I have been engaged in preparing a critical edition of the Mānava Dharmaśāstra (MDh) for the past several years on the basis of over fifty manuscripts, nine commentaries, and citations in several medieval texts. As the editorial task nears its completion, I want to present before the scholarly audience some preliminary results of my close reading of and engagement with this text. These observations relate to the deep structure of the text, its authorship, and possible intervention of one or more redactors between the time of its composition and the period when we obtain manuscript and other evidence for the text.

Scholars traditionally have regarded the composition of the MDh as a gradual process at the hands of anonymous and successive compilers, editors, and copyists lasting for several centuries, the same sort of agent-less process that many have thought lay behind the composition of the great epic Mahābhārata. These compilers and editors, we are told, did nothing more than gather together proverbial sayings, moral maxims, and legal axioms that were floating in the mouths of people and handed down from generation to generation. The composition of the text is thus divorced from authorial intent and agency and from social, political, and economic context. The first to propose such a hypothesis was E. Washburn Hopkins:  

I draw the conclusion that the Čātraṇa [MDh] was in great part collated between the time when the bulk of the epic [MBh] was composed and its final completion, that previous to its collation there had existed a vast number of sententious remarks, proverbial wisdom, rules of morality etc., which were ascribed, not to this treatise of Manu at all, but to the ancient hero Manu as a type of godly wisdom. These I conceive to have floated about in the mouths of the people, not brought together but all loosely quoted as laws or saying of Manu and these sayings were afterwards welded into one with the laws of particular text [sect?] called the Mānavas—a union natural enough, as the two bodies of law would then bear the same title, although the sect had no connection with Manu except in name … According to my theory, these Manu-verses found in the Mānava treatise were simply caught up and drawn from the hearst of the whole Brahman world, keeping their form after incorporation with the Mānavas' text.

In the introduction to his influential translation of the MDh, Bühler agreed substantially with the Hopkins hypothesis. Bühler (1886, xc) thought that the composers of both the MDh and the Mahābhārata drew
on a common stock of Spruchweisheit that at the hands of the teachers of specialized schools had spread to all legal topics. This general view regarding the creation of the MDh was accepted by Lariviere (1989, xi) and extended to other metrical smrītas, such as that of Nārada: “I doubt whether such texts as the Nāradasmṛti or the Manusmṛti were composed by a single individual.”

I want to challenge this view regarding the composition of ancient texts in general and of the MDh in particular. This vision of composition in the case of the Mahābhārata has recently been rejected, rightly I believe, by several leading epic scholars. That there were proverbs and legal maxims, principally composed in śloka verses, outside of texts is beyond doubt. Indeed, it is probably such verse maxims that are cited by the authors of Dharmaśītras to support their judgments rendered in aphoristic prose, often with the introductory remark: aṁsanā udeharanti — “Now they also quote”. The term udeharanti probably means that these verses were recited by experts when questions about some point arose or when circumstances warranted. It would have been natural for authors of texts in almost any given field, but most especially those, such as the Dharmaśītras, dealing with morality and human relationships, to draw upon these maxims. Indeed, the example of the Dharmaśītras indicates that they clearly did so. These verse maxims, however, are easily detectable in the Dharmaśītras, because they are surrounded by the author’s own prose. In the metrical śāstras it is more difficult to separate the cited maxims from the author’s own composition. Let me offer a couple of examples of such maxims in the MDh: “When an older person comes near, the life breaths of a younger person start to rise up, and by rising up and greeting him, he retrieves them” (2.120). This must have been a proverbial saying concerning respect for older persons; it is cited by Patanjali and given twice in the Mahābhārata. The verse at MDh 4.57 is likewise clearly a proverbial saying about inappropriate actions: “He must not sleep alone in an abandoned house; awaken a sleeping superior; speak with a menstruating woman; or go to a sacrifice uninvited.”

The authors clearly drew upon such maxims and, indeed, on previous scholarship in composing their texts. My point, however, is that the composition of these texts did not happen as an unconscious and gradual accumulation at different hands and at different times and places; these texts were authored by individuals with clear authorial intent. They gave their texts a particular structure; they argued for particular positions in law and morality; they disagreed with other experts, both their contemporaries and their predecessors; and they had particular social,
economic and political axes to grind. In all this they are not much different from modern authors.

The unitary authorship of the MDh was proposed over a century ago by Bühler (1886: xci), who answered the objections of the proponents of a gradual textual evolution, objections based on such criteria as the contradictions in the extant text. My argument for the unitary authorship of the MDh is based primarily on the structure of the text, a structure that has thus far gone unnoticed perhaps because it was obscured by the chapter division to which the text was subjected probably through redactional activities after its initial composition. I do not propose that the original text of the author, whom I will call “Manu” for convenience, has remained unaltered through the ages. Through a form of higher textual criticism, I will propose that certain sections are later additions. Indeed, when these additions are removed, the structure I have uncovered becomes more transparent. My argument, then, is that such a unique and symmetrical structure could not have been given to this text except by a conscious plan created by a single gifted individual. A deep structure that runs through the entire book – a structure that is not apparent at first glance and that remained undetected even by the commentators – could not have simply happened over time as the text was being put together by different individuals separated by centuries. If not an individual, then it must have been composed by a “strong chairman of a committee” with the help of research assistants who carried out his plan.

I. THE STRUCTURE

The manuscript tradition of the MDh divides the text into 12 ādiyāyas (lessons or chapters). This appears to be an old division; it is followed by all the commentators. I believe, however, that this division is not original. It was probably imposed on the text when it was subjected to a revision that added several sections (see IV below), most notably the table of contents given at the conclusion of the first chapter. Although several of the chapters follow the natural sequence of topics, a close reading of the text shows that they are artificial divisions. The chapters also contain different topics that the author, as I will demonstrate, intended to be separate: Ch. 2 contains the sources of dharma, rites of passage, and the duties of a student; the duties of a king are spread over chapters 7, 8, and 9; the single topic of judicial procedure and the grounds of litigation is spread over chapters 8 and 9; and Ch. 9 contains the final discussion of the king’s dharma and the dharma
of Vaiśyas and Śudras. More importantly, however, the division into chapters obscures the latent and deeper structure of the text, a structure that spans the entire corpus and must go back to the author himself.

Manu uses the unique technique of "transitional verse" to mark the conclusion of one subject and the beginning of another. Here is an example (2.25):

esā dharmasya vo yonih samāsena prakīrtitā
tsambhavaś cāsaya sarvasya vartadharmān nibodhata

I have described to you above succinctly this source of the Law, as also the origin of this whole world. Learn now the Laws of the social classes.

This verse marks the transition from the two introductory topics, creation and the sources of dharma, to the main body of the text, the dharma of the four varṇas. Such a technique is unique to Manu; it is not used in the Dharmasūtras and sparingly, if at all, in the later Dharmaśāstras. Note also the use of the verb nibodhata in most transitional verses; this manner of expression becomes a signature of Manu. This device was, I believe, an innovation conceived by Manu and provides an insight into the plan he had for his book. By following the trail of these transitional verses, we can uncover the overall plan and structure of the MDh. The chart below presents schematically the structure that emerges through this method together with transitional verses at the beginning and/or end of topics that provide the clues to uncovering that structure:

1. SARVASYA SAMBHAVAH [Creation of World] 1.1–119
2. DHARMASYA YONIH [Sources of Dharma] 2.1–24
   
esā dharmasya vo yonih samāsena prakīrtitā
tsambhavaś cāsaya sarvasya vartadharmān nibodhata
   2.25
I have described to you above succinctly this source of the Law, as also the origin of this whole world. Learn now the Laws of the social classes.

3. CĀTURVARNYASYA DHARMAH [Dharma of the Four Varṇas] 2.25–11.266
   
3.1 DHARMAVIDHIH [Rule of Dharma] 2.25–10.131
      
3.1.1 Anāpadi Karmavidhih [Rules of Action in Normal Times] 2.26–9.336
      
3.1.1.1 Brāhmaṇasya Caturvidhih Dharmah [Fourfold Dharma of a Brahmin] 2.26–6.97
   
esā va 'bhikṣito dharma brāhmaṇasya caturvidhah
   puryo kṣayaphalāḥ pretya rājāḥ dharmān nibodhata
   6.97
I have explained to you above the fourfold Law of Brahmins, a Law that is holy and brings imperishable rewards after death. Listen now to the Law of kings.
3.1.1.2. Rājñāḥ Karmavidhīḥ [Rules of Action for King]

7.1–9.325

 eso ‘khillah karmavidhīr uktō rājñāḥ sādānāḥ ||
imān karmavidhīm vidyāt kramatost vāiśyāsvādāyōhy || 9.325
I have described above in its entirety the eternal rules of action for the king. What follows, one should understand, are the rules of action of the Vāiśya and the Śūdra in their proper order.


 eso ‘nāpadi varṇānām uktah karmavidhīh śāh ||
āpady api hi yā tu sātān kramatis tan nabhātama || 9.336
I have described above the splendid rules of action for the social classes outside times of adversity. Listen now to the rules for them in the proper order for times of adversity.


 esa dharmavidihiḥ kṛṣṇaḥ cāturvarṇasya kārtaḥ ||
atah param pravākṣyāmi prāyaścitavidhīṁ śubham || 10.131
I have described above the entire set of rules pertaining to the Law of the four classes. Next, I will explain the splendid rules pertaining to penance.

3.2 PRĀYAŚCITTAVIDDHIḤ [Rule of Penance] 11.1–265

 cāturvarṇasya kṛṣṇo ‘yam uktō dharmas tvāyānagha ||
karmavihariḥ phalani kṛṣṇo sat mā na tātāratah pariṁ || 12.1
“You have described this Law for the four classes in its entirety, O Sinless One! Teach us accurately the ultimate consummation of the fruits of actions.”

4. KARMAYOGASYA NIRMAYAYAH [Determination of Karmayoga] 12.3–116

 sa tān uśca dharmātmā mahārṣyāḥ mānavo bṛgyoh ||
asya sarvasya śrutā karma-yogasya nirnayaṁ || 12.2
Bṛgṛ, the son of Manu and the very embodiment of the Law, said to those great seers: “Listen to the determination regarding engagement in action.”

4.1 KARMAṆĀM PHALODAYAYAH [Fruits of Action] 12.3–81

 eso sarvah samuddiṣṭaḥ karmaṇām vah phaladayaḥ ||
nairśreyasvāṁ karmavidhiṁ viprasyedam nabhātasaḥ || 12.82
I have declared to you above the fruits arising from actions. Listen now to these rules of action for a Brahmin that secures the supreme good.


 etad vo ‘bhītām sarvam nīkṣreyasakaram param ||
asmid apracīyato vipraḥ praptiṁ pariṁ gatiṁ || 12.116
I have explained to you above all the best means of securing the supreme good, A Brahmin who does not deviate from it obtains the highest state.
The structure that emerges from tracing the transitional verses consists of four major divisions of uneven length and importance: (1) Creation of the world; (2) Sources of dharma; (3) The dharma of the four social classes; and (4) Law of karma, rebirth, and final liberation. Obviously, the main section in terms of both length and importance is the third dealing with the four varṇas. The other three are presented as a preamble, an introduction, and a concluding postscript. The preamble and the introduction are mentioned at the end of the second section (2.25) in the transitional verse that also introduces the central third section on the four varṇas. The latter section is mentioned also at its conclusion (12.1) in the transitional verse that also introduces the final section on karma.

The central third section has two major subdivisions: the first is called dharma vidhi (rules relating to dharma), and the second, prāyaścittavidhi (rules relating to penances). These two sections, 3.1 and 3.2 in the above chart, are mentioned only once, at the conclusion of the first (10.131): “I have described above the entire set of rules pertaining to the Law of the four classes. Next, I will explain the splendid rules pertaining to penance.”

The first subsection (3.1) of dharma vidhi is the longest in the entire book and is further subdivided into two: rules of action in normal times (antāpayi karmavidhi) and in times of adversity (āpadi karmavidhi). These two subdivisions, 3.1.1 and 3.1.2 in the above chart, are also introduced just once in the transitional verse at the conclusion of the first (9.336): “I have described above the splendid rules of action for the social classes outside times of adversity. Listen now to the rules for them in the proper order for times of adversity.”

There is a fourth level of division in section 3.1.1 on rules for normal times. This section has three further divisions. The first, 3.1.1.1 in the chart, is called brāhmaṇasya cauravidhibh dharmah (“The Fourfold Dharma of a Brahmin) and deals with the four āśramas. This subsection is mentioned in the transitional verse at its conclusion (6.97), which also introduces the next subsection, 3.1.1.2 in the chart, dealing with the king: “I have explained to you above the fourfold Law of Brahmins ... Listen now to the Law of kings.” The third subdivision, 3.1.1.3 in the chart, deals with the remaining two varṇas, the Vaiśya and the Śūdra; it is introduced at the conclusion of the section on kings (9.325): “I have described above in its entirety the eternal rules of action for the king. What follows, one should understand, are the rules of action of the Vaiśya and the Śūdra in their proper order.”
The final postscript dealing with *karma*, rebirth, and liberation, which was introduced in 12.1, also has two subdivisions: the first (12.3–82) is on the fruits of actions (*karmaṃ phalodayah*) and the second (12.83–115) is on achieving the highest bliss (*naiḥśrevasah karmavidhiḥ*). These two are introduced in the transitional verse at the end of the first subsection (12.82): “I have declared to you above the fruits arising from actions. Listen now to these rules of action for a Brahmin that secure the supreme good.”

An objection may perhaps be raised to my analysis, because these are not the only verses that introduce a topic. This is no doubt true, but all such verses simply signal the passage to a new topic within the broad structure I have outlined. In these verses, Manu does not say that he has finished one topic and is about to begin another; rather, with a few exceptions I will consider below, they simply indicate the new topic. Here is an example (2.89):

*ekāsāndrīyān ētur yāni pūrve manīṣināh 1*
*ātūni sansāyak pravakṣyāmi yathāvād anupūrvāh 2*

I will explain precisely and in their proper order the eleven organs described by wise men of old.

This is part of a long list that uses the word *pravakṣyāmi* to introduce a new topic.8 There are other verses using this term that both introduce a new topic and mark the end of the previous topic, in a manner similar to the transitional verses I have listed within the structure. In each of these cases, however, the topics are not broad themes but specific sub-themes within the structure I have identified. Verse 5.26 is an example:

*etad ukten divāinān bhāskābhāskyam astēvat 1*
*māmācaśayaṇaṃ pravakṣyāmi vidhīṃ bhādeṣanavajane 2*

I have described above completely foods that are forbidden and permitted to the twice-born. I will now explain the rule on eating and on avoiding meat.

Here the author introduces the minor topic of meat-eating after his long disquisition on permitted and forbidden foods. Most such verses occur in the long section dealing with the eighteen grounds for litigation (*vyāvahārapāda*). At 8.214 the passage is from the non-delivery of gifts to the non-payment of wages; at 8.218, from the non-payment of wages to breach of contract; at 8.256, from boundary disputes to verbal assault; at 8.278, from verbal assault to physical assault; and at 8.301, from physical assault to theft. In the section on inheritance, at 9.56 there is a transition from the discussion of the relative importance of the seed (man) and the womb (woman) in procreation to the dharma of women in a time of adversity. At 11.99 there is a transition from penances for drinking liquor to those for stealing gold.
There is another group of verses that uses the verb nibodhata. This is the verb of choice in the transitional verses I have analyzed within the structure. Beyond those, however, Manu uses similar transitional verses to mark the passage from one minor topic to another. Thus at 2.68 the transition is from the rite of vedic initiation to the duties of an initiated student; at 5.100, from the purification following a death for those of the same ancestry (sapinda) to the purification for other individuals (asapinda); at 5.146 from purification to the dharma of women; at 6.86, from the discussion of ascetics (yati) to that of holy retirees (vedasyayasi); at 9.25, from the duties of husband and wife to a discussion of children; at 9.103, from the duties of husband and wife to partition of inheritance; at 9.148 from partition among children by wives of the same caste to that among children by wives of different castes; at 9.220 from partition of inheritance to gambling, the last ground for litigation; at 11.71 from the list of sins to the penances for their expiation; at 11.248 from penances for public sins to those for secret sins. The verb śru is used a few times in introductory verses: at 3.286 the transition is from the five sacrifices to the livelihood of Brahmins; at 5.110, from bodily purification to purification of articles; and at 11.180, from penances for sinners to penances for those who associate with them.

Taken collectively, all these other uses of transitional verses merely indicate smaller subdivisions of the text. They uniformly refer only to the topics dealt with just before and just after the verse. With regard to such transitions Manu is not consistent in his use of verses; sometimes he uses them, but most often he does not. Such usages, however, do not impinge on the broad structure I have outlined above. Those verses stand out from the rest both because of their consistency and because they refer back not to the topic immediately preceding it but often to a broad theme introduced hundreds of verses before.

1.1 The dharma of a Brahmin

The largest portion of the central section on the four varnas is devoted to the four-fold dharma of a Brahmin encompassing much of chapter 2 and all of chapters 3–6. This section is explicitly organized around the four āśramas. The traditional material, however, could not be contained within the scheme of the four āśramas, especially the sections on the childhood rites of passage, rules of a bath-graduate (snātaka), and holy life styles falling outside the āśramas of forest hermit and wandering mendicant. Manu, however, attempts to include these within his overall structure.
Chapter 4 on the snātaka is sandwiched between chapters 3 and 5 dealing with various aspects of a householder's life. We see the difficulty Manu had with blending the snātaka into the āśrama framework when we look at the beginnings of chapters 3 and 4. Chapter 3 beings quite naturally with the return home of a student who has completed his vedic studies. The author deals with the selection of a bride and marriage, with a long disquisition on the various kinds of marriage. Then at the beginning of Chapter 4 Manu has to repeat this within the context of the āśrama system: after dwelling at the teacher's house during the first part of his life, a man should return home, get married, and lead a householder's life during the second part. The fifth chapter is introduced with a question from the seers to Bhṛgu about how a Brahmin could be subject to death. This opens the way to a discussion of permitted and forbidden foods and means of bodily purification. The theme of the four āśramas is taken up again at the beginning of chapter 6: after living as a householder a man may become a hermit and live in a forest. The same is repeated at 6.33: after living the third part of his life as a forest hermit, he should become a wandering mendicant during the fourth and final period of his life.

Even though this section is explicitly said to deal with the dharma of Brahmins, a close examination shows that Manu is here following a practice common in ritual texts. They describe fully the ritual procedure only for the archetypal rite of a group of related rites; the description of the other rites (ectypes) consists of pointing out only those ritual elements unique to each and different from the archetype. For Manu, the dharma of Brahmins constitutes the archetype, and he describes it fully. Muñatīṣ mutandīṣ these rules are applicable to all varṇas. Indeed, within this section itself Manu often points out how the dharma is modified for other varṇas. For example, under initiation he points out the different times for the different varṇas, the different ways of manufacturing the girdle, different kinds of staffs, and the like (2.41–47). Likewise, he enumerates the kinds of marriages and the number of wives permitted for the different varṇas (3.13). This principle of descriptive parsimony permits Manu to deal with the other varṇas, especially Vaiśyas and Śūdras, briefly. Only the dharmanas specific to them are discussed.

1.2 The Rules for a King

The section devoted to the king, statecraft, and law in the MDh is disproportionately large compared to his predecessors in the expert tradition of dharma. The disproportion becomes even more striking when we take into account the fact that this section deals with matters
specific to the king and the ksatriya class, whereas the section on the Brahmin includes issues common to all varṇas.

The section on the king shows that Manu organized his material around a simple structure in three parts. The first part spanning 7.1–142 deals with the origin of the king, the organization of the state machinery including the appointment of officials, the construction of the fort, the king’s marriage, the conduct of foreign policy including war, and finally taxation. It appears that Manu’s narrative scheme here envisages a new king occupying a virgin territory. He is unmarried; he has to settle the land and build a capital; and he has to organize the state apparatus. This structure suited Manu’s purpose well, because it enabled him to discuss all the points associated with statecraft. Real life, however, is quite another matter; most kings would gain a kingdom either through inheritance or conquest. In either case there would be pre-existing cities, forts, and a state bureaucracy.

In the second part, Manu changes his narrative scheme to span a single day, from the morning when the king awakens until nightfall when he goes to bed. Manu squeezes into this brief time period all the duties of a king. The morning routine extends from 7.145 to 7.215; the afternoon routine from 7.216 to 7.222; and the evening routine from 7.223 to 7.226. This part concludes with the king going “to bed at the proper time and rise up refreshed.”

The third part deals with the justice system and comprises the 18 grounds for litigation (vyavahārapada, often translated “Titles of Law”). After dealing briefly with the organization of the court, Manu organizes his material on law and dispensation of justice under the 18 titles. The issues relating to evidence and the interrogation of witnesses are dealt with not separately but under the first ground for litigation, the non-payment of debts. This appears to have been a convention borrowed from the artha tradition, to which Manu is indebted for the material relating to the king.12

Manu’s organization of the 18 vyavahārapadas is based on a few clear principles and, I believe, is superior to the structure given to them in any other text. Manu’s structure is significantly different from that of the extant Arthaśāstra, as well as from the other two major Dharmashastras, Nārada and Yājñavalkya. I give below a chart giving the organization of the vyavahārapadas in the four texts:13

<table>
<thead>
<tr>
<th>Manu</th>
<th>Arthaśāstra</th>
<th>Yājñavalkya</th>
<th>Nārada</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. guṇādāna</td>
<td>*śriyurvedhaṃ</td>
<td>guṇādāna</td>
<td>guṇādāna</td>
</tr>
<tr>
<td>2. niśeṣa</td>
<td>dīyavibhāga</td>
<td>niśeṣa</td>
<td>dīyavibhāga</td>
</tr>
<tr>
<td>3. asvāmitikṣa</td>
<td>sūnāvivāda</td>
<td>dīyavibhāga</td>
<td>sanbhāvaśarvathāna</td>
</tr>
</tbody>
</table>

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13. The following chart is taken from S. Radhakrishnan, Dharma: The Indian Ideal of Life, Vol. 1, 50–53.
The three dharmaśāstras have ṛṇādana (“non-payment of debt”) as the first. This is only to be expected, because disputes regarding debts both personal and commercial must have been the most common reason for litigants to come before a court. It is also within the context of this first ground for litigation that the authors, including Manu, deal with judicial procedure, including rules of evidence and the examination of witnesses. Only the Arthaśāstra departs from this practice; it begins the discussion with marriage and the partition of the paternal estate. The reason for this appears to be stated in the opening sūtra: “All legal transactions begin with marriage” (vivāhapūrva vyavahāraḥ; Artha 3.2.1). The other convergence in these lists is vākparusya (verbal assault) and danḍaparusya (physical assault), which always go together, with sāhasa (violence) coming very close. Other than these, the order of the lists diverges remarkably, making it clear that there was no traditionally fixed order for the vyavahārapadās.

The order of enumeration in the Māṇava dharmaśāstra, therefore, was probably the creation of Manu himself, and we get a glimpse into his systematic way of thinking also in his arrangement of these topics. His arrangement, I think, is far superior and more systematic than any of the others and can be presented schematically:

A. Disputes between individuals and groups (= 1–10)
B. Criminal law (= 11–15)
C. Personal law (= 16–17)
D. Public order and safety (= 18)

Manu begins with disputes between individuals and groups. Such disputes must have been the most common reason for litigation and cover the first ten groups. The first nine for the most part deal with individual
disputes, with the possible exception of the fourth on partnerships, where the dispute is between an individual and a partnership of which he is a member. Likewise, the seventh on breach of contract may happen between individuals and between an individual and a corporate body. The tenth, disputes over boundaries, can happen between individual and land owners; but the typical dispute discussed by Manu concerns boundaries between villages.

The next category is criminal law, involving verbal and physical assault, theft, robbery, and sexual crimes. It is interesting that sāhasa, which I have translated “robbery”, is clearly viewed by Manu as belonging broadly to the area of theft; except that robbery involves violence in the act of theft. The other authors, including the Arthaśāstra, appear to view sāhasa as simply violence; they have a hard time, therefore, in distinguishing this from physical assault.

The third category is personal or family law. The first ground for litigation under this rubric is disputes between a husband and a wife, although much of what is discussed is more general matters relating to laws and conventions governing marital relationships. The second and clearly the more significant is the partition of inheritance. It is in these two topics that there is often an overlap with material covered under marriage, especially in chapter 5. This was probably inevitable when the dharma tradition incorporated strictly legal matters and, therefore, had to deal with marriage and family in two places, under proper conduct (ācāra) and law (vyavahāra).

The final category is gambling and betting. One would have expected Manu to present rules for the orderly conduct of these practices, as is done in other texts. Manu, however, was strictly opposed to gambling and betting. For him these areas of social practice should be suppressed rather than regulated. It is, therefore, natural for him to follow his brief discussion of gambling with the important topic of the “eradication of thorns” (kaṇṭakasodhana), that is, the suppression of criminal activities, especially theft, in the kingdom. This is a topic found in all artha and dharma texts, but it falls outside the grounds for litigation. Litigation, according to ancient Indian jurisprudence, is initiated by private individuals; the king and his officials are explicitly barred from initiating law suits. The eradication of thorns, on the other hand, is one of the principle duties of a king; it is a police activity and falls outside the judicial process. Nevertheless, Manu sees the eradication of thorns and the suppression of gambling as part of the same administrative process.

The section on the duties of the king concludes with this pithy statement typical of Manu (9.324): “Conducting himself in this manner
and always devoted to the Laws pertaining to kings, the king should direct all his servants to work for the good of his people."

I.3 *The Rules for Vaiśyas and Śūdras*

Manu’s discussion of Vaiśyas and Śūdras, the last two of the *varṇas*, is extraordinarily brief. Six verses are devoted to the Vaiśya and just one to the Śūdra. Even granting that, according to the ritual principle of parsimony I have discussed earlier, much of the material for these two classes was included in the discussion of the Brahmīn, yet one would have expected something more than just seven verses.

The reason for this brevity is unclear, but I think it must be understood within the context of the socio-political motives behind Manu’s composition, a topic beyond the scope of this paper. Simply put, Manu’s interest lay not in the lower classes of society, which he considered to be an ever-present threat to the dominance of the upper classes, but in the interaction between the political power and Brahmanical priestly interests, interests that were under constant threat ranging from the Asokan imperial polity to the foreign invasions toward the turn of the millennium.\(^16\)

I.4 *On Sin and Penance*

The methodical approach demonstrated in the sections on Brahmīn and king is evident also in the chapter on sin and penance.\(^17\) Manu begins the topic with a discussion on whether penance can actually remove sins. After justifying the need of penance, he divides his inquiry into two sections: public sins (11.55–189), which occupies much of the discussion, and private or secret sins (11.227).

Manu first presents the major classifications of sins: (1) the five grievous sins that cause the loss of caste (*mahāpātaka*: 11.55–59); (2) a large group of secondary sins that also cause the loss of caste called *upapātaka*: (11.60–67); and (3) four further classes of sins (11.68–71) causing a man (a) to be excluded from caste (*jātibhramsākara*), (b) to become mixed caste (*sankīrṇakara*), (c) to be unworthy of receiving gifts (*apātrikarana*), and (d) to be impure (*malāvaha*). He concludes the classification of sins with this transitional verse: "Listen now attentively to the specific penances by which all these sins individually enumerated above may be removed" (11.72).

Manu then goes on to discuss the appropriate penances for each of the categories of sins: (1) the first four of the grievous sins (11.73–108); (2) secondary sins (11.109–124); and (3) the four further classes of sins (11.125–26). Finally, he turns from sins personally committed
to association with sinners who have become outcasts as a result of their sins, a category that forms the fifth grievous sin (11.181–190). Manu introduces the last discussion with the transitional verse: "I have described above the expiation for all four kinds of sinners. Listen now to the following expiations for those who associate with outcasts" (11.180). The mention of the four kinds of sinners has caused some confusion. Grievous and secondary sins make two. The third category consists of four sins, but the penances for the four are dealt with in two verses. I think Manu viewed the first (jāṭibhraṃśūkara) as one class and presented the penances for it in a single verse (11.125). He appears to have viewed the other three as forming a single class, dealing with their penances in a single verse (11.126). So, we have four categories of penances relating to the sins listed previously. The attempt to come up with four sinners as indicated in verse 11.180 may have led editors or scribes to insert the four offenses listed in 11.127–79 (see below section IV).

The section on penance for publicly known sins concludes with two crisp statements. First: "No one should transact any business with uncleansed sinners; and under no circumstances should anyone abhor those who have been cleansed" (11.190). There follows an excursion containing miscellaneous items on sins and penances, which is clearly an interpolation. Manu concludes the section on penances for public sins with the transitional verse (248), which also introduces the section on penances for private sins: "Thus I have described to you above penances for sins in accordance with the rules. Listen next to the penances for secret sins."

When we take out the accretions in this chapter, the clear and impressive structure of the original composition emerges. That this concludes the central portion of the treatise dealing with the dinarma of the four varnas, number 3 in the structure I have outlined above, is evident in the opening verse of the last chapter: "You have described this Law for the four classes in its entirety, O Sinless One! Teach us accurately the ultimate consummation of the fruits of actions" (12.1).

1.5 Karma

Chapter 12 dealing with actions and their consequences, as well as with the attainment of ultimate happiness beyond the realm of rebirth, is quite different from the style and contents of the rest of the book. I am not willing to call this chapter a later addition; sufficient evidence does not exist to draw that conclusion. The entire chapter is taken up with the theme of action (karma), both the consequences of good and
had actions (karmavipāka) and the final triumph over action and the attainment of the ultimate goal beyond the process of rebirth. Broadly this discussion falls into two sections, the one dealing with the fruits of action (3–81) and the other dealing with actions leading to the supreme good (83–106). These two sections are divided by Manu’s signature transitional verse:

esa sarvah sammuddīṣṭah k armaṇīm vah phalodayah |
nāvīsahyāsakaram k arma viprasyedum nibodhata ||

I have declared to you above the fruits arising from actions. Listen now to these rules of action for a Bhāmin that secures the supreme good.

This chapter has also undergone redactorial intervention which I will address in section IV.

II. NARRATIVE STRUCTURE AND COMPOSITION

Manu introduces two major innovations in comparison to the previous literature of the dharma tradition. First, he composed his text entirely in śloka verse. Second, he set his text within a narrative structure that consists of a dialogue between an exalted being in the role of teacher and others desiring to learn from him.

Late Vedic texts, especially the early prose Upanisads, regularly cite verses in support of statements and viewpoints. It appears that these verses were somehow viewed as having greater authority and, therefore, able to lend greater support to the author’s views, much like citations from scripture. The Brhadāranyaka Upaniṣad, for example, frequently cites supporting verses with the introduction tad esa śloko bhavati (“In this connection there is this verse”). The significance of these verses in the eyes of the authors is indicated by the fact that they write commentaries on some of them, as in Brhadāranyaka 1.5. We see this practice continued by the authors of the Dharmasūtras. They also present verses as providing support for or confirmation of views they have already presented in prose. They introduce these with utkāpy udāhāram (“Now, they also quote”), indicating that these verses were well-known sayings that people generally cite. In the later Dharmasūtras, however, we find increasing use of verses not simply as citations but integrated into the composition. This strategy is used with increasing frequency by Vasiṣṭha, the author of the latest Dharmasūtra; chapters 25–27, for example, are completely in verse.

It appears that during the last few centuries prior to the common era ślokas had assumed an aura of authority and that proverbial wisdom was
transmitted as memorable verses. The logical outcome of this tendency was for authoritative texts themselves to be composed in verse, lending authority to the text by its very literary genre. We see this already in some of the earliest Buddhist texts, such as the anthologies of the _Suttanipāta_ and the _Dhammapada_ and in the verses of the _Jātakas_. The same process was probably responsible for the fact that the later _Upaniṣads_ are composed entirely in verse.

The parallel between the older and the later _Upaniṣads_ is true of the _dharma_ literature as well. Whereas the earlier texts are in prose with verse citations, the later ones are composed entirely in verse. The first such text was that of Manu. His use of verse for the composition of his _Dharmaśāstra_, therefore, must have been a deliberate plan to lend the kind of authority to his text that would come only through this literary genre. We have, of course, the parallel examples of the epics _Mahābhārata_ and _Rāmāyaṇa_ composed in verse and claiming religious authority. This move away from prose to verse continues especially in religious compositions such as the _Purāṇas_. In what could be regarded as expert traditions, however, the picture is mixed. The _artha_ and _kāma_ traditions continued to produce prose works, as did the ritual, philosophical, medical and grammatical traditions. The _dharma_ tradition followed the trail blazed by Manu; all later _Dharmaśāstras_ are written in verse, prose entering the tradition only in commentaries and medieval digests (_nibandhas_).

The second innovation in the composition of the _MDh_ is its narrative structure. The _Dharmaśāstras_ are not only written in prose, but they are also presented as nothing more than scholarly works. There is no literary introduction; the author gets right down to business. He presents his material in a straightforward manner, and on points of controversy and debate he presents opposing viewpoints. All this is eliminated by Manu. Here the real author is presented not as a scholar but as the primeval lawgiver, the Creator _Svayambhū_, and his intermediaries, his son _Manu_ and the latter's disciple _Bṛgu_. The law is promulgated authoritatively; there cannot be any debate, dissension, or scholarly give and take.

An anonymous group of seers approach _Manu_ and asks him to teach them _dharma_. _Manu_ accedes to their wishes. He narrates the creation of the world up to the emergence of human society hierarchically arranged into the four _varṇas_. Then he asks his pupil _Bṛgu_ to teach them the rest (1.59), reminding me of a busy professor letting his graduate assistant do the dirty work of teaching an undergraduate class. _Bṛgu_ takes up the task in earnest; the rest of the book is the oral teaching of _Bṛgu_. The seers reappear only twice — once at the beginning of Chapter 5 when
they ask how Brahmans can be subject to death, a question that leads to a discussion of food practices, purification, and duties of women; and a second time at the beginning of Chapter 12 when they ask Bhṛgu to teach them the effects of actions (karma). The narrative structure given prominence at the opening of the text fizzes out; there is no conclusion to the narrative. A similar structure is found in the Pañcatantra, where the original setting – Viṣṇusarma’s instruction of princes in statecraft and policy under the guise of animal stories – is lost sight of in the conclusion.

We have no way of knowing all the reasons for Manu’s strategy of departing from the tradition of textual composition found in the earlier dharma tradition. The tradition of dialogue where a teacher instructs a pupil, a son, or a king goes back to the Brāhmaṇas and the Upaniṣads. The literary structure of these dialogues, however, places these individuals within human history. The transition into divine instruction is found already in the Chāndogya Upaniṣad where we have the instruction of Nārada by Sanatkumāra (7.1) and of Indra and Vīrociṇa by Prājapati (8.7). Nevertheless, I think the example of the Buddhist texts was probably a factor. Hillebeitel (2001: 167) has argued that the Mahāyāna literature, especially the Lotus Sūtra, offers a parallel to the narrative structure of the Mahābhārata. For the first time in India, the words of a single charismatic individual were taken as the sole fountain of authority in a religious tradition. The doctrine of buddha vacana, that the sole form of textual authority is the words of the Buddha, governed the production of texts both in the early forms of Buddhism and in the Mahāyāna. All texts begin with the preambles “Thus have I heard”, placing the text in the mouth of the Buddha and making the function of the “author” merely that of a transcriber or re-teller of what he had heard. The narrator narrating what he had heard and placing his narrative in the distant past is also at the heart of the Mahābhārata structure.

Although its narrative structure is much simpler, the same is true of the MDh as well. We have here five layers of “telling”, “hearing”, and re-telling. At the most remote level, we have the creator himself soon after his creative activity composing a treatise and reciting it to his son Manu (1.58). Manu is the first “hearer”. He transmits it to Maṛci and the other sages (1.58), who form the second tier of “hearers”. At Manu’s command, one of these sages, Bhṛgu, teaches the seers who had come to Manu with the mission of learning dharma. Bhṛgu’s first word (1.60), significantly, is “Listen” (śrāyatām). This group of seers, still placed in illo tempore, constitutes the third tier of “hearers”. The
narrator of the entire texts makes only a fleeting and implicit appearance in the very first verse of the text: “As Manu was seated, absorbed in contemplation, the great seers came up to him, paid him homage in the proper manner, and said to him.” Here we have the voice of the narrator introducing the first group of characters; then he becomes silent. Evidently the narrator himself, who at one level can be identified with the historical author of the text, heard the text presumably from the seers; or he has been eavesdropping on Bhrgu’s instruction of the seers. This narrator is the fourth “hearer”. There is then the implied fifth “hearer”, that is, all those who listen to or read this text, including modern scholars.

Although mediated by a series of tellers and hearers, the ultimate authority of the text lies in its original promulgator, the Creator himself. Paralleling the Buddhist doctrine of buddhavacana and doing one better than that, the MDh grounds its authority (pramāṇa) on the svaṃbhūvacana, the words of the Self-existent One, the very ground of creation. This appeal to a single source of authority stands in sharp contrast to the traditional source of authority for and means of knowing (pramāṇa) dharma, namely the Veda supplemented by traditional texts (smṛti) and the conduct of the virtuous (ācāra). Indeed, the MDh itself presents this doctrine when it discusses the sources of dharma in Chapter 2. There is thus a disjuncture between the narrative structure of Chapter 1 and the body of the text. The author is a traditional pandit, and his habitual methods of reasoning, argumentation, and public presentation take over in the substantive parts of the text. One may ignore the references to “that is the teaching of Manu” or “so said Manu”, which are peculiar in a text that was composed by Manu’s father and perhaps edited by Manu. The whole text, after all, constitutes the “sayings of Manu”. But such self-referential statements occur also in other Sanskrit texts. More revealing are the following.

“Whatever Law Manu has proclaimed with respect to anyone, all that has been taught in the Veda, for it contains all knowledge” (2.7). This assertion is strange within a text that is Manu’s own composition. It appears that the author is trying here to reconcile the authority of Manu with the authority of the Veda as the source of dharma. “Tradition holds that the various groups of ancestors are the sons of all the seers headed by Marici, seers who are the children of Manu, the son of Hiranyakarbara” (3.194): why ascribe to tradition (smṛtih) a view when the creator himself is the speaker? “Because of discipline, on the other hand, Puruṣu, as well as Manu, obtained a kingdom; Kubera, lordship over wealth; and the son of Gādhi, the rank of a Brahmin (7.42).
Here Manu, along with other traditional heroes, are treated in the third person. “Bed, seat, ornaments, lust, hatred, behavior unworthy of an Ārya, malice, and bad conduct – Manu assigned these to women” (9.17). Again, Manu appears here in the third person.

The author of the MDh does not, indeed cannot, openly present diverse opinions of scholars both due to metrical reasons, as Bühler (1886: xciii) has already pointed out, and because it would violate his narrative structure: how can the creator present diverse opinions on points of law? Yet, the pandit mentality is hard to suppress, and our author repeatedly forgets his narrative and engages in ordinary scholarly give and take. The most obvious is the expression iti cet (“if you argue thus”) which introduces an objection or a doubt occurring at 9.122; 10.66, 82; 12.108. At 8.140 we have a particular interest rate set by Vasistha, and at 8.110 an appeal to the practice of former sages and gods with reference to the legitimacy of oaths. The author sometimes refers to the opinions of others with the common kecit. At 3.53 the opinion of some that a bull and a cow are given as a bride price at a seer’s type of marriage is refuted; at 3.261 he refers to different customs regarding the disposal of ancestral offerings; and at 9.32 he introduces two opinions about the person to whom a son belongs, the biological father or the husband of the mother.

III. CONTRADICTIONS

The text of the MDh as it has come down to us contains numerous contradictory statements. This feature has drawn the attention of not only modern scholars but also ancient commentators. The author of the Brhaspati Smriti, a text written a few centuries after the MDh, had the same problem with Manu. In his section on nityoga (levirate), Brhaspati comments (1.25.16):

\textit{akna nityogo maruna nisiddhah svayam eva tu} \\
\textit{yugahistid asiyo \textit{vam kartri sarvvar vidhanatah} \textit{Il}}

Manu has prescribed the levirate union, and then he himself has forbidden it. Because of the shortening of each age, no one can carry it out in accordance with the prescriptions.\textsuperscript{70}

Brhaspati provides a traditional solution to the problem; the contradictory rules apply to different ages. So there is no true contradiction.

Modern scholars cannot accept the traditional hermeneutical solution. Many have seen these contradictions as proof that the text had multiple authors over a long period of time; the contradictions represent changing customs and norms. Bühler (1886: xcii–xciii), the first scholar to posit
the unitary authorship of the MDh, sought to answer these critics. His answer was two-fold:

Thus in weighting the value of the argument drawn from the occurrence of contradictory passages, two circumstances, which mostly have been left out of account, must be kept in mind: first, that it is a common habit of Indian authors to place conflicting opinions, supported by authorities of equal weight, side by side, and to allow an option, or to mention time-honoured rules, legal customs, and social institutions, and afterwards to disapprove of them; and secondly, that, as our Smruti is in any case a recast of an earlier Sutra, that fact alone is sufficient to account for contradictions.

The second point is based on Bühler’s assumption of a pre-existing Māṇava Dharmasūtra and must be ignored. In my view, the author’s work cannot be limited to that of an editor; even though he used older sources, as all authors do, he created a new work, and one would have to assume that a good author would seek to avoid contradictions, especially contradictions that sit side by side. Bühler’s first point, however, is well taken. As I have pointed out above, Manu was unable to demarcate various views with the traditional iṣṭi followed by the name of the authority both because the treatise was composed by the creator and because it was difficult to incorporate such attributions into a verse composition. The various views are here woven into the very fabric of Manu’s narrative.

The fact that Manu does cite conflicting opinions is demonstrated by the fact that sometimes he does ascribe conflicting views to different factions. So, for example, the conflicting opinions about the relative superiority of the seed and the field in determining the person to whom a son belongs are stated clearly (9.32–44). Although states less clearly, two views on primogeniture are presented at MDh 9.105–110 and 9.111f. Here the presence of the particle vā (“or”, “or rather”), indicating an alternative that the author himself prefers, at the beginning of 9.111 shows that we are dealing with two opinions. The clearest attribution of opinions to authorities is found at 3.16:

According to Ātri and the son of Uthaya, a man falls from his caste by marrying a Śūdra woman; according to Saunaka, by fathering a son through her; and according to Bhrigu, by producing all his offspring through her.

A clear example of an apparent contradiction where two viewpoints are juxtaposed is found at 9.97–100:

79If, after the bride-price has been paid for the girl, the man who paid the price dies, she should be given to the brother-in-law, if she consents to it. 80 Even a Śūdra should not take a bride-price when he gives his daughter: for by accepting a bride-price, he is engaging in a covert sale of his daughter.

81That after promising her to one man, she is then given to another — such a deed was never done by good people of ancient or recent times. 100 The covert sale of a
and to recommend their performance. Likewise, in didactic and legal literature a sin or crime or a virtue or good act is said to be the worst or the best. “Lack of generosity is the gravest sin; generosity is the highest austerity,” says the *Baudhāyana Dharmasūtra* (1.10.6). And *Manu* (4.224–25):

The gods once evaluated the food of a miserly Vedic scholar and that of a generous usurer and pronounced the two to be equal. Prajāpati came up to them and said, “Don’t make equal what is unequal. The food of the generous man is cleansed by the spirit of generosity, whereas the other food is defiled by the lack of generosity.”

When the topic is generosity, even a usurer is said to be better than a miser. But when the topic is usury, it is a sin worse than even abortion: “Usury and abortion were once weighed in a balance. The abortionist rose to the top, while the usurer trembled” (*BDh* 1.10.23). It is impossible to think that these authors intended their statements to be taken as literally true, just as it is not possible to think that there is a device in the skyscrapers to let the moon pass. As in literature and poetry, so in religious, didactic, and legal literature hyperbole is simply a literary device. Failure to recognize this can only cause serious misinterpretation of texts. So, it is not a contradiction when *Manu* (9.14–16), in warning husbands to guard their wives, waxes eloquent on the evil tendencies inherent in women:

They pay no attention to beauty, they pay no heed to age; whether he is good looking or ugly, they make love to him with the single thought, “He’s a man!” Because of the lechery, fickleness of mind, and hard-heartedness that are innate in them, even when they are carefully guarded in this world, they become hostile towards their husbands. Recognizing thus the nature produced in them at creation by Prajāpati, a man should make the utmost effort at guarding them.

and in urging men to respect women, he eulogizes them (9.26–28):

On account of children, the wife is the bearer of many blessings, worthy of honor, and the light within a home; indeed, in a home there is no distinction at all between the wife (sruti) and Śrī, the Goddess of Fortune. She begets children, and once they are born, she brings them up—in daily domestic affairs, the wife is obviously the linchpin. Offspring, rites prescribed by Law, obedient service, the highest sensual delights, and procuring heaven for oneself and one’s forefathers—all this depends on the wife.

and warns against abusing them (3.56–58):

Gods take delight in a family where the womenfolk are revered; but where they are not, no rite bears any fruit. Where the womenfolk are sad, that family soon comes to ruin; but where they are not sad, that family always prospers. When womenfolk, not receiving due reverence, curse any house, it comes to total ruin, as if struck down by witchcraft.
I do not propose that all apparent contradictions in the MDh can be resolved in these ways. Authors, even modern ones, do contradict themselves occasionally. Further, the work of redactors down the centuries, to which I now turn, cannot be completely detected. Changing norms and mores may have prompted some of them to introduce opinions at variance with those expressed in the original text.

IV. THE WORK OF REDACTORS

After it leaves the hand of the author, every text assumes an independent life; it continues its life as it is read, studied, interpreted, commented on, and copied by succeeding generations of readers, scholars, and scribes. It is this after-life of a text that a critical edition in its critical apparatus uncovers and presents to the reader. This aspect of a critical edition is as important as its better known feature of attempting to reconstruct the text as composed by the author.

Both these aspects – the original text and the after-life – laid out in the text and the critical apparatus of the edition presuppose that changes are introduced into the author’s text by those responsible for its after-life. Some of these changes are inadvertent, such as scribal errors and misreadings; others are deliberate, such as the different but equally cogent and intelligible readings found in different recensions and the additional verses found in numerous manuscripts. These changes introduced into the text and detectable through the examination of the extant manuscripts and commentaries can be identified and moved to the critical apparatus, thus restoring the text. The manuscript and other evidence we possess, however, often do not cover the entire period from today to the time of the author. In the case of the MDh, we pick up the textual history midstream, at least several centuries after its composition.

If the later tradition of readers and copyists introduced changes, it is fair to assume that earlier generations did so too. Any such changes that were taken over by the extant manuscript tradition cannot be identified by the normal methods employed in the critical constitution of texts. These methods are thus called “lower criticism”; they are dependent on extant manuscripts, citations, commentaries, and the like. The text constituted by these methods can only be an approximation to the original text as written by the author.

I agree with Larivière’s (1989: xii) hypothesis that the Dharmaśāstras continued to expand with addition of new materials “until a commentary on the collection was composed. A commentary would have served to
fix the text, and the expansion of the text would have been more difficult after that.” Because I consider the MDh to have a single author, I take these emendations as produced by redactors working on the original text. Such activity ceased for the most part after the text was “fixed” by early commentators such as Bhāruci and Medhātithi; changes after that period were limited to the addition of individual verses and minor changes in the wording of verses.

Methods of identifying changes undetectable by manuscript evidence fall into the category of “higher criticism” and are not as sure-footed as methods employed in “lower criticism”. There some amount of conjecture is inevitable. In Biblical studies higher criticism has been used profitably especially with regard to the Pentateuch, but there the criticism was used not to construct the original text of the author but to uncover the sources he used in constructing his text. Hence, it has been called source criticism.

Bühler’s (1886: lxx–lxxiv) attempt to separate the ancient portions from later additions within the MDh was an exercise in source criticism. His aim was to distinguish the passages going back to his hypothetical Mānava Dharmasūtra from those added by the editor of the versified version. His criteria were somewhat crude. He accepted sections that had parallels in other Dharmasūtras as part of the ancient sūtra, and took sections without such parallels to be the work of the editor.

My aim is different. Mine is not a source criticism but a criticism aimed at identifying possible additions and interpolations into the text composed by Manu between the time of its composition and the earliest manuscript and other evidence that we possess. The criterion I use is based on Manu’s overall plan for and organization of his work, which I have outlined in detail. Manu is careful to let his reader know that he has completed one subject and is moving onto another through “transitional verses”. The structure of his work shows that Manu had a very methodical and systematic mind. It is extremely unlikely that he would have introduced extraneous material right in the middle of his carefully crafted plan thus vitiating the work’s organization. In the following examination of the entire text, I will follow Manu’s organizational scheme and identify sections that fall outside that scheme.

Most, if not all, extraneous material is found at the interstices of his plan, at the junctures between two topics. Clearly, it was easier to introduce the new material at these fault lines than within the discussion of a given topic. I have identified these passages as “Excursus”: even if someone does not accept my contention that these are interpolations, they must at best be viewed as parenthetical statements. Even though
I think that the chapter division is a later innovation, I will follow the chapter sequence for easy reference to the text.

*Chapter One*

Why would a treatise on *dharma* begin with the story of creation? Bühler (1886: lxvi) in fact remarks: "The whole first chapter must be considered as a later addition. No Dharma-sutra begins with a description of its own origin, much less with an account of creation." Long before Bühler, the 9th century commentator Medhātithi expressed a similar concern:

Where did we start? And where have we ended? He [Manu] was asked the *dharmas* prescribed in the *sūtras*, and he indeed promised to explain them. To then describe the world in its unmanifest state is both irrelevant and serves no human purpose. This truly exemplifies the common saying: “Asked about the mango tree, he talked about the Kovidara trees.” With regard to this matter, there is neither an authoritative basis nor does it serve any purpose. Therefore, this entire chapter should not be studied.\(^\text{32}\)

There is, however, a cogent defense of Manu’s introductory statements found in the first chapter. I have already dealt with why Manu begins with the origin of the text thereby investing it with supreme authority. Why he gives an account of creation is less obvious. I think the clue is found in the manner the first account of creation ends (MDh 1.31): “For the growth of these worlds, however, he produced from his mouth, arms, thighs, and feet, the Brahmī, the Kṣatriya, the Vaiśya, and the Śūdra,” evoking the conclusion of the creation story in the Puruṣa Hymn (*Ṛgveda* 10.90). The seers questioned Manu not simply about *dharma*, but about the *dharmas* of all social classes (1.2: *sarvavarnāṇān: dharmān*). I think the creation account is intended to show how the four *varṇas* came into being; they are not contingent and temporary social phenomena but part of the very fabric of creation.

The clarity of Manu’s presentation is obscured at this point by three “excursuses” containing a quite superfluous second account of creation (1.32–41), a classification of fauna and flora (1.42–50), and an account of cosmic cycles (1.51–57). I believe these are interpolations introduced at the interstice between creation of the *varṇas* and the composition of the *sūtra* (1.58). If we eliminate the intervening 26 verses, we see an elegant transition from the creation account culminating in the production of the four *varṇas* to the composition of the treatise by the Creator and its transmission to Manu, culminating in Manu’s instruction to Bhrigu to transmit it to the sages thereby publishing it to the world:

For the growth of these worlds, however, he produced from his mouth, arms, thighs, and feet, the Brahmī, the Kṣatriya, the Vaiśya, and the Śūdra. (1.31)
After composing this treatise,\textsuperscript{33} he himself imparted it first only to me according to rule; and I, in turn, taught it to Marici and the other sages. Bhrgu here will recite that treatise to you in its entirety, for this sage has learnt the whole of it completely from me. (1.58–59)

As the initial dialogue between the seers and Manu ends (1.4) with Manu’s command “Listen!” (\textit{śrīyaṭāṁ}), so the entire preliminary narrative ends (1.60) with Bhrgu’s command “Listen!”.

At this point we should have expected Bhrgu to get on with his task and to expound the \textit{dharmas} of the \textit{varṇas}. That, however, is not his case. Here at this interstice between the introductory material and the body of the text, there are five “excursus” containing an account of time and cosmology (61–86), the occupations of the \textit{varṇas} (87–91), and the excellence of Brahmins (92–101); an eulogy of Manu’s treatise (102–110); and a table of contents (111–118). This material takes up the rest of Chapter One. Most scholars have taken the table of contents to be a later addition. I think this entire section represents redactional interventions and is quite out of place here. Even though the origin of the \textit{sūstra} and its transmission to Manu and Bhrgu had already been stated, the eulogy of the treatise ascribes its composition not to the creator but to Manu himself (1.102). This section ends with the instruction of Bhrgu (1.119): “Just as, upon my request, Manu formerly taught me this treatise, so you too must learn it from me today.” This duplicates Bhrgu’s command “Listen!” and does not have the same force or elegance. I think the authentic voice of the author is heard in this imperious “Listen!”, which is repeated in the two other answers to the seers’ queries at 5.3 and 12.2 later in the text.

If we place the first verse of Chapter Two immediately after verse 60 of Chapter One, we see the smooth transition from the preliminary narrative to the body of the text that the author accomplished:

\begin{quote}
tatās tathā sa tenakto maharṣijīr maunā bhṛguḥ
tāṁ abhavat tīṇa sarvān prāttāṁ śrīyaṭāṁ iṁ
tvāvāhyo dharmāṇaṁ adharaṇīśivān

\textit{ḥṛdayenābhyanājñāto yo dharmas taṁ nibodhata} iṁ.
\end{quote}

When Manu had spoken to him in this manner, the great sage Bhrgu was delighted; he then said to all those seers: “Listen!”

Learn the Law that people who are learned, virtuous, and free from love and hate always adhere to, the Law that they assent to in their hearts.

Here we have two signature expressions of Manu: \textit{śrīyaṭāṁ (“listen”) \textit{concluding the first verse, and nibodhata (“learn”) concluding the second. I think these two verses followed each other in the original composition of Manu, the first concluding the preamble and the second opening the main body of the work.}


Chapter Two to Seven

I find few if any identifiable interpolations in the central chapters of the book, 2–7. It may well be that the opportunity and/or the impulse to add new material were present at the beginning and in the concluding chapters.

Suspicion was already raised by Bühler (1886: lxvii) regarding the first eleven verses of Chapter Two. I think his doubts about verses 6–11 are unfounded; he considers these to be repetitions. We would have to eliminate a lot of verses throughout the text if we were to eliminate all duplications and repetitions; an author surely has the right to repeat and reiterate. So, for example, Manu deals with women both in his treatment of marriage and household life (Chapters 3–5) and under grounds for litigation (Chapter 9). The only doubt I have focuses on verses 2–5 of Chapter 2 that deal with desire. This section stands outside the flow of the discussion in the rest of the chapter. The kind of certainty I have with regard to the interpolations I have identified in the first chapter, however, is lacking here.

The second passage identified by Bühler is 2.88–100. This deals with the control of organs and includes an enumeration of the eleven organs. I agree with Bühler’s (1886: lxvii) assessment that this passage “interrupts the continuity of the text very needlessly, and has nothing whatsoever to do with the matter treated of.” Although such assessments often contain a heavy dose of subjectivity, in this particular case it is backed by textual evidence. The Bhaviṣya Purāṇa contains much of the early chapters of the Māṇḍūkyopaniṣad (Laszlo, 1971; Sternback, 1974). Bhaviṣya 1.2.5–27a–b reproduces the entire section on the student Māṇḍūkyopaniṣad 2.69–87. Immediately after this section at 1.2.27c–d, the Bhaviṣya gives the verse Māṇḍūkyopaniṣad 2.101, thus omitting the section 2.88–100, precisely the passage that we have suspected of being an interpolation (Sternback, 1974: 7). It is a possibility that the author of the Bhaviṣya had before him a copy of the Māṇḍūkyopaniṣad in which this section was missing.

Furthermore, the very wording of verses 2.87 and 2.101 indicates that they probably followed each other in the original text; the transition here is smooth, with verse 101 picking up the word japa from verse 87:

\begin{verbatim}
japaṇaṇa taṃ samādhyed brāhmaṇo nātra samāyate |
kṛvād anyaṇa va kuryaḥ maṭro brāhmaṇa ucyate || 2.87
pūrṇam samáhyam japaṇaṃ iṣṭet śātāṃ śāvitrāṁ ārkaṇāṇāṁ |
pāścātām tu samāśita samyag ātma-vādāṁ || 2.101
\end{verbatim}

Only by soft recitation does a Brahmin achieve success; on this there is no doubt. Whether he does anything else or not, a benevolent man, they say, is the true Brahmin. 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 always remain seated until the Big Dipper becomes clearly visible.

Medhatithi also, commenting on 2.88, appears to consider this section an appendix (parśvagīta) to the section on twilight worship and lacking injunctive force (arthavāda).

On the whole, however, these central chapters are remarkably free of tampering or interpolations. One may quibble about this verse or that, but there is no sure way of determining the authenticity of individual verses.

Chapter Eight

I think there are several identifiable interpolations within this chapter. I will list them first and offer explanations for my decisions: 20–22 (Śūdras as legal interpreters), 27–29 (property of minors and women), 30–40 (lost and stolen property), 386–420 (miscellanea).

Chapter 8 begins with the king entering the court to adjudicate a law suit. This is in keeping with Manu's penchant for placing his discourse in concrete situations, as, for example, discussing the king's duties by following him through a regular day from getting up in the morning to going to bed at night. So here Manu places his discussion of the system of justice within the context of the king coming into the court. After enumerating the 18 grounds for litigation (vyāvahāreśa; 4–8), he opens his discussion on legal proceedings. In this section he deals with (a) the judges, who substitute for the king (9–11), (b) the demands of Justice that the law be administered impartially (12–19), and (c) the beginning of the trial proper with a brief summary of judicial conduct and reasoning (23–26, 41–46). This admirable structure is marred by three "excursus". The first (20–22) is a distaste against a king employing a Śūdra to interpret the law, a topic having little to do with matters at hand, coming between sections (a) and (b). Likewise, the section (c) on judicial conduct and reasoning is cut in two by the intervention of some totally extraneous material having to do with property: the property of minors and women (27–29) and stolen and lost property (30–40). These matters have little to do with litigation or court proceedings. Indeed, once we remove these two "excursus" the section on judicial conduct reads smoothly: the judge should infer the truthfulness of litigants and witnesses by their external demeanor (25–26), find out the special laws of the region, caste, and family of the litigants (41–42), never initiate a law suit suo moto or try to suppress an action brought before him (43), apply correct judicial reasoning (44–45), and stick to the norms recognized by the cultured elite but only if they are not in conflict with
those of particular regions, castes, and families (46). I think it is most probable that the three sections I have identified, verses 20–22, 27–29, and 30–40, are the work of later redactors.

The rest of the chapter moves smoothly and there are no obvious interpolation that interfere with the flow of the text. The next interpolation comes right at the end of the chapter after the section on sexual crimes against women. This “excursus” contains a motley group of topics including the control of trade, ferries and tolls, and the occupations of the varṇas, topics that have nothing to do with the administration of justice or law suits and belongs to Chapter 7 that deals with state administration. This section is so out of place and so obviously the work of redactors that it is unnecessary to argue the point at length. It is also instructive that this long section of 35 verses comes at the end of the Chapter, indicating that the addition was made after the MDh was subjected to the chapter division.

Chapter Nine

This chapter addresses the last three grounds for litigation: marital law, inheritance, and gambling. As I have already noted, the section on gambling and betting does not regulate this practice but rather seeks to abolish it. For Manu gambling and betting are a social curse and the source of many social ills. Although, following tradition, Manu lists it under grounds for litigation, in his eyes it is properly a police function. This naturally leads to the final topic under the duties of a king, namely the eradication of thorns, that is, the elimination of social parasites. Unlike litigation which are brought before the king by private litigants, the eradication of thorns is to be initiated by the king himself and his officials.

Immediately after the section on gambling (221–28), we should have expected some concluding statement wrapping up Manu’s discussion of the 18 grounds for litigation. And we find precisely such a statement in verse 250: “I have described above in great detail how lawsuits brought by litigants and falling within the eighteen avenues of litigation are to be decided.” After this Manu turns his attention back to the king and his duties with the statement (251): “Carrying out properly in this manner his duties flowing from the Law, the king should both seek to acquire territories not yet acquired and protect well those that have been acquired,” after which he proceeds with the subject of the eradication of thorns (252): “After properly settling the country and building a fort according to textual norms, he should direct his maximum effort constantly at the eradication of thorns.”
This admirable and methodical discussion is marred and interrupted by two section that have little to do with the subject and that have all the marks of redactorial activity.

The first comes between the conclusion of the section on gambling (228) and its closing statement (250). This section (229–49) of 21 verses contains various materials dealing with punishments and grievous sins, topics that are dealt with elsewhere in the book. The natural flow of Manu's discourse is restored when we eliminate this section.

The next "excursus" (294–311) deals with various subjects including the constituents of a kingdom and the activities of the king, topics belonging to Chapter 7. This interpolation is inserted between the section on the eradication of thorns (252–93) and the statement that closes this section (312). This statement finds its natural place immediately after verse 293; the intervening verses makes the closing statement out of place.

The final "excursus" (313–23) instructs the king never to offend a Brahmin and comes between the closing statement on the eradication of thorns (312) and the concluding statement that brings the entire section on the king to a close (324–25). Again this interpolated section stands out like a sore thumb next to the finely flowing narrative. See how the flow is restored once this section is eliminated:

In this and other ways should the king, always alert and tireless, suppress thieves within his own realm and even in others. (312)
Conducting himself in this manner and always devoted to the Laws pertaining to kings, the king should direct all his servants to work for the good of his people. (324)
I have described above in its entirety the eternal rules of action for the king. What follows, one should understand, are the rules of action for the Vaśya and the Śūdra in their proper order. (325)

Chapter Ten

Chapter 9 concludes with the transitional verse that introduces the section on āpoddharma (the law in times of adversity):

\[ evo ‘napadi varṣānān uktoḥ karmavidhiḥ subḥah I \]
\[ apadyo api hi yas teṣām kramaśaṣa taṁ niḥḥutaṁ II \]
I have described above the splendid rules of action for the social classes outside times of adversity. Listen now to the rules for them in the proper order for times of adversity.

But Chapter 10 begins with a long discourse on mixed varṇas (1–73) that at first sight appears to have little to do with how one must act in a time of adversity.
At first sight, this section also appears to have resulted from the work of later redactors who were unable to understand how Manu could have omitted a discussion on mixed classes. Nevertheless, I think this section is part of the original treatise. For Manu, I think, a time of adversity was not just a temporary emergency but also a permanent state of affairs, given the decadent state of society in the age of Kali. This permanent time of adversity is signaled by the intermixture of the varṇas giving rise to several intermediate and lower castes (jāti). This was probably the reason why Manu deals with the mixture of varṇas at the start of his discussion of āpaddharma.

Other reasons also support this conclusion. The initial request (1.2) of the seers that prompted the narration of the text included the dharma of not just the four varṇas but also of those that are in between:

bhagavan sarvavarṇaṃ yatadvad anupūrvaśah
antaraprabhnān ca dharmaḥ no vaktum arhāsi

Pleases, Lord, tell us precisely and in the proper order the Laws of all the social classes, as well as those born in between.

It would be unlikely that a methodical writer like Manu, having introduced this issue at the very beginning, would fail to address it in the body of his text. There is no other place in the text that deals with mixed varṇas.

Furthermore, the Gautama Dharmasūtra, which was one of the sources Manu used has a similar section on mixed varṇas (4.16–28). Likewise, the Arthaśāstra (3.7.20–37) treats this topic in the course of his discussion of sons. With these examples in his own sources, it is unlikely that Manu would have neglected to treat this topic.

The rest of the chapter flows smoothly, and I see no section that raises suspicions of redactorial intervention.

Chapter Eleven

Chapter 10 concludes with the transitional verse that introduces the new topic of penance:

esa dharma-vidyāh kṣruṇaḥ ca turvarṇyasya kārikāh
ātah param pravekarhān prāyāsāh samāhān samāhān

I have described above the entire set of rules pertaining to the Law of the four classes. Next, I will explain the splendid rules pertaining to penance.

One would expect Manu to open the topic of penance immediately, that is, at the beginning of Chapter 11. That, however, is not the case. We have to wait until verse 44 for the introduction of penance.

When he finally gets to penance, Manu is as usual lucid and methodical. He begins with a clear and succinct introductory verse (44): “When
a man fails to carry out prescribed acts, performs disapproved acts, and is attached to the sensory objects, he is subject to a penance.” Then he discusses the significant issue of whether penance does any good. Can a person erase sins through penance? He devotes the next eight verses to this discussion, and concludes in the affirmative (54): “Therefore, one should always do penances to purify oneself; for individuals whose sins have not been expiated are born with detestable characteristics.”

After this Manu proceeds to a methodical treatment of sins and their respective penances (see above 1.4).

Before we come to this lucid presentation of penance, however, there is a long (43 verses) section dealing with a gamut of topics unrelated either to penance or to each other. First is a section on occasions for giving and begging (1–26) followed by verses dealing with times of adversity (27–30), the power of Brahmins (31–35), and sacrifices (36–43). I am convinced that this entire section added at the beginning of the chapter represents not the original work of Manu but the supervening activities of redactors.

The discussion of sins and the appropriate penances for them takes up verses 55–126. I have already dealt with this section (I.4) and its impressive structure. Manu then turns from personally committed sins to association with outcaste sinners, within which he deals with both excommunication from caste and re-admission to it (181–89). The entire section on penance concludes with the nice and pithy statement (190):

causaśibhir aṁśiktair nārtham kīṁcī samācāre
kāraṇeṇaṁ caivo na jaguṣeṣa karhi cit

No one should transact any business with uncleansed sinners: and under no circumstances should anyone abhor those who have been cleansed.

At the interstice between the sections on penances for sins (73–126) and association with outcaste sinners (181–89), however, we have a long interruption that is attributable to redactorial activity. This “excursus” (127–79) deals with penances for (a) injury to living beings, (b) eating forbidden food, (c) theft, and (d) sexual offenses. As I have already noted (I.4), the reason or opportunity for this interpolation is probably to make up the four sins that Manu mentions in his transitional verse introducing the topic of association with sinners (180): “I have described above the expiation for all four kinds of sinners. Listen now to the following expiations for those who associate with outcasts.” These four kinds of sinners, however, were already presented in previous authentic segment of the text on the classification of sins.

There follows a long section of 57 verses (191–247) containing miscellaneous expiations for a motley list of sins and infractions. The
extraneous nature of this section is highlighted by verse 227: “By these observances should twice-horn persons cleanse themselves of public sins; they may cleanse themselves of secret sins, however, through ritual formulas and burnt offerings.” This is quite out of place here, because Manu introduces his section of penances for secret sins many verses later at the end of this excruciating “excursus” (248) with the signature expression of Manu in transitional verses: 36

\[ \text{ity ead evam uktaṃ prayāscittoḥ yahāvādyiḥ} \]
\[ \text{ata īdvavam rahasyarām prayāscittoḥ nibodhau} \]
Thus I have described to you above penances for sins in accordance with the rules. Listen next to the penances for secret sins.

The transition from the discussion of public sins to private sins would have occurred smoothly if this verse came immediately after verse 190 cited above without the intervening 57 verses that are clearly the work of redactors.

Chapter Twelve

Chapter 12 poses unique problems because it is so very different from the rest of the work. It begins with the seers making one final request of Bhrgu to teach them the law of karma. One is tempted to see this entire chapter as deriving from the work redactors. There is, however, no clear evidence that it did not belong to the original work of Manu; we cannot detect the breaks in the line of discussion that we detected in other interpolated passages or the violation of the structure Manu has laid out.

Broadly this discussion on karma falls into two section, the one dealing with the fruits of action (3–81) and the other dealing with actions leading to the supreme good (83–106). These two sections are divided by one of Manu's signature transitional verses (82). It is after these two central sections of the chapter that one begins to suspect redactorial intervention. At the conclusion of the section on actions leading to the supreme good there is what appears to be the usual transitional verse (107):

\[ \text{raihśreyasam idam karma yathiddtah aśeṣaḥ} \]
\[ \text{mānavāvadhyā śāśrasya rahasyam upadiśyate} \]
This is the totality of activities leading to the supreme good as prescribed. The secret doctrine of this Treatise of Manu will now be taught.

There follows a section (108–115) on how to resolve matters relating to dharma that are not covered by Manu's treatise. The language of this verse is quite different from all the other transitional verses; the passive verb upadiśyate is not found elsewhere. Manu prefers the active
nibodhata and pravakṣyāmi. The expression yathoditam in the first line is also absent in other transitional verses. The expression “mānavaśāstra” is also uncharacteristic. Although the issue of how to resolve matters not covered by the text is addressed at the conclusions of the Dharmasūtras as well,37 nowhere are these rules called rahasya. My best guess is that the text of Manu concluded with the closing verse 116:

\[
\text{etad vo } \text{bhūhitam sarvaṃ nihśreyasakaram param 1 } \\
\text{asmad apracyato vipraḥ prapnoit paramām gatim } II
\]

I have explained to you above all the best means of securing the supreme good. A Brahmin who does not deviate from it obtains the highest state.

The “excursus” on secret teaching contains material such as the legal assembly (purasad), however, that are found also in the Dharmasūtras and thus has some claim for authenticity. One possibility is that this section formed the concluding statement of Manu and that the introductory verse was put there by a not very competent redactor, especially because the word rahasya does not occur in the body of this section. Nevertheless, the concluding verse 116 appears out of place after this section, because it refers back to the major theme of this chapter, namely, the attainment of the highest good (nihśreyasā), which was the topic covered by verses 83–106. If verse 116 came directly after 106 it would have provided a fitting and elegant conclusion to the entire book.

As it is, this verse is further followed by another “excursus”. It appears that a redactor wanted to bring back the voice of Bṛgū, because this section begins with Bṛgū reflecting on the origin of the text: (117) “In this manner, the blessed god, desiring to do what is beneficial for the people, revealed to me in its entirety this highest secret of the Law.” There follows several verses recommending the contemplation of the Self with a strong Advaita tinge. The final verse in the extant text is an eulogy of the text itself where the voice is not that of Bṛgū but of a third person (126): “When a twice-born recites this Treatise of Manu proclaimed by Bṛgū, he will always follow the proper conduct and obtain whatever state he desires.” This entire section is in all likelihood a later addition to bring the text to a close. I for one think that Manu’s original closure is much better; it is strong and pithy, without unnecessary emotion.

In total, then, the sections I have identified as possible interpolations through the activities on one or more redactors contain 329 verses. Out of a total of 2680 verses in my critical edition, those verses account for just 12% of the text.
V. CONCLUSION

In the current scholarly atmosphere of anti-orientalism there is a strong distrust of critical editions, textual criticism, and the work of philology in general. Much of this critique stems from ignorance of the process of critically editing texts and of the nature and purpose of a critical edition. This critique, unfortunately, has been fueled by the work of early philologists enamored with the “ancient” whose single ambition appeared to be the uncovering of an ur-text and in the process discarding everything else in the traditionally received texts. This enterprise appeared very much like separating the wheat from the chaff and throwing the chaff into the dustbin.

A better comparison, however, is an archeological dig. No one faults an archeologist for digging deep and uncovering the oldest stratum. But good archeologists do not take all the evidence of later strata to the dump. The entire story of the village they are digging is told not just in the oldest layer but at every layer; the oldest is only the beginning of the story, but not the whole story. The editor, likewise, attempts to uncover the oldest detectable form of the text. All the supervening additions and emendations, however, are important for the life of the text, just as the succeeding layers are for the history of the village, even though the text scholar is often unable to date these additions with the kind of precision that the archeologist can. These additions and emendations are given below the line in the critical apparatus: the story of the text is told both above and below the line.

The life of this particular text begins with its composition, I believe, by a single author – “Manu” for convenience – sometime around the beginning of the common era. It’s extraordinary life spans about 2000 years. Only about 1200 of these is represented by the evidence we have in the form of commentaries, manuscripts, and citations. I have attempted above to uncover its life during the first 800 years or so of its existence. Given the scope of this paper, I have limited myself to the text itself. A broader study, which will include how this text was used and remodeled repeatedly in the later Dharmaśāstras such as those of Yājñavalkya, Nārada, Bhaspati and Kātyāyana, will form part of the introduction to my critical edition of the MDh.

NOTES

2 See A.H. Hildebrandt, Rethinking the Mahābhārata: A Reader’s Guide to the Education of the Dharma King (Chicago: University of Chicago Press, 2000); Madeleine
Bandeur, cited by Hildebrand, p. 165 ("I prefer to suppose the creation of a sole Brahman of genius"); and James Fitzgerald, cited by Hildebrand, pp. 25–26.

3 Indeed, as one of my students, David Brick, has pointed out, the term smṛti in its earliest usage may have referred precisely to such memorable maxims to which attention (smṛtī) is drawn in particular circumstances and, of course, reside in the collective memory of the community at large or, in the case of law or grammar, in the memory of a community of experts. The citation of a maxim (nīyāna), now mostly in prose, is also a feature of later medieval texts. See Appendix E of V. S. Apte's The Practical Sanskrit-English Dictionary for a collection such maxims.

4 Patañjali's Mahabhasya on Pāṇini 6.1.84 (Kielhorn, III: 58); MBh 5.38.1; 13.107.32. Especially in the case of Patañjali, it is more likely that he would cite a well-known saying to illustrate a grammatical rule than a verse from a specialized text.


7 Mana may have found a precedent for this division of the book in one of his primary sources, the Gautama Dharmasūtra. Gautama (19.1) also begins his section on penance with the statement that he has completed his discussion of the vārasa: "The Law pertaining to the social classes and the Law pertaining to the orders of life have been stated" (uktasy varnaśāstra cātaramadharmaś ca).

8 Variants of the verb include vākṣyāni and sampravākṣyāmi. These introductory verses are found at: 2.89; 3.22; 3.124. 169, 266; 5.57; 7.1, 36; 8.61, 119, 131, 229; 9.1; 10.25; 11.211; 12.30, 39.

9 At the following places, nībdhāta simply introduces a minor topic or is an invitation to the audience to be attentive: 1.68, 119; 2.1; 3.20, 183, 193; 9.31; 12.53. The verb śru is also used in similar contexts: 1.4, 60.


11 The MDh allocates 971 verses (25%) of its 2680 verses to statecraft and law, only slightly smaller than the section devoted to the Brahman, which consists of 1934 verses (38.6%). This stands in sharp contrast to the earlier works on dharma. The Āpastamba Dharmasūtra, for example, devotes 83 (6%) of its 1364 śūtras to statecraft and law, and the Gautama Dharmasūtra 115 (11.8%) of its 973 śūtras.

12 I have dealt with this topic extensively, including word studies between the MDh and the Arthaśāstra, in the introduction to my critical edition.

13 I give below a translation of the terms in Mana: non-payment of debt, deposits, sale without ownership, partnerships; non-delivery of gifts; non-payment of wages; breach of contract; cancellation of a sale or purchase; disputes between owners and kṣetrians: the Law on boundary disputes; verbal assault; physical assault; theft; violence; sexual crimes against women; Law concerning husband and wife; partition; and gambling and betting. The others have the same titles in different orders. The major category of the others not found in the MDh is prakāra (miscellaneous).

14 This term is not given in the Arthaśāstra but the topic is treated at the very outset.

15 See, for example, the Āpastamba Dharmasūtra, 2.25.12–14.

16 I have dealt with the political and social environment of the MDh more extensively in my introduction to the critical edition.
There are, of course, some inconsistencies and extraneous material in this chapter. I will deal with them later in section IV.


See 2.2.3; 4.3.11; 4.4.6, 7, 8. See also Chāndogya Upaniṣad, 3.11.2; 5.2.9; 5.10.9; 5.24.5; 7.26.2; 8.6.6.

The exception is Gautama. For a discussion, see Oiaville 2000.

See Āpastamba Dharmasūtra 1.19.15; 1.25.9; 1.31.23; 1.32.23; 2.9.13; 2.13.6; 2.17.7. At 2.23.3 two verses are cited with the introduction *atha purāṇā ślokaḥ udākāranti* ("Now, they quote a couple of verses in a Purāṇa") indicating that such verses may have been found in the genre Purāṇa, although this probably refers not to any extant Purāṇa. See Bauddhikyana Dharmasūtra 1.1.1; 1.2.11; 15; 17; 1.7.1; 1.8.23, 25, 53; 1.10.6; 23; 1.11.16, 14; 1.21.2; 2.1.6, 17, 21; 2.2.26; 2.3.14, 16, 19; 31; 45; 2.4.1, 10, 14, 18; 2.5.4, 7.9. See Vāsishtha Dharmasūtra 1.2.2; 2.6; 27, 30, 31, 41, 48; etc.

For a discussion see Oiaville 2000, 6–7. For such verses, see BīDh 1.10.26; 1.19.8; 2.6.2–42.


This contrasts even more with the "community standard" (śāmaṇaśāstra) espoused in the Āpastamba Dharmasūtra (1.1.1–2).

We find similar forgetfulness in other texts as well. See, for example, Bhagavati’s reference to the contradictions in the MDh cited below in section III.

*iṣṭa manor anuśāsanam: 8.139, 279; 9.239; abhavat manah, manur āha: 3.150, 222; 4.103; 5.41, 131; 6.54; 8.124, 168, 204, 242, 292, 339; 9.158, 182; 10.63, 78.

The "shortening" has multiple meanings: the ages themselves become shorter in duration, the life span of humans become correspondingly shorter, and their proclivity to virtue also becomes weaker (cf. MDh 1.83–84).

We see a similar juxtaposition of views at 9.122–26. The first view permits senility among sons born to wives of equal status, whereas the second view denies this and treats all of them equally.


Medatirthī on MDh 1.5: *kva aṣṭāki loko nipatītāḥ / sāṅkumānṇapitādhitvānāṁ jñeyas tāna eva vatsaryayās praṇijayō jñeto 'ṣṭākṛtāvahāvihāray南山 parantar apuruṣāṅkha ca / so 'yaṁ satyo janāpadevañāh “āśmān pṛṇaḥ kva vikārān śāntasya” iti / na cāṁśāṁ vastu prāmaṇaṁ na ca pravajñanam avīrya atāh sarva evaṁ abhiṣaya nādyātyayā /

The introduction of this treatise appears to be abrupt, but it was actually introduced at the very beginning 1.3: "For you alone, Master, know the true meaning of the duties contained in this entire ordinance of the Self-existent One, an ordinance beyond the powers of thought or cognition."

See my forthcoming article "Manu and Gautama: A Study in Śāstra Intemersality" in the Halbfass Memorial Volume edited by Karen Preisendanz and Eli Franco. I also deal with the sources of the MDh, including the *Arthasastra*, in my introduction to the critical edition.
In this case also Mana is probably following the example set by Gautama (193–10), who introduces his discussion with the explicit statement: “With regard to this (i.e., penance) people raise the question: Should (a sinner) perform a penance or not” (utra prāyaścittām kuryān na kuryād iti mīraṇāśānte).

Jolly (1887) expressed some reservation regarding the authenticity of this verse. I have retained it in my critical edition, even though the southern manuscripts in Grantha, Telugu, and Malayalam scripts omit it. M. H. Halsted also doubted this verse, saying that this verse is recited by some; he apparently decided to accept it. Even if we discount this particular verse, a section on secret penances is appropriate here, especially because the Gautama Dharmaśāstra (24) also contains a section on them.

See Āpastamba Dharmaśāstra 2.29.13–15; GDh 28.48–51.

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