

अप्रयच्छन्समाप्नोति भूणहत्यामृतावृतौ ।
गम्यं त्वभावे दातृणां कन्या कुर्यात्स्वयंवरम् ॥ 64 ॥

*Aprayacchansamāpnoti bhrūṇahatyāmṛtāvṛtau,
Gamyam tvabhāve dātṛṇām kanyā kuryātsvayaṁvaram.*

Persons like father, grandfather, brother, any person of the girl's family and mother in a seriatim are eligible to perform kanyādāna and in the absence of the first, the others are successively eligible for performance of kanyādāna, provided that they possess sound mind. If a person entitled to perform kanyādāna, does not solemnise the marriage in time, then he is accused of womb killing at each menstruation cycle of that girl. In case, there is no person available as described above for solemnising the marriage, the maiden herself is entitled to select an eligible bridegroom for herself.

Comment : In the opinion of Manu, the maiden should not be married with any unsuitable person, irrespective of her living unmarried unto death. However, the commentators have extracted its meaning that a father should not marry his daughter to an unsuitable man, if a qualified man is available. But, when we peep into the words of Manu, these suggest the father to wait till his daughter finds a suitable man as her husband.

सकृत्प्रदीयते कन्या हरंस्तां चोरदण्डभाक् ।

Sakṛtpradīyate kanyā harāṁstām coradaṇḍabhāk.

A maiden is offered only once throughout her life time, whereby, the person re-offering her to another man thereafter is liable for punishment of not less than that of a thief.

दत्तामपि हरेत्पूर्वाच्छ्रेयांश्चेद्वर आब्रजेत् ॥ 65 ॥

Dattāmapī haretpūrvācchreyāṁścedvara āvrajet.

However, the maiden can be offered to another person, if he comes forward and it is proved that he is more qualified and meritorious than the earlier with whom the ring ceremony was celebrated.

Comment : In the opinion of Manu, the share is given once, the maiden is given once and a statement "it is given" is made only once. The provision to rescind the commitment once made with any person regarding marriage of a maiden is contemplated in Medhātithi (viz. the

man can call back the offer) because according to the provision, it may be done before saptapadī (i.e. Pradaḥṣiṇā of fire). According to Nārada, if the bridegroom does not reveal true facts (i.e. hides his faults) regarding himself, the offer should be cancelled and punishment should be imposed on such false bridegroom.

अनाख्याय दददोषं दण्ड्य उत्तमसाहसम् ।

अदुष्टां तु त्यजन्दण्ड्यो दूषयंस्तु मृषा शतम् ॥ 66 ॥

*Anākhyāya dadaddoṣam daṇḍya utamasāhasam,
Aduṣṭām tu tyajandaṇḍyo dūṣayamstu mṛṣā śataṃ.*

A person who conceals the apparent defects of a maiden and offers her to the bridegroom, is liable for pecuniary punishment¹ for such adventure and the person who abandons the meritorious maiden is also liable for same punishment. Similarly, one, who accuses falsely, a number of defects in a maiden prior to marriage, is liable for punishment of hundred paṇas (rupees).

अक्षता च क्षता चैव पुनर्भूः, संस्कृता पुनः ।

स्वैरिणी या पतिं हित्वा सवर्णं कामतः श्रयेत् ॥ 67 ॥

*Akṣatā ca kṣatā caiva punarbhūḥ, saṃskṛtā punaḥ,
Svairiṇī yā patiṃ hitvā savarṇam kāmataḥ śrayet.*

A woman who has either enjoyed coition or intact is called Punarbhū on remarriage and one, who divorces her husband for another person voluntarily, is called Svairiṇī.

अपुत्रां गुर्वनुज्ञातो देवरः पुत्रकाम्यया ।

सपिण्डो वा सगोत्रो वा घृताभ्यक्त ऋतावियात् ॥ 68 ॥

*Aputrām gurvanujñāto devaraḥ putrakāmyayā,
Sapiṇḍo vā sagotro vā ghṛtābhyakta ṛtāvīyāt.*

आ गर्भसंभवाद्गच्छेत्पतितस्त्वन्यथा भवेत् ।

अनेन विधिना जातः क्षेत्रजोऽस्य भवेत्सुतः ॥ 69 ॥

*Ā garbhasambhavādgacchetpatitastvanyathā bhavet,
Anena vidhinā jātaḥ kṣetrajo'sya bhavetsutaḥ.*

A woman left barren by her husband can conceive through her

1. A fine of 1,000, or, according to some, 80,000 paṇas.

brother-in-law or sibling after obtaining due permission from the teacher (Preceptor). He should enjoy coition with her during menstruation cycle (Ṛtukāla) and prior to coition, he should massage ghee on his body. Such coition should be made until insemination. On excessive or additional coition by him, his character will be blamed. The son so obtained is called Kṣetraja¹ of his father.

हताधिकारां मलिनां पिण्डमात्रोपजीविनीम् ।

परिभूतामधःशय्यां वासयेद्व्यभिचारिणीम् ॥ 70 ॥

Hṛtādhikārām malinām piṇḍamātropajīvinīm,
Paribhūtāmadhaḥśayyām vāsayevdyabhicāriṇīm.

A debauch should not be expelled from home, instead her rights should be denied, restrictions should be imposed on her dressing and cleaning, should be reprimanded for the evil committed frequently, allowed food only to the extent she can survive, and should be made to sleep on ground.

सोमः शौचं ददावासां गन्धर्वश्च शुभां गिरम् ।

पावकः सर्वमेध्यत्वं मेध्या वै योषितो ह्यतः ॥ 71 ॥

Somaḥ śaucam dadāvāsāṃ gandharvaśca śubhām giram,
Pāvakaḥ sarvamedhyatvaṃ medhyā vai yoṣito hyataḥ.

Soma has bestowed woman with chastity, Gandharva has bestowed her with sweet voice and fire has bestowed all purity to the woman. They therefore, are holy altogether.

व्यभिचारादृतौ शुद्धिर्गर्भे त्यागो विधीयते ।

गर्भभर्तृवधादौ च तथा महति पातके ॥ 72 ॥

Vyabhicārādṛtau śuddhirgarbhe tyāgo vidhīyate,
Garbhabhartrvadhādu ca tathā mahati pātake.

A woman gets purified in menstruation even if she has made an illicit physical relation with another man but; if she has conceived, it is good to renounce her. If she has killed the womb and her husband, or has committed any heinous crime like murder of Brāhmaṇa etc.; she should be renounced forever.

1. One of the twelve kinds of sons allowed by the old Hindu Law; the offspring of a wife by a kinsman duly appointed to raise up issue to the husband.

सुरापी व्याधिता धूर्ता वन्ध्यार्थघ्न्यप्रियंवदा ।

स्त्रीप्रसूश्चाधिवेत्तव्या पुरुषद्वेषिणी तथा ॥ 73 ॥

*Surāpī vyādhitā dhūrtā vandhyārthaghnyapriyamvadā,
Strīprasūsādhivettavyā puruṣadveṣiṇī tathā.*

A man can resort to polygamy if his wife is a drunkard, a patient of incurable disease, shrewd, barren, spendthrift, bitter mouth, delivering girl children and envying her husband continuously.

अधिविन्ना तु भर्तव्या महदेनोऽन्यथा भवेत् ।

यत्रानुकूल्यं दंपत्योस्त्रिवर्गस्तत्र वर्धते ॥ 74 ॥

*Adhivinnā tu bhartavyā mahadeno'nyathā bhavet,
Yatrānukūlyam dāmpatyostrivargastatra vardhate.*

A man should provide the aforesaid first wife with proper maintenance if polygamy has been resorted to but the first wife is living. If any neglection is made, the husband becomes a prey to evils. Where husband and wife are living under mutual harmony, the threefold objects, i.e. Artha, Dharma and Kāma always multiply there.

मृते जीवति वा पत्यौ या नान्यमुपगच्छति ।

सेह कीर्तिमवाप्नोति मोदते चोमया सह ॥ 75 ॥

*Mṛte jīvati vā patyau yā nānyamupagacchati,
Seha kīrtimavāpnoti modate comayā saha.*

A woman acquires fame in this world and enjoys the company of goddess Pārvatī¹ after her death when she does not make any relation with any other person either at a stage when her husband is living or, even when he is dead.

आज्ञासंपादिनीं दक्षाम् वीरसुं प्रियवादिनीम् ।

त्यजन्दाप्यस्तृतीयांशमद्रव्यो भरणं स्त्रियाः ॥ 76 ॥

*Ājñāsampādinīm dakṣām vīrasūṃ priyavādinīm,
Tyajandāpyastṛtīyāṃśamadravyo bharaṇam striyāḥ.*

A King has an absolute right to order a man to give one third of his earnings to the wife divorced by that man provided that she should be obedient, efficient, mother of a son and humble and in case, such man is

1. The consort of Śiva, one of the three deities of Hindu Triad.

poor, the king can order him to provide food grains and apparels from his earnings.

स्त्रीभिर्भर्तृवचः कार्यमेष धर्मः परः स्त्रियाः ।

आ शुद्धेः संप्रतीक्ष्यो हि महापातकदूषितः ॥ 77 ॥

*Strībhirbharṭṛvacaḥ kāryameṣa dharmāḥ paraḥ striyāḥ,
Ā śuddheḥ sampratīkṣyo hi mahāpātakadūṣitaḥ.*

The wives should observe the suggestions given by their husbands as this is their best religion. The wife should wait patiently for her husband, if he is sullied by any great iniquity, till the period the regretal is completed and purity is regained.

लोकानन्त्यं दिवः प्राप्तिः पुत्रपौत्रप्रपौत्रकैः ।

यस्मात्तस्मात्त्रियः सेव्याः कर्तव्याश्च सुरक्षिताः ॥ 78 ॥

*Lokānantyaṁ divaḥ prāptiḥ putrapautraprapautrakaiḥ,
Yasmāttasmātsriyaḥ sevyaḥ kartavyāśca surakṣitāḥ.*

As the son, grandson and great grandson maintain a perpetual tradition of family and the man attains the heaven¹ as a result of great deeds performed by them, for these purpose, a wife should be served and well-maintained and protected².

षोडशर्तुनिशाः स्त्रीणां तस्मिन्युग्मासु संविशेत् ।

ब्रह्मचार्येव पर्वाण्याद्याश्चतस्रस्तु वर्जयेत् ॥ 79 ॥

*Ṣoḍaśartuniśāḥ strīṇāṁ tasminyugmāsu samviśeṭ,
Brahmacāryeva parvāṇyādyāścatasrastu varjayeṭ.*

Women have sixteen nights during menstruation cycle and one should enjoy coition with them on even nights. A person observing this rule is considered a Brahmachārī³ (i.e. rule abiding). He should however, abandon

1. These two are the fruits of marriage, namely, the family is multiplied in this world and the celestial region is attained hereafter; one's progeny being entitled to perform the Agnihotra rites.

2. A husband should know his wife for the purpose of procreating sons and maintain her for religious purpose.

3. If one knows his wife under these regulations, he does not lose the vow of a religious student.