Manu and Gautama
A Study in Śāstric Intertextuality

Early explorations of the issue of intertextuality in the Māṇava Dharmāśāstra (Manu, M) centered on the hypothesis first articulated by Max Müller in a letter to one Mr. Morley on July 29, 1849 that the extant śāstra was a versified version of a lost Māṇava Dharmāśāstra.¹ This hypothesis was given strong support by George Bühler (1886: xviif.) in the introduction to his renowned translation of Manu, although it has been abandoned by and large in recent scholarship and vigorously refuted by Kane (1962-1975: 1, 143-149).² The focus on this issue, however, has obscured the very real textual connection between Manu and one of the extant Dharmāśātras, the Gautama Dharmāśātra (Gautama, G). It is this śāstric intertextuality that is the subject of this paper. It studies the textual and thematic dependence of the Māṇava Dharmāśāstra on the Gautama Dharmāśātra amounting in several instances to the versification of the sūtras of Gautama. This analysis also throws some light on the process of composition undertaken by the author of Manu.

The textual parallels between Gautama and Manu are so close and so numerous that it is safe to conclude that the author of Manu used Gautama as one of his primary sources; the frequency of these parallels makes it unlikely that the authors of both texts were drawing from a common source. What is given below is not an exhaustive list of all the parallels between the two texts.³ These examples, however, permit us to draw some significant conclusions concerning both the sources of and the process entailed in the composition of Manu.

Manu 2.6ab ← Gautama 1 1-2.

vedo 'khilo dharmamūlam smṛtiśile ca tadvidām | 
vedo dharmamūlam tadvidām ca smṛtiśile |.

The root of dharma is the entire Veda, and the tradition and practice of those who know the Veda.⁴

The dependence of Manu on Gautama here is evident; the addition of (a)khilo in pāda-a and the change in word order in pāda-b convert the prose into a śloka. What is less clear, however, is whether the sūtra of Gautama itself is a prose rendering of a verse original. No other dharma text has a formulation quite like this.

¹ This letter is cited in full by Bühler (1879: ix-xi) and referred to in his translation of Manu (Bühler 1886: xviii).

² The abandonment of the Māṇava Dharmāśāstra hypothesis does not mean that the extant Manu is independent of the vedic sākhā tradition. Stephanie Jamison (2000) has recently shown some interesting textual connections between Manu and the Maitrīyanaśa sākhā of the Yajurveda.

³ For further examples, see M 2.14 and G 1.4; M 2.15 and G 1.3; M 2.73 and G 1.46; M 2.101 and G 2.8; M 4.112 and G 16.17; M 5.66 and G 14.15; M 8.112 and G 23.29; M 9.112 and G 28.5; M 9.123-24 and G 28.14-15. Note the term pāṣṭhā that occurs only in M 5.81 and 4.97 and in G 14.19.

⁴ Although I have translated smṛti as "tradition," it has become abundantly clear to me as I have worked through the Dharmāśāstric material that the term is much more ambivalent and complex. For its early semantic history, see Klaus 1992.

The ceremonies involving the teacher and the vedic student at the beginning and end of vedic instruction are recorded only in Gautama and Manu, and the dependence of Manu on Gautama is clear.

**Manu 2.73 ← Gautama 2.46**

\[
\text{adhyāṣṭaṇāṃ tu gurūṁ nityakālam atandraitāḥ} \quad \text{pāṇīnā śayam upasamgrhyānaṅguṣṭham adhiḥ bho ity āmantrayeta gurum.} \\
\text{adhiśva bho iti brāyād virāmo `svi iti cārāme]}.^5
\]

When he is ready for vedic recitation, he should say to the teacher, “Teach, Sir (bho),” without being lazy at any time; and when commanded “Stop!,” he should terminate.

Clasping (the teacher’s) left (hand) – excluding the thumb – with his right, he should address the teacher “Teach, Sir!”

**Gautama** is the only sūtra that specifies the length of time for the evening sanādhyā and that notes the time when stars become visible. Yājñavalkya (1.24-25) has a similar statement, but it is derivative of Manu.

**Manu 2.101 ← Gautama 2.11**

\[
\begin{align*}
\text{pūrvāṁ sanādhyāṁ japam tiṣṭhet śāvitrīṁ ārka-} \\
\text{darśanāt} & \quad \text{tiṣṭhet pūrvāṁ āstottarāṁ saṣyottisyā yvetiṣo darśa-} \\
\text{nād vāgyatāḥ].}
\end{align*}
\]

At the morning twilight, he should stand reciting softly the Śāvitrī verse until the sun comes into view; but at the evening (twilight), he should remain seated until the Big Dipper becomes clearly visible.

He should stand at the morning (twilight) from the time the stars are still visible until the sun comes into view, and he should sit at the evening (twilight) from the time the sun is still visible until the stars come into view.

In their respective lists of persons unfit to attend a śrāddha, Manu (3.150-166) and Gautama (15.16-19) show close similarities. Even though these similarities may result from the wide circulation of such lists, the near identity of some expressions makes it likely that Manu, although its list is much longer than that of Gautama, is dependent on the latter, especially because such an extensive list is lacking in any other Dharmasūtra. The beginnings of the two lists are nearly identical:

**Manu 3.150ab ← Gautama 15.16**

\[
\begin{align*}
\text{ye stenāḥ patītaḥ klibā ye ca nāstikavṛttayāḥ} \rightarrow & \quad \text{na bhajeyet stenaklibapaitanāstikataadvarṭti-} \\
\text{...} & \quad \text{He should not feed a thief, an impotent man, an outcaste, an infidel, a man who follows the livelihood of infidels ...}
\end{align*}
\]

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^5 The original reading of this verse, as also its exact meaning, are unclear. Gautama helps us to determine the original reading. Most mas.s. read adhyāṣṭaṇāṃ tu gurūṁ, making the teacher the subject of brāyād. In my critical edition (Olivelle 2005), however, I have adopted the reading adhyāṣṭaṇāṃ tu gurūṁ, supported by the commentator Nārāyaṇa. Nandana also comments: brāyād brahmaṇcāri, thus the subject is not the teacher but the pupil, thereby supporting the adopted reading. Several reasons prompt me to adopt this reading. The parallel in G (1.46), furthermore, reads adhiḥ bho ity āmantrayeta gurum. Here the subject is clearly the pupil and the words are addressed to the teacher. Gautama’s reading is supported by Saṅkhya-uṇāsūla (4.8.12), which contains the identical words adhiḥ bho. In the Taṅtārīṇya Upanīṣad (3.1-6) also these words are put in the mouth of the pupil. The request adhiḥ (changed to the middle voice adhiṣṭva in Manu) is made by the pupil to the teacher in all these sources.
Manu 3.158ab ← Gautama 15.18

agāradāhi garadoḥ kundāśi somavikrasyā... kundāśisoma vikrasya garadoḥ kundāśihgaradoḥ-

an arsonist, a poisoner, someone who eats from the son of an adulteress, a seller of Soma...
someone who eats from the son of an adulteress, a seller of Soma, an arsonist, a poisoner...

In the above list, only the order of the items is changed by Manu, possibly due to exigencies of meter. The expression of Gautama: upapatī rasya ca saḥ (“a wife’s paramour and her husband,” 15.17), moreover, has its parallel in Manu: rasya copapati grhe (“a man in whose house lives his wife’s paramour,” 3.155). This expression is unique to these two śāstras. Likewise, the somewhat ambiguous compound gaṇābhivyantara (“someone linked to a guild”) of Manu 3.154 parallels gaṇapreṣya (“someone who is in the service of a guild”) of Gautama 15.18, expressions that are again unique to these two śāstras and probably refer to a Brahmin who does contractual work (most likely of a ritual nature) for a guild.

One of the most significant parallels occurs in the section on impurity caused by the birth of a child. The vulgate version of Manu 5.61-62 contains two verses, and they are supported by most manuscripts of Manu:

\[
\begin{align*}
\text{yathedaṃ śāvam āśaucaṃ sapindaṃ āviveśu vidyāya} \\
\text{janane 'py evam eva syān nipunāṃ saśdhiḥ icchātām} \parallel \text{61} \parallel \\
\text{sarveṣāṃ śāvam āśaucaṃ maśāpiros tu śūtakam} \\
\text{śūtakaṃ mātrvr eva syād upasṛṣṭya piśā śucīḥ} \parallel \text{62} \parallel.
\end{align*}
\]

As this period of death-impurity is prescribed for those who belong to the same ancestry, so the same holds true at a birth for those who desire perfect purity. Death-impurity affects all, but birth-impurity affects only the mother and the father. The mother alone is subject to the period of birth-impurity; the father becomes pure by bathing.

In the critical edition of Manu that I have just completed, the pādas given in bold are retained and the rest is omitted, resulting in a single verse:

\[
\begin{align*}
\text{janane 'py evam eva syān maśāpiros tu śūtakam} \\
\text{śūtakaṃ mātrvr eva syād upasṛṣṭya piśā śucīḥ}.
\end{align*}
\]

The same holds true at a birth, but the birth-impurity affects only the mother and the father. The mother alone is subject to the period of birth-impurity; the father becomes pure by bathing.

I believe that the first half-verse of 61 was introduced by a later editor into the text of Manu. The reason for its introduction was probably the intervention of verse 60, which defines sa-pinda, between verses 59 and 61, thus breaking the natural continuity between the latter two. The significant pādas a-b of verse 59 define the period of impurity at the death of a relative: daśāhaṃ śāvam āśaucaṃ sapindaṃ āviveśu vidyāya – “a ten-day period of death-impurity is prescribed for those who belong to the same ancestry.” If this verse came immediately before, then evam in the phrase janane 'py evam of verse 61 becomes clear; the period of impurity after a birth is the same as that after a death. The intervention of verse 60 prompted a later editor to insert pādas a-b of verse 61, making the connection between 61 and 59 explicit. A similar commentarial intrusion occurs in the parallel passage of the Vasiṣṭha Dharmasūtra (4.16-22) between sūtra 16 (which is identical to Manu 5.59 pādas a-b) and sūtra 20 (which is identical to Manu 61 pādas c-d). But in Vasiṣṭha, because the commentarial portion is in prose, the connection between the verses 16 and 20 remains transparent.

However, both Manu and Vasiṣṭha are dependent, I think, on Gautama 14.14-16. This section of Gautama on impurity begins with the determination of the time of impurity following a death (4.1-12). The section begins: śāvam āśaucaṃ daśarātram anṛtvigdikṣitabrahma-
cārīnām sapindānām — “there is a ten-night period of death-impurity for those belonging to the same ancestry, except an officiating priest, one consecrated for a sacrifice, and a vedic student” — a provision that parallels Manu 5.59 and Vasiṣṭha 4.16. This section in Gautama concludes (4.13) with a brief definition of sapinda. Then Gautama (14.14-16) deals with impurity resulting from the birth of a child, two causes of impurity generally treated together in the śāstras:

janane ṣy eva  
matāpitro ṣa  
maṭur vā.  

The same holds true at a birth.  
It affects the father and the mother.  
Or just the mother.

It is evident that Gautama is giving here three opinions regarding impurity resulting from childbirth. The first treats it exactly the same as impurity resulting from a death. The second restricts it to the parents of the newborn child. The third restricts it even further to only the mother. That these were opposing views is made clear in the parallel version of Vasiṣṭha (4.20-22), which adds reasons for the three opinions (given below in Roman type and italics, respectively):

janane ṣy eva syān nipūnāṁ suddhim icchatām  
matāpitor vā bijanimittavāt  
maṭur ity ēke — [after which a verse is cited in support of this view].

The same holds true at a birth for those who desire perfect purity.  
Or it affects the father and the mother, because [the birth] is caused by the seed.  
Or just the mother, according to some.

The same three opinions are found in Manu 5.61-62, but they are difficult to discern because of the expansion of an original single verse into two. When we look at the single verse of the critical edition, we see the same three opinions clearly stated:

janane ṣy eva syān  
matāpitros tu sūtakam  
sūtakam maṭur eva syād upasṛṣya pitā sūtī.

The textual dependence of both Manu and Vasiṣṭha on Gautama becomes clear when we strip the former of their commentarial accretions. The expansion of the first opinion into a full half-śloka with the addition of the reason nipūnāṁ suddhim icchatām occurs both in Manu and in Vasiṣṭha. Given the textual problems inherent in Vasiṣṭha (see Olivelle 2000: 631-632), it is possible that the extant version may have been influenced by the revised version of Manu, which contains this expansion. It is also possible that the expansion took place independently and was absorbed into both Manu and Vasiṣṭha.

There is a similar proximity between Manu and Gautama in the rule of purification after a person has touched an impure substance while holding something in his hand. Both Baudhāyana 1.8.27-29 and Vasiṣṭha 3.43 have similar provisions,⁶ but their formulations are not similar to that of Manu and they instruct the person to place the article he is carrying on the

⁶ The provision of the Baudhāyana Dharmasūtra is long and complex and could not have been the source of Manu, whereas the wording of the Vasiṣṭha Dharmasūtra is very different from that of Manu: taṇ̄janam ced udāyocchisṭi syāt tad utasāyacāmyādāsyaṁ adhiḥḥ prakṣet | aha ced annenocchisṭi syāt tad utasāyacāmyādāsyaṁ adhiḥḥ prakṣet | aha ced adhbi uccchisṭi syāt tad utasāyacāmyādāsyaṁ adhiḥḥ prakṣet | Baudhāyana 1.8.27-29; pracartic abhyavahāreścchisṭam yadi saṁprśet | bhāmau niidāya tad dravyam ācarya pracaret punah || (Vasiṣṭha 3.43).
ground, purify himself, and pick the article up again. The provision of Manu is quite the opposite; the person should purify himself without placing the article on the ground.

Manu 5.143 ← Gautama 1.28

ucchiṣṭena iti saṃsprṣṭo dravyahastah kathocarṇaḥ |
anidhāyaiva tad dravyam ācāntah śvetām ivaḥ[2] ||

dravyahasta ucchiṣṭo 'nidhāyaśāmet ||.

Someone who becomes sullied while holding something in his hand should sip water without laying that thing down.

But a man who, while carrying something in his hand, is touched by a sullied person/thing, becomes pure by sipping some water without laying that thing down.

I have deliberately left no space between ucchiṣṭo and nidhāyaśāmet in the text of G. The complication created by Sanskrit sandhi makes the reading ambiguous: we can read the text as either ucchiṣṭo 'nidhāya (where the negative “a” is elided and in manuscripts often left unmarked without an avagrahā) or ucchiṣṭo nidhāya (without the negative). Thus the latter term may be read as nidhāya or anidhāya. The commentator Maskarin reads it as a positive statement and interprets it to mean that one should place what is in the hand on the ground and then sip water, in accordance with the provisions of Baudhāyana and Vasiṣṭha. Likewise, Medhātithi, commenting on Manu 5.143, reads it without the negative, and takes this sūtra to be in conflict with the provision of Manu. Haradatta, on the other hand, reads it with the negative, but says that one should place any food on the ground but not other articles, such as clothes. Whatever the interpretation, it is clear that the śloka of Manu is an expansion of the brief sūtra of G. It is also quite likely that the author of Manu read the text of Gautama with an avagrahā and understood it to recommend that the article carried in the hand be not placed on the ground before purification.

The provisions of Manu and Gautama regarding the fate of lost property also show remarkable similarities that cannot be accidental:

Manu 8.30 ← Gautama 10.36-37

pranāṣṭasvāmikam rikham rājā tryādaḥm niḥḍayap- | pranāṣṭam asvāmikam adhiganya rājīne prabṛ- | ।
yet | yuvāḥ | vikhyāpya saṃvatsarāya rājñā rāśyayam | īrṇīvam adhigantās caturīśam rājñāḥ śeṣah ।

arvāk tryādaḥ dharet svāmī pareṇa nrpatir haret ।

A property whose owner is lost should be kept in deposit by the king for three years. Before the lapse of three years, the owner can claim it; after that the king may take it.

If someone finds lost property without an owner, he should disclose it to the king. The king should have it publicized and keep it safely for a year, after which time a quarter goes to the finder and the rest to the king.

There is some textual confusion here between pranāṣṭasvāmikam of Manu and pranāṣṭam asvāmikam of Gautama. At least one manuscript of Manu reads pranāṣṭāsvāmikam (“lost and without an owner”), which would agree with the provision of Gautama. Lakṣmīdhara’s (Kṛtyakalpata 12, p. 554) citation of Gautama, on the other hand, has the reading pranāṣṭasvāmikam, agreeing with the reading of Manu. The dependence of Manu on Gautama, however, is unmistakable.

Another provision relates to the establishment of legal ownership as a result of the continuous use of a property. Both texts have very similar rules regarding the right of a person to claim ownership by his unobstructed use of a property for a given period of time:
Manu 8.147-148 ← Gautama 12.37

yat kimcid daśavārṣaṁ saṃnīdhanā prēkṣate dhāni
bhūyamānaṁ paraśaṁ tāṣṭaṁ na sa tal labdhāṁ
<br>arhati ||

ajādaśa ced apogandha viśaye cāṣya bhūyate |
bhagānaṁ tad vyvakāreṇa bhoktā tad dravyam<br>arhati ||.

When an owner looks on as something is being enjoyed by others in his presence for ten years, he is not entitled to recover it. If something is enjoyed within his own locality and he is neither mentally incapacitated nor a minor, he loses any legal right to it; the user is entitled to that property.

When others make use of the property of a person who is neither mentally incapacitated nor a minor in his presence for ten years, it belongs to the user.

Here we have the expansion of a single brief sūtra of Gautama into two ślokas by Manu; but the identity of the provison and the terminology makes the dependence of Manu on Gautama unmistakable.

Several rules of Manu relating to interest charged on loans parallel those of Gautama. The basic rules regarding the rate of interest, the length of time during which interest accrues, and the classification of loans are similar in both and show clear dependence of Manu on Gautama:  

Manu 8.153 ← Gautama 12.30, 34-35

nātīṣāṁvatsavīṁ vṛddhiṁ na cāḍrṣāṁ pūmar harer |
cakra-vṛddhiṁ kāla-vṛddhiṁ kāriṁ kāyikā ca yā ||.

He must not charge interest beyond one year or what is unauthorized. Cyclical interest, periodic interest, contractual interest, and manual labor [are the kinds of interest].

According to some, [interest does not accrue] beyond one year. Cyclical interest, periodic interest, contractual interest, manual labor, daily interest, and use of the collateral [are the kinds of interest].

The laconic nature of Manu’s śloka has mislead the commentators, who take the verse as a syntactic unit with the negative na governing also the second half of the verse. According to this interpretation, the four types of interest given in the second half are also prohibited. All the translators follow this interpretation, e.g. Bühler: “Let him not take interest beyond the year, nor such as is unapproved, nor compound interest, periodical interest, stipulated interest, and corporal interest.” When we look at the source of this śloka in Gautama, we can see clearly that the second half verse merely enumerates the kinds of permitted loans carrying different rates of interest.

Another rule relates to a loan taken after a pledge has been given to the creditor. Both Manu and Gautama forbid any interest on such a loan if the creditor makes use of the pledge:

Manu 8.143 ← Gautama 12.32

na tv evādhaṁ sopakāre kauśiḍiṁ vṛddhiṁ ēpinu-<br>yār ||

If a pledge together with its use has been furnished, however, he shall not receive any interest

No interest accrues [on a loan] whose pledge has been used.

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7 See also the parallel rules regarding interest not exceeding five time the loan on certain items in M 8.151 and G 12.36.
I give below further parallel passages that show clear dependence of Manu on Gautama. These require little comment.

**Manu 4.50 ← Gautama 9.41-43**

\[
\begin{align*}
\text{mūtroccārasamutsargam} & \text{ divā kuryād udatīmukhāḥ} \| \\
\text{daksinābhimukho} & \text{ rātrau samīhyayoś ca yathā} \\
\text{divā} & \| \text{ubhe mūtrapurijese divā kuryād udatīmukhāḥ} \\
\text{samīhyayoś ca} & \text{ rātrau tu daksināmukhāḥ} \|.
\end{align*}
\]

During the day, he should void urine and excrement facing the north, at night facing the south, and at the two twilights in the same way as during the day.

He should void both urine and excrement facing the north during the day and at the two twilights, but facing the south at night.

**Manu 4.34cd ← Gautama 9.3**

\[
\begin{align*}
\text{na jīrṇamalavadvāsā bhavac ca vibhave sati} & \|. \\
\text{sati vibhave na jīrṇamalavadvāsā syāt} & \|.
\end{align*}
\]

He should not wear old or dirty clothes, if he has the means. If he has the means, he should not wear old or dirty clothes.

**Manu 4.57d ← Gautama 9.54**

\[
\begin{align*}
\text{yajñāṁ gacchen na cāvyatāḥ} & \|. \\
\text{na yajñāṁ avṛto gacchet} & \|.
\end{align*}
\]

He should not go to a sacrifice uninvited. He should not go uninvited to a sacrifice.

**Manu 4.63c ← Gautama 9.56**

\[
\begin{align*}
\text{notsaṅge bhakṣyed bhakṣān} & \|. \\
\text{na bhakṣān utsaṅge bhakṣayet} & \|.
\end{align*}
\]

He should not eat food placed on his lap. Food placed on his lap, he should not eat.

**Manu 5.81a ← Gautama 14.22**

\[
\begin{align*}
\text{śrūtriye tūpasampanne} & \|. \\
\text{śrūtriye copasampanne} & \|.
\end{align*}
\]

But at [the death of] a Vedic scholar living near by [the impurity lasts for three days]. And at [the death of] a Vedic scholar living near by [the impurity lasts for one day].

Here Manu follows Gautama verbatim, but the rule is different; Manu has a three-day period of impurity, whereas Gautama requires only a single day. The author of Manu does not follow Gautama slavishly; he shows independent thinking here as in other areas, such as meat eating and the rules on niyoga.

**Manu 8.337-338 ← Gautama 12.15-17**

\[
\begin{align*}
\text{aśṭāpyāyaṁ tu śūdrasya steye bhavati kiliśaṁ} & \| \\
\text{sodasaiva vaiśasya dvārāṇaḥ kṣatriyaṁ tu} & \| \\
\text{brāhmaṇasya catuḥṣaṭiḥ pūrṇaṁ vāpi śaṣṭaṁ bhavet} & \| \\
\text{dviguṇā vā catuḥṣaṭiḥ taddoṣasamvid dhi saḥ} & \|.
\end{align*}
\]

With respect to theft, the liability for a Śūdra is eight times; for a Vaiśya, 16 times; for a Kṣatriya, 32 times; and for a Brāhmaṇ 64 times, or fully 100

With respect to theft, the liability for a Śūdra is eight times. It is progressively doubled for those belonging to each of the prior classes. The punish-

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8 The text of G here is probably based on a verse original. Vasiṣṭha 6.10 is probably also based on the text of G.
times, or twice 64 times, for he knows what is good and bad.

Here the author of Manu has expanded on the brief sūtras of Gautama, not only specifying the fines for each varṇa but also explicitly indicating that it is the Brahmīn who deserves to be punished more severely because he is expected to know what is good and bad and not just any learned man.

A similar expansion is found in the following parallel dealing with the time and manner of partitioning the paternal estate. Manu also adds the provision that both the father and the mother must be deceased for partition to take place, stating explicitly that the sons are incompetent when either the father or the mother is alive.

Manu 9.104-105, 111 ← Gautama 28.1-3

After the father and mother have passed on, the brothers should gather together and partition the paternal estate equally; for they are incompetent while those two are alive. The eldest alone, on the contrary, ought to take the entire paternal estate, and the others should live as his dependents just as they did under their father.

Living separately increases dharma; therefore, the act of separation is dharic.

Manu 11.122 ← Gautama 25.1-2

When a votary breaks his vow of chastity, the vedic energy within him enters these four: Maruts, Indra, Teacher, and Fire.

So, they ask: "Into how many does someone who has broken his vow of chastity enter?" — "Into the Maruts with his breath; into Indra with his strength; into Bṛhaspati with the splendor of his vedic learning; and into just the Fire with everything else."

Manu 11.134cd ← Gautama 22.23

For (killing) a eunuch, a load of straw and a Māsa of lead.

There is, furthermore, a structural parallel between Manu and Gautama at the beginning of their sections on penance. In both, the authors state that they have completed their discourse
on the dharma of varṇas (Manu 10.131; Gautama 19.1), before they embark on the discourse on penance. The clear distinction between the sections on the varṇāśramadharma and on penance is a feature common to both and a structural innovation continued in later Dharmaśāstras.

In the section on penance, moreover, both use the technical term anirdeśya to describe a sin for which there is no penance (Manu 11.147; Gautama 21.7), a term that is unique to these two śāstras and does not occur anywhere else. Indeed, Gautama ascribes the rule triṇī prathamāṇy anirdeśyāni to Manu, hinting at a tantalizing possibility of a connection between Gautama and the dharma tradition of the Mānnavas.

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What insights can we draw from these parallels with reference to the textual history and composition of the Mānava Dharmaśāstra? First, for reasons that have been fully spelled out in the introduction to my critical edition, I believe that Manu was composed by a single author, although some accretions appear to have occurred after its initial composition. Once we put an author and authorial agency behind the text, as opposed to conceiving the creation of the text as a gradual and almost unconscious accumulation parallel to the formation of an iceberg, then we can ask significant and pertinent questions about authorial intent and his use of sources. It is evident that the author of Manu conceived of his śāstra as a charter applicable to all and transcending the narrow boundaries of vedic śākhās. That Manu is not limited to any śākhā is clearly articulated by Kumārila (on Pūrvaṁāṇamsāstra 1.3.15). The author of Manu also introduced a significant and drastic innovation: unlike the Dharmaśāstras – which were located within the give and take of an expert tradition, offer glimpses into the divergent views within that tradition, and do not pretend to be anything other than humanly authored works – the Mānava Dharmaśāstra is presented as a treatise composed and handed down by none other than the creator god Vivasvat. He taught it to his son Manu, who transmitted it to his disciples, including Bhṛgu, who is made the spokesman and promulgator within the treatise. All this raises interesting questions about the social and political circumstances and motivations behind the composition of Manu, questions that are beyond the compass of this paper.

I have argued elsewhere (Olivelle 2000: 8) that, contrary to the opinion of Kane and others, Gautama is not the oldest Dharmaśāstra:

The fact that Gautama is composed entirely in prose sūtras that are frequently very brief, thus conforming to the aphoristic ideal, has been considered by some as arguing for its antiquity. I would argue that, on the contrary, the omission of all cited verses, a practice common in all other Dharma texts, argues for the author’s deliberate attempt to produce an ideal sūtra work along the lines of Pāṇini’s grammar. That the prose of Gautama is probably dependent on verse originals is also indicated by many sūtras that scan as pādas from ślokas, especially when some inserted words are removed (e.g., 1.38, 40; 4.2, 8; 8.1; 9.41; 14.22; 22.27). Unattached as it was to a larger Kalpaśūtra, Gautama may have been conceived as a true śāstra in the manner of Pāṇini’s grammar, a śāstra that was not confined to a particular śākhā. If this is true, then we can see how Manu, another such śāstra with a universal application, may have drawn on the text of his predecessor.

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9 I have pointed out above one such accretion at Manu 5.61-62.

10 We see an attempt to put authorial intent back into even the large epic, Mahābhārata, in several recent studies by Alf Hiltbeitel (in Hiltbeitel 2001), and James Fitzgerald in several forthcoming articles (cited by Hiltbeitel) as well as the translation of the Rājadharmakāṇḍa in the Mahābhārata, Vol. 12.
There is also evidence that Gautama had risen to prominence as the first and perhaps the paradigmatic Dharmasastra. Kumārila, writing in the seventh century, takes Gautama as the first and foremost of the Dharmasūtras, using the expression gautama-sūtrādi and again listing Gautama first in the list gautama-vasiṣṭha-śaṅkhalikīta-hārīta-āpastamba-baudhāyanā-di. As Kane (1962-1975: I, 25) observes:

The Gautama Dharmasūtra appears to have been held in high esteem by Kumārila, as in his Tantravārttika he quotes or clearly refers to Gautama Dh. S. at least a dozen times, but quotes Āp. Dh. S. and Baudhāyana Dh. S. only a few times.

The fame of Gautama in the seventh century is also confirmed by a Buddhist source. Dharmakīrti in his Nyāyabindu also places Gautama as the first among the writers of Dharmasāstras: gautamādayo dharmaśāstrānāṁ praṇetāraḥ (“The composers of Dharmasāstras, beginning with Gautama”). It is difficult to assess when Gautama rose to prominence as the premier Dharmasūtra, and even more difficult to know whether it had reached that prominence during the time when the Māṇava Dharmasāstra was composed, at least four or five centuries before Dharmakīrti and Kumārila.

Given the numerous parallels between Manu and Gautama that I have discussed above, however, and the evidence several centuries later about the prominence of Gautama, I want to present the hypothesis that Gautama had assumed prominence as the chief Dharmasūtra by the time Manu was composed. If this is true, then we can understand how Gautama exerted the kind of influence on the author of Manu that we see reflected in the text. Even though Manu purports to be a divine revelation, we must assume that the author operated within the expert tradition of dharma in a way similar to his predecessors. This becomes evident in many instances when the author somehow forgets the divine angle and resorts to common pandit discourse of citing opinions and arguing against opponents.12

The author of Manu was influenced by two expert traditions. We have looked at the dharma tradition represented principally by Gautama. He was also influenced by the artha tradition especially in the long chapters 7-9 on Rājadhāma. The dependence of Manu on the extant Arthasastra is also evident when we analyse the two texts (see Olivelle 2004).

The Māṇava Dharmasāstra, however, is not simply a patchwork of material borrowed from different sources. The author integrated what he borrowed into an overall scheme that is very much his own. His intent was clearly to produce a sāstra that would be superior in structure, style, and content to all that preceded him. In this he was clearly successful, a success evidenced by the extraordinary reception the text has received in the dharma tradition spanning nearly two millennia.

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12 There are, of course, the numerous verses that ascribe a rule to Manu, even though the entire text is ascribed to Manu (e.g., 8.139, 279; 9.239; 10.63, 78). Now, it is certainly true that such ascriptions to the reputed author are found in other sāstras as well, including the Arthasastra. But these texts, unlike Manu, do not pretend to be anything other than humanly authored compositions. The author of Manu also falls into the habit of using the pandit idiom of iti cet occasionally: 9.122; 10.82. Reference is also made to the views of others: 9.31, 158.
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