

PREFACE

The present volume of *ZINBUN* is a part of the outcome of our joint-study of the *Yājñavalkyasmṛti* entitled “Law and Society in Ancient India” coordinated by Yasuke IKARI during the period of April 1991– March 1995 at the Institute for Research in Humanities, Kyoto University. The participants, coming from almost every field of Indology including Vedic literature, Buddhist literature, Indian Philosophy, Indian Grammar, Indian Sciences, Indian Law, Epics, *Purāṇas* and Hinduism, joined and enjoyed lively discussions in the seminars held every two-weeks.

Our joint-study took the style of reading seminar of the text. While proceeding with the seminar, I myself prepared and handed out to the participants the assembled text-file of the variant readings of the text of the *Yājñavalkyasmṛti* recorded in the published editions of the important commentaries. Since the number of the known existant manuscripts of this text exceeds more than eight-hundred, we had given up from the outset the idea of preparing the critical edition of the text because of the short period of our seminar project. Considering the geographical varieties of the commentaries, however, it was possible for us to have a general view of a wide range of readings of the text through them. All the variants of text readings offered in the commentaries and parallel passages of *Purāṇas* are collected in a single file in order to find out each variant of the concerned word or passage at a glance. Included in this file are such texts as the *Bālakṛīḍā* (by Viśvarūpa), the *Mitākṣarā* (by Vijñāneśvara), the commentary of Aparārka, the *Dīpakalikā* (by Śūlapāṇi), the *Vīravimtrodaya* (by Mitramiśra) and several parallel passages of *Purāṇas* (*Agni-Purāṇa*, *Garuḍa-Purāṇa* etc. in various editions).

Another by-product of our joint-seminar is the computer in-put files of all the *Dharmasūtras*, important *Dharmaśāstras* and the *Arthaśāstra* prepared by the joint efforts of the participants of the seminar. As the author of the *Yājñavalkyasmṛti* indebted so many passages to its predecessors in compiling his own text, this text-file, the “Dharma File” as we call it, turned out to be the most useful tool for our comparative study of the text on historical perspective, both stylistic and contentwise. The text-file has been opened to the public and it has been widely utilized by the international scholars of Indology through the site of Kyoto Sangyo University (<ftp://ccftp.kyoto-su.ac.jp/pub/doc/sanskrit/dharmas/>) The file has

also been contributed to the TITUS text collections of University of Frankfurt (ed. by Prof.Dr.J.Gippert, <http://titus.uni-frankfurt.de>).

The last by-product of our seminar is a Japanese translation of Yājñavalkyasmṛti. Y. IKARI and N. WATASE (ed.), *The Yājñavalkyasmṛti, An annotated Japanese Translation* (Tōyō Bunko 698), Heibonsha, Tokyo 2003. The translation and notes were based upon the reports and discussions presented at our joint-seminars which totally amount to more than fifteen hundred printed pages. Since this translation was intended mainly for public readers, we had to reduce the voluminous notes into minimum size. This translation is in principle based upon the Viśvarūpa's version of the text, which generally represents older and better readings than the vulgate text of the Mitākṣarā.

The Yājñavalkyasmṛti is composed of a little more than one thousand ślokas. It is divided into three Chapters (adhyāya) of about equal length: 1. *ācāra* (right conduct), 2. *vyavahāra* (justice administration), 3. *prāyaścitta* (penance or rites of rehabilitation). In chapters 1 and 3, we find occasional parallel passages to the ritual texts of the White Yajurveda (*i.e.* Pāraskara Gṛhyasūtra and Kātyāyana Śrāddhakalpa), which fact may indicate the original connection of this text to the ritual school of the White Yajurveda.

The chapter of *ācāra* treats of the conduct models of student and householder, mainly of the brāhmaṇa class, and the conducts of king come at the end. The general plan of description follows that of the Manusmṛti. The section of administration of justice is, however, separated from the king's conduct and it is moved out to make an independent chapter, although we find some awkward arrangement of some subjects (units of weight and crime penalties) at the last part of the first chapter which should logically be moved to the beginning of the second chapter. In the first chapter, there are a remarkable number of parallel passages to the corresponding chapters of the Manusmṛti. The author must have taken the descriptions of the Manusmṛti as his model of compilation and gave necessary changes required from his circumstances. On the sections of the king's conduct, passages of the Arthaśāstra are also utilized for reference material. Two rituals of *śānti*, the Vināyakakalpa and the Grahaśānti, which are placed just before the description of the king's conduct are the unique sections of the first chapter which have no parallels in other *dharma* texts.

Enumeration of virtues or moral conducts including religious practices of a twice-born, irrespective of his social class (varṇa) or life-stage (āśrama), is a favorite subject of the text genre of the dharma. In the Yājñavalkyasmṛti, such a list is found, for instance, in 1.121 and 3.66. The list includes not only

moral conducts but such concepts as those related to knowledge of the self (adhyātmika). After careful examination of the characteristics of the “list of morals” expounded in the dharma texts, Ryutaro TSUCHIDA discusses that such list of virtues was developed and elaborated among the orthodox brahmins of householders, especially among the highly cultivated layer of people called *snātakas*. Tsuchida stresses the roles played by the householder and the snātaka in the cultivation of inner morals of ancient India.

Shingo EINOI discusses two concepts from the daily rituals of *brahmacārin* included in the section of *Ācāra*, the first part of the Yājñavalkyasmṛti. They are the tīrtha (1.19) and the prāṇāyāma (1.23). Keeping in line with his recent series of ground-breaking studies, Einoo traces back the historical origin of elements of Hindu rituals into the post-vedic text layers of the Gṛhyaparīśiṣṭas. Einoo investigates historical development of the notion of the tīrthas as indicating the particular location of the right hand and how it came to be standardized in the Yājñavalkyasmṛti. The practice of controlling one’s breaths (prāṇāyāma) is an important constituent of rituals of Hinduism. Einoo has successfully shown in this article that the practice, which in itself had been developed since Vedic times, can be traced back in its full form in the texts of the Gṛhyaparīśiṣṭas.

As for the studies on two important sections found towards the end of the first chapter, I refer to the two articles eventually published elsewhere mainly due to the long delay in publishing this volume. Both of them were reported and discussed in our seminar. Muneo TOKUNAGA, Structure of the Rājadharmā section in the Yājñavalkyasmṛti, *Memoirs of the Faculty of Letters, Kyoto University*, No.32, 1993, pp.1–42. Through careful comparative study of the Rājadharmā section of the Yājñavalkyasmṛti with the parallel passages of the Manusmṛti, Arthaśāstra and the Mahābhārata, Tokunaga has persuasively established in this article the historical position of the Rājadharmā section of the Yājñavalkyasmṛti. Another is: Michio YANO, Planet Worship in Ancient India, *Studies in the History of the Exact Sciences in Honor of David Pingree* (ed. Ch.Burnett, J.P.Hogendijk, K.Plofker and M.Yano), Leiden/Boston, 2004, pp.331–348. After giving brief survey of historical development of the concept of *graha* as ‘planet’, Yano takes up the descriptions of *Vināyakakalpa* and *Grahaśānti* which are placed before the Rājadharmā section of the Yājñavalkyasmṛti. Deftly comparing them with the parallel versions of rites of planet worship in the Gṛhyasūtras, he leads us to see the concerned passages of the Yājñavalkyasmṛti in the proper historical perspective.

The second chapter of *vyavahāra*, the judicial administration, shows the character of remodelling of the corresponding chapters of the Arthaśāstra, especially its third chapter of Judges (dharmasthīyam) and fourth chapter of Suppression of Criminals (kaṇṭakaśodhanam). But it cannot be regarded just a simple needlework of patchwork of old fragments. We find traces of several interesting reflections of historical development of judicial procedures and the king's attitude towards different societies within his kingdom.

Tōru YAGI focuses his attention on the form of declaration made on the occasion of ordeal (divya) in lawsuits. Like other Dharmaśāstras, the Yājñavalkyasmṛti counts the proof of ordeal as one of the means of proofs in its second section, the section of lawsuits. As a divine means of proof, this form is common to the case of oath (śapatha) which has been well known from the time of Vedic literature. In this paper, Yagi has carefully analyzed different types of oath form and demonstrated that they signify the same type of gesture as performance of swearing.

In the third chapter, the title topic of *prāyaścitta* are generally presented according to the traditional line of descriptions in the Dharmasūtras and the Manusmṛti. What characterizes best the framework of the third chapter, however, is its presentation of the *ātman* theory which occupies two-third amount of this chapter. It forms a part of the section called *Yatidharma* and contains close parallels to the Medical texts, not only of the embryological and anatomical passages, but also of the descriptions of *ātman*. (3.67–206). The medical theories and *ātman* ideas found here are quite similar to those of the Śārīra-sthāna of the Carakasamhitā. Tsutomu YAMASHITA has made a close study of the parallel passages of the Yājñavalkyasmṛti and the Carakasamhitā and demonstrated how the author of the former had tried to incorporate into the dharma text accounts of āyurvedic texts, notably of the Carakasamhitā, with several modifications. Yamashita has also called our attention to the fact that the author of the Yājñavalkyasmṛti intended to introduce into his accounts of *ātman* the theory of corporeal *ātman* (śārīra-ātman) with embryology and anatomy as its essential components of the Carakasamhitā, Śārīrasthāna.

One of the peculiar features of the style of the Yājñavalkyasmṛti is the ambiguous or irregular word-forms encountered in the text. Comparing with the lucid and transparent style of the Manusmṛti, we find in this text a lot of grammatically anomalous forms or expressions. As is well-known, the compiler of the text indebted many passages to the texts which had existed before him, for instance, to the Manusmṛti and the Arthaśāstra among others. In such

cases, he tried to compress the expressions of the originals and sometimes it seems he overdid so much that he had to leave odd expressions. Masato KOBAYASHI has tackled this problem of style in the *Yājñavalkyasmṛti* and with his careful examinations of some anomalous or artificial cases of nominal compounds, he has shed fresh lights to the compiling procedures of the author of the *Yājñavalkyasmṛti*.¹

Finally I would like to note down the names of our colleagues who participated in our joint seminar “Law and Society in Ancient India” with my happy memory and deep thanks for their cooperation, friendship and support.

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¹ As for the study on the styles of the commentators of the *Yājñavalkyasmṛti*, an article is to be published in the next issue of *ZINBUN*. It is a study of a fragment of unknown commentary to the *Yājñavalkyasmṛti* preserved in NGMPP collections at Kathmandu, Nepal. This is an old commentary which precedes the dates of those of *Vijñāneśvara* and *Aparārka*, two famous commentaries to the *Yājñavalkyasmṛti* in the 12th century. This unknown commentary has shown a series of interesting parallels to the passages of two famous commentaries and gives a new insight to the study of styles of the latter.