elemental power ("masculine") connect to their influence, the sacrifice (yajna). Here, the Brahmins are usually said to be "foremost" (or "connected to the mouth"), and thus superior over all others as equate with rta, "cosmic-moral order," and with satya, "truth" or "reality."¹⁹ Regardless of one's educational level, a Brahmin, being ignorant or learned, is still a great deity, because the three worlds and gods owe their existence to him.²⁰ According to the writer, a true Brahmin increases his wisdom, fame, long life, supreme good from receiving offerings, well-being, and full fruit of Veda by performing his duties of learning, doing, and

¹⁶ Ibid., 112.

¹⁷ Doniger, 13, 14, 33, 91, 234, 288.

¹⁸ Smith, 33-35.

¹⁹ Ibid., 32-36.

²⁰ Kerkar, 161.

teaching other castes the ritual sacrifices of the Veda.²¹ Without Vedic education, he would be looked down by other castes; namely he can not ignore this main duty; otherwise, he becomes a “comet-mouth” ghost of eating vomit.²² For example, if an officiating priest rejects a sacrificial patron, he should be fine one hundred pennies.²³

(Being superior toward other castes) in normal situation a priest can not beg wealth from the servants; but if he is in adversity situation, he may accept the gifts from anyone.²⁴ However, a priest should get himself through an extremity by means of chanting Vedic verses and making offering to the fire (because it was his innate activity).²⁵ If he could not make living by his own innate activity, he can take the jobs of the Ksatriya and Vaisya, not Sudra or thirty degraded occupations.²⁶ If a Vedic graduate is hungry, he should seek fund from the king, his patron, or student, but not from others (because it would make him in equal or lower position than that of the lowest class).²⁷ A priest should guard his wife zealously, in order to keep his offspring clean (the writer concern was to maintain the pure caste).²⁸ When someone meets the priest, he should ask after his welfare.²⁹ Speech is the weapon of priest, and with it he can slay enemies (by using the word, he can manipulate and control other castes).³⁰ If a priest commits a crime, it would be dependent upon which caste of people he has violated; for example, a priest who rapes a guarded woman of the priestly class should be fined a thousand pennies, but if he has sex with her when she wants it, he should be fined five hundred.³¹ If he steals from others, he should pay the fine

²¹ Doniger, 12, 13, 14, 53.

²² Ibid., 285.

²³ Ibid., 193. An officiating priest is chosen by a man and performs for him all ritual sacrifices (Doniger, 32).

²⁴ Doniger, 247, 257.

²⁵ Ibid., 254.

²⁶ Ibid., 59-60, 245.

²⁷ Ibid., 77.

²⁸ Ibid., 198.

²⁹ Ibid., 30.

³⁰ Ibid., 254.

³¹ Doniger, 192.

equal to sixty-four times the value of the stolen item.³² If he defames others of equal caste, he should be fined two hundred pennies.³³ If a priest becomes rotten and misbehaves, he is not qualified as a priest; for example, a priest who is a thief, fallen man, imported man, or atheist is worthless of the offerings to the gods and ancestors (here the writer considered a rotten priest as an atheist).³⁴ In secular court, only a priest can give witness for priests.³⁵ The priest can redeem his offenses through the technique of purification; for instance, a priest is purified by the water that reaches up to his heart.³⁶ If even three men who know the Veda declare the thorough redemption of errors, they serve to purify those errors, for the speech of the learned is a purifier (they can purify their offenses collectively).³⁷ He purifies the row for seven generations in the past and seven in the future (he has the capability to purify himself in the future).³⁸ A priest would be clean after doing dead ceremony by touching the water.³⁹ He becomes clean after ten days of death.⁴⁰

Regarding the second caste, the Ksatriya, there was no close corporation, organized body, race, or color related to it. It did not differentiate from with the masses as that of the Brahmin, because its competition for the throne did not depend much on the family special privilege. Even before the establishment of the caste system, the Ksatriya social status depended on the tribe and clan charisma, not on feudal hierarchy.⁴¹ In general, the Dharma or the responsibilities of the ruling class, Ksatriya, are protecting his people, giving, having sacrifices performed, studying, controlling sensory subjects, presiding the court with focus, making legal decision to see which

³² Ibid., 188.

³³ Ibid., 181.

³⁴ Ibid., 58, 59.

³⁵ Ibid., 158.

³⁶ Ibid., 24.

³⁷ Ibid., 259.

³⁸ Ibid., 14.

³⁹ Ibid., 110.

⁴⁰ Ibid., 108.

⁴¹ Ketkar, 94-95.

were beneficial or unbeneficial, just and unjust, bravery fighting in the battle, bearing arms, and making a commoner in trade, lend money, and others, and making the servant to serve the twice-born because they have worldly power.⁴² A defeated king brought a sin to himself and his people; a weak king preferred to die in the battlefield than on the death bed, because it was considered as a sin for his caste.⁴³ If he does not turn away from battle, protect his subjects, and obey the priest, they are the best for kings.⁴⁴ Here, the writer emphasized the Ksatriya's dharma as the warrior that it was honor and better to die in the battle field. Besides, to take care of his kingdom and people, everyday he should exam his vehicles, actions, regulation of expenditure and revenue, mines, and treasury.⁴⁵ He should make proper judgments on his people according to the hierarchical caste system. If he makes false judgment toward his people, he would be burdened with magical sins. Famine was always a bad omen for a king because of his charismatic insufficiency.⁴⁶ A twice-born man, including the ruler, should study spiritually the whole Veda together with the sacred text; a twice-born man who does not study the Veda but exerts himself doing something else quickly turns into a servant, even while he is alive, and his descendants too (this is their obligation).⁴⁷ He should keep the sacrificial fire and offer first fruit or animal to gods before eating.⁴⁸ In many instances, the writer mentioned the degrading of several Ksatriya tribes into the Sudra condition because of neglecting the sacred rites and disobeying the Brahmins such as the Paundrakas, the Udras, the Dravidas, and others.⁴⁹ As a courtesy, when

⁴² Doniger, 13, 23, 33, 55, 137, 142, 143, 154, 164, 195, 244.

⁴³ Max Weber, *The Religion of India*, trans. and ed. Has H. Gerth and Don Martindale (The Free Press of Glencoe, 1958), 64.

⁴⁴ Doniger, 137.

⁴⁵ *Ibid.*, 196.

⁴⁶ Weber, 64.

⁴⁷ Doniger, 34.

⁴⁸ *Ibid.*, 77.

⁴⁹ Doniger, 240-241.

someone meets the king, he should ask his well-being.⁵⁰ In difficulty, a ruler should get through an extremity by the power of his two arms.⁵¹ If he is in adversary, he may take the job of the commoners, not the sudra.⁵² When a Ksatriya commits an offense, he may be punished and fined accordingly; for example, if he steals from others, he should pay the fine equal to thirty-two times the value of the stolen item.⁵³ If he eats impure things, he is a “false-stinking” ghost.⁵⁴ In the court, only a Ksatriya can give witness for Ksatriya.⁵⁵ The Ksatriya can purify his offenses; for instance, a king is purified by the water that reaches up to his neck.⁵⁶ A king would be cleaned after doing dead ceremony by touching the riding animal and weapons.⁵⁷ He becomes clean after twelve days of death.⁵⁸

The Vaishya includes all people except the Brahmins, Ksatriya, and low indigenous caste. The Dharma or the responsibilities of the commoner, Vaishya, are trading, lending with interest rate, protecting and feeding livestock after marriage, farming their own land, having sacrifices performed, knowing high or low value of gems, knowing how to plant, knowing how to pay for the wage, knowing how to use measurement, making great effort to increase and protect wealth.⁵⁹ Spiritually, a twice-born man or commoner, should study the whole Veda together with the sacred text; a twice-born man who does not study the Veda but exerts himself doing something else quickly turns into a servant, even while he is alive, and his descendants too (studying Veda was his privilege; if he did fulfill their responsibility, he would lose that privilege

⁵⁰ Ibid., 30.

⁵¹ Ibid., 254.

⁵² Ibid., 245.

⁵³ Ibid., 187-8.

⁵⁴ Ibid., 285.

⁵⁵ Ibid., 158.

⁵⁶ Ibid., 24.

⁵⁷ Ibid., 110.

⁵⁸ Ibid., 108.

⁵⁹ Ibid., 13, 232.

as the Sudra did).⁶⁰ He should keep the sacrificial fire and offer first fruit or animal to gods before eating.⁶¹ If he neglects his duty, he will become a ghost “who sees by an eye in his anus,” and eating his pus.⁶² In social interaction, when someone meets a commoner, he should ask his prosperity.⁶³ In marriage, a woman of the same class is recommended to twice-born men for the first marriage (in order to keep the caste being pure); but for men who are driven by desire, these are women, in progressively descending order.⁶⁴ Whenever a woman of the commoner class married a man of superior class she should hold a whip.⁶⁵ In difficulty, a commoner should get through an extremity by means of wealth.⁶⁶ If he is in adversary, he may take the job of the servant.⁶⁷ If he steals from others, he should pay the fine equal to sixteen times the value of the stolen item.⁶⁸ In court, only a commoner gives witness for a commoner.⁶⁹ In order to clean the offenses, a commoner is purified by the water that is swallowed.⁷⁰ He would be clean after doing dead ceremony by touching his whip.⁷¹ He becomes clean after fifteen days of death.⁷²

In addition, the difference between the Sudra and the twice-born people is that the former did not qualify for going through the sacramental initiation.⁷³ He has only one birth because of lacking sacraments.⁷⁴ He can not commit any crime nor he deserves to have transformative ritual.⁷⁵ The Sudras were household servants, not slaves; they could have slaves, but not

⁶⁰ Doniger, 34.

⁶¹ Ibid., 76, 77.

⁶² Ibid., 285.

⁶³ Ibid., 30.

⁶⁴ Ibid., 44.

⁶⁵ Ibid., 47.

⁶⁶ Ibid., 254.

⁶⁷ Ibid., 246.

⁶⁸ Ibid., 187.

⁶⁹ Ibid., 158.

⁷⁰ Ibid., 24.

⁷¹ Ibid., 110.

⁷² Ibid., 108.

⁷³ Ketkar, 96-97.

⁷⁴ Doniger, 234.

⁷⁵ Ibid., 250.

accumulating wealth, because it may demerit them of being arrogant, disrespectful toward the Brahmin, and forgetting their humble duty (since they are at the bottom of the caste system).⁷⁶ According to the writer, the responsibilities of the Sudras or servants were to serve as the slaves for the twice-born castes without resentment [otherwise the universe would shake in chaos], obey the Vedic scholar priest without a sense of “I” [and he will take superior rebirth in the future], serve the king once per month, and be lifetime servant even his master may set him free.⁷⁷ If a servant neglects his duty, he will become a “moth-eater” ghost.⁷⁸ If he is unable to engage in the service of the twice-born or nearly lose his wife and sons, he should do a manual labor or various handicrafts.⁷⁹ In marriage, whenever a woman of the servant class married a man of superior class, she should hold the fringe of his garment.⁸⁰ If he commits the offenses (i.e. stealing things from others) he should pay a fine equal to eight times the value of the stolen item.⁸¹ Since he is the lowest caste in society, he would be punished severely if he harms any people in the higher castes; the writer mentioned that if he hits or harms any part of the higher caste’s body, the king should cut off that very part of his body.⁸² Only servant gives witness for servants.⁸³ For courtesy, when someone meets the servant, he should ask his health.⁸⁴ A servant should get through an

⁷⁶ Ketkar, 97-98; Doniger, 218, 250. Seven ways that slaves come into beings: taken under a flag of war, becoming a slave in order to eat food, born in the house that bought, given, inherited from ancestors, or enslaved as a punishment; a slave is traditionally said to have no property; a priest can take away the slave’s properties; the king should order the servant to do their innate activities of serving the twice-born caste for maintaining the universe order (Doniger, 196).

⁷⁷ Doniger, 13, 142, 195, 196.

⁷⁸ Ibid., 285.

⁷⁹ Ibid., 245.

⁸⁰ Ibid., 47.

⁸¹ Ibid., 187.

⁸² Ibid., 182, 183.

⁸³ Ibid., 158.

⁸⁴ Doniger, 30.

extremity by means of wealth.⁸⁵ A servant is purified by the water that touches on the tip of his lips.⁸⁶ He becomes clean after a month of death.⁸⁷

Now, we are going to discuss the relationship among these four castes. First, we can see that the Brahmin and Ksatriya are the ruling classes; each had its own distinct set of powers, privileges, and spheres of interest and influences. The Brahmins are superior in spiritual power of doing Vedic sacrifice, whereas the Ksatriyas are superior in worldly power of having military and kingship. In their relationships, they form joining complementary powers of guarding and protecting each other.⁸⁸ For example, a king without a house chaplain, *purohita*, could hardly be a full king. Similarly, a Brahmin without a king could hardly be a full Brahmin.⁸⁹ Nevertheless, in different text, it said that the Brahmins can live without rulers, but the rulers can not adequately carry out their task without the assistances of Brahmins.⁹⁰ Indeed, according to the Vedic codes, since the Brahmins were born from Purusa's mouth and the Ksatriya were from Purusa's arms, the Brahmins' statuses were higher than that of the Ksatriya. Also, since the Brahman generated the whole world, the power of Ksatriya was developed from the Brahman.⁹¹ Hence, a ten-year-old priest was treated as the father of a hundred-year-old ruler.⁹² As a result, a king should appoint a personal priest and officiating priest to perform for him the domestic rituals and three sacrificial fires; he should give the luxury objects and money to the priest for religious purposes; he should be reverent to the priests who have returned from their guru's family.⁹³ The king obeys and makes the offering to the priest, lets the priest to witness the oath,

⁸⁵ Ibid., 254.

⁸⁶ Ibid., 24

⁸⁷ Ibid., 108.

⁸⁸ Smith, 36-38.

⁸⁹ Weber, 61.

⁹⁰ Smith, 42.

⁹¹ Ibid., 41.

⁹² Doniger, 31.

⁹³ Doniger, 136, 137.

receives the offering after the priest, does not take taxes from the priest, honors, and greets the priest in the court.⁹⁴ The writer reminds the readers that a king should not abuse or kill the priest, even if the priest commits all kinds of evil deed.⁹⁵ Even in extremity, the king should not make the priest angry, because it may cause all of his army and vehicles to be destroyed (as an inauspicious sign).⁹⁶ If the rulers become overbearing towards the priests in any way, the priests should subdue them, for the rulers were born from the priests (because the priests have the power over the rulers).⁹⁷ A ruler must never take anything from the priest.⁹⁸ A priest who knows the law need not report anything to the king.⁹⁹ In the court, the king should have a priest swear with truth.¹⁰⁰ In examination as witness in front of gods and priests, the king should ask the priest by saying, “Speak.”¹⁰¹ Even if the priest is involved in all kinds of evils, he is only banished harmlessly by the king (since the king can not kill or harm the priests).¹⁰² However, if a priest defames a ruler, he should be fined fifty pennies.¹⁰³ Morally, if a ruler has sex with an unguarded woman of a priestly class, the king should make the ruler paying a thousand pennies; if he goes astray even with a guarded woman of the priestly class, he should be punished like the servants or burnt up in a grass fire.¹⁰⁴ Although marrying with a different caste was not encouraged, the writer provides guidelines for such a marriage; for example, whenever a woman married a man

⁹⁴ Ibid., 13, 23, 33, 55, 137, 142, 143, 154, 164, 195, 244.

⁹⁵ Ibid., 181, 193.

⁹⁶ Ibid., 230.

⁹⁷ Ibid., 231.

⁹⁸ Ibid., 252.

⁹⁹ Ibid., 254.

¹⁰⁰ Ibid., 164.

¹⁰¹ Ibid., 160.

¹⁰² Ibid., 193.

¹⁰³ Ibid., 181.

¹⁰⁴ Ibid., 192.

of superior class or that of the ruler class, she should hold an arrow if she married with a man of a priestly class.¹⁰⁵

Following is the relationship between the Brahmin and the servant. The servant's responsibilities were to obey the Vedic scholar priest without a sense of "I" [and he will take superior rebirth in the future];¹⁰⁶ this shows how the priestly class try to control the servant class and give a vague promise for the future; if the servant did not obey or even harm the priest, it would be a serious offense; for example, if he shouts or abuses the priest, he should be punished with corporal or capital punishment.¹⁰⁷ Also, having physical contact with the servant could make the Brahmin degraded or impure; for example, no high-caste Brahmin is or was gladly the "servant" of a Sudra community, because it may degrade him.¹⁰⁸ If he receives food from the servants, he would be polluted.¹⁰⁹ A servant can not touch a death priest, because it may defile the priest and prevent him from being born in the heaven.¹¹⁰ The newly Vedic graduate could not go out with a stranger or a servant.¹¹¹ A priest should never beg wealth from a servant for religious sacrifice.¹¹² For purification, he would be cleaned after dead ceremony by touching the priest's stick.¹¹³ In marriage, not a single story mentions a servant woman as a wife of a priest or a ruler, even in extremity.¹¹⁴ A serious horror if the Brahmin caste married a servant (Sudra) caste, and the writer denounces this type of marriage severely as Chandalas.¹¹⁵ For instance, a

¹⁰⁵ Doniger, 47. Since there is limited in writing space, I can not discuss the positions of the wives and their children's inheritances according to Manu.

¹⁰⁶ Doniger, 13, 142, 195, 196,

¹⁰⁷ Ibid., 181.

¹⁰⁸ Weber, 62.

¹⁰⁹ Doniger, 93.

¹¹⁰ Ibid., 110-111.

¹¹¹ Ibid., 87.

¹¹² Ibid., 253.

¹¹³ Ibid., 110.

¹¹⁴ Ibid., 44-45.

¹¹⁵ Kerkar, 144.

priest who climbs into bed with a servant woman goes to hell; if he begets a son by her, he loses the status of a priest.¹¹⁶

Following is the relationship between the Ksatrya and the servant. The responsibilities of the ruling class, Ksatriya, are protecting and giving to his people, and making the servant to serve the twice-born because he has worldly power.¹¹⁷ Lawfully, in examination as witness in front of gods and priests, the king should ask the servant with a warning of all the crimes.¹¹⁸ The servant's responsibilities were to serve the king once per month.¹¹⁹ According to the Manu, if there was no twice-born man in a kingdom and it was ruled by atheists with servants in majority that kingdom is soon destroyed and oppressed by famine and fire. In court, a servant could not make any lawful decision, because it may bring the kingdom to collapse (the writer reminds the oppressed class, i.e. the servant, that they could not run the kingdom as the rulers did).¹²⁰ In order to maintain the purity of the caste, the writer did not encourage inter-caste marriage; for example, the twice-born man can not marry the Sudra woman, because it will degrade him and his descendants.¹²¹

Following is the relationship between the Ksytriya and the commoner. The responsibilities of the ruling class, Ksatriya, were protecting and giving to his people, making a commoner in trade, lend money, and others because he has worldly power.¹²² A commoner who commits sexual misconduct should have all of his property confiscated [by the king] and be imprisoned for a year.¹²³ In examination as witness in front of gods and priests, the king should

¹¹⁶ Doniger, 44.

¹¹⁷ Ibid., 13, 23, 33, 55, 137, 142, 143, 154, 164, 195, 244.

¹¹⁸ Ibid., 160.

¹¹⁹ Ibid., 13, 142, 195, 196,

¹²⁰ Ibid., 153-154.

¹²¹ Ibid., 44.

¹²² Ibid., 13, 23, 33, 55, 137, 142, 143, 154, 164, 195, 244.

¹²³ Ibid., 192.

ask the commoner with the warning of wealth.¹²⁴ For marrying a woman of equal caste, the bride and bridegroom join hands. In marrying a higher caste man, the bridegroom should take a hold of a whip.¹²⁵

Following is the relationship between the commoner and the servant. The servant's responsibilities were to serve as the slave of the twice-born castes without resentment [otherwise the universe would shake in chaos], and be lifetime servant even if his master may set him free.¹²⁶ The twice-born people can not teach the servant the duty or assign the vow, because it would cause them to sink down to the dark hell of "Exposed" (the servant is not qualified to earn).¹²⁷ If others share leftover food at the dead ceremony with the servant, they would fall into the hell of "The Thread Time."¹²⁸ When a guest who sacrifices for the servant touches the priest with any part of his body, the donor at the dead ceremony has no reward for giving the gifts to others (the servant class was looked down totally; anything associated with the servant is considered as impure).¹²⁹ A man of the servant class who cohabits with someone of the twice-born castes, guarded or unguarded, loses his [sexual] member and all his property if the person were unguarded, and his entire [body and property] if the person were guarded (it is punishment for sexual misconduct).¹³⁰ In marrying a higher caste man, a Sudra bridegroom should hold the fringe of his garment.¹³¹

Following is the relationship between the priest and commoner. If he shouts or abuses the priest, he should be fined for two hundred pennies.¹³² If a twice-born man has threatened a priest

¹²⁴ Doniger, 160.

¹²⁵ Ibid., 47.

¹²⁶ Ibid., 13, 142, 195, 196,

¹²⁷ Ibid., 81.

¹²⁸ Ibid., 69.

¹²⁹ Ibid., 62.

¹³⁰ Ibid., 192.

¹³¹ Ibid., 47.

¹³² Ibid., 181

with intent to kill is reborn in the “darkness” hell for one hundred years, and if he kills the priest it is a major crime (since the priest occupied the highest status in society, no one can harm him).¹³³ If a commoner has sex with an unguarded woman of a priestly class, the king should make the commoner paying five hundred; if he goes astray even with a guarded woman of the priestly class, he should be punished like the servants or burnt up in a grass fire.¹³⁴ In marrying a higher caste man, a bridegroom of the commoner class should take a hold of a whip.¹³⁵

In conclusion, physically individuals were supposed to follow Vedic social structure, and spiritually they were subjected to Brahmins’ authority and power of defining life in the Brahminic language of karma and rebirth, and final liberation from illusory individuality. Indeed, the Brahminic judicial caste system in the Law of Manu determined employment, freedom of speech, marriage, religious rituals, and others in every aspect of life in which caste hierarchy defined individual privilege and punishment. Explicitly, the superior class has more advantage than those of the inferior ones in economy, marriage, law and others. Also, if they violate the common law, they received lesser punishments than that of the inferior ones. Generally, the ruling and authorial castes of spiritual and secular powers (the Brahmins and Ksatriya) grow richer and more powerful than that of the oppressed ones (the Vaishya and Sudra). As a result, George Orwell’s “all men are equal, but some are more equal than others.” However, the caste system provides the comfort of security for individual identity and meaning in spite of its uncivilized unequal rights and grotesque dysfunctions. This Law of Manu has been ingrained in Indian people’s mentality since its beginning until now. Hence, according to some Indians, until

¹³³ Doniger, 89, 256.

¹³⁴ Ibid., 192.

¹³⁵ Ibid., 47.

modern civil law is translated into the language and thought pattern of Manu, it will not become effective.¹³⁶

¹³⁶ Roderick Hindery, *Comparative Ethics in Hindu and Buddhist Traditions: Ethics in Manu* (Delhi, India: Motilal Banarsidass Ltd., 2004), 75, 87-90.

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