MANUSMRITI. The Dharmaśāstra, ascribed eponymously to Manu, the son of the creator god, and the first human, a text commonly called Manusmruti, is the most celebrated and best-known legal text of ancient India. By about the middle of the fifth century C.E., Manu was viewed as the supreme authority in legal matters, and views contradicting Manu were taken to be invalid.

Manu, however, was not the first author of a legal text in ancient India. The earliest extant legal texts predate the Manusmruti by three to four centuries and were written in aphoristic prose called śūtra. Four such codes, commonly referred to as Dharmaśāstras, exist. Before Manu, the tradition centered on the term “dharma” was principally concerned with ritual life and good conduct of Brahmin males, and with family and personal law. The sections of the Manusmruti dealing with the king, statecraft, and especially dispute settlement or judicial procedure (vyavahāra), however, are either absent or poorly developed in the Dharmaśāstras. It was Manu’s innovation to include extended discussions of these topics in his treatise.

Modern scholars have often viewed the Manusmruti as the result of repeated additions and editorial interventions, thus denying it both authorship and authorial intent. Although Manu derived much of his material from earlier sources, however, his work is not merely an anthology. It shows evidence of original composition authored by a single individual. Manu gave a definitive and unique structure to his work, introducing several innovations that mark his composition as a watershed in the history of ancient Indian legal literature. This structure casts doubt on the theory that this text was composed either through unconscious accumulation or through a series of editorial interventions spanning long intervals of time.

The date of its composition has been a matter of controversy, with estimates ranging from the second century B.C.E. to the third century C.E. Recent research, however, points to a date between the first and second centuries C.E.

The fame of Manu did not diminish through the next fifteen centuries right up to the time when legal administration was taken over by the colonial power, Britain. More commentaries (nine are extant) were written on the Manusmruti than on any other legal text. The Manusmruti remained preeminent throughout the long and distinguished history of legal literature during the Middle Ages. Medieval legal compilations cite this work more frequently than any other primary text.

The fame of Manu spread outside of India at a relatively early date. The first lawgiver, Mahāsamanta, in the Buddhist story becomes identified with Manu in the Buddhist countries of Southeast Asia. It is no surprise, then, that after the establishment of colonial rule, when administration of justice was carried out by British judges, the first text on Indian law to be translated was the Manusmruti. Even though the early British perception of this text as akin to a modern code of law was mistaken, the translation of the Manusmruti opened up for the first

time non-European law in textual form to a Western audience.

[See also Dharma; Hindu Law, subtitle on The Formative Period, 400 B.C.E.—400 C.E.; and Vyavahāra.]

BIBLIOGRAPHY


Patrick Olivelle