

**THE VASIṢṬHA DHARMA-SŪTRA : A  
SOCIO-CULTURAL STUDY**

**ABSTRACT**

A THESIS SUBMITTED TO ASSAM UNIVERSITY IN PARTIAL  
FULFILMENT OF THE REQUIREMENT FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY IN THE DEPARTMENT OF SANSKRIT

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2016

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## **ABSTRACT**

There are five chapters included in this research work. These chapters are entitled as –

Chapter – I : INTRODUCTION

Chapter – II : SOCIAL ASPECTS OF THE VASIṢṬHA DHARMA-SŪTRA.

Chapter – III : CULTURAL ASPECTS OF THE VASIṢṬHA DHARMA-SŪTRA.

Chapter – IV : SPECIAL FEATURES OF THE VASIṢṬHA DHARMA-SŪTRA.

Chapter – V : CONCLUDING OBSERVATION.

Chapter wise contents are mentioned below –

The first chapter deals with the meaning of Dharma. It is very difficult to give a precise meaning of the word ‘Dharma’. As *dharma* relates to conduct or action, the ancient definitions were based on intuition, conscience, behaviour and scriptural sanction as well as omit beneficial reaction on the doer, society and the cosmic order. The dharma of everyone involves a catalogue of virtues of both personal and social nature. Personal virtue itself has a social reaction.

The word ‘Dharma’ is used in a number of senses, such a nature, ordinance, usage, duty, right, justice, morality, virtue, religion, good work etc. The word is derived from the root *dhṛ* meaning ‘to uphold, to support, to nourish’ etc.

This chapter also gives a brief introduction of the concept of Dharmasūtra and Dharmaśāstra. The term *Dharmasūtra* is generally applicable to both the *Dharmasūtra* and the metrical codes, otherwise known as *Smṛtis*. The term *Smṛti* indicates that these codes are authorities on the basis of *Śruti*, which is considered a revelation (*pratyakṣa*) from which *Smṛtis* (remembrance) arose. The *smṛtis* represent a later and a more systematic development of Dharmasūtras.

The *Dharmasūtra* is a part of the Vedic supplements and is written primarily in the *sūtra* style, even though verses are interspersed and the *sūtras* are not as succinct as those as Pāṇini. The Dharmasūtras form a part of the ‘ritual expositions’, which is collectively known as Kalpasūtras.

The Dharmaśūtras are followed by the *smṛtis* or dharmaśāstras. There are certain points which distinguish Dharmaśūtras from the Dharmaśāstras or *smṛtis*, e.g.,

- Many dharmasūtras are either parts of the *Kalpa* belonging to each *Sūtracaraṇa* or are intimately connected with the Gṛhyasūtras, while the dharmaśāstras or *smṛtis* are the work of independent authority based on the Vedas.
- The authors of dharmasūtras do not claim to be inspired seers or superhuman beings, while the *smṛtis* such as those of Manu and Yājñavalkya are ascribed to gods like *Brahmā*.
- The Dharmasūtras are in prose or in mixed prose and verse, but the dharmaśāstras are in verse.

- The language of dharmasūtras is generally more archaic than that of the smṛtis.
- The dharmasūtras do not proceed upon an orderly arrangement of topics which the smṛtis arrange and treat the subjects under three principal heads, viz., (i) *Ācāra* or regulations relating to the performance of religious rites and ceremonies and the general duties of men; (ii) *Vyāvahāra* or civil laws relating to the protection of life and property with all their rules and practices; (iii) *Prāyaścitta* or those relating to the atonement for various sins committed.

The object of these two kinds is the same. Both touched all the aspects of human life. Dharma is not religious or an ethical concept but a sociological concept also, which connects with the human life-concerning with an individual in his personal capacity or in his relation with the society or the government.

On the points of the contents and importance of the Dharmasūtras, this chapter has focused that the subject-matter of the Dharmasūtras is the regulations of the man's conduct as an individual and as a member of the society. The Dharmasūtras deal with the sources of *dharma*, knowledge of law, sources of law, the duties of four Varṇas and Āśramas; various moral samskāras of man, like *upanayana* and marriage according to the different castes; the avocations of the four varṇas in life; in duties and responsibilities of the king; rules for taxation, ownership, guardianship, witnesses, money lending, payment of debts and deposits, punishment for the various crimes, partition, inheritance and different kinds of śrāddhas, rules about food, duties of women and their property, *niyoga*

(levirate) and its conditions; and sins and their expiations, and penances and their conditions. These are the main points of the contents of dharmasūtras. The dharmasūtras are mainly concerned with the social conduct of men rather than with rituals. Actually to develop the moral values in the life of people is the main object of the dharmasūtras.

In the first chapter of this research work, the position of the *Vasiṣṭha Dharmasūtra* among all the *dharmasūtra* works has been justified. The *Vasiṣṭha Dharmasūtra* is the only *dharmasūtra* work belonging to the *Ṛgveda*. In the *Tantravārttika*, Kumārilabhaṭṭa says that the *Vasiṣṭha Dharmasūtra* was studied by the followers of the *Ṛgveda*. Cf., *vasiṣṭham bahvrcaireva*.

*Vasiṣṭha Dharmasūtra* is so far contrast with the characteristic features of the *dharmasūtra* works. Basically dharmasūtras, being part of complete Kalpasūtras, show close resemblance with Gṛhyasūtras, and while the *Vasiṣṭha Dharmasūtra* do not reveal any such resemblance. The most specific point of this work is that in comparison with the other *dharmasūtra* works, the *Vasiṣṭha Dharmasūtra* maintains a systematic arrangement of its contents. Basically smṛtis or dharmasāstras maintain such systematic order of their contents into three particular heads, viz., *Ācāra*, *Vyāvahāra* and *Prāyaścitta*. The *Vasiṣṭha Dharmasūtra* quotes several verses from the *Ṛgveda* and other Vedic Samhitās. Thus, it can be said that the *Vasiṣṭha Dharmasūtra* has its origin in the Veda. More or less it includes all the Vedic works, but there is a question naturally

raised, why was it adopted particularly by the Ṛgvedins as their *Dharmasūtra* (as stated by Kumārila).

In some aspects Vasiṣṭha's views are different from those of early writers like Gautama and Baudhāyana. Like Āpastamba, he mentions only six forms of marriages (I.28-29), *Brāhma*, *Daiva*, *Ārṣa*, *Gādharva*, *Kṣatra* and *Mānuṣa*. Vasiṣṭha did not mention the Rākṣasa and Paiśāsa forms of marriage, it may be inferred that they had ceased to be recognised by their time and that other sages enumerated them only because they appeared in ancient works and for the sake of completeness of treatment. According to Vasiṣṭha, abduction does not constitute marriage. He allows *niyoga* and the remarriage of child widow. He elaborates rules of adoption which are not found in Gautama, Baudhāyana and *Āpastamba Dharmasūtra*. Vasiṣṭha has also flourished some moral knowledge. He states humanity as the source of supreme pleasure.

The objective of the proposed research work is to bring out the social and cultural conditions as portrayed in the *Vasiṣṭha Dharmasūtra* as well as this *Dharmasūtra* also includes some modern ideas, which are applicable in the modern time also.

The second chapter entitled as “Social Aspects of the Vasiṣṭha Dharma-Sūtra” deals with caste system, education system, marriage system, social rights, status of women, kingship, crime and punishment and sins and penances.

The caste system provides the authors of the dharmasūtras with a framework within which they may lay down the duties of individuals according to their caste. The word used for caste is *varṇa* (literary means colour). At the time of the *Vasiṣṭha Dharmasūtra*, society provides four classes or varṇas, viz., *Brāhmaṇa*, *Kṣatriya*, *Vaiśya* and *Śūdra*. Among these first three varṇas are called twice born. The first birth is from the mother and the second at the tying of the *Muñja*-grass griddle. At the latter birth, the Sāvitrī verse is his mother, while the teacher is said to be his father.

Every caste has some particular duties. Thus, the *Varṇadharmā* means the duties of the several classes of society. They form an integral whole of society and that the co-operation of each is equally necessary for its well being. Socially solidarity is their essential aim. Society can progress only if its various units properly perform the functions assigned to them. This also made every caste to realise its dependence on the other castes, and this tended to avoid caste wars.

Vasiṣṭha, the great scholar briefly enumerates the rights and duties of the four castes in his work. According to him there are six duties of a Brāhmaṇ: studying the Veda and teaching, offering sacrifices and officiating sacrifices, giving and receiving gifts. A Kṣatriya has three rights and duties – studying, offering sacrifices and giving gifts. The Law specific to him is the protection of his subject by the use of weapons. He should obtain his livelihood by this means. As *Kṣatriya*, *Vaiśya* has three rights and duties – studying the Veda, offering

sacrifices and giving gifts and in addition they can choose agriculture, trade, animal husbandry and lending money on interest as their occupation. And lastly to serve these classes is unrestricted duty of the Śūdras. Similar duties of the four castes are to be found in all the Dharmasūtras and in the Dharmaśāstras. In the *Śrīmadvāgavadgītōpaniṣad*, IV.13, it is said that the four fold ‘varṇa’ is created by the Lord according to ‘guṇa’ (quality) and ‘karma’ (action, more in particular action resulting from past action), cf., *cāturvaṇyam mayā sṛṣṭam guṇakarmavibhāgaśaḥ*. The duties of Brāhmaṇas, Kṣatriyas, Vaiśyas and also of Śūdras are distributed according to their Guṇas born of their nature.

Thus, it may be said that ‘Varṇadharmā’ is social planning, in which the spiritual, educational, military, administrative and economic functions are attached permanently to certain hereditary groups ensuring the transmission of professional ideals and standards of efficiency.

Rather these four classes we have also found some mixed classes in the society at the time of the *Vasiṣṭha Dharmasūtra*. Likewise, a child sired by a Śūdra man on a Brāhmiṇ woman, they say, becomes a *Candāla*; on a *Kṣatriya* woman, it becomes a *Vaiṇa*; and on a *Vaiśya* woman, an *Antyāvasāyin*. A child sired by a *Vaiśya* man on a Brāhmiṇ woman, they say, becomes a *Rāmaka*; and on a *Kṣatriya* woman, a *Pulkasa*. A child sired by a *Kṣatriya* man on a Brāhmiṇ woman, they say, becomes a *Sūta*. And a child sired by a Brāhmin, a *Kṣatriya* and a *Vaiśya* on a woman of *Kṣatriya*, *Vaiśya* and *Śūdra*; becomes an *Ambaṣṭha*, an



*Ugra* and a *Niṣāda* respectively (VDS.XVIII.1-8). A child sired by a Brāhmin on a *Śūdra* woman is a *Pāraśava*. It is said that while still alive, he is a corpse. “Corpse” is designation for dead.

Vasiṣṭha has clarified the fact of the generation of mixed classes by saying that all those who have been secretly conceived and who are tainted with the attribution rising from relationships in the inverse order of class, we can know by their actions, because they are devoid of virtue and good conduct. It means at the time of the *Vasiṣṭha Dharmasūtra* the society does not appreciate such mixed classes at any cost. Even their rights and duties are not mentioned in the *Vasiṣṭha Dharmasūtra*.

Education was considered essentially a process of illumination in the society of the *Vasiṣṭha Dharmasūtra*. A person who does not possess the light of the education is described as blind. It is education which removes all doubts and is a gateway to the world of abstract thoughts. Education nourishes us like a mother and gives encouragement and potentialities to face the future challenges in our lives.

The ancient Hindu Law had stated four orders of life. The student life is the first among the four parts of life. After the initiation, one should be able to take formal education from his teacher.

According to the caste system of ancient India, education was granted to individuals belonging to the classes of *Brāhmin*, *Kṣatriya* and *Vaiśya*. According to the *Dharmasūtras*, *Brāhminas* had the right to study and teach the Vedas. They had the privilege to perform sacrifices for their personal development and social welfare as well. *Kṣatriyas* had to receive the knowledge of *Veda* and various sacrifices as well as to learn the principles of punishment (*daṇḍanītidyā*), the science of reasoning (*ānvīkṣikī* or *tarkavidyā*) and the art of use of weapons. Thus, *Kṣatriyas* and the royal class of people had the right to take up arms and to earn their livelihood by participating in defence, political, judicial and administrative affairs of the state. *Vaiśyas* were enjoying the right to commercial education, animal husbandry with the knowledge of *Veda* and the Vedic sacrifices. Thus, *Vaiśyas* or merchant class of people had worked in the field of trade, agriculture and animal husbandry. At the time of the *Vasiṣṭha Dharmasūtra*, the *Śūdra* class of people had no right to take any formal education from the teacher. They were regarded as a very lower class of people. Thus, the *Śūdras* had to serve the other three classes.

At the time of the *Vasiṣṭha Dharmasūtra*, disciple were acquired the Vedic knowledge through the oral tradition from their teachers. But sometimes their teaching learning process was interrupted or suspended due to some particular events.

Marriage is a social and religious duty for every Aryan, bound as he is to continue the family and to secure the perpetuation of the domestic cult. Thus, the dharmasūtras consider the householder phase as the most important for it is the one upon which the three others depend. According to Vasiṣṭha, there are six types of marriages i.e., (1) *Brāhma*, (2) *Daiva*, (3) *Ārṣa*, (4) *Gāndharva*, (5) *Kṣatriya* and (6) *Manuṣa*. But there are eight different forms of marriages mentioned in the Dharmaśāstras, i.e., (1) *Brāhma*, (2) *Daiva*, (3) *Ārṣa*, (4) *Prājāpatya*, (5) *Āsura*, (6) *Gāndharva*, (7) *Rākṣasa* and (8) *Paiśāsa*. Vasiṣṭha did not mention the *Rākṣasa* and *Paiśāsa* forms of marriage. Actually, in *Rākṣasa* and *Paiśāsa* forms the person who committed wrong in respect of a female was allowed to make her his wife after the performance of necessary ceremonies keeping in view the Hindu sentiments about female chastity. It is to be noted that Hindu Law provided severe penalties for rape and abduction. But if the wrongdoer was unwilling to do this, they recommended that the girl may be given to another in marriage and wrongdoer was subjected to heavy punishment. In this connection, it is worth mentioning that Vasiṣṭha did not appreciate as the act of abduction is a cause of marriage, he stated that if a damsel has been abducted by force, and has not been wedded with sacred text, she may lawfully given to another man, she is even like a maiden.

Dharmaśāstras do not allow divorce and remarriage of female. Marriage tie has been considered to be indissoluble. But under certain circumstances divorce

and remarriage of female have been considered. Likewise, when her husband is lost or dead, when he has become a religious ascetic, when he is impotent and when he has been expelled from caste – these are the five causes of legal necessity in which a woman may be justified in taking another husband (*NS.XII.97*). In the *Vasiṣṭha Dharmasūtra*, it is said that if a damsel at the death of her husband has been merely wedded by sacred texts and if the marriage had not been consummated, she may be married again (*XVII.74; BDS.IV.1.16*).

Rights are the sum totals of social conditions or duties of the particular castes of which help the individual to build up his personality and to lead healthy and cultured life in the society. Through such types of rights an individual can enjoy his duties with honour. However, in order to make the human life happy and refined the *Vasiṣṭha Dharmasūtra* has dealt with different aspects of social life like education, occupation, marriage and family, political and judicial procedures, administration, religion etc. All such aspects of life were regulated through certain rights and duties in the form of Dharma or Law which were recognised and sanctioned to individuals of different classes. Though, in the *Vasiṣṭha Dharmasūtra* the rights are existed in the form of dharma or duty, we can point out a few rights of individual in relation to the above aspects of society life, such as 1) right to education, 2) right to occupation, 3) right to participate in administration, 4) right to private property and 5) right to justice etc.

On the scale of social respect Vasiṣṭha accords the highest position to a mother who is thousand times greater than a father. On the other hand, the Hindu widow of today is subjected to very rigorous rules of austerity. But it can be said that the *Vasiṣṭha Dharmasūtra* does not lay down any very elaborate or rigid rules that must be observed by a widow. If the widow has no son, she is allowed for levirate. The father or the brother should assemble the elders who taught or performed rites for the deceased person and his relatives and get them to appoint her for levirate.

In case of purification, Vasiṣṭha has extolled the state of women in a high esteem. According to him, a woman is not polluted by a lover. He also says that women are pure in the act of love. It is said that the mouth of a goat and horse is pure, the back of a cow is pure and for a Brāhmin the feet are pure, but a woman is pure all over.

The conceptualization of women in fact takes place from two points of view as individual and as social. As an individual a woman is seen as fragile and delicate physically in a certain sense but emotionally and spiritually stronger than man. As a social being, she is central to the whole social structure in her bio-social role as mother.

Next, kingship is included in the subject of political Science. Political Science means a systematized study of the state. It deals with the origin of the state, its features, its functions, the working nature of the state etc. The modern

State Government favours division of powers and also in case of the theory of the separation of powers. But in the ancient period, when the dharmasūtrakāras emerged, these types of missionaries for the running government were absent. All the three branches, viz. Legislature, Executive and Judiciary were solely attached with the king. The king was the final in cases of Executive, Legislature and Judiciary systems.

To take care of creatures is the special duty of a king and he attains success by fulfilling it. A king should after inquiring into all the Laws specific to various regions, castes and families, make the four classes adhere to the Laws proper to them. Governing in accordance with the law, however the king may take in taxes a sixth part of their wealth, except from Brāhmins. Indeed, it is said that from them he takes as his share a sixth part of their sacrifices and good works. There shall be no taxes on what is obtained from rivers, thickets, forests, cremation places and mountains. If people use such place for this livelihood they should have to give something as tax. If someone finds a treasure whose owner is unknown, the king may take it after giving one sixth to the finder. However, if the treasure is found by a Brāhmin devoted to the six occupations proper to him, the king should not take it. For the legal procedure, the king or his ministers should run the court proceedings. When there is a legal dispute between two parties, he should not take one side. At that time an offense is determined according to social position in the case of the first two classes and lastly according to knowledge, with regard to

people of the lowest caste there can be no offense. The king should treat all creatures equally. According to Vasiṣṭha, there are three types of evidences, viz., written evidence, witnesses and possession. Through such evidences an owner may reclaim a property that had previously belonged to him. Among the people, a Vedic scholar, a handsome man, a person of good character, someone who does good works and one who speaks the truth- these may act as witnesses. When a man bears false witness, he will end up naked, shaven- headed and blind, raked with hunger and thirst and going to his enemy's house with a begging bowl to obtain alms food.

On the other hand, it is an impossible task to enlist all the civil and criminal cases. But our Dharmaśūtrakāras ventured to do it. With high intellect, astounding talent, extra-ordinary knowledge about human psychology, practical experience in human behaviour, depth in human conduct, deep studies in human activities, sound knowledge in penology, exact feelings about the need of society, dexterity in criminology and rational thinking, the Dharmaśūtrakāras tried to enlist the causes of crime and methods of punishment. Among them Vasiṣṭha has given abuse, assault, theft, murder, sex, suicide are as the causes of crimes.

Punishment means the penalty imposed for an offence. Dharmaśāstrakāras formulated and advocated different methods of punishment on the basis of scientific and psychological analysis that are similar to modern punishment theories, such as – (i) Deterrent theory, (ii) Retributive theory, (iii) Preventive

theory and (iv) Reformative theory. No one was exempted from punishment even the king and his relations.

These punishments could be used separately or jointly, according to the nature and circumstances of the crime. Among the methods of punishments, Vasiṣṭha has dealt with admonition, reproof, pecuniary punishment, banishment, abandonment etc. as the methods of punishment. In the part of the corporal punishments, we can include the act of burning and roasting, drowning, branding and excision, as Vasiṣṭha has mentioned in his work.

Special concessions are advocated for women in some cases. They have to pay half of the fine which is prescribed for a male. Vasiṣṭha says that there are three things in the world, people who know the Law declare, that cause woman to fall from their caste- killing the husband, murdering a Brāhmin and getting an abortion. Baudhāyana also opines that there is no corporal punishment, however, when the adultery involves actresses or the wives of minstrels, for such women lure these men and stir even people with great self control. Cf., *BDS.II.4.3, na tu cāraṇadāreṣu na raṅgāvatare vadhaḥ | saṃsarjayanti tā hyetānniguptāmścālayantyapi* || Yet death sentence was prescribed for poisoning, killing husband, killing own child in womb. But they were exempted from death sentence during their pregnancy. In case of Brāhmaṇas death sentence is not prescribed by all the Dharmaśāstrakāras. Baudhāyana also says that there is no corporal punishment for a Brāhmaṇa for adultery. At the time of the *Vasiṣṭha*



*Dharmasūtra*, society gives an honourable position to Brahmins. But Vasiṣṭha also opines that those Brāhmins who are not learned, who do not teach or who do not maintain the sacred fires become equal to Śūdra. Even the king should punish a village from which Brāhmins who do not keep to their vows or study the *Veda* and obtain almsfood, for such a village is giving sustenance to thief. Thus, the Brāhmaṇas always have to maintain a strict code of conduct in their lives. If they come out from their duties they are also condemned for their guilties.

Vasiṣṭha has mentioned several sins and their penances also. Man is a social animal and animal has inborn and acquired instincts. Due to the influence of those instincts people are compelled to divert themselves from their peaceful behavioral life. Their instincts forced them to do some works. In the beginning of civilization, they had no power to judge whether their works harmful or not. After the civilization they could learn to defer good and bad. Those bad works were termed as sins. Sins are known as Pātakas in Sanskrit.

According to Vasiṣṭha, in list of the principal gravious sins, we can mention that loss of caste, having sex with the wife of an elder, drinking liquor murdering a Brahmin, stealing gold from a Brāhmin, associating with outcastes are the worth mentioning.

Throwing away one's fires, assailing one's elder, being an infidel, obtaining one's livelihood from infidels, selling soma, a man who commits suicide, a man who resolves to commit suicide, a man who survives an attempt at

suicide (VDS.XIV.20) - these can be included in the list of the secondary gravious sins (VDS.I.23).

When people realized that they had committed sins, they tried to rectify themselves by doing some works through which they could satisfy themselves. Vasiṣṭha felt the rules of the masses. He could not ignore time, place and society. Considering all circumstances he prescribed some penances scheduled for sins.

Vasiṣṭha has not prescribed penances for all who committed sins. He exempted some killers from penances. According to him, if a person kills and assailant the killer in cores no ill, he has exempted from penances. Vasiṣṭha also said that when a Brāhmin is united with knowledge and austerity and softly recites prayers every day, he does not become guilty of sin even if he constantly commits evil deeds (VDS. XXVI. 19).

The third chapter of this research work entitled as “The cultural aspect of the Vasiṣṭha Dharma-Sūtra” has dealt with customs, religion, rituals, super station, food habit, dress code and four stages of life. Through the description of four stages of life, we will able to know the culture of the people of stage of life.

*Dharmasūtra* is a part of the Vedic supplement called *Kalpa*. Hence, it directly concerns with the Vedic Religion. Dharmasūtras mainly deal with the Law through which society can resist in a systematic form. So, in the Dharmasūtras, religion or *Dharma* means self duties. Thus, *Dharmasūtras* declare the duties of

the people of four Varṇas, and the people of the four stages of life. All the duties of such people are framed under the acceptance of the Vedic consigns. The general rule about the binding character of customs is set out by Vasiṣṭha in his work as, the (peculiar) custom of countries, castes and families may be followed in the absence of rules propounded by the *Veda*, and XIX.7 prescribes that the king should enforce these among the four Varṇas. It means in the time of *Vasiṣṭha Dharmasūtra* people obey the *Veda* as well as they also can generate new customs according to their needs.

Regarding rituals Vasiṣṭha has laid down some general rules. Actually, ritual activities are the most part of the stage of householders. Among the rituals bali offerings, twilight worship and ancestral offerings are worth mentioning.

At the time of *Vasiṣṭha Dharmasūtra*, *dāna* has taken a very important place in the culture of that particular age. He has told about who is worthy to receive gifts as well as results and significance of gifts. Some are worthy to receive gifts as their Vedic learning and others because of their austerities. Among all the worthy people that person is the most worthy of receiving gifts whose stomach is freed from taking the food of a *Śūdra* Cf. *pātrāṇāmapī tatpātram śūdrānnaṃ yasya nodare* (VI.26.). A man who is rich in Vedic recitation and comes from a good family, who is perfectly tranquil, devoted to performing sacrifices and afraid of sin, who has vast knowledge and is patient with women, who is righteous, protects cows and wears himself out with penances- such a man

is worthy to receive gifts. Vasiṣṭha has also symbolized the things. Gold is the firstborn of fire, land is the daughter of Viṣṇu and cows are the children of sun. A man who gives gifts of gold, land and cows obtains an eternal reward.

By paying homage to a guest, the householder obtains peace and heaven. It is great belief of Indian culture. At the time of the *Vasiṣṭha Dharma Sūtra*, we can see that this culture was strongly adopted by the people. It is stated that a Brāhmin guest enters a house as the fire common to all men. Cf. *VDS.XI.13, vaiśvānaraḥ praviśatyatithibrāhmaṇo gṛhān* | It is also said that only on the occasion of paying homage to ancestors, gods or guests, an animal may be killed.

Since the dawn of civilization people have believed in that some objects are lucky and some objects are unlucky. They also believe that some things happen unnatural due to the influence of the unlucky objects. This belief is known as superstition. In the present research work, some superstitions are marked in the *Vasiṣṭha Dharmasūtra*. These can be categorized as the act of women and touchability and untouchability. Vasiṣṭha speaks of impurity that makes a thing untouchable. He says that if someone touches a sacrificial post, a pyre, a cemetery, a menstruating woman, a woman who has just given birth, and sordid men, he should enter water submerging his body and head under water. Regarding Śūdras, Vasiṣṭha's remark is nothing but an example of superstition. According to Vasiṣṭha, Śūdras are like a cremation ground. Therefore, one should not recite the *Veda* in the vicinity of a *Śūdra*.

Food in Hinduism is traditionally governed by the rules laid out in the Dharmasūtras, a genre of Sanskrit texts pertaining to Hindu religious and legal duty. Vasiṣṭha, the Great *Dharmasūtrakāra* has dealt with the information about the articles of food permitted or prohibited in the time represented by him. The general rule is that those kinds of fish, which are misshaped or grotesque fish (*vikṛtarūpaḥ*) and whose heads resemble those of serpents (*sarpa-śīrṣa*) cannot be eaten. Among fish, there are also some forbidden to be eaten, likewise the ceṭa, the Gavaya, the porpoise, the alligator and the crab (VDS.XIV.41). The kacchapa allowed by all the *Dharmasūtrakāras*. In the age of the Vasiṣṭha Dharmasūtra, meat-eating appears to have been widely in vogue. The eating of the meat of animals, sacrifices in religious festivals are considered as a part of the usual life. Even to show hospitality towards the guests, the householder can kill the living creatures. He opines that if someone eats the meat of a dog, a cock, a village pig, a kaṅka heron, a vulture, a Bhāsa vulture, a Pārāvata dove, a man, a crow or an owl, he should fast for seven days until all the excrement is gone, then consume some ghee and undergo re-initiation. In this research work, names of the birds are enlisted which flesh is prohibited to eat. Vasiṣṭha has permitted to eat the flesh of Kapota only. Vasiṣṭha has advised that for the hospitality of a Brāhmin, a *Kṣatriya* or a visitor, a householder can cook a big ox or a big male goat. He also quoted that in the *Vājasaneyisaṃhitā*, it is found that the milch-cow and the draft ox are pure and can be eaten VDS.XIV.46, *bhakṣyou tu dhenvanaḍuhou medhou vājasaneyake vijñāyate /*

Vasiṣṭha has advised some unfit food to be eaten. According to him, leftover food from anyone other than one's teacher is unfit to be eaten as also one's own leftovers and food that has come into the contact with leftovers or with a garment, hair or insects. When food is touched by crows or dogs during a divine procession, marriage festivities or while sacrifices are in progress, it should not be thrown away. Vasiṣṭha has advised that for eating garlic, onions, mushrooms, Gṛñjana (onion), *Śuṣmāntaka* fruits, tree resins, red juices flowing from incisions on tree barks, anything licked by a dog or a crow, or the leftovers of a *Śūdra* he should perform the very arduous penance. For eating other things except preparation of honey, meat or fruits, he should perform the arduous penance. Through such types of food habits, we will be able to know the Indian culture of that particular period.

The concept of the four stages of existence is fully established by the era of the dharmasūtras, but it appears after Vedic times. However, the first two stages are known from the Vedas onwards. Vasiṣṭha opines that the stage of *Gṛhastha* is the best among all the stages of life. cf. *VDS.VIII.14, caturṇāmāśramānām tu gṛhasthastu viśiṣyate* | For the duties of a *gṛhasthī*, Vasiṣṭha advises that the householder should be intent on reciting his *Veda*, offering sacrifices and begetting offspring (*VDS.VIII.11*). This stage of life is highly appreciated by all the Dharmasūtrakāras. This stage of life leads to achieve the world of Brahman. As all

living beings live dependent on their mothers, like all mendicants live dependent on the stage of the householder.

In a society dress code takes a very significant place among the human race. It differentiates people to the animals. Particular dresses help us to know the people of different culture.

At the time of the *Vasiṣṭha Dharmasūtra*, it is seemed that the dress code mainly elaborates the different stages of life and the people of the different castes.

In the fourth chapter, the special features of the *Vasiṣṭha Dharmasūtra* has been enlisted. *Vasiṣṭha Dharmasūtra* is so far contrast with the characteristic features of the *dharmasūtra* works. Basically dharmasūtras, being part of complete Kalpasūtras, show close resemblance with Gṛhyasūtras, and while the *Vasiṣṭha Dharmasūtra* do not reveal any such resemblance with the Ṛgvedic Gṛhyasūtras. The *Vasiṣṭha Dharmasūtra* has been printed several times. In the different editions, we have found different numbers of total chapters of this work.

The most specific point of this work is that in comparison with the other *dharmasūtra* works, the *Vasiṣṭha Dharmasūtra* maintains a systematic arrangement of its contents. Basically smṛtis or dharmasāstras maintain such systematic order of their contents into three particular heads, viz., *Ācāra*, *Vyāvahāra* and *Prāyaścitta*. In the *Vasiṣṭha Dharmasūtra*, from 1<sup>st</sup> to 14<sup>th</sup> chapters, we can see all the subject matters which are same with the *ācāra* portion

of the dharmaśāstras, as these chapters deal with the saṃskāras, different code of conduct of four stages of human lives, hospitality, rules for *śrāddha* etc. Next 15<sup>th</sup> to 19<sup>th</sup>, it deals with adoption, legal procedures, property rights, different types of sons, partition of estate, *Rājadharmā*, succession, taxes, criminal justice etc. Even the 16<sup>th</sup> chapter is started as *atha vyāvahārāḥ* (16.1). Next 20<sup>th</sup> to 28<sup>th</sup> chapters include grievous sins and their penances. Lastly, 29<sup>th</sup> and 30<sup>th</sup> chapters deal with significance of gift (*dāna*) and the excellence of *Brāhmiṇ* accordingly. Thus, from the 1<sup>st</sup> to 28<sup>th</sup> chapters all the subject matters, we can divide into three heads, viz., *Ācāra* (1<sup>st</sup> to 14<sup>th</sup>), *Vyāvahāra* (15<sup>th</sup> to 18<sup>th</sup>) and *Prāyaścitta* (20<sup>th</sup> to 28<sup>th</sup>). In fact, the *Vasiṣṭha Dharmasūtra* is composed in prose intermixed with verse. Even, chapters 25<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> are entirely composed in verse, while other chapters like III.2-12; VI.1-13; XI.20-42 which contain many verses interposed between prose passages. Thus, we can say that the entire work of Vasiṣṭha is an amalgamation of prose and metrical forms.

Basically, the language, used in the *Vasiṣṭha Dharmasūtra* is classical Sanskrit, although, it verily quotes several verses from *Ṛgveda* and other Vedic Saṃhitās and Brāhmaṇs. Thus, this work deals with both classical and Vedic Sanskrit languages.

Besides these, there are about forty verses that are common to the *Vasiṣṭha Dharmasūtra* and the *Manusmṛti* and about a dozen verses which, though not strictly identical, are more or less similar. There are several prose sūtras of



*Vasiṣṭha Dharmasūtra* which correspond to the verses of Manu almost word by word. Therefore, both the *Manusmṛti* and *Vasiṣṭha Dharmasūtra* have received later additions and further it is possible that the present *Vasiṣṭha Dharmasūtra* is the work of someone who had received the teaching of Vasiṣṭha through a succession of teachers and disciples.

The *Vasiṣṭha Dharmasūtra* contains a good number of peculiar words. Some of these words are not found in the standard Sanskrit lexicons. There are some words which, though found in other branches of Sanskrit literature are used in senses peculiar to these works alone. Therefore, we have noted the meaning of such words suggested by the commentators who sometimes suggest different meanings of the some words. Most of the peculiar words of the *Vasiṣṭha Dharmasūtra* and their different meanings cited by various sources are mentioned in this chapter.

The text on the *Vasiṣṭha Dharmasūtra* preserved in different editions is not uniform. It is therefore necessary to examine the nature of the differences among the extant versions of the same work. Such an examination has taken place in this chapter.

Certain features of the extant works on *dharmasūtra* raise suspicion about the genuineness of some portions of them. These are : (a) repetitions of the same passages, sometimes with slight variations within the same work; (b) occurrence

of the same or closely similar, passages in different works. These certain features have been found in the *Vasiṣṭha Dharmasūtra* also. However it may be noted that some of such passages, especially certain verses among them introduced by such remarks as ‘atha udāharanti’ might be borrowed from a common source. Thus, the necessity and importance of a collection of such passages are obvious. Therefore, we note as many as of these passages have come to our notice in the course of our present studies.

The dharmasūtras are a rich store house of information regarding various kinds of trees and plants, flowers and foliage, beasts and birds, mammals, reptiles and others. We propose to collect the names of flora and fauna as found in the *Vasiṣṭha Dharmasūtra*. In doing the same we shall piece together all the information that can be collected from texts of different *dharmasūtra* works.

The fifth chapter includes the concluding observation of my research work. Most of the laws determined by the Great Vasiṣṭha can be observed in the modern time also. He has proclaimed *dharma* which is common to all the classes of people belonging to different orders of life. These common duties (or *Dharma*) are - speaking the truth, refraining from anger, giving gifts, not killing living creatures, fathering children, to refrain from slander, envy, pride, egotism, disbelief, dishonesty, praising oneself, running down others, hypocrisy, greed, perplexity and jealousy. Vasiṣṭha has not only proclaimed the duties of the different castes and orders, but he also states the rights of the people of the society. He has categorized the rights in the areas of education, occupation, participating in

administration, private property and in the justice. In some aspects Vasiṣṭha's views are different and modern from those of early writers like Gautama and Baudhāyana. Like Āpastamba, he mentions only six forms of marriages <sup>11</sup>, *Brāhma*, *Daiva*, *Ārṣa*, *Gādhārva*, *Kṣatra* and *Mānuṣa*. Vasiṣṭha does not mention the Rākṣasa and Paiśāsa forms of marriage. According to Vasiṣṭha, abduction does not constitute marriage. If a girl has been abducted by force, and not has been wedded with sacred texts, she may lawfully be given to another man; she is even like a maiden <sup>12</sup>. He allows *niyoga* <sup>13</sup> and the remarriage of child widow <sup>14</sup>. But Vasiṣṭha prohibits the marriage of a *Brāhmaṇa* with a *Śūdra* woman (I.25-26) which is mostly contradictory with the view of Baudhāyana (I.8.2). He elaborates rules of adoption in the 15<sup>th</sup> chapter which are not found in Gautama, Baudhāyana and *Āpastamba Dharmasūtra*. He speaks of documents as one of the three means of proof <sup>15</sup>, while Gautama, Āpastamba and Baudhāyana are silent on that point, but in the *Gautama Dharmasūtra* XIII.4, there appears to be a reference to documents. Taking all these things into consideration it may be said that Vasiṣṭha is later than Gautama, Āpastamba and Baudhāyana, but much earlier than the beginning of the Christian era and may tentatively be assigned to the period between 300-100 B.C. <sup>16</sup>. Vasiṣṭha has also flourished some moral knowledge. He states humanity as the source of supreme pleasure. In the Vedic period a *Brāhmaṇa* attained his highest goal through performing the sacrifices. Thus Vasiṣṭha has compared the fire of a sacrifice with meditation, the firewood is

truthfulness, the offering is patience, the *Sruva* spoon is modesty, the sacrificial cake is not causing injury to living beings and the priestly fee is the arduous gift of safety to all creatures<sup>17</sup>. So, we can say that Vasiṣṭha has analyzed the whole things of the Vedic sacrifices in a realistic point of view which is really beneficial at the time of the modern society also.

The most interesting point is that according to *Vasiṣṭha Dharmasūtra* (6.1), good conduct is the highest Law for all. Even Vasiṣṭha has clarified the fact of the generation of mixed classes by saying that all those who have been secretly conceived and who are tainted with the attribution rising from relationships in the inverse order of class, we can know by their actions, because they are devoid of virtue and good conduct<sup>18</sup>. It means at that time the society does not appreciate such mixed classes at any cost. Their rights and occupations are not mentioned in the *Vasiṣṭha Dharmasūtra* also.

Vasiṣṭha is very conscious about the mental and physical hygiene. Because he appreciates the Yoga practice. According to him, not by severe austerity, not by the daily recitation of the Veda, not even by sacrifice can a man attain the state that one obtains by the practice of Yoga. Cf., *VDS.*, 25.7

*na tām tīvreṇa tapasā na svādhyāyairna cejyayā |  
gatim gantum dvijāḥ śaktā yogātsamprāpnuvanti yām ||*

Through Yoga one can obtain knowledge, even Yoga is the earmark of the Law. It is designated as the highest austerity. Therefore, one should always be

engaged in the yogic practice. On the other hand, through the Yoga one can control his breath repeatedly. By suppressing the breath air is generated, from air fire is generated and from fire water is generated (VDS.25.6). Through these three one is cleansed internally. Medical science also says that *vāyu* (air), *pitta* (fire) and cough (cold or water) are the three important elements which are directly responsible for our body balance. And Yoga is the appropriate way which makes people mentally and physically fit from everywhere.

From the above mentioned points it is cleared that the *Vasiṣṭha Dharmasūtra* contains some modern ideas which are really very appreciable in the modern society also. It encourages people to be cultured. According to him good conduct is the highest Law or Dharma. And Dharma is not a part of religion; it is a part of our life which helps us to lead a healthy and progressive life.

(Nabanita Sarma)