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BOOK OF UNFREEDOM

The movement against 'Manusmriti' must be robustly feminist and unconditionally assert women's autonomy

IN A WEBINAR on "Periyar and feminism", Thol.Thirumavalavan, president of the Viduthalai Chiruthaigal Katchi (VCK), quoted Periyar on the Manusmriti, to say that the "ManuDharma" demeans women, holding them to be prostitutes by nature. In her newfound avatar as a BJP acolyte, actor Khushbu Sundar claimed Thirumavalavan's words insulted women. On cue, a case was filed against the VCK leader in Chennai.

It is the *Manusmriti* that insults women: Thirumavalavan merely quoted from it. What Khushbu and her party know, but cannot admit, is that they are outraged on behalf of the *Manusmriti* and not on behalf of women. That is why Khushbu claims that the *Manusmriti* has "not a single word that demeans women."

At public functions in India, it is common to hear people sententiously cite the Manusmriti to say, "The deities delight in places where women are revered, but where women are not revered all rites are fruitless" (The Laws of Manu, 3:58, Doniger and Smith, Penguin Books, 1991). The same Manusmriti says, "It is the very nature of women to corrupt men here on earth; for that reason, circumspect men do not get careless and wanton among wanton women." The idea of women as sexual tempters, corrupters or gateways to hell is not unique to Manu. The Christian, Islamic and Buddhist texts also warn against women, portraying them as sexually promiscuous, secretive, sly and out to entrap men.

Saying that the Manusmriti "treats women as prostitutes" is misleading. Such a description of the Manusmriti implies that the harm it causes is because it refers to women as sexually "loose" and, thus, insults women. But, in fact, the harm of the Manusmriti lies in its prescriptions of tight control of women's autonomy. Manu says, "A girl, a young woman, or even an old woman should not do anything independently, even in (her own) house. In childhood a woman should be under her father's control, in youth under her husband's and when her husband is dead, under her sons."

Our critique of the Manusmriti should take care to challenge rather than reinforce the notion that the worst thing one can say of a woman is that she is sexually "loose" or a "prostitute". It is important to recognize that the harm of the Manusmriti lies, not in the fact that it asks us to treat women as "prostitutes", but that it asks us to treat women as daughters, wives, mothers who must be tightly controlled by fathers, husbands, sons. In fact, Manu encourages us to see this control as "reverence" and "protection" rather than as repression and oppression.

This obsessive control over women is Needed to prevent a breakdown of caste hierarchies and caste apartheid. The Manusmriti lays down the law that a woman who makes love to a man of a higher caste incurs no punishment; a woman who makes love to a man of a "lower" caste than hers must be isolated and kept in confinement. If a man from a subordinate caste makes love to a woman of the highest caste, he must be put to death.

But, some ask, does anyone really read the Manusmriti in India, let alone obey it? The facts show that the spirit of Manu's laws continue to inform and shape modern society, as well as modern politics in India. The National Family Health survey 2015-16 (NFHS-4) found that just 41 per cent of Indian women aged between 15 and 49 are allowed to go alone to the market, to the health centre, and outside the community (NFHS-4, table 15.13). Startlingly, 40 per cent of what is classified as rape ...is actually parental criminalization of consensual sexual relationships, often when it comes to inter-caste and inter-religious couples" (Rukmini S." The many shades of rape cases in Delhi, The Hindu, July 29, 2014.)

In caste lies the key to understanding India's obsession with controlling and curbing women's autonomy – and in the Manusmriti lies the key to understanding the codes of caste and gender that are hardwired in to our societies and selves. In every household where women are surveilled, their movements restricted; in every opposition to inter- caste, inter-faith marriage; in every attack on Dalits' villages after a Dalit man has married an on-Dalit woman, in the Sangh's campaign to brand love between Hindu women and Muslim men as "love jihad" – it is the Manusmriti that you see in action.

Today, Khushbu Sundar on behalf of the BJP is leading the pack in attacking Thirumavalavan for his remarks on the Manusmriti, which they construe as an insult to Indian womanhood. In 2005, Khushbu herself had been at the receiving end of similar patriarchal moral outrage. She had remarked that pre-marital sex was cool as long as it was safe sex – for this, 22 Cases were filed against her accusing her of "defaming Tamil womanhood and chastity". The attack on Khushbu was led by the Pattali Makkal Katchi(PMK), a party now known for its violent campaign against marriages between Dalit men and women of intermediate castes. And at the time, Thol. Thirumavalavan and his organisation, too, had joined the fray, with Thirumavalavan saying that her remarks were "against public order". It would strengthen the movement against the Manusmriti today, if he were to acknowledge how his 2005 remarks reinforced the same Brahminical patriarchal notions of female purity and chastity that he, and we, are fighting today.

One cannot be a feminist in India if you are not fighting the Manusmriti – and one cannot fight the Manusmriti without being robustly feminist, and asserting women's unconditional autonomy.

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