

Jayanta on the validity of sacred texts (other than the Veda)*

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Part I

Introductory study

I Remarks concerning the critical edition

The present text has been critically edited by Kei Kataoka (Kataoka 2004a). While working on this translation, some minor changes to the edition have been proposed and discussed in the endnotes. On the basis of such emendations, Kei Kataoka plans to publish on-line a revised critical edition of the text at this address:

<http://www2.lit.kyushu-u.ac.jp/~kkataoka/Kataoka/NMaprR.pdf>

In general, many changes consist in preferring the readings offered by the manuscript identified in Kataoka 2004a as K₁, i.e., “A manuscript preserved in the Malayalam Department of the University of Calicut, No. 2602. Malayalam Script, Palm leaf, 177 folios” (Kataoka 2004a, p. 218). This preference is due to K₁'s higher reliability, as ascertained throughout the

critical editions of other sections of the NM prepared by Kataoka on the basis also of K₁.¹ The copyist who wrote K₁ (or its model) was probably a learned person, who was able to understand what he was copying (unlike, for instance, the copyist responsible of the Allahabad manuscript A₁, also used in Kataoka 2004a). Given the Indian context, however, this also means that the copyist probably felt it legitimate to add clarifications to the text. Accordingly, one happens to find additional particles such as *hi* or *tu* only in K₁. Whenever such particles make the text clearer, but are not absolutely necessary and are only present in K₁, we assumed that they were additions of K₁, made for the sake of clarity (e.g., *ca* (to be interpreted as an adversative) changed into *tu* in section 2.1.1.2.1; *śrutismṛtīvirodhe* instead of *smṛtīvirodhe* in section 2.1.2; *manvādīnāṃ ca pratyakṣo* instead of *manvādīnāṃ pratyakṣo* in section 2.2.1.1). Consequently, they have not been included in the critically reconstructed text.

II Introductory study: Jayanta between Nyāya and Mīmāṃsā

Bhaṭṭa Jayanta was a Kaśmīri philosopher active during the reign of Śaṅkaravarman (reg. 883-902 AD²). Three works of him are extant, the short compendium *Nyāyikalikā*, the philosophical drama *Āgamaḍambara* (henceforth *ĀḌ*) and his opus magnum, the *Nyāyamañjarī* (henceforth NM). Throughout his works, Jayanta displays a thorough knowledge of Nyāya, but also of Mīmāṃsā, and is especially precious as a source for the thought of Kumārila, whose works rarely achieve the same clarity of expression of those by Jayanta (on this topic, see also section II.3).

The NM is divided in twelve books (*āhnikā*), which discuss the definitions (*lakṣaṇasūtra*) found in the *Nyāyasūtra* (henceforth NS). Alone NS 1.1.7, i.e. “Language [as an instrument of knowledge] is the teaching of a reliable [speaker]” (*āptopadeśaḥ śabdah*) is discussed for four out of the twelve books, i.e., NM 3-6. The passage we examine and translate here (henceforth called SĀP³) is located within NM 4. Table 1 illustrates the contents of NM 4:⁴

| | |
|--|-------------------------|
| The Lord as the author of the Vedas | NM, vol. I, pp. 573-590 |
| The Lord as the author of the connection of words and meanings | NM, vol. I, pp. 591-603 |
| The Vedas' validity | NM, vol. I, pp. 603-614 |
| The Atharvaveda's validity | NM, vol. I, pp. 614-629 |
| The validity of all sacred texts (SĀP) | NM, vol. I, pp. 629-649 |
| Faults of the Veda | NM, vol. I, pp. 649-667 |
| Commendatory statements, mantras and <i>nāmadheyas</i> | NM, vol. I, pp. 667-690 |
| Ultimate meaning of the Veda | NM, vol. I, pp. 691-703 |

Table 1: Contents of NM 4

Thus, the SĀP follows the establishment of God as author of the Veda. The demonstration that God is the author of the Veda relies on the fact that God can perceive dharma,

¹Namely, Kataoka 2005, Kataoka 2007a, Kataoka 2008, Kataoka 2009, Kataoka 2010, Kataoka 2011a. For further details on the manuscript, see Graheli forthcoming, section 2.16; for its high importance within an hypothetical stemma of the NM, see also Graheli 2011. Graheli identifies the manuscript with the sigla MDUC 2606.

²Dates reconstructed on the basis of the *Rājatarāṅginī* in Stein 1961, p. 98. For further details concerning Jayanta's family and personality, see Kataoka 2007c

³As explained in Kataoka 2007b, p. 77, fn. 11, the designation *Sarvāgamaprāmāṇya* derives from the appellative *sarvāgamaprāmāṇyavādin* attributed to Śaṅkarāṣaṇa in the *ĀḌ* (Dezső 2005, p. 196).

⁴All references to the NM, here and below, are to NM.

and, therefore, overtly contradicts the Mīmāṃsā tenet that the Veda is the *only* instrument to know dharma (see below, section II.4.1). Nonetheless, Jayanta accommodates both Nyāya and Mīmāṃsā approaches in his SĀP, turning the Mīmāṃsā criterion into the need for a connection with the Veda, insofar as this is the exemplary text on dharma (although no longer the only possible source for the knowledge of dharma). The usage of Nyāya arguments along with Mīmāṃsā ones also in regard to the Veda, which could be considered as the specific field of Mīmāṃsā, harmonises with Jayanta's general point that the Nyāya is the only system which can establish the Veda's *validity*, since the Mīmāṃsā rather focuses on its exegesis (see SĀP section 5.2.2.4; on this topic see also Halbfass 1986-92 and Kataoka 2007a). The joint usage of Mīmāṃsā and Nyāya arguments is a fixed pattern in the NM, see, e.g., NM 9, Vijnānadvaita section, where the differences between the two systems are ignored in order for them to fight against their common enemy, the Buddhists.⁵ Also in the ĀḌ, Mīmāṃsakas and Naiyāyikas join forces against the “haters of the Veda” (Dezső 2005, p. 186).

As for the immediately preceding section, the Vedic status of the Atharvaveda was very controversial (it is, for instance, not accepted by our earliest witnesses, such as Kauṭilya's *Arthaśāstra*, which only speaks of the Veda as *trayī*, nor has it ever been accepted by Mīmāṃsakas). In order to establish its position as part of the Vedic canon, Jayanta demonstrates that it is a valid sacred text insofar as it has been uttered by God. Consequently, the SĀP opens with a disciple asking whether this procedure can be repeated also for *all* the texts which claim to be sacred texts.

In the SĀP (see Table of Contents), Jayanta presents Nyāya and Mīmāṃsā views on the topic of the validity of sacred texts, dividing them into two or three sub-topics, namely: 1. validity, (2. invalidity) and 3. conflict among different sacred texts or between one of them and the Veda.

II.1 Survey of Research

After Paul Hacker has driven the scholars' attention on the SĀP in his essay on *Religious Tolerance and Intolerance in Hinduism* (Hacker 1957), the SĀP has been closely examined only in Wezler 1976 and, much later, in the critical edition and Japanese translation by Kei Kataoka (Kataoka 2004a and Kataoka 2007b).

As for more general works, Janaki Vallabha Bhattacharyya has translated into English the first six books of the NM (Bhattacharyya 1978), including the SĀP. The translation is a good introduction to the text, but does not aim at carefully reflecting the Sanskrit original and is of very difficult consultation, due to the lack of any index and of any further textual partition (even verses and quotes are not signalled at all), apart from the one into *āhnikas* and of random headings, not numbered nor reported in the summary. Moreover, due to the fact that it does not distinguish the translation of the text from additional comments, it might be misleading if one consults it independently of the Sanskrit text. Last, it lacks any annotation, and this makes passages such as the one about the Śyena sacrifice (sections 6.1.2 and 6.1.3.2) unintelligible, nor does it attempt to explain the logic of difficult passages (see for instance fn. 45). We indicated the cases of important dissent from this translation.

Nagin J. Shah, the editor of the only extant early commentary on the NM, Cakradhara's *Granthibhaṅga* (henceforth NMGBh, Shah 1972), has published a Gujarātī translation of the NM (Shah 1975-1992) and a synopsis of its contents (Shah 1992-97). The translation is overall reliable (even more than Bhattacharyya 1978); it immediately follows each portion of the Sanskrit text and the short glosses are indicated as such. However, it does not solve all the problems of the text, also because Shah may rely on Gujarātī equivalents of complicated

⁵“Enough of this talk! Why at present do we [have to] attack a Brahmin [colleague], letting a Buddhist off the hook?” (*tad alam anayā kathayā. kim iti sākṣyam utsrjya śrotṛyam idānīm abhiyūñjmahe*, Kataoka 2003a, p. 284; translated in Watson and Kataoka 2010, p. 338).

Sanskrit terms. As above, we indicated only cases of important dissent.

The present translation improves on the preceding ones also because of its sounder basis, i.e., the critical edition presented in Kataoka 2004a and because its narrower focus made it possible to focus on a careful study of sources and parallel passages and, through that, to acquire a deeper understanding of some complex passages.

II.2 The SĀP and the ĀḌ

The passage under examination is closely linked to the topic of the ĀḌ and many parallel passages have indeed been located in Kataoka 2004a. The general point of both texts is the same, insofar as both indicate that all sacred texts can be regarded as valid, with a few exceptions. Their validity is in both texts argued for from both a Mīmāṃsāka and a Naiyāyika point of view.

This similarity of approach and content lets the rare points of divergence appear in a striking way. These are:

1. The validity of Pāñcarātra texts, which are admitted among the valid sacred texts together with the Śaiva ones in the SĀP (although only with a negative formulation, i.e., as “not invalid”), whereas the ĀḌ is much more cautious (SĀP section 5.1.1; ĀḌ prelude to act four, Dezsó 2005, pp. 194-196).
2. The status of several Śaiva cults, which are seen with more suspicion in the ĀḌ, whereas the SĀP states that Śaivas do not contradict the Veda and does not deal extensively with more “problematic” Śaiva and Śākta sects (SĀP section 5.1.1; see also section 6.2.2.2; ĀḌ prelude to act four, Dezsó 2005, p. 194, II.11-12).

One could try to solve the problem by considering the fact that the Pāñcarātrins are only mentioned in passing in the SĀP, whereas they are a main topic of the ĀḌ, since the queen seems to favour them. Moreover, one might add that the ĀḌ could reflect a later stage of Jayanta's thought.⁶

A different tentative explanation is to consider the distinct purpose of the two texts. The ĀḌ tells the story of Sañkarṣaṇa who is appointed by king Sañkaravarman as a sort of “Minister of religious affairs”. Thus, his position is not so far from that of the historical Jayanta, who was also a minister of Sañkaravarman. Due to his political role, Sañkarṣaṇa needs to look at religions also from the point of view of their social impact. Consequently, he needs to take care of antisocial religious practices, such as the ones of some Śaiva ascetics. He also needs to take care of the disturbing behaviour of the Pāñcarātrins, who claim to be brahmins, and thus intervene in the brahmins' assemblies.⁷ Thus, it is understandable that Sañkarṣaṇa needs to clean out the religious horizon. Since Jayanta himself is mentioned negatively by some Śaiva ascetics in the ĀḌ (*taśśa amacce dulāālajayaṃte, *tasyāmātyo durācārajayan-taḥ* “Jayanta, his (Sañkaravarman's) minister who acted wrongly”, Dezsó 2005, p. 130, l.7), one might imagine that he also took part to similar campaigns.⁸ To sum up, the ĀḌ is occa-

⁶About the relative chronology of ĀḌ and NM we have only an indirect evidence, namely: “Since a verse that is quoted in the play (Act Four, verse 53) as Jayanta's wise saying (*sūktā*) is also found in the NM (NM, p. 640 [SĀP, 6.1.1.2]), it seems probable that Jayanta wrote the ĀḌ following his major work on Nyāya” (Dezsó 2005, p. 16). The same piece of evidence had already been mentioned in Raghavan 1964, p. xxvi. (Here and wherever Dezsó 2005 has been quoted, its transcriptions have been adapted to the Kyoto-Harvard standard).

⁷This is a standard allegation against Pāñcarātrins, see Yāmunācārya's Āgamaprāmānya (Narasimhacharya 1976, pp. 11-16; 141-2, quoted in Dezsó 2004, pp. 92-94).

⁸The whole passage reads as follows: “King Sañkaravarman's cruelty is public knowledge. That brahmin, his adviser, the wicked Jayanta is even rougher than he. They nabbed the mendicants black-blankets [the Nīlāmbaras], beat them to jelly, and expelled them from the kingdom, on the ground that they were outside Vedic religion. And if any other mendicant is caught who is outside Vedic religion, he'll be beaten up, killed, thrown in jail, or slain”. (Dezsó 2005, p. 131)

sioned also by a concrete problem, that of the coexistence of various religious observances, and particularly of some extreme practices (see Kataoka 2007b, p. 45).

By contrast, the SĀP has chiefly theoretical aims as shown already by the fact that it focuses on texts rather than on practices. Therefore, it can deal with the abstract problem of the validity of other sacred texts and only mentions the issue of deviant religious practice insofar as it has an impact on the criterion of the acceptance by exemplary people (see section 5.2). Accordingly, it can be more open towards the other religions, seen as sets of sacred texts rather than as social practices. The historical “occasion” of the SĀP is in fact the intellectual interest on the validity of sacred texts which originated around the middle of the first millennium AD and had become much stronger by the time of Jayanta (suffice here to mention Yāmunācārya’s *Āgamaprāmāṇya*, on the validity of Pāñcarātra⁹). This interest focused on the problem of the validity of sacred texts other than the Veda and was probably linked with the raise of beliefs external to the Veda, which needed an intellectual discussion and/or an apologetics. Apart from Buddhist and Jaina discussions about the validity of the Buddha’s and the Jina’s word, even “Hindu” authors had to loosen their criteria in order to make room for new beliefs. As noted in Kataoka 2007b, p. 47, already Kumārila feels the need to address the problem of non-Vedic beliefs and concludes that from a certain point of view one can speak of validity in regard to them all (*sarveṣāṃ prāmāṇyam*, TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 168, l.20), since the non-Vedic elements entailed in, e.g., Buddhist texts, can be read in an instrumental way, e.g., as encouraging one to give up one’s attachment to worldly things. By contrast, Kumārila is much less tolerant when it comes to the acceptance of other religious *practices*.¹⁰

The practical concern re-emerges, within the SĀP, in the last section, where the king Śaṅkaravarman’s campaigns against the Nīlāmbaras are mentioned and, accordingly, the restrictions listed for texts to be admitted as valid are stricter than what had been established until that point. For instance, although section 6.1.2 already showed that one’s inner hesitation is not a criterion, section 6.3 lists it among the preconditions for the validity of a sacred text.

II.3 Jayanta’s sources

As shown in detail in the apparatus of Kataoka 2004a, the main source of Jayanta within the SĀP is Kumārila, especially ŚV codanā and TV ad 1.3.1–4. Kumārila’s text influences both form and content of the SĀP (for more details see also section II.4.6.1). That Jayanta was a close reader of Kumārila is evident also in the rest of the NM (for a critical assessment of the value of Jayanta as often the first available commentator on Kumārila, see Kataoka 2008, pp. 210-209).

A direct acquaintance with Śabara, independently of Kumārila’s interpretation of the ŚBh, can be detected in some formal agreements (e.g., in the opposition of *klpta* and *kalpya* in section 2.1.2, which repeats ŚBh ad 1.3.3, Subbāśāstrī 1929-1934, p. 184, l.1), and also in some theoretical matters, for instance in the view about the connection of Veda and recollected tradition mentioned in section 2.1.1.2.1 and in Jayanta’s way of solving the Śyena-dilemma (see below, section II.4.5). Furthermore, in section 2.1.3 Jayanta follows Śabara’s way of interpreting JS 1.3.2, with *anumāna* meaning ‘recollected tradition’ rather than Kumārila’s way of understanding *anumāna* as the instrument of knowledge through which one infers that the

⁹A longer list is discussed in Kataoka 2007b, pp. 46–47. That the topic was at the center of the intellectual debate is proved also by its inclusion in various Śaiva texts, such as the end of Bhaṭṭa Rāmakaṇṭha’s commentary on Sadyojyotiś’ *Mokṣakārikā* and Abhinavagupta’s *Tantrāloka*, chapter XXXV. On Abhinavagupta’s approach to the authority of sacred texts see Torella 2012.

¹⁰On this topic, see Eltschinger’s remark that Kumārila’s critique of Buddhist *philosophy* may be tough, but remains fair, whereas the same author can pay gall when it comes to the social impact of Buddhism, Sāṅkhya, Yoga, Pāñcarātra, Pāśupata, etc. (Eltchinger 2007, pp. 39-40, especially fn.38). Eltschinger focuses on the distinction between the approach of the ŚV and that of the TV, whereas the quote above shows that even the TV is in this regard less monolithic than one could think.

recollected tradition is based on the Veda.¹¹ That Jayanta follows Śabara is also established by the last sentence of the same section, which echoes JS 1.3.2 as understood by Śabara: *tasmān manvādismr̥taya eva pramāṇam*.

As for Prabhākara, we could not locate a precise passage of his *Bṛhatī* which could have been the source for Jayanta in the SĀP,¹² and the chronology of Prabhākara's main commentator, Śālikanātha Mīśra, is not yet fixed. Prabhākara is mentioned as a source in the NMGBh, for instance in the commentary on *viśayavibhāgena*, section 2.2.2.

II.4 Establishing the validity of sacred texts

II.4.1 Validity of the Veda

Jayanta's approach to the problem of the validity of sacred texts depends on two main sources, Mīmāṃsā and Nyāya. In synthesis, Mīmāṃsā authors argue in favour of the validity of the Veda due to the fact that it is the only instrument of knowledge through which one can know dharma. Mīmāṃsakas divide in fact what can be known into two precincts, on the one hand common experience, which encompasses what can be known through sense-perception and the other instruments of knowledge (inference, analogy and cogent evidence, to which Bhāṭṭa Mīmāṃsā authors add absence), which ultimately depend on perceptual data. On the other hand there is dharma, which cannot be known through sense-perception and for which, therefore, the Veda is the only instrument of knowledge. Bhāṭṭa Mīmāṃsā authors also claim that all cognitions, *qua* cognitions, are in themselves valid, unless and until a subsequent cognition invalidates them (the theory is called *svataḥ prāmāṇya*, see Taber 1992 and Kataoka 2011b, pp. 60-98). However, since the Veda cannot be invalidated by data of different origin, given that it is the only instrument of knowledge regarding dharma, it remains valid.

The Nyāya approach, by contrast, considers the Veda an instance of testimony. Just like testimony is an instrument of knowledge if the speaker is reliable, similarly the Veda is reliable since it has been uttered by a reliable speaker. The characteristic marks of a reliable speaker are, according to Pakṣilasvāmin's commentary on NS 1.1.7:

1. He must have perceived the things about which he speaks (*sākṣātkṛtadharmā*)
2. He must undertake the action of speaking out of the desire to communicate the things as he has seen them (*yathādr̥ṣṭasyārthasya cikhyāpayiṣayā prayukta*)

The second criterion entails two requisites, as explicit in NBh on 2.1.68:

2. He must not have any other reason to speak, i.e., he must be honest in reporting the truth of what he has seen (*yathābhūtārthacikhyāpayiṣā*)
3. He must desire to speak, i.e., he must be moved by compassion towards the living beings (who do not know what he knows) (*bhūtadāyā*)

Accordingly, the reliable speaker knows the topic and desires to communicate what he knows. He is epistemically and morally competent. This reliable speaker of sacred texts can, according to Jayanta, only be God.

Consequently, Mīmāṃsā authors need to demonstrate that dharma is really unattainable by other instruments of knowledge, whereas Nyāya ones need to show that the author of

¹¹Kumārila's interpretation is that a sort of deduction (namely, cogent evidence) can prove that the recollected tradition is based on the Veda (*yas tu kartṛsāmānyāt svatantram eva prāmāṇyaṃ vedamūlatvaṃ vānumānena sādhayati [...] tasmād arthāpattir evātravyabhicārād upacārāt paścān mānād anumānatvenoktā*, TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 165, l.14).

¹²By contrast, Prabhākara's *Bṛhatī* is most probably the source of other passages of the NM, see Watson 2010, p. 306, fn. 27.

the Veda is indeed reliable. Bhāṭṭa authors say that the dharma cannot be known through other instruments of knowledge because it is future and sense-perception only grasps present items (see ŚV codanā 115, translated in Kataoka 2011b). The Prābhākara Mīmāṃsā solution is probably briefly discussed at the beginning of the passage here translated (section 2.1.1.2), where Jayanta says that the dharma is *trikālānavacchinna* ‘not delimited by the three times’.¹³ This means that the dharma does not belong to the usual temporality, which is the characteristic of common experience. It rather belongs to a different dimension, that of what has to be done, which cannot be apprehended by sense-perception, which only grasps what is present, or grasped what was present and is now past, or will grasp what will be present. The NMGBh also relates dharma with the character of being beyond the three times:

For in cases such as “One should sacrifice” the prescription conveys the fact that the action (*bhāvanā*) must be done, and through this nature of being to be done the action itself is dharma and this is its nature which is “not touched by the three times”.¹⁴

Bhattacharyya explains the SĀP’s passage about the three times as follows: “they [the authors of the Dharmaśāstras] cannot perceive dharma which is transcendental, being itself potential, but not actual” (Bhattacharyya 1978, p. 544). And, some pages later: “Dharma cannot be perceived since it has only a potential being but is not an event in time. [...] This view has been refuted. As God perceives the Agnihotra sacrifice and such other sacrifices as virtuous acts so the sages like Manu and others will be able to apprehend directly rites like Aṣṭakās etc., as virtuous acts. It is superfluous to know whether or not virtue has an actual being or a potential being” (Bhattacharyya 1978, pp. 547–8).

Nyāya authors of an earlier time (namely Gautama, Vātsyāyana and Uddyotakara) have attempted to prove the reliability of the Veda author out of partial tests, through which the general reliability of an author can be inferred. But how to test the Veda, which deals with imperceptible things, such as dharma? Gautama, Vātsyāyana and Uddyotakara inferred the validity of the Veda out of the fact that the same ṛṣis (said to be their *draṣṭṛ* and *pravakṭṛ* ‘seers and transmitters’ in NBh ad 2.1.68) uttered the Veda and Vedic texts whose validity one can check through other instruments of knowledge, such as mantras against snakes’ poison, and the Āyurveda. The inference is, nonetheless, open to objections, since it could be claimed that the fact that an author X is reliable in regard to Y does not prove that he is reliable in regard to anything else. In order to strengthen the claim, Naiyāyikas tend to equate reliability with omniscience, so that the test through the Āyurveda does not amount just to a test of the reliability of its utterer(s), but also of his (their) extraordinary knowledge. One(s) who can know about medicine, can know about everything else, seems to be the implicit claim, and is hence reliable in all other fields of knowledge as well, including dharma. But even after such changes, the argument continued to be attacked by Mīmāṃsakas.¹⁵

Jayanta claims that the Āyurveda is well-known as the work of certain human authors (such as Caraka, see NM 4, NM, p. 607, ll.19-20), whereas the Veda has been authored by God himself. Accordingly, for Jayanta the Āyurveda is not the *probans* for the reliability of the author of the Veda, but rather only an example which establishes the invariable concomitance

¹³The definition of dharma as being different from what belongs to the three times is mentioned also in NM 2 (NM, p. 271), and it is well-known in Prābhākara literature (see, for instance, TR IV section 9.10.1, Freschi 2012). The reference to the three times then became popular also among Bhāṭṭas (see for instance Appayya Dīkṣita 1890, p. 1), although it contradicts a statement by Kumārila, namely that the dharma is future (*bhaviṣyat*), cf. ŚV codanā 115.

¹⁴*yajetetyādau hi vidhir bhāvanāyāḥ kāryatvam avagamayati, tena ca kāryātmanā rūpeṇa saiva bhāvanā dharmāḥ, tac cāsyāḥ kālatrayāsamspr̥ṣṭam rūpam* (Shah 1972, p. 57).

¹⁵For a history of the Mīmāṃsā vs. Nyāya debate on the validity of the Veda, see Freschi and Graheli 2005, where the Āyurveda-Veda argument is discussed and analysed at length. For the Mīmāṃsā criticism of this argument see Kataoka 2011b, pp. 343-345.

| | |
|---------------------------|--|
| Mīmāṃsaka criteria | being the only instrument of knowledge which grasps dharma |
| | being free of doubt, and defects in the causes, and not subsequently invalidated |
| Naiyāyika criteria | having a reliable author |

Table 2: Principal criteria for the validity of the Veda

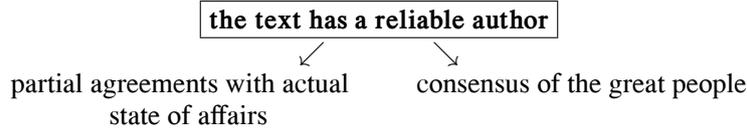


Table 3: Naiyāyika ways to establish that the author is reliable

between reliable speakers and validity of the text uttered by them. He can interpret in this way Gautama's and Vātsyāyana's statements on the Āyurveda, also thanks to the vagueness of the *sūtra* and of Vātsyāyana's initial comments on it, which allows for such an understanding (this first, vaguer interpretation of NBh ad 2.1.68 is discussed in the first paragraph of Freschi and Graheli 2005, p. 304). Moreover, instead of focusing on the validity of the Āyurveda, Jayanta makes room for the argument of the consensus of the great people (*mahājanapari-graha*): the Veda must be reliable, since exemplary people agree on its validity.¹⁶

On this argument George Chemparathy (Chemparathy 1983) notes the ambiguity of *mahā-* in the compound: is the argument based on the consensus of many people or of great people? Kataoka (Kataoka 2011b, p. 305) quotes an early instance of the usage of *mahājana* (without *pari-graha*) in the *Mahābhārata* and suggests that it only meant a “great mass of people without a connotation of greatness in quality”. This is supported by Kumārila's contrastive usage of *kaiścid eva pari-graha* ‘agreement of a few only’ in ŚV codanā 133d.

As for Jayanta, he tends to favour the qualitative option, as is made clear in section 6, but he also mentions the great number of people, see sections 5.2.2.3, 6.2.1.2 and 6.3. Section II.4.6.1 discusses the possibility that the criterion was in fact split into two already in Kumārila's understanding of it, and consequently also in Jayanta's one.

Table 2 summarises the criteria for establishing the validity of the Veda current among Mīmāṃsakas and Naiyāyikas. Being free of doubt, etc. is a requirement for every kind of cognition, see section II.4.2.1. Table 3 summarises the way Naiyāyika authors establish that an author is reliable.

II.4.2 Validity of sacred texts other than the Veda

Indian authors are generally aware that being transmitted traditionally is not enough for being a reliable text (for Kumārila's denial of unbroken transmission as a criterion of reliability see section II.4.6.1). The standard example of an unreliable transmission is the *jātyandhaparam-parā* ‘transmission [of notions about colour] by people born blind’, discussed already in ŚBh

¹⁶See Chemparathy 1983 for a detailed analysis of the history of Nyāya-arguments for the validity of the Veda. Chemparathy states that the argument of the consensus of great people has been introduced in the Nyāya system as a criterion for the validity of the Veda by either Jayanta or Vācaspati Miśra. Like with the argument of the always inferable Veda (see section II.4.2) the fact that the argument is already mentioned by Kumārila—together with other Naiyāyika criteria—means that it must have existed in some form long before Jayanta (see ŚV codanā v. 98b, TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 164, Harikai 2008, pp. 27-28; see also Kataoka 2011b, p. 305).

ad 1.3.1 (see also SĀP, section 2.1.1.2). The example hints at the case of an unbroken transmission of notions about colour handed down from one blind person to the next. Although the transmission is unbroken, it remains unreliable. Consequently, even transmitted texts need to have their validity established, either through a Mīmāṃsā or through a Nyāya approach.

According to Mīmāṃsā authors, texts different than the Veda are reliable insofar as they are based on the Veda. But how can one demonstrate it? The demonstration as it is described in the SĀP (section 2.1.1.2), is based on the application of cogent evidence (*arthāpatti*): The Dharmaśāstras have no other root than the Veda, hence they are based on the Veda. The background of this argument is JS 1.3.4 *hetudarśanāc ca*¹⁷, which denies the validity of texts for which a different reason, such as greed or delusion, can be detected.

Thus, other texts are valid insofar as they are based on the Veda. This Veda-root may be, following Kumārila (TV ad 1.3.2, Subbāśāstrī 1929-1934, pp. 164, 187 et passim), either a branch of the Veda which is currently lost, or a compendium of Vedic elements which today's readers cannot recognise because they are scattered in various Vedic texts. Alternatively, the Vedic root might be the “always inferred” (*nityānumeya*) Veda, i.e., a Vedic text which has always been inferable, and has never existed as a directly perceivable text. This claim is based on the idea that there have always been, without beginning, two sorts of Veda, one which is intrinsically available to direct perception (i.e., which can be heard) and one which is intrinsically only inferable. The theory is not fully developed in the extant portions of Prabhākara's *Bṛhatī*.¹⁸ Śālikanātha explains in his commentary:

To begin with, a [Vedic] word, though inferred, does communicate [what has to be done]. [...] It is not the case that an inferred [word] is not Veda, for the Veda is a collection of words independent of a human [author] [and thus the fact of existing in an uttered form is not essential for its definition]. Nor is it impossible that this inferred [text] is a [Vedic] word, because it has not been grasped by one's hearing organ in the past. For, just like a written text is fit [for being heard], so [the inferred Vedic word] [can be] grasped by a hearing organ, since it is also made of the various phonemes, *ka* and so on. [...] A text is not perceived because it is non-manifest, nonetheless the inference of it is not contradictory.¹⁹

And, in his independent treatise, the *Prakaraṇapañcikā*:

The teaching (*śāstra*) is that through which one teaches, i.e., the [Vedic] word. This (Vedic word) is of two kinds: perceivable and inferable. [Obj.] What is the *probans* to infer a [Vedic] word? [R.:] A statement of the recollected tradition [such as] “One must perform the Aṣṭakā ceremony”. [Obj.] How [can this be a *probans*]? [R.:] To begin with, this recollected tradition is accepted by people belonging to the three [upper] classes without disagreement (*vigāna*). And an agreement would not be possible in the case of something with no base. And

¹⁷“[Other texts are not valid] also in case one sees a reason [which could have lead someone to make them up, such as personal interest”. For further details, see section II.4.2.1.

¹⁸The text of the *Bṛhatī* is rather obscure: “As for what has to be done, to begin with, the recollected tradition is able [to convey it]. [If] you now say that the recollected tradition is not a cause [able to convey what has to be done], [then] the fact that it is not a cause [must] be ascertained. Nor is it possible to ascertain that the recollected tradition is not a cause for that (i.e, teaching of what has to be done), because it is in contact (*saṃyoga*) with the Veda and there is no other cause in regard to this duty” (*kāryatas tāvat smaraṇe śaktir asti. smaraṇam idānīm akāraṇam ity akāraṇatā smaraṇe dhyavasīyate. na ca tadakāraṇatvaṃ smaraṇe dhyavasātuṃ śakyate sambhavād vedasaṃyogasya, kāraṇāntarasya cāsaṃbhavāt asmin kārye (Bṛhatī ad 1.3.2, Subrahmanya Sastri 1962, p. 78).*

¹⁹anumito 'pi tāvca chabdo bodhaka eva [...] na cānumeyatvād avedatvam, vedo hi nāma apauruṣeyaḥ śabdasaṅghātaḥ. na cānumīyamānasya tadānīm śrotragrahaṇatayā śabdātvaṃ evānupapannam. lipyavaḡatasyeva yogyatayā hi śrotragrahaṇatā tasya vidyate tasyāpi kakārādivarṇamayātvāt. [...] anabhivyaktatayā grantho nopalabhyate tathāpi tasyānumānam aviruddham. (*Rjuvimalā ad Bṛhatī 1.3.2, Subrahmanya Sastri 1962, pp. 79–80*). Note the (emphasised) similarities with Jayanta's exposition. In the same passage, Śālikanātha also quotes *Mānavadharmasāstra* (henceforth MDhŚā) 2.7, like Jayanta in SĀP, section 6.2.2.2).

the base cannot be perception, since this does not have what has to be done as its content. Since in the case of the recollected tradition one learns a non-precedented thing to be done, [only] the [Vedic] teaching can be the base. [Obj.:] But even this base is not fit, because it is not grasped, even if one looks carefully. And a [Vedic] word which is not perceived does not convey a meaning. [...] [R.:] It is true, also people like Manu, like us, do not grasp the teaching [which is the base of the MDhŚā, etc.] in a directly perceivable form. But the inference is possible also for them, like for us. For, having seen another recollected tradition, accepted by the exemplary people, they can also infer a [Vedic] teaching as its base. This, [in turn] had been inferred out of another recollected tradition by their authors...In this way, there is no obstacle to the inference because it is possible that a succession of recollected traditions is the *probans*, since [this succession] has no beginning.²⁰

The following statement provides a late summary of the theory as it became current: “It is established that the Teaching (*śāstra*) is only the Vedic sentence. And that (Teaching) is twofold, directly perceivable and inferable. Out of those, the former is the heap of the Vedas, which is composed of the [Saṃhitās] one has to recite (*svādhyāya*) [...]. The second, on the other hand, is the always inferable (*nityānumeya*) [Veda]. In that case, the inferential mark [for its existence] are recollected tradition (*smṛti*) and practices [of the good people] (*ācāra*)”.²¹

The view is generally supported by Prābhākara authors, but it is already mentioned by Kumārila in his TV (TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 164, ll.7-8). Further passages by Kumārila might be read as polemical replies to this theory, for instance the following one, stressing the fact that the Veda is manifest (vs. the idea of a non-manifest, always inferable Veda, see also SĀP, section 2.1.2.2) “For the Vedic sentences which are scattered in other Vedic branches are perceived by some people [...] [and] they, which though not seen [by us] are manifest, are assembled and recollected” (*śākhāntaraviprakīrṇāni hi puruṣāntara-pratyakṣāṇy eva vedavākyāni [...] paroḥkṣāṇy api vyajyamānāni piṇḍīkṛtya smaryante*, TV ad 1.3.3, Subbāśāstrī 1929-1934, p. 186, my emphasis). Therefore, given that Prābhākara was most probably a younger contemporary of Kumārila, and that it is thus hardly the case that Kumārila referred to him already in his TV (see Yoshimizu 1997, p. 49), the *nityānumeya*-tenet must have already been formulated by Mīmāṃsakas which later came to be identified as Prābhākaras.

In harmony with the Mīmāṃsā focus on what is currently the case,²² Prābhākaras do not postulate that the always inferable Veda was previously perceptible and has then at a certain point been lost. Rather, an always inferable Veda must exist, since the existing recollected traditions, such as the MDhŚā, must have a Vedic base, and this must be a previous recollected tradition, which inspired Manu. This previous recollected tradition, in turn, must have had a Vedic base, and so on for ever, since the world has no beginning (according to the general

²⁰śāstram —śiṣyate 'neneti tu śabdaḥ. sa ca dvidvidhaḥ —pratyakṣo 'numeyas ca. kiṃ punas śabdānumāne liṅgam. aṣṭakāḥ kartavyā iti smṛtivananam. katham. iyaṃ tāvat smṛtis traivarnīkair evāvigānena pariḡhītā. na ca nirmūlayāḥ pariḡraha upapadyate. mūlañ ca pratyakṣādi na sambhavati, tasya kāryaviśayatvābhāvāt. smṛtau cāpūrvakāryāvagamāt śāstram sambhavati mūlam. nanu tad api mūlam nāvakalpatē. prayatnenālocyamānasyānupalambhāt. na cānupalabdhas sabdo 'rtham avabodhayati. [...] ucyate. satyam, vayam iva manvādayo 'pi tacchāstram pratyakṣam nopalabhante. anumānan tu teṣām apy asmākam iva sambhavati. smṛtyantaram hi mahājanaparigṛhītam dṛṣtvā, te 'pi tatkartus smṛtyantarānumitam śāstram mūlabhūtam anumātuṃ śaknuvantīty evam *anādivāt* smṛtiparamparāyā liṅgabhūtyās sambhavān nānumānavighātaḥ (PrP, pp. 249-250). Note the (emphasised) similarities with Jayanta's exposition.

²¹*vaidikam eva śāstram iti siddham. tat tu dvidvidham pratyakṣam anumānam ca. tatrādyam [...] svādhyāyātmako vedarāṣiḥ. dvitīyas tu nityānumeyah. tatra liṅgam smṛtiḥ ācāras ca (Tantrarahasya III, section 7.7, TR, p. 39).*

²²The *Tattvasaṅgraha* quotes, probably from Kumārila's *Bṛhaṭṭikā*, the following statement: “[...] The whole world has never been different from how it is now” (*jaḡat sarvaṃ na kadācid anīdṛśam*, Śāstrī 1981, 1982 vv. 2274, 3113). Jayanta reproduces it, with minor variations several times, as a sort of Mīmāṃsā-motto (see Dezsó 2005, p. 244, l.7-8; NM 3, Kataoka 2005, p. 337; NM 8, NM, p. 424, ll.3-4, vol. II).

| | |
|---------------------------|--|
| Mīmāṃsaka criteria | being based on the Veda and on no other source |
| | being performed by the same people who perform Vedic rituals |
| | being free of doubt and defects in the causes, and not being subsequently invalidated |
| Naiyāyika criteria | having a reliable author |
| | having a partial agreement with actual state of affairs |
| | being accepted by the exemplary people |

Table 4: Principal criteria for texts other than the Veda

Mīmāṃsā principle of “sticking at what is currently the case”, without imagining different state of affairs which cannot be demonstrated). By contrast, there is nothing which leads one to postulate that this Veda has ever existed in a directly perceptible form and has then been lost. This view is described in section 2.1.2. By contrast, in section 2.1.1.2.1 a different view is hinted at, insofar as it is said that a Vedic injunction functioning as base for the prescriptions of the recollected tradition is inferred out of the observable mantras and *arthavādas*. This is probably Śābara’s opinion, or an evolution of it (cf. “And in the Veda some mantras are found, which are the inferential marks for inferring the Aṣṭakā [ritual]”, *aṣṭakādiliṅgās ca mantrā vede drśyante*, ŚBh ad 1.3.2, Subbāśāstrī 1929-1934, p. 165, ll.9-10). Prābhākaras rather consider the two Vedas as being on the same level and say that the always inferable one is inferred out of the proper conduct of good people or out of the Dharmaśāstras.

According to Nyāya authors the texts different than the Veda may be valid if their author is reliable. Jayanta discusses two kinds of candidates: first a reliable human being and then God himself. Since directly testing the author’s reliability is impossible, one needs to establish it through indirect evidences, like in the case of the Veda (see section II.4.1), i.e., partial agreements with actual states of affairs, and the consensus of exemplary people. In the first case, the reliability of the author can be tested through the accord of what he says, with state of affairs one can verify. Since sacred texts by definition regard dharma, which cannot be known by normal people, one can only test the reliability of their author through partial agreements with verifiable items (*ekadeśasaṃvāda*, see section 5.1.1). The idea is that if I can prove that X is reliable while saying Y—a topic which I can know through another instrument of knowledge, thus testing X’s words—I can infer out of this instance his general reliability. As typical instances of topic which can be tested count remedies against snakes’ poison, medicine in general and magic (see TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 194, l.11 for a complete list of the cases of concordance with actual states of affairs). The principal criterion for Jayanta, however, is the consensus of the exemplary people.

II.4.2.1 Historical evolution of the criteria As for the hierarchy of these arguments (see table 4), Jaimini explicitly upholds the fact of having common performers (*kartṛsāmānya*) in JS 1.3.2. Within the JS, it is clear out of JS 1.3.1 that dharma is only known through the Veda. The argument about the common performers found in JS 1.3.2 aims at showing that also the recollected tradition can count as an instrument for knowing dharma, insofar as the same people follow the injunctions of Vedic and Smārta texts.

Kumārila makes explicit the inference of the validity of the recollected tradition out of the fact that it is based on the Veda, and proposes it as a favoured alternative to the criterion of having common performers, which consequently remains relegated in a subordinate role

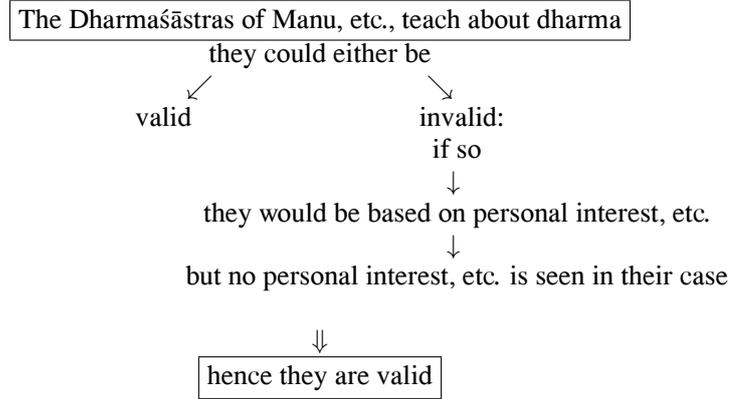


Table 5: Cogent evidence to prove the validity of Manu's text, etc.

| | |
|---------------------------------------|--|
| valid cognition (<i>pramāṇa</i>) | |
| invalid cognition (<i>apramāṇa</i>) | lack of knowledge (<i>ajñāna</i> (= <i>jñānānutpatti</i>)) |
| | doubt (<i>saṃśaya</i>) |
| | error (<i>mithyāpratyaṃya</i>), ascertained through: invalidating cognition (<i>arthānyathātvajñāna</i>) defects of the cause (<i>kāraṇadoṣajñāna</i>) |

Table 6: Mīmāṃsā sources of invalidity

also in the SĀP.²³ But how can one establish that a text is based on the Veda? Kumārila elaborates on Śābara's mention (in ŚBh ad 1.3.2) of cogent evidence (*arthāpatti*) and first excludes the existence of other causes (such as personal interest or delusion), mentioned in JS 1.3.4 *hetudarśanāc ca* "An in case one can see a reason [a text is invalid]", and then concludes that the most economical solution is to assume that their teachings are based on the Veda, see table 5.

The last three criteria regard all sorts of cognitions (see the Mīmāṃsā definition of instrument of knowledge as discussed in Kataoka 2003b). Kumārila lists the cases of invalidity as lack of knowledge (*ajñāna*), doubt (*saṃśaya*) and error (*mithyāpratyaṃya* or *bhrānti*), which in turn can depend on defects of the cause originating the cognition (*kāraṇadoṣa*) or be revealed by a subsequent invalidating cognition (*bādhaka*) (see table 6, adapted from Kataoka 2011b, p. 119).

This set of invalidating cognitions is referred to by Jayanta in at least two other cases (NM 3, v. 208, NM, p. 526, mentioning the 3 together; and NM 9, NM, p. 484, where *kāraṇa* '[faulty] origin' and *bādhaka* are analysed and dismissed as causes of invalidity). Therefore, it seems plausible to say that Jayanta adopted for himself these three criteria, which he borrowed from his Mīmāṃsā sources, as shown also by their presence in the thesis stated in section 6, where Mīmāṃsā and Nyāya elements coexist (see below, section II.4.6).

Among Naiyāyikas, the criterion of the reliability of the author is the principal one. The other two are only meant to make one infer the reliability of the author in case one cannot directly test him. Earlier Naiyāyikas tend to favour partial tests, out of which the general reliability of an author can be inferred, but Jayanta refutes this inductive argument and favours

²³*karṭṛsāmānyāt svatantram eva prāmāṇyaṃ vedamūlatvaṃ vānumānena sādhaṃyati*, TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 165.

agreement of the exemplary people → reliability of the author → validity of the text
 ↑
 demonstration of God

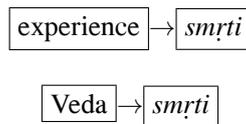
Table 7: Jayanta's criteria for establishing that an author is reliable

Nyāya: ~~agreement of the exemplary people~~ → validity of the text
 Mīmāṃsā: ~~commonness of performers~~ → validity of the text

Table 8: Refuted criteria for establishing that a text is valid

instead the one based on the consensus of exemplary people (see section II.4.1), plus the additional element of the demonstration of God, which already included the fact that he was the only candidate as author of the Veda (the demonstration of God is discussed in NM 3, see Kataoka 2005, particularly p. 352, fn. 4, where the connection of the two topics is made clear). It is however important to note that the author's reliability remains the determining criterion (see table 7). Jayanta refutes the idea that the agreement of the exemplary people could by itself work as a criterion in section 5.2.2.4. Similarly, the Mīmāṃsā thinkers whose views are reproduced in the SĀP refute the idea that the commonness of performers in itself leads to the validity of a text, as suggested in section 2.1.1.1, see table 8. By contrast, *karṭṛsāmānya* can be used as a criterion to prove the *invalidity* of other texts, see section 2.1.3. Hence, it is a negative precondition, rather than the *probans* of an inference. And it will eventually be excluded by Jayanta even as precondition, in sections 6.2.2.1–6.2.2.2.

II.4.2.2 The term *smṛti* 'recollected tradition' Traditionally, the Veda is said to be *śruti* 'directly heard [text]', whereas Dharmaśāstras and other similar texts are said to be *smṛti* literally 'recollection', in the sense of 'recollected tradition'. How can one justify this terminology? Jayanta in section 2.1.1.3 justifies it on the background of the link between experience (*anubhava*) and memory (also called *smṛti*). Just like memory depends on experience, so the 'recollected tradition' depends on its basis, the Veda:



II.4.3 Conflict between *śruti* and *smṛti*

Once one has established that both Veda and recollected traditions are valid, what happens if they contradict each other? Jayanta states that contradictions are indeed hardly found, and then suggests various solutions for them:

1. The Veda overcomes the recollected tradition
2. One can opt for the one or the other
3. There is no real contradiction, since the seeming contradictory prescriptions in fact apply to different types or groups of people

The first solution seems to be the one favoured by Śabara, who tends to exclude the possibility of choosing between Veda and recollected tradition (as will be shown later in this section).

The second solution (in sections 2.2.2, 5, 5.1.1 and section 6.1.3.1) is that one can choose between the two contradictory statements. This optional choice between two elements is called *vikalpa*, which is a technical term in Mīmāṃsā. The standard example of *vikalpa* is the choice between rice and barley as ritual substances in the Full- and New-Moon Sacrifices. Since both are enjoined as ritual substances, one can choose whether to use the one or the other. It is interesting to note that option is only admissible if:

- The items among which one chooses serve the same purpose (e.g., rice and barley both serve the purpose of baking a cake),
- Their result can be achieved by only one of them alone (barley alone or rice alone is enough to bake a cake).

Thus, admitting that one can choose between a certain Vedic prescription and a Dharmaśāstric prescription conflicting with it is tantamount to admit that the same purpose can be achieved by either the one or the other. The *vikalpa* solution is not universally agreed upon, probably because Mīmāṃsakas are extremely cautious in admitting it. This caution is due to the fact that, according to Mīmāṃsakas, option in itself involves eight faults (since, while choosing among alternatives, one rejects what is prescribed by a previous statement and accepts what one had previously abandoned).

In Garge's words:

As a rule, Vikalpa, is not permissible except under strict necessity, because its acceptance gives rise to eight undesirable contingencies. To quote the typical instance of Vikalpa, from later Mīmāṃsakas: Yava [barley] and Vṛīhi [rice] are prescribed as optional alternatives so far as the corn to be used for the offering is concerned. Accepting this option, (i) if we use Vṛīhi and not use Yava, we reject the authority of the Vedic text enjoining the use of Yava, (ii) we assume the untrustworthy character of this text, (iii) if on the other hand, we use Yava, and not use Vṛīhi, we reject the authority of the text prescribing Vṛīhi, (iv) and assume the untrustworthy character of this text, (v) in the latter case –use of Yava– again, we accept the authority of the Yava text which we had rejected before, (vi) and thereby reject the previously assumed untrustworthiness of the Yava text, (vii) in using the Vṛīhi again, we accept the authority of the Vṛīhi text which we had rejected before, (viii) and we also reject the previously assumed untrustworthiness of that text (Garge 1952, pp. 287-288).²⁴

From a historical point of view, Śabara accepted option between Vedic prescriptions, but refuted option between prescriptions enjoined by the Veda and prescriptions of the recollected traditions:

Nor is it the case that a content understood through a [Vedic] prescription is [later] refused. Therefore, the option between rice and barley and between the Bṛhad and the Rathantara [tunes] is appropriate.

For this reason, it has been said that a recollected tradition which contradicts the Veda is not an instrument of knowledge. Therefore [ritual practices] such as that of covering [with a cloth] the whole post must not be observed.²⁵

²⁴On the topic of option, see also Kataoka 2011b, p. 282 and Kataoka 2004b, p. 141.

²⁵*na ca vākyenāvagato ṛtho 'pahnīyate. tasmād vṛīhiyavayor upapanno vikalpo bṛhadrathantarayoś ca. tasmād uktaṃ śrutiviruddhā smṛtir apramāṇam iti. ataś ca sarvaveṣṭanādi nādarāṇīyam (ŚBh ad 1.3.3).* On the Bṛhad and Rathantara tunes see also ŚĀP, section 2.2.2.

In other words, in case of conflict, the Veda overcomes the recollected tradition. By contrast, Kumāṛila accepts option also in the latter case, but only after a long discussion (see fn. 49): “In fact, option is correct since the instrument of knowledge [upon which two seemingly contradictory statements are based] is of an equal rank” (*vikalpa eva hi nyāyyas tulyakakṣya-pramāṇataḥ*, TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 188, 1.14).

The third solution consists in claiming that there is no direct conflict, because different prescriptions regard different kind of people. If one is a brahman, for instance, he will probably have to follow rather the Vedic injunctions, whereas other injunctions found in the recollected tradition might have been tailored for members of other classes. Consequently, there is option between Veda and recollected tradition, but the choice is not left to one’s whims and is instead regulated. In Kumāṛila’s terminology, this is a *vyavasthitavikalpa* ‘ordered option’ (TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 192).²⁶ This solution is probably favoured by Jayanta himself, who repeatedly proposes it also in later sections (especially in 6.1.2.2, which deals with the problem of extreme religious practices, see also section II.4.5).

II.4.4 Validity of texts which are far away from the Veda or overtly contradict it

One is lead to think that Jayanta favours the view that God is the author of all sacred texts, due to the fact that it is presented after the view that they have a reliable human author in the present text, and due to the arguments in favour of the validity of the Veda and aiming at proving the existence of God elaborated in the rest of the NM.

However, given that God is the author of all sacred texts, how can they contradict each other? In order to solve this problem, Jayanta first states that the contradictions are minor, since all texts agree as for what has to be achieved (liberation), the means to achieve it (a salvific knowledge) and the content of such knowledge (the self, *ātman*) —and this notwithstanding what they claim about themselves.

Next, Jayanta elaborates on the last solution to the problem of the contradictions between Veda and recollected tradition mentioned above. Accordingly, the various sacred texts do not contradict each other, they just differ insofar as people are different and hence need different paths. To sum up,

How can the differences between the Veda and the other sacred texts be explained?

1. The differences do not really count, since all texts agree about what has to be achieved and the means to achieve it.
2. The differences regard only the procedures, because different people need different paths.

Table 9: Explanation of the differences among sacred texts

The next step regards the way Jayanta deals with religious practices which seem to oppose the general sense of what is right. This emotional answer to some religious practices, argues Jayanta, is not a valid reason to proclaim their invalidity (see table 10). Philosophically speaking, this is a very interesting issue. The role of emotions as guides for moral behaviour

²⁶As examples of the usage of *vyavasthitavikalpa* in order to solve contradictions within the Veda, see the commentaries on MS 12.4.5 and 12.4.7, e.g. the *Mīmāṃsānyāyasaṅgraha* thereon (Mahādeva Vedāntin 2010).

| objections | replies |
|---------------------------------|---------------------------------------|
| They contradict the Veda | contradictions are inessential |
| They contradict each other | |
| They teach outrageous practices | this is not an invalidating criterion |

Table 10: Principal attempts to invalidate the texts other than the Veda

is, in fact, a disputed issues among philosophers and ethical theorists.²⁷ Jayanta’s solution, as unfolded in sections 6.1.2 and 6.3 is that only extreme emotions, such as dread, may be used as guide. The hesitation, suspicion or light disgust one might feel when confronted with a religious practice one is not used to is only due to one’s being accustomed to a different view (section 6.1.2), and hence does not count as a separate piece of evidence. By contrast, what people overtly abhor cannot be considered a valid text (on this differences, see also above, section II.2).

From a historical point of view, the usage of one’s inner hesitation (*hr̥dayakrośana*) as a criterion for judging about the invalidity of a religious practice is a typically Buddhist move (already in the Pāli Canon many passages condemn the Vedic sacrifices, which imply the slaughter of animals, as bloody and immoral). Later, Kumārila reinterpreted this criterion (see ŚV codanā 244cd-248ab and TV ad 1.3.7, Subbāśāstrī 1929-1934, p. 207, II.1-2) but with the important restriction that only the inner hesitation of cultivated people (*śiṣṭa*) can be a criterion, insofar as their emotions are in harmony with what the Veda teaches:

This “inner consent” [*āmatuṣṭi*] or its negative counterpart, the “outcry of the heart” (*hr̥dayakrośana*), the warning and censuring voice of conscience, is *de facto* and *de jure* based upon the Veda. [...] The *mleccha*, by the way, who has never had any access to the Veda or the Vedic tradition, is not credited with any “voice of conscience” or inner “affliction” at all (Halbfass 1992, p. 96).

Halbfass refers to ŚV codanā 247: “A barbarian ignorant of [Vedic] teachings does not fear (*udvij-*) [to do] any of these kinds [of actions]” (*aśāstrajño mleccho nodvijate kvacit*, text and translation from Kataoka 2011b). Pārthasārathi’s comment directly highlights the connection between *udvega* and *hr̥dayakrośana*.²⁸

II.4.5 The problem of violent practices

Connected with the above discussion on emotions is the one on whether violent practices can be accepted (section 6.1.3.1).

Jayanta can rely on the Mīmāṃsā distinction of violence into violence performed for the sake of the ritual and for the sake of the person (the former only is accepted), and concludes with Kumārila (see fn. 108) that ritual violence is not in itself a motivation for excluding a religious practice. Within Mīmāṃsā, the discussion originated because of the Vedic injunctions regarding the Śyena sacrifice, in which black magic is used in order to harm one’s enemy. Mīmāṃsā authors agree that the Śyena sacrifice has not to be performed (although their ways to reach this result highly diverge). But why must it not be performed, given that another violent act, the slaughter of animal offerings to Agni and Soma (the Agnīṣomīya rite) must, instead, be performed? The Mīmāṃsā solution relies on the distinction of three elements of

²⁷See the very well-known and much disputed paper by Leon Kass *The Wisdom of Repugnance*. Kass is a bioethicist at the university of Chicago, Illinois, and chaired President Bush’s Council on Bioethics from 2002 to 2005. In an article appeared on *Nature* in 2007, Dan Jones questions Kass’ approach by asking whether disgust “plays a constructive, or viscerally reactionary role” (Jones 2007).

²⁸Many insightful remarks on this topic can be found also in Kataoka 2011b, pp. 494-6.

the sacrifice, i.e., result (*phala*), instrument (*karana*, the sacrificial act) and procedure (*itikar-tavyatā*, the sequence of acts in which the sacrifice consists). The Agnīṣomīya violence is for the sake of the ritual (*kratvartha*) and it is part of the procedure, and is, hence, unavoidable. By contrast, argues Kumāriḷa, the Śyena is not in itself violent. In the Śyena the result alone is violent and, consequently, the violence regards the performer (*puruṣārtha*) and his desire to produce a violent result, and not the sacrifice itself. In fact, the Veda does not prescribe desires, which are given by one's natural inclination, and hence it cannot be held responsible for the violence of the Śyena.

Prior to Kumāriḷa, Śabara (see ŚBh ad 1.1.2, Frauwallner 1968, p. 20) had stated that the Śyena-sacrificial act (i.e., the instrument) was itself violent, but had argued that the Veda does not *generally* prescribe to perform the Śyena. The prescription only regards a specific person (its *adhikārin*), i.e., 'the one who desires to harm his enemy'. Jayanta seems to follow this interpretation, since he distinguishes the Śyena and the Agnīṣomīya according to the fact that in the former violence regards the instrument, whereas in the latter it regards the procedure. Since violence is prohibited by another Vedic passage (*na hiṃsyāt sarvā bhūtāni*), the status of being 'one who desires to harm his or her enemy' is itself forbidden. Consequently, the fact that one is in the condition of being entitled to perform the Śyena is already the result of having transgressed a previous prescription (see SĀP, section 6.1.3.1). One who desires to harm his enemy experiences, in sum, something which seems a moral dilemma: he could either choose to perform the Śyena and violate a Vedic prohibition; or choose not to perform it, thus disregarding a Vedic prescription which explicitly regards him. However, this condition is only possible as the consequence of the former transgression of another forbidden act. In other words, the former is not a genuine moral dilemma (which should regard the fact that an innocent one is caught between two forbidden alternatives, like the hermit Kauśika).²⁹

II.4.5.1 The origin of prohibitions Given that violence is not enough to condemn a religious practice, one would expect at least forbidden practices to be declared invalid (as with Kumāriḷa, see fn. 108). Instead, Jayanta proposes a thought-provoking argument against the claim that forbidden (*niṣiddha*) practices are enough to condemn a religious system: One cannot claim that these practices are forbidden, he explains, because they are not condemned in the texts of their practitioners (section 6.1.3.1). Hence, the reader is led to think, one can only judge the moral value of a practice through the value-system in which it is embedded. This statement has two consequences, not explicit in Jayanta:

1. Moral can only be judged within a certain system, it has therefore no absolute value.
2. Morality is not based on sense-perception and the other instruments of knowledge which could lead to a system of values shared by all human beings. The source of moral injunctions can only be an authority.

But given that this authority is a sacred text, how can its author be reliable, i.e. "have perceived the things about which he speaks", when it comes to the unperceivable realm of morality or dharma? The Nyāya answer is to postulate the existence of an extra-ordinary kind of perception, called *yogipratyakṣa* 'perception of the yogins', through which one can grasp non-sensory things, such as dharma. In this way, this sort of non-sensory perception (akin to the intellectual intuition which Kant reserved to God alone) can fulfil the role which, for Mīmāṃsākas, only the Veda fulfils, i.e., being a reliable source for knowing about dharma, see table 11. However, this *yogipratyakṣa* is so extra-ordinary that no one can claim to have had a direct access to dharma through it, apart from God (or, for earlier Naiyāyikas, the Vedic

²⁹In the terminology of St. Thomas the Aquinas, one cannot be *perplexus simpliciter*, one can only be *perplexus secundum quid* (see Freschi 2012, section 6.3). On the Śyena see also Kataoka 2011b, pp. 516-518; on the topic of ritual killing see Kataoka 2012. On moral dilemmas, see Matilal 2002, pp. 19-35.

| | Mīmāṃsā | Nyāya |
|----------------|------------------|------------------|
| worldly things | sense-perception | sense-perception |
| dharma | Veda | yogic-perception |

Table 11: Sources for morality in Nyāya and Mīmāṃsā

ṛṣis). Thus, *de facto*, also according to Nyāya authors, only sacred texts can be a guide as for dharma.³⁰ On this topic, see also section II.4.7.

II.4.6 Jayanta’s “pluralism”

A further problem linked to the validity of sacred texts other than the Veda is where to set the boundary of valid texts. Mīmāṃsakas tend to be stricter than Naiyāyikas, but Jayanta shows that also the Mīmāṃsā criterion “only texts based on the Veda” can be loosened enough to embrace almost all sorts of texts. Similarly, through the Nyāya criterion “only texts having a reliable author” many texts can be regarded as valid, especially the ones which proclaim to be authored by God himself, such as the Śaiva sacred texts and the Pāñcarātra ones.

Consequently, Jayanta first sets the boundary to the traditionally recognised “fourteen branches of knowledge”, then includes also the sacred texts which do not openly contradict the Veda. Last, he proposes another view, which, coming as the last one may be thought to be Jayanta’s own one, according to which all sacred texts are valid, provided some minimal requirements (see section 6.3 and section II.4.6.1).

This gradual enlargement of the scope of what counts as an authoritative sacred text has some turning points:

1. section 1: Instead of talking of “other texts” in general, Jayanta lists them by dividing them into two sub-groups and thus suggesting that one of the two could be easily admitted as a whole,³¹
2. section 5: Instead of “being based on the Veda”, the minimal criterion of “not contradicting the Veda” is proposed,
3. section 6: The criterion of being based on the Veda is loosened into that of having some Vedic antecedent,
4. section 6.2.1.1: Instead of “having reliable authors”, God is introduced as the author of all sacred texts,

³⁰On *yogipratyakṣa* see in particular Franco 2009 and Torella 2008.

³¹On the import of this move, see the following remark: “[...] he here begins by posing the question as to whether he is interested in vindicating the validity of Vedas alone or also that of the non-Vedic scriptural texts, a question he first answers by asking a counter-question as follows: ‘Which non-Vedic scriptural texts do you mean? Do you mean texts of the form of Purāṇas, Itihāsas, Dharmasāstras or texts of the form of the sectarian writings of Śaivas, Pāśupatas, Pāñcarātras, Buddhists, Jains etc.?’ Jayanta’s counter-question is revealing inasmuch as it implies some sort of gradation among the non-Vedic scriptural texts. [...] Then there was the Mīmāṃsaka who must be having misgivings about Purāṇas so much permeated by a theistic outlook he so much abhorred; but even he would as a general rule endorse an injunction laid down in a Dharmasāstra-text [...]” (Shah 1992-97, p. 13). And, referring to a later passage, in section 3.2: “Being a Purāṇist Jayanta must have been interested in ensuring that Purāṇic theology—in fact so markedly different from Vedic ritual—is somehow rooted in Vedas themselves. So he decides to take advantage of the Mīmāṃsaka’s insistence that Smṛti-ritual [...] is somehow rooted in Vedas themselves. [...] The point is confirmed by recalling the list of fourteen *vidyāsthānas* which include four Vedas, Dharmasāstras, Purāṇas on the one hand and six Vedāṅgas, Nyāya and Mīmāṃsā on the other; Jayanta emphasises that the first six *vidyāsthānas* are of theological use in a direct fashion, the remaining eight in an indirect fashion” (Shah 1992-97, pp. 15-16). For a partial criticism of this view, see section II.5.

| | | |
|--|---|--------------|
| lack of knowledge (<i>ajñāna</i>) | notions do arise | The elements |
| doubt (<i>saṃśaya</i>) | notions free of doubt | |
| error (<i>mīthyāpratyaya</i>), ascertained through: invalidating cognition (<i>arthānyathātvajñāna</i>) defects of the cause (<i>kāraṇadoṣajñāna</i>) | notions not invalidated <u>general agreement</u> <u>reliable author</u> | |

underlined are Nyāya-based arguments. Their presence in this Mīmāṃsā-based scheme shows that Jayanta accepts the general validity of the scheme (see also above, section II.4.2.1).

Table 12: Answers to the possible reasons for invalidity

5. section 6: The contradictions among the various texts are explained to be minimal (section 6.1.1.2) and due to their different audiences (section 6.2.1.2), therefore God can guarantee them all.

Furthermore, the introductory paragraph of the last section (section 6) analyses the criteria for invalidity examined above (see table 6) and answers to them through a combination of Mīmāṃsā and Nyāya approaches:

In table 13 one can count the fourteen recognised branches of knowledge, next the texts to which validity can be recognised without much problem insofar as they do not explicitly contradict the Veda, and last the texts which seemingly contradict the Veda and which are only recognised as valid in the concluding section of the SĀP. Some texts, by contrast, remain intrinsically invalid. The texts of the Saṃsāramocakas are not mentioned in any category in section 6, and are only referred to in section 5. However, section 5.2.2.3 makes clear that their status is lower than that of Buddhists. On the Saṃsāramocakas see also section II.4.7.

II.4.6.1 Criteria for the validity of sacred texts Finally, in section 6.3 all texts are said to be valid, if they

1. reach the general opinion without objections (*avigīta*)
2. have been embraced by cultivated people
3. have been embraced by many cultivated people
4. do not appear totally unprecedented
5. are not based on greed, etc.
6. people do not fear them

A similar list is found also at the end of the ĀḌ (Dezső 2005, p. 246): A sacred text is valid, provided it

- (a) has a widely acknowledged tradition
- (b) has a widely acknowledged, unbroken tradition
- (c) the Aryas are not repulsed by associating with it
- (d) its accepted practice is not antisocial
- (e) its accepted practice is nor dangerous
- (f) it has not just recently sprung into being

| | | |
|------|--|---|
| 1–4 | Vedas: Atharvaveda Ṛgveda Yajurveda Sāmaveda | Vedic; valid according to all, sharing common performers with the Veda |
| 5 | Smṛti (Sadācāra) | |
| 6 | Itihāsa-purāṇa | |
| 7–12 | Vedāṅgas: Vyākaraṇa Kalpa Jyotis Śikṣā Chandas Nirukta | |
| 13 | Mīmāṃsā | |
| 14 | Nyāya (Vaiśeṣika) | |
| | Śaiva Pāśupata Kāpālīka Pañcarātra | Veda-neutral; accepted in section 5; “not-opposed to the Veda” |
| | Bauddha Ārhata Sāṃkhya (Yoga) | Conflicting with the Veda; refuted in section 5.2, accepted in section 6; “external to the Vedas” |
| | Lokāyata Nīlāmbara (Samsāramocaka) | Prohibited by the Veda; unacceptable; enjoining practices explicitly prohibited in the Vedas |

Table 13: Different degrees of validity among sacred texts

- (g) it is not based on the ramblings of a madman
- (h) it is not based on something outlandish (*alaukika*)
- (i) it is not based on something like greed³²

To sum up both sets, a sacred text seems to be valid if:

- I it is not a fresh addition, with no precedent in the sacred texts: 4; (b) and (f)
- II it cannot be demonstrated to be based on a private interest, or on ignorance on the part of its author: 5; (i)
- III it is embraced by exemplary people: 2; (c)
- IV it is not accepted only by very few people: 3; (a)
- V it is not abhorred by people: 6; (d) and (e)
- VI its content is not overtly inconsistent: 1?; (g) and (h)

However, the correspondence between the two schemes is not completely smooth, since the first criterion in the SĀP could either be interpreted as hinting at the fact that the text under analysis is accepted because it is not overtly inconsistent, or as partially overlapping with the second one. In the latter case, the second criterion of SĀP could specify the first insofar as the first criterion (*avigīta*) would just denote a general agreement, whereas the second (*parigraha*) would denote the fact that people practically embrace the practices enjoined in the text (see *vedapathapravṛtta* in section 5.2.2.2). According to this interpretation, the later criterion (“people do not fear them”) would be a specification of the type of agreement needed, possibly included in ĀḌ and in the last section of SĀP because of their specific agenda (about which see introductory study, section II.2). The additional criteria mentioned only in the ĀḌ could also be explained because of their social significance.

Furthermore, the scheme becomes less problematic if we compare it with the criteria brought up by Kumārila, see table 14, although it ought to be kept in mind that two of the criteria mentioned by Kumārila (no. 1 and no. 5) are mentioned only in order to be refuted, whereas Jayanta actually implements them. The interruption of the tradition is in fact for Kumārila purely a negative criterion, insofar as the mere continuity of tradition is no guarantee, as shown by the case of the *andhaparamparā* ‘recollection of blind people [about colour]’ (see introductory study, section II.4.2). Moreover, in Kumārila some criteria are used in order to show the validity of a text and others in order to establish its invalidity. The table 14 is, hence, the result of the comparison of various texts by Kumārila, rather than reflecting a systematic treatment by Kumārila, which is never found in its entirety in his works.³³

Table 15 shows how the criteria mentioned in the SĀP can be understood as related to the ones mentioned by Kumārila.

Table 16 shows how also the criteria mentioned in the ĀḌ can be understood in the same way.

³²*avicchinā yeṣāṃ vahati saraṇiḥ sarvaviditā na yatrāryo lokāḥ paricayakathālāpavimukhaḥ | yadiṣṭānuṣṭhānaṃ na khalu janabāhyam na sabhāyam na rūpaṃ yeṣāṃ ca sphurati navam abhyutthitam iva || 100 || pramattagūtatvam alaukikatvam ābhāti lobhādi na yatra mūlam | tathāvidhānām ayam āgamānām prāmāṇyamārgo na tu yatra tatra || 101 ||*

³³For the textual sources of these criteria, cf. *na cāpi smṛtyavicchedāt [1] sarvajñāḥ parikalpyate | vigānāc [2] chinamūlatvāt [3] kaiś cid eva parigrahāt [4] || (ŚV codanā 133); dr̥śyante hy anāgamikān apy arthān āgamikatvādhyāropeṇa [1] kecid adyaṃve ’py abhidadhānāḥ (TV ad 1.3.1, Subbāśāstrī 1929-1934, p. 160, ll.26–27); na ca sarveṣāṃ smṛtipraṇayinām avigānam [2] (TV ad 1.3.1, Subbāśāstrī 1929-1934, p. 161, ll.6–7); śeṣās tu mahājanaparigrahādāyāḥ [4] sarve ’nuvidhīyante. saṃbhāvyate ca manvādīnām codanā pūrvavijñānakāraṇatvena [3] (TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 164, ll.2–3); anumānapradhānasya pratīṣṭhānapekṣiṇaḥ | hr̥dayakrośanam [5] kasmād dr̥ṣṭām pīḍām apaśyataḥ || (ŚV codanā 245cd-246ab) (my emphasis).*

| | <i>prāmāṇya</i> | <i>aprāmāṇya</i> |
|---|--|--|
| 1 | <i>smṛtyaviccheda</i> (ŚV codanā 133) | (<i>āgamikatvādhyāropeṇa</i> , TV ad 1.3.1) |
| 2 | (<i>avigāna</i>) | <i>vigāna</i> |
| 3 | (<i>mahājanaparigraha</i>) | <i>kaiścid eva parigraha</i> |
| 4 | (<i>pūrvavijñānakāraṇa</i>) | <i>chinnamūlatva (nirmūlatva)</i> |
| 5 | | <i>hṛdayakrośana/udvijate/vicikitsā/garhā</i> |

Table 14: Criteria mentioned by Kumārila

| | Kumārila | Jayanta NM |
|---|---------------------------|------------------------------------|
| 1 | <i>smṛtyaviccheda</i> | <i>nāpūrvā iva bhānti</i> |
| 2 | <i>avigāna</i> | <i>avigūtam prasiddhiṃ prāpuḥ</i> |
| 3 | <i>mahājanaparigraha</i> | <i>bahubhiḥ śiṣṭaiḥ parigrahaḥ</i> |
| 4 | <i>pūrvavijñānakāraṇa</i> | <i>na mūlam lobhādi</i> |
| 5 | <i>hṛdayakrośana</i> | <i>nodvijate janaḥ</i> |

Table 15: SĀP criteria as derived from Kumārila's ones

As for the problems mentioned above, *vigāna* might refer to the quantitative aspect of the agreement, whereas *parigraha* would refer to its qualitative counterpart. The criterion labelled above as “inconsistency” (*alaukikatva*, *pramattagītava* in the ĀḌ) could be part of the *lobhādi* one. In fact, the *ādi* refers also to delusion (*vyāmoha* or *moha*, see SĀP, section 6.2.2), *ajñāna* is mentioned as an additional reason in the SĀP, section 5.2.2. Furthermore, the ĀḌ (v. 101ab) seems to imply that *pramattagītava*, *alaukikatva* and *lobhādi* are alternative on the same level as sources of invalid texts. If this analysis is right, *pramattagītava* would refer to a mad author, whereas *alaukikatva* would refer to an author who violates common sense (rather than to an outlandish content).

To sum up, the criteria would amount to the ones mentioned in table 17.

It is noteworthy that, within the Prābhākara school, also Śālikanātha's passage quoted above (section II.4.2) presupposes the three criteria endorsed by Kumārila: being accepted by people of the three upper classes (=exemplary people in great number), being accepted without disagreement (*avigānena*), not having another base than the Veda.

II.4.7 Who cannot be accepted in any case?

The SĀP and the ĀḌ are among the few sources on a number of obscure religious groups. The Nīlāmbaras are described at the end of the second act of the ĀḌ in a way which overtly points at their being a risk for the social order.

The Saṃsāramocakas are not much better known (for a survey of references and a careful analysis of them, see Halbfass 1992, pp. 87–129), but our sources agree in describing them intent in killing other creatures (mostly insects, for obvious reasons) in order to liberate them from saṃsāra and, hence, benefit them. Whereas the Nīlāmbaras were probably

| | <i>prāmāṇya</i> | <i>aprāmāṇya</i> |
|---|----------------------------|--|
| 1 | <i>avicchinnā saraṇiḥ</i> | <i>rūpaṃ sphurati navam abhyutthitam iva</i> |
| 2 | <i>saraṇiḥ sarvaviditā</i> | |
| 3 | | <i>āryo lokaḥ paricayakathālāpavimukhaḥ</i> |
| 4 | | <i>pramattagītavam/alaukikatvam/lobhādi</i> |
| 5 | | <i>janabāhya/sabhaya</i> |

Table 16: ĀḌ criteria as derived from Kumārila's ones

| | validity | invalidity |
|---|---|-----------------------------------|
| 1 | | non-precedented |
| 2 | large quantitative agreement | |
| 3 | qualitative agreement of the exemplary ones | |
| 4 | [Veda or yogic perception as basis] | other reasons for their origin |
| 5 | | raise extreme (negative) emotions |

Table 17: Validity and invalidity criteria in the SĀP

a concrete danger for the Kaśmīrian society of Jayanta's time, as proved by the ĀḌ and by the conclusive verses of the SĀP, where they are said to have been banned by the king, the Saṃsāramocakas were probably only a straw-man kind of opponent, one which everyone agrees to condemn. In other words, nothing in the SĀP leads one to infer the existence of a specific group of heretics bearing this name in Jayanta's time and place. Rather, in the SĀP (as in other philosophical texts, see again Halbfass' essay mentioned above) they cover the role of an ideal opponent, since their existence enables one to question a purely rational foundation of dharma. As shown in Kumārila's dealing with them (ŚV codanā 201ff, and especially 243), since the Saṃsāramocakas kill other creatures for these creatures' sake, "not harming others" or "helping others" are not sufficient criteria for recognising a valid religious belief. (After all, the Saṃsāramocakas kill locusts, etc., (and would kill human beings, if possible) in order to save them from the bondage of saṃsāra. From a subjective point of view, they are benefitting their victims and, unless one accepts an objective standpoint—such as the Veda—in order to judge about morality, there would be no reason to blame them.)

According to these premisses, Jayanta does not even care to explicitly locate the Saṃsāramocakas in the last group, along with the Lokāyatas. This omission can be explained through the fact that the exclusion of the Saṃsāramocakas from the precinct of validity was obvious to everyone, and also through the additional remark that they were not (or no longer) a real group about which a judgement needed to be pronounced.

By contrast, J. Bronkhorst (see Bronkhorst 2008, pp. 297-298) shows that materialists were still active in Kaśmīr around Jayanta's time. Interesting, in this connection, is Jayanta's mention of "cultivated Cārvākas" (*suśikṣitacārvākā*, NM I, NM, p. 94). Such materialists might have been appealing due to their education. Consequently, they needed to be overtly condemned.

II.5 What is Jayanta's final view?

The NM programmatically aims at systematising rather than adding anything new to the Nyāya system (see Kataoka 2007a, p. 204). Accordingly, it is often difficult to distinguish Jayanta's final opinion among the many views reported. The same difficulty applies to the SĀP. As already hinted at, Jayanta oscillates between the Nyāya and the Mīmāṃsā viewpoint. As a general rule, one can suggest that the last view on an argument is the favoured one. Table 18 illustrates such oscillations and shows how in most sections the conclusive view (*siddhānta*) is the one which emerges out of a combined usage of Nyāya and Mīmāṃsā arguments. For instance, section 5.1.1 notes that the Śaiva sacred texts have been authored by a reliable author (the Naiyāyika source of the validity of a text), because it is impossible to postulate a different root, such as greed or delusion as their basis. This argument is an application of cogent evidence which closely resembles the one applied by Kumārila to the MDhŚā (see section 2.1.1.2 in the SĀP, and section II.4.2.1). For a detailed analysis of another instance of combined usage, see above, section II.4.6.

N.J. Shah argues that Jayanta's main point in writing the SĀP is to secure to the Purāṇas a Vedic status (see the quotations of Shah 1992-97 in fn. 76 and fn. 31). According to Shah, the true novelty of this text is the way it guarantees to the Purāṇas a validity akin to the one

of the recollected tradition, and achieves it in a tricky way, since Jayanta lets this statement creep in without really discussing it (cf. section 3.2). Within the SĀP, Shah deduces Jayanta's preference for the Purāṇas out of the very fact that he speaks less about them³⁴ and out of other indirect elements, such as section 5.1.2: "He actually here submits that the same God is called Brahman, Viṣṇu or Rudra (=Śiva) in so far as He creates, sustains or destroys the world, a typical Purāṇist position and one in virtue of which the Śaivas, Vaiṣṇavas (=Pāñcarātras) etc. are proved to be Purāṇic sub-sects" (Shah 1992-97, pp. 16-7). Śaiva and Pāñcarātra texts, explains Shah, are on a lower level. Shah is then at odds when, in section 5.1.2 Jayanta states that these texts have been authored by God:

However, in terms of his own mode of argumentation Jayanta should somehow show that these texts are composed by somebody less authoritative than Manu etc.; but curiously, on this point Jayanta rather says that both the received tradition and inference go to establish that these texts are a composition by God. [...] Jayanta should have explained how God could compose texts that were less authentic than those of Manu etc. (Shah 1992-97, p. 16).

Furthermore, Shah considers section 6 as reporting a view Jayanta does not share:

The above is how Jayanta presents before us a Purāṇist's typical attitude towards the three group of non-Vedic scriptural texts, viz. Purāṇas-cum-Dharmaśāstras, the scriptures of Śaivas, Vaiṣṇavas etc., the scriptures of Buddhists, Jainas etc. But then he reports about three rather liberal attitudes which could have been adopted by certain circles in this connection —one according to which all scriptures are authentic for some reason or other, another according to which all scriptures are authentic owing to their origination from God, a third according to which all scriptures are valid owing to their being based on Vedas (Shah 1992-97, p. 18).

Notwithstanding the intrinsic interest of Shah's view, we favour the idea that Jayanta, being a philosopher (see Freschi forthcoming a), pauses more on issues which are more philosophically stimulating, and that within the SĀP preliminary views are gradually superseded until the last one, which is Jayanta's own one. In this sense, the fact that the Śaiva and Pāñcarātra texts are initially granted a lower level and then said to be authored by God is not problematic, insofar as the latter view is meant to supersede the former.

That the final position about the validity of all sacred texts is Jayanta's own conclusion is indirectly proved also through the fact that it is the most original part, the one where Jayanta's voice seems to be more distinctly perceived, for instance insofar as he makes clear that the reliable author of all sacred texts is God Himself. Similarly, the claim that contradictions among sacred texts only regard secondary elements, whereas all sacred texts aim at liberation (a claim found also in the ĀD, fourth act, Dezső 2005, p. 228) seems to be a distinctive contribution of Jayanta.

Does this final position amount to inclusivism³⁵ or pluralism? In other words, does Jayanta embed different religious beliefs within an over-arching one or accept their ultimate diversity? The latter seems to be the case, since all sacred texts are said to be valid and to differ from each

³⁴"Jayanta discreetly kept silent about the Purāṇic ritual as such because that was practised by the Purāṇist camp as a whole; but he could say about the sub-sects like Śaiva etc. that they practiced a ritual of their own" (Shah 1992-97, p. 16). "On his part, a Purāṇist would be much interested in defending the efficacy of the cult of Purāṇic ritual and in defending the validity of each single Purāṇic utterance, but these two tasks Jayanta has evaded even when an occasion was due. And the evasion must have been tactical. For Jayanta has been emphasising that the central aim of Nyāya philosophy is to vindicate the validity of Vedic testimony and he could not but note that to vindicate the validity of Vedic testimony and to vindicate the validity of Purāṇic testimony are two different propositions altogether" (Shah 1992-97, pp. 20-21).

³⁵On inclusivism as the standard "Hindū" approach, see Oberhammer and Hacker 1983, which includes a paper by Hacker (who was possibly the first author to deal with the SĀP, see above, section II.1).

| Mīmāṃsā approach | Nyāya approach |
|------------------|----------------|
| section 2.1 | |
| | section 2.2 |
| | section 3.1 |
| section 3.2 | |
| section 5.1.1 | |
| | section 5.1.2 |
| section 5.2.1 | |
| | section 5.2.2 |
| section 6 | section 6 |
| section 6.1.2 | |
| | section 6.2.1 |
| section 6.2.2 | |
| section 6.3 | section 6.3 |

Table 18: Oscillations between the Mīmāṃsā and the Nyāya approach

other because of their different target-listeners. The impact of this approach on the general topic of religious coexistence has been explored in Wezler 1976. That Jayanta's approach does not result into a relativistic position is due to its being anchored to the Veda as a fixed parameter, and especially to Kumārila's interpretation of it.³⁶

It is noteworthy that Jayanta's innovative approach lies in the combination of criteria which, on their own, had already been found in previous authors. The idea that Buddhist teachings are in fact instrumental to something else (section 6.1.1.2), for instance, has a clear antecedent in Kumārila's reading of Buddhist texts as aiming at a purpose different than what they declare —i.e., at making one's attachment to worldly things loosen, rather than at proclaiming the actual non-existence of a self or of continuity through times (TV ad 1.3.2, Subbāśāstrī 1929-1934, p. 168; see section II.2). Similarly, the idea that emotions are not a good guide for moral judgement (see section II.4.4) is already present in Kumārila's refusal to ground one's judgement on one's instinctive emotions (cf. section 6.1.2 of the SĀP) —whereas the cultivated emotions of educated people might well play an auxiliary role.

³⁶Kumārila's defence of tradition and of the necessity of relying on an authority is very far from the acceptance of *any* authority just insofar as it is an authority. See, for instance, his denial of the idea that an exemplary people could come from a different country: *mahājanagṛhītatvaṃ pitrāḍyanuḡamādi ca | te 'pi dvīpāntarāpekṣaṃ vadanty eva svadarśane* || (TV ad 1.3.4 (Subbāśāstrī 1929-1934, p. 194, ll.27–28). For a detailed examination of this point, see Halbfass' reply to Taber in Franco and Preisendanz 1997: "Kumārila does not simply represent a special kind of traditionalism; he is a fundamentalist. For him, traditionalism (which is characterized by the acceptance of ancestral habits, commonly recognized standards, etc.) is nothing more than conventionalism. To be sure, Kumārila did not have to face the modern specter of relativism. Yet he was familiar with numerous incompatible religious traditions and moral codes; and he faced these traditions as well as his own tradition from the outside. He did not simply advocate what he had received from and through his tradition, but he set himself the task of identifying an underlying principle for his tradition, and of defending it in an open arena of philosophical debate" (Halbfass 1997, p. 480).

Part II

Translation

1 Introduction on the validity of texts other than the Veda

He (a pupil raising a question) says:

Is this validity already explained (*ittham*) established only in regard to the Vedas |
or can the same way of reasoning [be applied] to all other sacred texts? ||

[R.:] And what follows from that?

[Obj.:] In the former view, what is the reply (*uttara*) to the others who say so (i.e.,
that the other texts are also valid)?³⁷

in the latter [view], by contrast, they (sacred texts other than the Veda) would all
end up being false, since they contradict each other ||³⁸

My dear pupil, which texts do you have in mind, when you askⁱ [these questions]? Purāṇas,
Itihāsas [and] Dharmasāstras, or Śaiva, Pāśupata, Pañcarātra, Buddhist and Jaina [texts]?
Among them, to begin with, [let us say that] we shall explain the Śaiva and the other [texts
belonging to the second group] later.

2 The validity of Dharmasāstras

2.1 Mīmāṃsā point of view: Veda-basis

2.1.1 Validity

2.1.1.1 Minority argument about the common performers [Jaimini-type of Mīmāṃsaka:]
The Dharmasāstras such as the one by Manu are certainly an instrument of knowledge like
the Veda, because they teach specific actions which pertain to what the Veda teaches (i.e., to
the content of the Veda).³⁹ What is the [purpose of an] inquiry about them?

2.1.1.2 The Vedic base By contrast, in regard to them (MDhŚā etc.), some (the Bhāṭṭa
Mīmāṃsakas) say that they are validⁱⁱ because they are based on the Veda.⁴⁰ To elaborate:

³⁷A different text (reading *tantrāgamāntarāṇām* instead of *utāgamāntarāṇām* is presupposed by J.V. Bhattacharyya, who translates as follows: “If the first question is answered in the affirmative then the framer of the question has got nothing to say” (Bhattacharyya 1978, p. 544. We could not really understand this translation). N.G. Shah, though reading in the same way, translates in a way which is quite close to ours (Shah 1975-1992, p. 65).

³⁸This argument is exemplified by a well-known verse of Kumāṛila, which will be quoted below, section 6.1.1.4.

³⁹The argument hinted at here is that Veda and recollected tradition have the same performers, see JS 1.3.2, quoted below, section 2.1.3. N.J. Shah seems to interpret in a more doctrinal way, at least insofar as he does not hint at the connection of Vedic and Dharmasāstric prescription within the ritual (see section 2.1.3): “‘They are as much authentic as Vedas themselves, for they enjoin certain such acts as stand connected with what Vedas teach.’ Jayanta does not pause to consider as to how the acts in question are connected with what Vedas preach, for on the face of it these acts are something new altogether” (Shah 1992-97, p. 13).

⁴⁰The contrast is due to the fact that the MDhŚā, etc., are according to this view not on the same level of the Veda. Furthermore, this discussant adduces reasons in favour of their validity, whereas before the inquiry was avoided altogether.

1. To begin with, one cannot imagine that the teachings of Manu etc., are based on an error, since there is no subsequent invalidating cognition, [and]⁴¹ since their contents (*artha*) are performed by people who know the Vedas, people who have never ceased to respect [the Vedas] until today.
2. Nor are they based on experience, since sense-perception is not able to determine a duty which has the form of something to be done and is not determined by the three times.⁴²
3. Nor are they based on someone else's teachings. Since even another person would have lacked an instrument of knowledge for understanding it (duty). If [this other person] had it (an instrument of knowledge for knowing duty, e.g., yogic perception), what would have Manu done wrong (*aparāddha*) [for not having the same capacity]?⁴³
[Nor can they be based on a sourceless teaching by someone else] because, given that there is no instrument of knowledge at the root, even if one were to assume (*klp-*) an unbroken succession of human utterances, it would be impossible to avoid that it resembles a recollection [about colour] handed down by blind people.⁴⁴
4. Nor is the assumption correct that the revered (*bhagavān*) Manu etc. taught in this way as deceivers, because there is no subsequent invalidating cognition [regarding what they teach] and because of the acceptance [of their teachings] by the righteous (*sādhu*) people —this has been said already (immediately before, point 1).

Therefore, out of lack of other options, the teachings of Manu, etc., must have as their root a cause called the Veda, since this cause is consistent [with what one sees] and able [to produce a result such as the MDhŚā]. The Bhaṭṭa (Kumārila) has said the [same] thing:

The [Vedic] injunction is more economical than error (1) or experience (2), human utterance (3) [and] fraud (4) [as base of the MDhŚā, etc.], due to the consistency with what we see and the capability [of producing a result such as the MDhŚā] ||⁴⁵

2.1.1.2.1 Types of Vedic bases In regard to the [MDhŚā, etc.], some (following Śabara)⁴⁶ think that they are based on [Vedic] prescriptions inferred (*unnī-*) through observable mantras and commendatory statements. Others (some Bhāṭṭas) [think that they] are based on scattered branches [of the Veda]. Still others (other Bhāṭṭas) [think that they] are based on extinguished

⁴¹These must be two reasons, as pointed out by the *ca* in the parallel list *bādhakābhāvāt sādhujanaparigrahāc ca*, a few lines below (Kataoka 2004a, p. 212, ll.4–5).

⁴²See Introductory Study, section II.4.1.

⁴³This elliptic sentence allows more than one interpretation. We favoured this one interpreting it as a short insertion within the flow of the argument. Alternatively, one could read "...what would have Manu done wrong [in following him]?", with the *hi* in the next sentence answering directly to it. A similar rhetorical question, with no answer is found in NM 4, NM, p. 608, in the context of discussing the validity of Āyurveda: *vedamūlatvam api ... ayuktaṃ kalpayitum... puruṣāntaropadeśapūrvakatve carakeṇaiva kim aparāddham?*

⁴⁴The topos of the untrustworthy recollection concerning colour handed down from one blind person to the other (about which see the introductory study, section II.4.2) is already in ŚBh ad 1.3.1, Subbāśāstrī 1929-1934, pp. 162-163.

⁴⁵Bhattacharyya translates all ablatives as reasons for the statement that the Veda is the base of the recollected tradition: "No person is known to be infallible. The words of a person are sure to deceive us by their misdirection. An assumption must be based upon the solid rock of facts. If it is far away from facts then it is not convincing. Again, we shall have to make a minimum number of assumptions if we hold that Smṛti is based upon the Vedas" (Bhattacharyya 1978, p. 545). Shah interprets *dr̥ṣṭa* as meaning *dr̥ṣṭānuṣṭhāna* 'the performance of rituals which we actually see' and understands *anuguṇa* as an adjective of *sāmarthyā*: "[...] because it is able to lead to [ritual] performances which we actually see" ([...] *kāraṇ ke [...] dr̥ṣṭ anuṣṭhānonuṃ samarthan karavānuṃ sāmarthy*, Shah 1975-1992, p. 67).

⁴⁶On the identification of these Mīmāṃsakas see the introductory study, section II.4.2.

branches [of the Veda]. Butⁱⁱⁱ we do not need this detailed specification.⁴⁷ In all cases, according to the argument [upheld],⁴⁸ the Veda only must be assumed as the root in regard to them (MDhŚā etc.), no other root, since there is no instrument of knowledge [supporting any other root. Hence, by means of cogent evidence (*arthāpatti*), we can conclude that the Veda is the only root].

2.1.1.3 Distinction between Veda and recollected tradition And according to the view that [the MDhŚā etc.] have the Veda as their root, this appellation of [the Dharmaśāstra-corpora] as *smṛti* ('recollection'), known by the entire world, will be supported [by our argument]. For if [they] were based on perception, like in the case of the Veda [which is not called 'recollection'], in their case too, what would be the object of the word 'recollection'?

2.1.2 Conflict with the Veda

2.1.2.1 Invalidation Moreover, if the [recollected tradition] is based on the Veda, when the recollected tradition contradicts the directly heard sacred texts (i.e., the Veda) it is easy to say that [the recollected tradition] must be invalidated because the two are not of equal rank.⁴⁹ In one case (the Veda) the root is already formed (i.e., present), in the other (the recollected tradition) it has to be postulated. As soon as⁵⁰ you resolve to postulate a sacred text out of the recollected tradition, the directly heard sacred text which contradicts the [recollected tradition], will come (*avatr-*) to your mind. Hence, how could then the recollected tradition be capable to postulate a [different] root? This has been said [by Kumārila]:

There is a common proverb: How could the (much slower) ass, later, obtain that which was previously taken away by the horse? || (TV ad 3.1.14, Subbāśāstrī 1929-1934, p. 712)⁵¹

2.1.2.2 Option Another (Mīmāṃsaka)⁵² says: "In this case (of conflict) the option is appropriate. As reported (*kīla*) [in the Prābhākara school], the Veda is of two kinds, directly heard and inferred. The directly heard one is called 'sacred text' (*śruti*), and the inferred one

⁴⁷It is Mīmāṃsā's business to discuss further.

⁴⁸"[...]if we are true to our reasoning power" (Bhattacharyya 1978, p. 545). Shah translates "in the appropriate way" (*je rīte ghaṭe te rīte*, Shah 1975-1992, p. 67)

⁴⁹Although Kumārila's final position will be different (see introductory study, section II.4.3), this view is probably inspired by his words: "To begin with, the recollected tradition is not recognised as an instrument for knowing dharma in itself, so that —sharing an equal rank [with the Veda]— it would reach the chance of being opted for [instead of the Veda, in case of conflicts]" (*smṛter dharmapramāṇatvam na tāvat svata īṣyate | tulyakakṣatayā yena vikalpapadavīm vrajet* ||, TV ad 1.3.3, Subbāśāstrī 1929-1934, p. 175).

⁵⁰The temporal interpretation of *yāvad...tāvad* is justified by the source passage, i.e., TV ad 1.3.3: *smṛtyā cārtham parāmuṣya yāvat tadviṣayam śrutim | anumātuṃ pravarteta tāvat so 'rtho 'nyato gataḥ* || (Subbāśāstrī 1929-1934, p. 177, II.9–10)

⁵¹We interpret the passage as stating that the Veda overcomes the recollected tradition because a directly perceived statement overcomes an inferred one, insofar as if there is a perceived statement, the inference just does not take place. This is in harmony with the Mīmāṃsā tenet (for which, see Kataoka 2003b) that an instrument of knowledge must yield fresh information (against the Nyāya claim that more than one instrument of knowledge can know the same thing, or *pramāṇasamplava*). By contrast, Bhattacharyya excludes the possibility of contradictions between Vedic passages and translates accordingly: "Whenever one exerts his mind to recollect a passage from the Vedas which constitutes the basis of the Smṛti text the Vedic passage which contradicts the conclusion of the Smṛti text flashes before his mind. How can one assume that the said Smṛti text has a corresponding Vedic passage as its basis? In other words, as there is no contradiction in the Vedas so the two conflicting Vedic passages do not exist. Kumārila says to this effect. A proverb runs thus: — "How can an ass carry a load which was carried before by a horse?" (Bhattacharyya 1978, p. 546). Shah translates: "How could the recollected tradition invalidate or obstruct [...] the directly perceived Veda?" (Shah 1975-1992, pp. 67-68)

⁵²*vikalpa* is described as a solution of the conflict between Veda and recollected tradition in Kumārila's TV (see TV ad 1.3.4, quoted in Kataoka 2004a, p. 209), but here it is justified through a Prābhākara tenet (that of the two Vedas), brought to the extreme result that the recollected tradition itself is a Veda. See introductory study, II.4.2.

is [called] ‘recollected tradition’. And both of them are beginningless, therefore how could the one invalidate the other? For they are just the Veda, either manifest or non-manifest.⁵³ For this very reason, [Śābara’s] assumption that [the Dharmaśāstras] are based on mantras, commendatory statements etc. is wrong, since the recollected Veda is beginningless [just like the directly heard Veda].”⁵⁴

2.1.3 Invalidity of other texts

[Obj.:] Once the validity [of the Dharmaśāstras] has been so described as being based on the Veda, how can one reply to the ones who claim that also recollected traditions external [to the Veda] are valid?

[Mī.:] It must be replied: These miserable people have already been refuted, because the revered Jaimini has said: “Rather, [the established conclusion is as follows:] Because the performers are common, the inferential cause (i.e. the recollected tradition, insofar as it lets one infer a Vedic text) is an instrument of knowledge” (JS 1.3.2). What does it mean that they have the same performers? It means that the same entitlement (*adhikāra*) is understood [for both the Vedic duties and the ones enjoined by the Dharmaśāstras]. The same agents who are entitled to perform the content of the Vedas [are entitled] to perform the content of the recollected tradition, as it is shown by the fact that [people] perform Vedic elements —such as spreading [kuśa grass] on the altar— which are mixed⁵⁵ with elements [learnt] through the recollected tradition, such as sipping water from one’s palm.⁵⁶

By contrast, no similar single entitlement is understood in regard to the recollected traditions outside [the Veda]. Therefore, only the recollected traditions of Manu, etc. are an instrument of knowledge, not the recollected traditions outside [the Veda].

2.2 Nyāya point of view: author’s reliability

[Mī.:] Surely, also the recollected traditions by Manu, etc. [like the Veda], are an instrument of knowledge insofar as they are based on the Veda, and not out of any other [reason, such as the fact of having been uttered by a reliable speaker]

2.2.1 Validity: yogic perception

[Nai:] To this it must be replied: You, as I learnt, (*kila*), announce this validity through the fact that [the recollected tradition] is based on the Veda because you cannot endure (*mṛṣ-*) the yogic perception, which grasps the dharma. But this is wrong. Like in fact the revered Lord, author of everything, ruler of everything, who sees everything and who is compassionate towards everyone, is justified as the author of the Vedas, in the same way the yogic perception also, which is capable of grasping dharma and is different from the common perception of people like us, has indeed been justified [by us] within the definition of perception.

Therefore, the teachings of Manu, etc., should be based on it (yogic perception).

⁵³“So Śruti and Smṛti are nothing but the Vedas living and dead in our memory” (Bhattacharyya 1978, p. 546).

⁵⁴And hence it does not need to be inferred from the directly heard Veda, it is there ab initio, see Introductory Study, section II.4.2.

⁵⁵NMGBh glosses *saṃvalīta* with *miśra*, and Jayanta himself speaks of *miśrānuṣṭhāna* in section 6.2.2.1.

⁵⁶The reference is to a passage in the ŚBh, where the opponent claims that no sipping has to be performed, since it is not mentioned in the Vedic texts, which —instead— just say that “after having made the broom, he should make the altar” (*vedaṃ kṛtvā vediṃ kurvīta*, ŚBh ad 1.3.6, Subbāśāstrī 1929-1934, p. 197). As with section 2.1, Shah underplays the role of performers and interprets the passage as referring to doctrinal contents rather than ritual practices: “That is impossible because our Smṛtis say new things in conjunction with what Vedas say, which is not the case with non-Vedic scriptural texts; e.g. Smṛtis enjoin sipping water, which is something new to them and they enjoin furnishing the sacrificial ground, which is something said in Vedas” (Shah 1992-97, p. 14).

You (Mīmāṃsaka) say that only the [Vedic] injunction is the instrument of knowledge in regard to it (dharma), intending: “How can the dharma, which is not determined by the three times be understandable through sense-perception?” (cf. above, section 2.1.1.2).⁵⁷ This is refuted exactly by the establishment of the Lord’s perception. Like the Lord’s perception grasps the connection of what has to be realised and the instrument to realise it, related to heaven (as what has to be realised) and the Agnihotra, etc. (as the instruments to realise it), in the same way the perception of Manu, etc., will grasp [the same connection] related to sacrifices like the Aṣṭakā (as instruments to realise heaven, etc.). Thus, in regard to the [dharma] it does not matter if it is not determined through the three times or not.^{iv}

2.2.1.1 Distinction between Veda and recollected tradition [Mī.:] If so, the Lord is not omniscient, since [He] did not grasp that the acts such as the Aṣṭakā are dharmas. Or, if, having known [it], He did not teach it, He is not compassionate.

[Nai.:] This is not a mistake. The Lord really knows everything. Something He teaches by Himself, something He lets others teach [on His behalf]. Because, these [people like Manu] have been favoured by the mercy of this Lord, and they obtained such knowledge (i.e., the knowledge that the Aṣṭakā etc. are dharmas) just out of His mercy.

Also in the Veda it is recited that the dharma is perceptible for Manu, etc.: “The ṛṣis directly experienced the dharma. They transmitted by teaching the mantras to others who had not directly experienced dharma”.⁵⁸

2.2.2 Conflict with the Veda

[Obj.:] But since in this way there would be no distinction [between the two] insofar as they are [both] based on perception, in case of conflict between sacred texts and recollected traditions there would be option, like between the prescriptions concerning the Bṛhat[-sāman] and the Rathantara[-sāman].⁵⁹ The one (the sacred texts) would not be able to invalidate the other (the recollected tradition). For there is no distinction at all as for the validity of God’s perception and of a yogin’s perception. [UP.:] But there will be one [distinction] made of the natural (*naisargika*) condition [of God’s perception] and the brought-about (*āhārya*) condition [of Manu’s etc. perception].⁶⁰ [Obj:] What is [accomplished] through this [minor difference]? [Obviously, nothing significant].

[Nai.:] It must be replied: There might well be option. What is wrong [with it]? Also the ones (the Mīmāṃsakas)⁶¹ who claim that [the Dharmaśāstras] are based on the Veda explain some [cases of] option. Otherwise, the option will be explained through the distinction of content [between Vedic and Dharmaśāstric prescriptions].⁶² And the ones who are expert in

⁵⁷Cf. the sequence MS 1.1.2 (*codanālakṣaṇo ṛtho dharmah* “the dharma is that good thing which is known by a Vedic injunction”) and MS 1.1.4 ([...] *pratyakṣam animittaṃ vidyamānopalamghanavāt* “[...] sense perception is not a cause [for grasping dharma] because it grasps only present things”), following from it.

⁵⁸We could find as source only Nirukta 1.20 (in Sarup 1984). The same passages is quoted in the *vṛtti* ad *Vākya-padīya* I, v.5 (Bhartrhari 1965, p. 24).

⁵⁹NMGBh explains that each of the two tunes is said to occur as the last one by a different prescription. Bhat-tacharyya adds the following explanation: “Let us take an example from the Sāma Veda. It has been enjoined that a Vedic song is to be sung loudly (the song is to be set to the tune Bṛhat Sāman). It has also been enjoined that the same song is to be sung lowly (the song is to be set to the tune Rathantara Sāman). [...] Therefore in such cases the performer is permitted to exercise his discretion” (Bhattacharyya 1978, pp. 548–9).

⁶⁰Shah explains that it is brought about by their powers: *prabhāvathī upalabdhi* (Shah 1975-1992, p. 70). Bhat-tacharyya explains: “God’s perception is eternal whereas the perception of the sages is an event of time” (Bhat-tacharyya 1978, p. 549).

⁶¹Cf. “In fact, option is correct since the instrument of knowledge [upon which two seemingly contradictory statements are based] is of an equal rank” (*vikalpa eva hi nyāyasya tulyakakṣyapramāṇatah*, TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 188, l.14). See also the introductory study, section II.4.3.

⁶²I.e., according to one’s qualifications, one will use the Veda or a Dharmaśāstra, hence there is a role-division among them (see introductory study, section II.4.3). Shah uses *viśay* also in the Gujarātī translation and does not

the recitation of the Veda say that there is no example (*udāharaṇa*) of conflict between sacred texts and recollected tradition.⁶³ Therefore, the validity of the Dharmaśāstras, like that of the Vedas, is due to the fact that they are based on the perception of a reliable person.

3 Itihāsas and Purāṇas

3.1 Nyāya view

Also the validity of Itihāsas and Purāṇas has to be understood as ascertained by the same [argument] (i.e., insofar as they have been composed by a reliable author, like Manu). In fact, the Itihāsas and Purāṇas are said to be the fifth Veda (thus, their validity depends on the fact that they have a reliable author, just like the validity of the Veda depends on its author). And it has been said:

One should complete the Veda through the Itihāsas and Purāṇas |

The Veda fears the ignorant (*alpaśruta*) one: “He will cross over me [too rashly] [if I am not supplemented by Purāṇas and Itihāsas]!”⁶⁴ (Sukthankar, Belvalkar, and Vaidya 1933-1971, 1.1.204)

3.2 Mīmāṃsā view

Else, [a different opinion could be:] What is the use of [this] attachment (*abhiniveśa*)^v [to the Naiyāyika view]? [We could accept the Mīmāṃsaka view instead, namely:] Because the recollected tradition is based on the Veda [and is hence valid], also the Purāṇa is an instrument of knowledge^{vi} like the recollected tradition (i.e., insofar as it is based on the Veda).

At least (*tāvat*), there is no dispute as for [their] validity. Also the practice of good people, which is not textual, should be valid only because it is based on the Veda.

4 Fourteen branches of knowledge

In every case (whichever position we take), to begin with, these six branches of knowledge⁶⁵—i.e., the four Vedas, the Purāṇas^{vii} and the Smṛtis^{viii}— which directly teach the instruments to realise the human aim (i.e., dharma, see immediately below) are an instrument of knowledge in the ways (i.e., of Mīmāṃsā or Nyāya) said above. [6]

explain further whether this *viśaya* refers to the meaning of the prescriptions or to the people enjoined by them (Shah 1975-1992, p. 70).

⁶³Cf. “Therefore, the conflict between Veda and recollected tradition is not really frequently seen” (*tena naiva śrutismṛtyor virodho 'īva dṛśyate*, TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 193, l.11). Also the NMGBh mentions Kumārila as source for this claim (*iti bhāṭṭa ācaṣṭe*, Shah 1972, p. 110). Śābara does not make any explicit claim to this effect and rather states that in case of conflict the Veda invalidates the recollected tradition, see introductory study, section II.4.3.

⁶⁴On this verse, see Mehendale 2001, pp. 194-5, which discusses the meaning of this verse in its original context, i.e., the Veda (in the original context: the fifth Veda, i.e., the Mahābhārata) is thought to be too concise, and to require the help of secondary stories (*upākhyāna*) found in Purāṇas and Itihāsas. The same verse is also quoted in NM 1, section 3.1.3 of Kataoka 2007a. Shah has “he will transgress me” (*ullaṅghaṣe*, Shah 1975-1992, p. 71). Bhattacharyya translates in a way which is grammatically possible, but makes less sense, since the role of the Purāṇas and Itihāsas in avoiding the unwanted consequence is not spelt out: “It has been stated that History and the Purāṇas should supplement the Vedas since the Vedas apprehend that the ignorant persons will lay blame on them” (Bhattacharyya 1978, p. 549).

⁶⁵In NM 1, Śāstrārāmbha section, Jayanta explains the meaning of *sthāna* in *vidyāsthāna* as *upāya* ‘means’ (*vidyāsthānatvam ca nāma caturdaśānām śāstrāṇām puruṣārthasādhanajñānopāyatvam evocyate*, Kataoka 2007a, p. 178).

The six auxiliary sciences (Vedāṅgas) beginning with Grammar, by contrast, do not directly teach dharma, [but] they are useful to [the first six branches] exactly insofar as they are a subordinate member (*aṅga*) [of them]. Even the Kalpasūtras [against what you might think⁶⁶], do not teach something non-precedented (*apūrva*), they are only a compendium of restrictions regarding the sequence of scattered ritual actions (i.e., the Kalpasūtras explain in which sequence one should perform ritual actions which are prescribed in different passages of the Veda).⁶⁷[12]

The Mīmāṃsā consists in a reflection on the meaning of the Vedic sentences (i.e., it does not directly teach dharma). [13] The elaboration of reasoning (i.e., the Nyāya system)⁶⁸ is the cause of the ascertainment of the validity of the Veda, as has been said already in the prologue^{ix} (*āmukha*) (i.e., in the Śāstrārāmbha section). [14]

Therefore, it is established that these fourteen branches of knowledge are an instrument of knowledge, some insofar as they directly teach [the means for realising the human aim, i.e., dharma], some insofar as they are useful [to the former].

5 Texts other than the fourteen branches of knowledge

As for the other sacred texts (*āgama*) one sees [in the world], these are of two kinds as well⁶⁹. Some, like the Buddhist [Texts], behave completely in conflict with the Veda. Some, like the Śaiva [Texts], teach, without contradicting the Veda, different observances, which one can opt for [instead of the Vedic ones].⁷⁰

5.1 Validity of texts which do not criticise the Veda

5.1.1 Mīmāṃsā-based arguments and argument out of partial agreements

Among these [two types of texts], to begin with, we shall speak of the validity of the Śaiva sacred texts, etc., since one does not grasp in regard to the notion produced by them doubt, subsequent invalidation, and defects of the causes [of cognition]^x (*kāraṇadoṣa*).⁷¹ For also in their regard, through recollected tradition and inference, it is established that they have been authored by the Lord, since it is impossible to postulate a root other [than the Lord's perception], such as greed or delusion. In fact, in their case no [human] origin is remembered,⁷² and

⁶⁶This point might oppose a general feeling that the Śrautasūtras do teach dharma. Jayanta replies that they only repeat and rearrange Vedic rules. The Kalpasūtras are treated separately although they are part of the six Vedāṅgas in order to answer this objection.

⁶⁷Alternatively, the compound could be interpreted as a *dvandva*: “a compendium of restrictions, sequences and ritual actions which were scattered [in the Vedas]”.

⁶⁸In Jayanta the term *nyāyavistara* seems to denote the Nyāya system, cf. NM 1, section Śāstrārāmbha: “With the word *nyāyavistara* this very system is called. [The compound is analysed in this way:] that [system] in which the *nyāya*, i.e. the reasoning, the inference, is expounded” (*nyāyavistaraśabdenaitad eva śāstram ucyate. nyāyas tarko 'numānam, so 'sminn eva vyutpādyate*, Kataoka 2007a, p. 177, with *vistara* glossed by *vyutpādyate*). On *nyāyavistara* see also Preisendanz 2010, pp. 33-37.

⁶⁹Just like the two-fold partition of texts into directly teaching and auxiliary ones explained a few lines above.

⁷⁰Optional, i.e., one either performs the Śaiva ones or the Vedic ones (see the introductory study, section II.4.3). NMGBh comments: “For it is not the case that in the Śaiva and in other similar [sacred texts] the performance of the [sacred text's] own practices is praised by despising the performance of the Vedic ones” (*na hi śaivādau vaidikānuṣṭhānanindādvāreṇa svakīyacarīyānuṣṭhānapraśamsā*). In other words, both Buddhists and Śaivas prescribe different rites, but the latter do not criticise the Veda. Moreover, they keep at least part of the Vedic injunctions (in particular the four classes and the four stages of life, see below §5.1.1). Following the reading of Jayanta Bhaṭṭa 1895-1896 and NM, Bhattacharyya reads *kalpita-* instead of *vaikalpika-* and translates “[...] they teach new rites which have been suggested by them”, with no gloss on the ambiguous “them”, which possibly refers to the Vedas (Bhattacharyya 1978, p. 550). Shah also reads *kalpita-*, and just repeats the term in Gujarātī (Shah 1975-1992, p. 72).

⁷¹On the causes of invalidity, see the introductory study, section II.4.2.1 and table 6.

⁷²See also next fn., connecting this lack of recollection to the preceding sentence. Shah, by contrast, understands this as an evidence of beginninglessness, just like in the case of the Veda and adds the following explanation: “That

partial agreements [with actual state of affairs] (as for visible items, such as remedies against snakes), like in the case of the Veda, are generally experienced.⁷³

Therefore, how could there be room for postulating a different root? Nor do they take the position (*avasthāna*) of opposing the Veda, since the usages of the four classes (*varṇa*), etc., which are well-established^{xi}, are not abandoned [in the Śaiva texts].⁷⁴

Although the argument (*nyāya*) [which proves that] the [texts] by Manu, etc. are [based] on a Vedic injunction⁷⁵ does not apply |

to the Śaiva Texts [which cannot be based on the Veda, since they explicitly claim to have been uttered by God], nonetheless their validity [remains] correct ||⁷⁶ because: 1) the contents of the Upaniṣads^{xii} (e.g., knowledge of the self⁷⁷), which refer⁷⁸ to the level of the Ultimate (*niḥśreyasa*), |

appear to be investigated (*vivicyamāna*) time and again there (in the Śaiva Texts) ||

2) and Kṛṣṇadvaipāyana (Vyāsa), etc., who are the foremost ones among the knowers of the Veda, |

also agree⁷⁹ that the Śaiva and the other [similar] views are valid⁸⁰ ||

The same [knowers of the Veda]^{xiii} described in detail also the validity of the Pañcarātras^{|81}

because also in their regard there is no occasion for invalidity (i.e., doubt, subsequent invalidation and defects of the cause) ||

is, the Śaiva sacred texts are without beginning” (*arthāt śaiv āgamo anādi che*, Shah 1975-1992, p. 72). The lack of a remembered origin does in fact evoke a Mīmāṃsā argument (see next fn.), but here it is rather used as an evidence of a Divine origin of the Vedas.

⁷³Therefore, the “recollection” mentioned above is just this absence of recollection, whereas the inference mentioned above is this one regarding the agreement with reality, which works like the agreement of Veda and Āyurveda (the latter can be checked and the validity of the former is inferred out of it), see introductory study, section II.4.1. The idea of the lack of recollection working as an *argumentum e silentio* may derive from ŚBh ad 1.1.5, where it is stated that if a person had really invented language, she would have certainly been remembered (cf., for instance, “For if a person had created the connection [between words and meanings] and then started linguistic communication, he would certainly be remembered every time one speaks”, *yadi hi puruṣaḥ kṛtvā saṃbandhaṃ vyavahārayet, vyavahārakāle vaśyaṃ smartavyo bhavet*, Frauwallner 1968, p. 44, II.2-4).

⁷⁴Versus the opinion upheld in the ĀD, Dezső 2005, p. 194, see also the introductory study, section II.2.

⁷⁵This elliptic expression refers to the verse by Kumāriḷa quoted above, end of section 2.1.1.2.

⁷⁶Shah strongly emphasises this verse and understands it as saying that “the texts included here [namely Śaiva and Pañcarātra ones] are all authentic, though not as authentic as the texts of Manu etc. The reservation thus made is noteworthy. For the deities like Śiva, Viṣṇu etc. which were the presiding deities of sects like Śaiva, Pañcarātra etc. were so obviously Purāṇic deities, and so these sects were so obviously sub-sects among the Purāṇists. Hence when Jayanta says that the scriptural texts belonging to these sub-sects are not as authentic as the texts of Manu etc. he can only mean that Dharmaśāstras and Purāṇas are acceptable to all Purāṇists without exception while these texts are acceptable only to this or that sub-sect among the Purāṇists” (Shah 1992-97, p. 16).

⁷⁷The referent of *upaniṣadarthāḥ* is not clear. Since it is plural, it cannot indicate the single liberation, but it might indicate the various means to reach it. Shah repeats the Sanskrit construction with Gujarātī *tatsām* words, without adding any explanation (*upaniṣadānā, niḥśreya-padane sparśatā je arthā*, Shah 1975-1992, p. 72).

⁷⁸*spṛś-* is not completely clear. Bhattacharyya: “[...] they are saturated with the teaching of the Upaniṣads which point to final emancipation” (Bhattacharyya 1978, pp. 550–1). Shah repeats *sparśatā* (Shah 1975-1992, p. 72).

⁷⁹On the Mīmāṃsā (particularly Prābhākara) use of the agreement of great people see Śālikanātha’s quote in the introductory study, section II.4.2.

⁸⁰NMGBh refers to a passage of the Mahābhārata: “O supreme sovereign, you must know these notions and the various opinions [represented in them]: the Pañcarātra, the Sāṅkhya, the Vedas, as well as the Pāśupata” (*pañcarātraṃ ca sāṅkhyam ca vedāḥ pāśupataṃ tathā | jñānāny etāni rājendra viddhi nānā matāni ca*, Sukthankar, Belvalkar, and Vaidya 1933-1971, 12.337.59).

⁸¹Also against ĀD, Dezső 2005, pp. 194-196; see the introductory study, section II.2.

5.1.2 Nyāya-based arguments: God as author

And there (in the Pāñcarātras) the revered Viṣṇu is said to be the author. And he is no one but the Lord.

A single special person without beginning, who is the cause of the production of all the worlds [and] has supernatural powers, |
is known as Brahmā, Viṣṇu, Rudra, because of [his] association with the parts of his task, which are creation, duration and destruction ||⁸²

Also in the Veda, here and there it is recited [of] Rudra and [of] Viṣṇu: “There is only one Rudra, no second one”, “Viṣṇu strode over the [entire universe, i.e., the three worlds] (R̥gveda 1.22.17, Sontakke and Kashikar 1951-1983)”.⁸³ And the sacrifices^{xiv} to them, namely, the means to please them are enjoined also in the Veda. The Śaiva and Pāñcarātra texts, by contrast, teach the same sacrifices^{xv} to the [Lord] in a way different [than the Vedic one]. Nor does this contradict the Veda, since the means are liable to option. Therefore, since they have been composed by a reliable [author] and since they do not contradict the Veda, both (Śaiva and Pāñcarātra texts) are not invalid.

5.2 Invalidity of the other texts

By contrast, the sacred texts of the Buddhists, of the “Liberators from the saṃsāra”, etc.^{xvi} teach the practice of sinful^{xvii} [people]: Which noble person would agree with their^{xviii} validity?

5.2.1 Mīmāṃsā-based arguments: they are outside the Veda

5.2.1.1 Practices which are outside the Veda

For, in the case of the Buddhist sacred texts, it is patent that they are outside the Veda |
because they restrict⁸⁴ themselves to just shun (*parihāra*) the practice adequate for one’s class’ (*jāti*) dharma ||⁸⁵

5.2.1.2 Practices prohibited by the Veda

The sinful Liberators from the saṃsāra, intent at [inflicting] violence on living beings, |

⁸²*vasantatilakā* metre. The same verse is found in the ĀḌ, where it ends with *prasiddhiḥ* instead of *pratīḥ*: “Because of his association with the elements of his task, namely creations, maintenance and dissolutions, the unique, wonderful, unborn, supremely powerful Person, who is the cause of the emission of the whole world, is known as Brahma, Vishnu and Rudra” (Dezső 2005, p. 225). The source could be the Viṣṇupurāṇa: “The Lord attains the denomination of Brahmā, Viṣṇu and Śiva out of [his] creating, maintaining or destroying [the world], [but] he is the same single Janārdana” (*sr̥ṣṭīsthityantakaraṇād brahmaviṣṇuśivātmikām | sa saṃjñāṃ yāti bhagavān eka eva janārdana*, Pathak 1997-1999, 1.2.63)

⁸³We could find the first quote *verbatim* in Nirukta 1.15 (see Sarup 1984) (the same passage is also quoted by Rāmakaṇṭha and by Nārāyaṇakaṇṭha). Its closest Vedic source is in Taittirīya Saṃhitā 1.8.6.1 (*eka eva rudro na dvitīyāya tasthe*). Shah indicates “Ātha. 3” as source (Shah 1975-1992, p. 73).

⁸⁴*avadhāraṇa* in the sense of *eva*, in order to distinguish the Buddhist position from the Śaiva one, which leaves the option open.

⁸⁵The Buddha, though a kṣatriya by birth, took the dharma of another *jāti* and became a teacher, as if he were a brahman.

act because of delusion only.⁸⁶ Therefore, their sacred texts are not an instrument of knowledge ||⁸⁷

Whose tongue could engage in telling the validity in regard to a [sacred text]^{xix} | in which a ritual action is taught, which aims at the religious practice (*sevana*) of something prohibited?⁸⁸ ||

Even if sometime, somewhere, someone would achieve a realisation due to such [a religious practice],⁸⁹ |

this would only lead to Hell, like the sensual enjoyment obtained through the murder of a brahman⁹⁰ ||

How could a sin obtained due to the practice of something prohibited be allayed? | therefore, even at a later time, one would fall back⁹¹ in hell ||

5.2.2 Nyāya-based arguments: there is no agreement of the great people

By contrast, as for what has been asked (at the beginning, section 1) in this regard, i.e., “What can be replied to the others who try to postulate that the Buddha, etc., are reliable, through the sequence (*krama*) [of the arguments] seen above (e.g., insofar as the Buddha is also a reliable speaker, there are no causes of invalidity, etc.)?”, one must give the [following] reply. In fact, it is easy to say that [a sacred text] has been uttered by a reliable [speaker] if [the fact of having a reliable speaker] is assisted by the general opinion of the exemplary people, [but] not otherwise. And an exemplary person accepts the validity of the Vedas, of the Purāṇas and Dharmasāstras, which follow the Veda, and of some sacred texts (*āgama*) which do not contradict the Veda, [but] not of the Buddhist texts, etc., which contradict the Veda. Therefore, how could these have been composed by a reliable author? For in their case it is easy to say that they had a different root, such as ignorance and greed. With these arguments the Buddhists, etc., which compete with the Veda, must be objected to.

5.2.2.1 Definition of great person It is said [as an objection]:

Please, explain: Who is this “exemplary person”? How does he look? By whom is he instantiated (*āspada*)?⁹² How many [exemplary people] are there? How does he behave?

⁸⁶The reference is to JS 1.3.4, see introductory study, section II.4.2 and table 5.

⁸⁷Bhattacharyya does not take into account the distinction between practices external to the Veda and practices prohibited by the Veda. Furthermore, *saṃsāramocaka* is not recognised as the designation of a specific group: “The Buddhist saints who are indifferent to the worldly pleasures are addicted to animal slaughter. So their conscience is clouded. Hence their scriptures are not true” (Bhattacharyya 1978, p. 551).

⁸⁸NMGBh explains that blood, dead [bodies] and bloody fat are considered to be purifying by the adepts of the Bhairava Tantra.

⁸⁹Shah does not take into account the distinction between practices external to the Veda and practices prohibited by the Veda and glosses “A prohibited ritual act taught in the sacred texts of the Buddhists, etc.” (*bauddhādi āgamoe upadeśelā niśiddh karmothī*, Shah 1975-1992, p. 74).

⁹⁰The hint is probably to the case of one who kills a brahman and then enjoys a sexual intercourse with the brahman’s wife. This sin will lead him to hell. Similarly, *saṃsāramocakas* kill living beings, obtain through that realisations (*siddhi*), such as flying (so the NMGBh), and then go to hell. If we want to keep the parallelism, it cannot be that killing itself is pleasant, there must be an intermediate step between killing and hell.

⁹¹Neither Shah nor Bhattacharyya translate this slightly problematic *punaḥ* (Shah 1975-1992, p. 74; Bhattacharyya 1978, p. 552).

⁹²*āspada* is a technical term indicating the object of a dispute (*vivāda*), etc. and can be glossed by *āśraya*. Shah interprets *āspada* as “rank” (*yogyatā*, Shah 1975-1992, p. 75). In his English translation, instead, he translates thus: “What its name” (Shah 1992-97, p. 18). Bhattacharyya just skips it (Bhattacharyya 1978, p. 552).

Moreover, the^{xx} Buddhists, etc., insist—in order to establish the validity of their own Texts (*āgama*)— that the Buddha, etc., are reliable [speakers]. They could also claim, in order to establish this [validity], that a Buddhist monk (*vandaka*), etc., is their own “exemplary person”.⁹³ What would you counterargue in this case?

[R.:] It must be said: He is called an “exemplary person” who belongs to the four classes and the four stages of life [and] is well-known in this country where the noblest people live (*Āryadeśa*). By contrast, “How is his appearance?”, “How are his hands and feet or head and neck?”, “What is their number?”: We cannot enumerate these characteristics of [exemplary] people.^{xxi94}

5.2.2.2 This great person is accepted also by Buddhists, etc. And this exemplary person, i.e. [a person who belongs to] the four classes and the four stages of life, cannot be refuted by those who uphold other sacred texts since he acts following the Vedic path [which are even for them the basis of ethics, see immediately below]. To elaborate: also these wicked Buddhists, etc., are disciplined [in their behaviour because of assuming] the validity of the Veda: they avoid the contact of a *caṇḍāla*, and of other [untouchables]. [This is an evidence of the fact that they also respect the Veda] because once one has refuted the pride in casteism,⁹⁵ what is wrong in touching a *caṇḍāla*, etc.? And also these others⁹⁶ who perform what should not be done, in the form of an initiation that does not distinguish [pure and impure]⁹⁷—which starts with eating impure [substances] (*aśuci*) and approaching [women] which should not be approached (i.e., close relatives)— even they perform this secret^{xxii} action in secret, not openly, since they are afraid of the exemplary people, [who belong] to the four classes, etc. [This is an evidence of the fact that they also respect the Veda] because, if they would believe in their sacred texts without any doubt, why should they perform their contents like thieves (namely, in secret)?

For this very reason, Buddhist monks (i.e. Buddhists), etc.,^{xxiii} cannot set up their own exemplary person. Rather, this alone is the exemplary person who [belongs] to the four classes, etc., [and] is accepted by all.^{xxiv}

5.2.2.3 The Vedic model is accepted also by Buddhists, etc. And this exemplary person utterly refutes the Texts which contradict the Veda, he does not sympathise with them.

After having touched^{xxv} a Liberator from the *saṃsāra*, educated people (*śiṣṭa*) take a bath with their clothes on (because their clothes also need to be purified) | also with the Buddhists, they do not have any intercourse ||

⁹³Bhattacharyya makes an addition which does not seem to be justified by the Sanskrit text: “[...] the Buddhists [...] may also add that they have got their own authoritative persons and that their number is roughly a hundred crores” (Bhattacharyya 1978, p. 552).

⁹⁴Bhattacharyya separates the questions and considers the last remark as only an answer to the latter question, although this interpretation does not seem to be supported by the term *puruṣalakṣaṇāni*: “[...] how do his head and neck look like? (Our simple answer is this that all his limbs bear a close resemblance to those of a human being). The number of these authoritative persons is so vast that is beyond the scope of human calculations” (Bhattacharyya 1978, pp. 552–3).

⁹⁵The NMGBh explains that this is the pride one feels while uttering “I am a brahman”, and then refers to Dharmakīrti’s *Pramāṇavārttikasvavṛtti*, Gnoli 1960, p. 173, where this pride is listed among the five marks of stupidity.

⁹⁶The NMGBh explains: “The Nāthavādas, etc. Likewise it is said: “It is reported that the Nātha said that ‘One can have intercourse with [one’s] mother, [one’s] sister, just like with another female member of one’s own clan, but not with a different [type of woman]’ ” (*nāthavādādayaḥ. yathāhuḥ —mātā ca bhāgīnī caiva tathānyā yā svagotrāḥ | gamyāparā tv agamyeti nātha evaṃ kilābravūt* ||, Shah 1972, p. 114). We could not locate any further information on these Nāthavādas.

⁹⁷For *nirvikalpa* meaning “Without hesitation as to the use of impure substances” see Goodall and Rastelli forthcoming s.v. (we are thankful to Somdev Vasudeva for this information). Shah only transliterates into Gujarātī (Shah 1975-1992, p. 75). Bhattacharyya writes: “initiation into the mystic intuition of incomprehensible Reality” (Bhattacharyya 1978, p. 553).

And almost every person follows the Vedic dharma |
any Text which is outside the Veda is, by contrast, only a fraud ||

And it is this highly distinguished collection of texts called the Veda, whose majesty is not shared by any other [text], that others, supporters of texts external [to the Veda], compete with by [adopting] [its] very way. For when they claim the validity of their own texts, they denote [it] in the same way as [that of] the Veda. In one way or the other they attempt to enter into the Veda (i.e., to have their texts reach the same dignity⁹⁸). Here and there they put down Vedic contents⁹⁹ in their own texts.¹⁰⁰ They consider themselves purified by the contact of the Veda. Even for them, in their hearth, the validity of the Veda shines strongly. Thus, these other texts have not been composed by a reliable [author], because one does not see in their regard such a general opinion (*prasiddhi*) on the part of the exemplary people.

5.2.2.4 If the agreement of the exemplary people is enough, what is the purpose of Nyāya? It is said [by an Obj.]:

Since the ascertainment of the validity of the Veda is done through the general opinion of the exemplary people only |
why^{xxvi} should a noble person dry up his throat for so long (talking about it)? ||

For [you] say that this [Nyāya-]system (*śāstra*) has been undertaken for the sake of establishing the validity of the Veda. But since the validity of the Veda is established through the general opinion of the exemplary people, what is the use of the system?

[R.:] Enough with such low criticisms!

For some even spread doubts about the general opinion of the exemplary people |
therefore, [this] system is needed as a weapon in order to hit at them ||

Therefore, it is established that only the texts mentioned above are valid, not the ones which are external to the Veda.

6 Validity of all sacred texts

Others, by contrast, accepted the validity of all sacred texts |
because in regard to all [sacred texts] (i.e., while hearing all sacred texts) notions which are not later invalidated and which are free of doubt arise, ||
because in all cases one can assume that the author is reliable, as in the case of the Veda |
[and] because one sees a general agreement [with other instruments of knowledge] as for parts [of the teachings] which aim at perceptible things ||¹⁰¹

⁹⁸Bhattacharyya attributes instead to these non-Vedic authors the intention to better understand the Veda: “As they try to dive deep into the subject-matter of the Vedas [...]” (Bhattacharyya 1978, p. 553).

⁹⁹Shah also glosses *artha* with *viśaya*, Shah 1975-1992, p. 76.

¹⁰⁰E.g. non-violence (*ahimsā*) and truthfulness (*satyavacana*), as claimed by Kumāṛila, who accuses the Buddhists to have copied them from the Vedas, see TV ad 1.3.4, Subbāśāstrī 1929-1934, p. 194, ll.12–13.

¹⁰¹The first verse implements a Mīmāṃsā approach, arguing out of *svataḥ prāmāṇya*, the second a Nyāya approach, arguing out of the reliability of the author, with a focus on the *kāraṇadoṣa*-part of the argument mentioned in the preceding verse, the third a Nyāya approach, like in the Āyurveda-Veda argument, with a focus on the *bādha*-part of the same argument. For more details on the function of this section see the introductory study, section II.4.6. Although Shah 1975-1992 is correct in pointing to a “general agreement between those parts of the sacred texts which explain visible matters and the external things” (*āgamonā je thoḍā bhāgo dṛṣṭārthanuṃ nirūpaṇ kare che temno bāhyārth sāthe prāyaḥ saṃvad*, Shah 1975-1992, p. 77), in his English synopsis Shah seems to miss the sense of *ekadeśasaṃvāda* (for which, see introductory study, sections II.4.1 and II.4.2) and translates: “All scriptures are authentic because all are found to be true on this question or that, just like Vedas” (Shah 1992-97, p. 18).

6.1 Invalidity: reasons for it

6.1.1 The various sacred texts contradict each other

As for what has been said in this regard (in section 1), namely that all texts are invalid, since they teach contents which mutually contradict each other, to this it must be replied: It is not the case that one text invalidates another, since they have an equal rank (*kakṣa*), having been composed by a reliable author, and since one does not grasp any other reason [to say] that one is weaker [than another].

6.1.1.1 Contradictions are inessential The contradiction in general, by contrast, is not important, since one notices mutual contradictions even among the Vedic sentences, whose validity is admitted [by all]. [Furthermore, there are contradictions among Veda and recollected tradition:] In the [Vedic] injunctions about the contact with a [dead] person's head, the cup of liquor, the slaughter of a cow, etc.,¹⁰² some contents which contradict other sentences [found in the recollected tradition] are indeed taught!

6.1.1.2 No contradictions as for the main points Moreover, the contradiction one finds among sacred texts is not very [significant], since all [texts] agree on the principal [point], i.e., the aim of human [life].

The many means (*abhyupāya*) which are taught (*ādiś-*) by the various paths consisting in [this or that] sacred text, |

they all converge in the same final bliss (*śreyas*), like the streams of the Ganges [all converge] in the ocean ||¹⁰³

To elaborate: Heaven (*apavarga*) is described in all systems as something to be reached. Knowledge is described in all as the means to reach it. In contrast, the [systems] differ as for the content of [such] knowledge.^{xxvii} Even in this regard, there is for the most part no dissent among the many [systems] as for the fact that [such knowledge] regards the self (*ātman*).

Even according to the [Sāṅkhya] view that the [salvific] knowledge is the discrimination of the nature and the soul (*puruṣa*), the soul alone is what has to be known, insofar as it is separated from the nature. Those who say that there is no self (the Buddhists), by contrast, teach in this way so that people loose confidence [in the Veda] .^{xxviii}¹⁰⁴ But the translucent reality consisting of cognition which is accepted by them, is exactly tantamount to the self (*ātman*), since it is independent, namely, [in Buddhist terms,] it does not rely on anything else. And the distinction lies [only] in the fact that one is immovably permanent (the self) and the other (the cognition) is permanent as a flow.¹⁰⁵

¹⁰²These examples of contradictions between Veda and recollected tradition are quoted both in the NMGBh ad loc. and in a passage of the ŚV (codanā v. 232). Sucarita Miśra's commentary on this passage of the ŚV makes it explicit that the contradiction is between Veda and recollected tradition (Sucarita Miśra 1926-9).

¹⁰³*indravajrā* metre. "The many means taught by various scriptural approaches converge in the single summum bonum, as the currents of the Ganges meet in the ocean". (Dezső 2005, p. 229). Just in the case of the Ganges' streams, the differences among religious systems regard the means and not the aim.

¹⁰⁴Bhattacharyya translates in a way which does not seem to reflect the Sanskrit text: "Those who preach the doctrine that the soul does not exist make a show of refuting the existence of a soul" (Bhattacharyya 1978, p. 555).

¹⁰⁵Permanence (*nityatva*) can be of two types: *kūṭasthanityatva* and *pravāhanityatva*. The former is the permanence of something which never changes throughout times, like a mountain (if compared to the life-span of a human being). The latter is the permanence of something which changes continuously, but whose later stages are identical with the former ones, like a river, which is always the same notwithstanding the fact that the drops of water composing it change at every second. Similarly, the *ātman* of Nyāya, Vedānta, etc. is stable, whereas the flow of consciousness of Yogācāra Buddhists continuously reproduces itself. See also the NMGBh on this passage: "The self is permanent insofar as it is immovable, i.e., its nature does not waver. By contrast, the continuous stream of cognition is [permanent as] a flow insofar as it flows without interruption" (*ātmā kūṭastho vicaladrūpaḥ san nityaḥ, jānasantānas*

6.1.1.3 Contradictions in the practices are not important In this way, there is no dispute as for the two principal things, i.e., thing to be reached (i.e., the liberation) and means to reach it (i.e., the knowledge of the self). By contrast, the [specific religious] acts might be diverse according to the sacred text. Let them [besmear their bodies] with ashes and wear matted hair [and]^{xxxix} hold^{xxx} a stick and a pot (if they are ascetics), or have red cloths (if they are Buddhist monks), or have the space alone as cloth (if they are Digambara Jinas): What is the [real] difference^{xxxi} here? Also, does the Veda enjoin a small number of instruments to [reach] heaven, combined with a bundle of distinct procedures? [Of course, not.] Thus, even if there is mutual contradiction [among the various religious practices], there is no contradiction as for the validity [of each religious system].

6.1.1.4 Conclusion: mutual contradictions do not entail invalidity And therefore, what is said [by Kumāriḷa], namely:

If the Buddha is omniscient, what is the evidence that Kapila is not? |

Else, both are omniscient, [but then] how could there be distinct opinions^{xxxii} among them? || (*Bṛhaṭṭīkā*, quoted in TS 3148)

this has been discarded already, because there are no different opinions as for what is principal (i.e., what really matters, the thing to be attained and the means to attain it). Alternatively, [this could be discarded] because even if there were some [different opinions] with regard to some things, there would be no contradiction as for the validity [of all religious systems] (since contradictions are not a sufficient reason for invalidity, see above, sections 6.1.1–6.1.1.1).¹⁰⁶

6.1.2 Suspicious practices

Nor is there invalidity of other sacred texts because they teach actions which cause the trembling of [one’s] heart¹⁰⁷, since this does not prove invalidity.¹⁰⁸

Because even the hesitation regarding eating from a human skull, etc. | depends on the influence (*bhāvanā*) generated by repeated practices (*abhyāsa*) according

tv avicchedena pravahat pravāha iti, Shah 1972, p. 114). Bhattacharyya nicely translates “The only difference lying between these two hypotheses is this that the soul is static but a series of phenomena of consciousness is dynamic” (Bhattacharyya 1978, p. 555).

¹⁰⁶Bhattacharyya seems to overinterpret, possibly in order to avoid any contradiction within sacred texts (see above, fn. 51): “Such an objection is met thus. If they are unanimous in major topics then their difference in minor matters may be easily overlooked. But sometimes the very existence of difference invalidates a work. If an Āgama instructs a rite which loudly denounces other Āgamas then such condemnation does not amount to their invalidation since condemnation does not logically determine invalidation” (Bhattacharyya 1978, pp. 555-556).

¹⁰⁷See introductory study, section II.4.4. The NMGBh explains: “The trembling of the heart is the hesitation” (*hṛdayakrośanam vicikitsā*, Shah 1972, p. 114).

¹⁰⁸*prayojaka* is a technical term in inference, denoting the characteristic (*dharma*) which really causes the invariable concomitance (*vyāpti*) and, through it, the ascertainment of the *probandum* (*sādhyā*), as opposed to other accidental aspects of the same thing. For instance, within the Śyena sacrifice, *hiṃsātva* is *aprayojaka* in regard to *adharmatva*, whereas *niśiddhatva* is *prayojaka* in regard to *adharmatva* (ŚV anumāna 17cd-18ab). Cf. ŚV anumāna 13cd–15ab: *vyāpteś ca dr̥ṣyamānāyāḥ kaś cid dharmāḥ prayojakaḥ || asmin saty amunā bhāvyaḥ iti śaktyā nirūpyate | anye para-prayuktānāḥ vyāptinām upajīvakāḥ || tair dṛṣṭair api naiveṣṭā vyāpakāḥśāvadhāraṇā |* “And when an invariable concomitance (*vyāpti*) is observed, [only] a certain characteristic (*dharma*) is its *prayojaka*, (i.e., that which really causes the ascertainment of the *probandum*). This *prayojaka* is described by its potentiality [to lead to the *probandum*] (*śakti*) as follows: when there is the *prayojaka*, the [*probandum*] must be there. Although other [characteristics] are seen—which are [not *prayojaka* but only] parasites (i.e., living off the real *prayojaka*), since the *vyāpti* is caused by the real *prayojaka*—the ascertainment of the part which is the *vyāpaka* (i.e., the *sādhyā*) is never accepted by means of these [parasitic characteristics]”.

to other views (*darśana*) (for instance, the practice of not touching bones)¹⁰⁹ ||

And similarly, there is hesitation also in regard to the violent acts [prescribed] in the Veda |

on the part of the [brahmins] who have peaceful minds (*citta*) [and] have compassion towards all living beings ||

In regard to violence such as black magic (*abhicāra*), although it is Vedic, let there well be^{xxxiii} a trembling of [one's] heart [it does not harm our position], because^{xxxiv} violence (namely, black magic) is the instrument-part [among the three parts of a ritual action, which are result, instrument, and procedure].¹¹⁰ Therefore, one undertakes it (violence) out of desire [not because of a Vedic prescription, since the latter describes the means to achieve a violent result, but only for the one who has already decided that he wants to achieve it].¹¹¹

By contrast, the violence [inflicted] on the animal, such as the Agniṣomīya rite, is part of the procedure, and in regard to it one acts out of a prescription, since [Śabara has said that] “In fact, what is for the purpose of the ritual is understood out of the Veda (*śāstra*)”. Even in regard to this [violence] a compassionate person hesitates. And he says:

If the dharma is the slaughter of a living being, what would be the adharmā?¹¹²

But the Veda is not invalid because of this. It shall be the same for the other sacred texts, too (they also do not become invalid just because there is something in them which makes one hesitate).

6.1.3 Practices prohibited by the Veda

6.1.3.1 Prohibitions are not text-independent As for what has been said (in section 5.2.1.2)—namely that even if through the texts other [than the Veda], such as the Kaula ones, one realises goals such as flying^{xxxv}, the sinfulness (*pratyavāya*) caused by the practices of something prohibited surely occurs^{xxxvi} at a later time—this too is wrong, because such content is not prohibited in the [corresponding] sacred text. In fact, even if it is prohibited in a different sacred text, assuming that one can choose through option [one or the other set of norms] is appropriate. And since this [practice of something forbidden] is the means to obtain a high human aim (such as flying), given that one [actually] realises it, how could there be sinfulness? (If there had been sinfulness, this would have blocked the obtainment of the goal.)¹¹³

¹⁰⁹ *darśana* is ambiguous and could refer to experiences or opinions. The NMGBh explains as follows: “The view (*darśana*) which one has repeatedly experienced, i.e., ‘Having touched a human bone together with the fat [one should bath with one’s clothes]’, [becomes] the [view] of one’s inner organ, together with the traces [of this repeated experience]” (*punaḥ punar yad abhyastam “nāraṃ sprṣtvāsthi sasneham” ityādidarśanaṃ tatsaṃskāravāsītāntahkaraṇānām*, Shah 1972, p. 114). Bhattacharyya adds a useful explanation: “Such a doubt arises in our mind since we are familiar with the teachings of the other systems of thought, have framed a habit of thinking in that direction and possess deep-rooted impressions of the contrary teachings. In other words, we have formed a peculiar angle of vision. From that point of view we find fault with the above prescription. But we do not dive deep into the merits of the question” (Bhattacharyya 1978, p. 556).

¹¹⁰ “Let there well be a trembling of [one’s] heart, since the prescription does not function in regard to such violence [...]. For it is part of the instrument” (*bhavatu kāmāṃ hṛdayotkampāḥ, tasyāṃ hīmsāyāṃ vidher avyāpārāt. [...] karaṇāṃśopanipātiniḥ hūi*, NMGBh Shah 1972, p. 114).

¹¹¹ Jayanta may be following Śabara in that he calls the Śyena *himsā*, whereas Kumārila will deny it and rather say that the act itself is not violent, only its result is (see Kataoka 2011b, pp. 158-169). Jayanta also follows Śabara insofar as he repeats that the Veda does not enjoin the Śyena, it only teaches it for the one who himself wants to achieve a violent result, see ŚBh ad 1.1.2, Frauwallner 1968, p. 20.

¹¹² The source is unknown. A similar verse is quoted in a later Buddhist text, the *Avadānakalpalatā*, 55.17 (Okano 2008, p. 67), which could point to a Buddhist origin of this concept.

¹¹³ Bhattacharyya interprets *parapuruṣārtha* as the highest goal: “If they are proved to be the means to the ultimate goal of a human being then how can it lead to a pit-fall?”. On this interpretation of *parapuruṣārtha*, see also Kataoka 2007b, pp. 83–84. But in fact Jayanta has just stated that these sacred texts can make one achieve particular goals,

6.1.3.2 Violating a prohibition regards the performer, not the text Else, let there be that at a later time on the basis of this [behaviour] there is sinfulness. Nonetheless, in this case (eating from a skull, etc.) the validity of the text is not lost, since the ritual action (e.g., eating from a skull) is enjoined as having a certain fruit (e.g., flying) on the basis of the difference among the people entitled [to perform them], like in the case of the Śyena (thus, “If you want to fly, eat from a skull” parallels “If you want to harm your enemy, perform the Śyena”).¹¹⁴ In the [prescription] “He should sacrifice using black magic by means of the Śyena”, through the present participle in “using black magic” [the Veda] says that the person entitled [for the Śyena] is one who has already disregarded a prohibition.¹¹⁵ And for such [a person] the Śyena sacrifice has been enjoined. And he becomes surely sinful, once he has accomplished a killing out of performing it (the Śyena). But [it does not follow that] the Veda is invalid. And it has been said [by Śabara:] “Here [in the Veda] both are denoted by the [Vedic] injunction, the good and the evil” (ŚBh ad 1.1.2, Frauwallner 1968, p. 20). And due to the distinction among the entitlements (*adhikāra*), the injunctions about various ritual actions are not inadequate. For the one who wants to die, the Sarvasvāra sacrifice is enjoined; for the one who wants a long life, the oblation of cereal preparations (*caru*) [in the weight] of [hundred] berries of *Abrus precatorius* [is enjoined]. Therefore, even this (injunction of a prohibited ritual action) is not the occasion [leading] to the invalidity [of a sacred text].

6.1.3.3 Figurative meaning Also the confutation of the caste-system [found] in the Buddhist texts, points at a laud of the extreme compassion (*karuṇā*) directed to favouring all [and] should not be understood as one hears it (i.e., literally). And in the same way, in these very [Buddhist texts] it is recited: “One should not allow to become a monk people who are flawed because of their [low] caste or of a body[-defect]”.¹¹⁶

6.2 Validity

6.2.1 Nyāya-based argument: reliable authors

Therefore, it is correct that all sacred texts are valid, insofar as they have been composed by reliable speakers, such as Kapila, the Buddha and the Arhat.

6.2.1.1 God as reliable author Others^{xxxvii} think that the revered Lord alone is the author of all sacred texts.¹¹⁷

Because he, looking down at the fact that the maturation of karman [occurs] in many ways and perceiving (*udrś-*) that there are various paths towards the obtainment of heaven, understands which people are adequate for a certain ritual act and teaches this or that instrument in accord to the disposition [of each person] in order, out of mercy, to favour all living beings. And the Revered alone, attains^{xxxviii} this or that different name out of assuming various bodies

such as flying, not the ultimate goal of human liberation. Accordingly, Bhattacharyya skips altogether “flying” and gives instead “communion with Śiva” as an example of a realised goal (Bhattacharyya 1978, pp. 556–7). Elsewhere Jayanta has *paramapurūṣārtha* for *mokṣa*; accordingly here *parapurūṣārtha* might mean “high, but not highest”.

¹¹⁴And therefore what is sinful is desiring a certain fruit, not the fact that a sacred text tells you what to do next, see introductory study, section II.4.5.

¹¹⁵“For the ending of the present participle in ‘using black magic’ is in the sense of characterising. And a characteristic must be already established” (*abhicarann iti hi śatṛpratyayo lakṣaṇe. lakṣaṇaṃ ca pūrvasiddham bhavati*, NMGBh, Shah 1972, p. 114).

¹¹⁶*Vinayasūtra* 26.29 (v. 153). Probably the passage originally rather meant “People whose bodies are defected since their birth”, i.e., who are permanently invalid. Shah reads *kāryaduṣṭa* with NM and translates: “one who makes a lower job” (*kārya duṣṭ* (= *hīnakarmvānī*), Shah 1975-1992, p. 81). In his English synopsis he just skips *kārya*: “one belonging to a mean caste should not be admitted [...]” (Shah 1992-97, p. 19).

¹¹⁷This view is repeated as Jayanta’s own in NM 6, NM, p. 258, where Jayanta explains that the six Vedāṅgas are in fact without beginning and authored by God.

through the might of his power (*vibhūti*). And he alone is called Arhat, Kapila [and] Buddha, since if one postulates various omniscient people there would be the unwanted consequence of cumbersomeness in one's efforts [of postulation].

[Obj.:] But the Buddha is the offspring of the king Śuddhodana (i.e., he is a historical figure, not the timeless God), how could he be the Lord?

[R.:] This has been refuted by the revered Kṛṣṇadvaipāyana (i.e., Vyāsa):

For whenever the dharma weakens, o Bhārata |
and the adharma rises, I create myself || (*Bhagavadgītā* 4.7, Sukthankar, Belvalkar,
and Vaidya 1933-1971, 6.26.7)

The body alone is the offspring of Śuddhodana, not the inner soul (*ātman*). For the same reason the knowers of the [Vaiṣṇava] sacred texts believe that at each age of the world the same revered Viṣṇu descends [in the world] in the form of dharma.¹¹⁸

6.2.1.2 Agreement of the exemplary people [Obj.:] But why is there not a similar agreement on the part of the exemplary people in regard to the other sacred texts, given that they have the same author as the Veda (i.e., the Lord)?

[R.:] It is not so. A small number of living beings, the ones for which such a disposition of mind has been recognised, are favoured by the revered [Lord] through a certain path (e.g., the Buddhist one). By contrast, innumerable living beings are favoured [by the Lord] through the Vedic path. Therefore, this one is held in great honour, the other sacred texts in little [honour].

6.2.1.3 Conflict: already explained away [Obj.:] If there is a single author,^{xxxix} how could there be mutual contradictions?

[R.:] As for this topic, the Vedas themselves depict the solution. The [reason] has been already said [in section 6.1.1.1]: For even in the [Vedas] one sees plenty of mutual contradictions. Therefore, the validity of all sacred texts truly depends on the fact that they have been composed by the Lord.

6.2.2 Mīmāṃsā-based arguments: Veda-base

Others (upholders of the Mīmāṃsā approach), by contrast, accepted the validity of all sacred texts insofar as they are based on the Veda. For, the reasoning which has been said (in section 2.1.1.2) as for the fact that the teachings of Manu etc. are based on the Veda, namely:

the [Vedic] injunction is more economical than error or experience, human utterance [and] fraud [as base of the MDhŚā, etc.], due to the consistence with what we see and the capability [of producing a result such as the MDhŚā] ||¹¹⁹

this is common to all sacred texts. Nor does one directly grasp a Vedic text which is the root of the recollected traditions of Manu, etc. [just like one does not grasp it in the case of Buddhist texts, etc.]. But if one assumes^{xl} [a Vedic root] out of inference, the same [holds true] also in the case of the other sacred texts.

¹¹⁸This enigmatic *dharmarūpeṇa* might be interpreted as “in the form of a dharmic [person]”, i.e., “of a person which can be regarded as embodying dharma”. Bhattacharyya has “as an incarnation of divine law” (Bhattacharyya 1978, p. 558).

¹¹⁹Just like above, see fn. 45, Bhattacharyya interprets the ablatives as all expressing causes: “We should not hold that Manu's law-book is reliable because it has been composed by a trust-worthy person since to err is human, the words of a person sometimes mislead us and a hypothesis should be based upon facts. We shall make minimum assumptions if we hold that the said book is based upon the Vedas” (Bhattacharyya 1978, p. 559).

6.2.2.1 Having common performers is not the main point [Obj.] But it has been said (in JS 1.3.2, see section 2.1.3) that “Rather, [the established conclusion is as follows:] Because the performers are common, the inferential cause (i.e. the recollected tradition, insofar as it lets one infer a Vedic text) is an instrument of knowledge”. But this does not occur in this case (since the performers are different). Thus, how can one infer a Vedic text?

[R.:] This is not a flaw.

Understanding that there is a single entitlement [for both the Vedic rituals and the other ones] does not prove the validity [of the latter] |

by contrast, it might be the reason, if you want [to attribute some usefulness to it], for establishing the performance of [elements learnt in the Veda and others learnt in the recollected tradition] mixed together¹²⁰ ||

Nor is it the case that a ritual action, even if performed separately (i.e., by a separate group of performers) is not based on an instrument of knowledge, like the ritual actions which must be performed [by some only], according to the differences of classes and stages of life.

[Obj.:] Since there are no common performers, then [these other sacred texts] arise out of a different root (e.g., error) |

[R., based on the Mīmāṃsā approach:] This is not true, since the [possibility of a faulty root], such as error, has been rejected, because there is no subsequent invalidating cognition¹²¹ ||

Furthermore, the assumption that [these texts] could have perception as their root is too cumbersome |

On the other hand, the appropriate root in their regard are the Vedas^{xli}, since they have endless branches ||

6.2.2.2 Conflict: There are endless Vedic branches and hence potentially no conflict

[Obj.:] But in regard [to these texts], why do the knowers of the Veda hate [the idea] that they are based on the Veda? |

[R.:] One should approach them and ask them, if one finds (enough) courtesy (*dākṣiṇya*)^{xliii} [so that one can approach them without upsetting them]! ||

Or, given that the slaughter of a cow is clearly Vedic, how can they hate [the other sacred texts] (provided that their behaviour is not more commendable than the one prescribed by the other sacred texts)?¹²² |

¹²⁰For a usage of *miśra* in the context of mixing Vedic and smārta elements, see NMGBh ad *ācamanādismārta-padārtha*, section 2.1.3 quoted in Kataoka 2004a, p. 208.

¹²¹See section 2.1.1.2 for the *svataḥ prāmānya* approach, according to which the cognition is valid unless there is an invalidating cognition. See also introductory study, section II.4.1.

¹²²An alternative interpretation is the one adopted in Bhattacharyya 1978, p. 560: “Why do the Mīmāṃsakas cherish hatred against cow-slaughter which has been clearly prescribed by the Vedas?”. Similarly, in his English synopsis, Shah translates as follows: “It too is no objection that the followers of the Vedas are hostile towards other scriptures, for such hostility is not proper and, moreover, the followers of Vedas are hostile even towards a practice like cow-slaughter which is a very clear Vedic practice” (Shah 1992-97, p. 20). But this interpretation does not seem to fit the context, in which these brahmins are orthodox ones, who do not hesitate in regard to the slaughter of cows. Shah follows the reading of the *editio princeps*, Jayanta Bhaṭṭa 1895-1896 (*gatvā ta eva prchyantām yeṣāṃ dveṣādi vidyate*) and construes *gatvā* as having a different agent than *prchyantām*: “The one who opposes the validity of these Buddhist texts, he should go to the Buddhists who hate [some Vedic rituals] and ask them: ‘Why do you hate the killing of a cow, which is clearly Vedic?’” (*bauddhādi āgamonā prāmānyano virodhī —jemne dveṣ vagere che te bauddhāhīnī pāse jei temne je pucho ke je spaṣṭapaṇye vaidik karm che te govadhamāṇi temne dveṣ kem che?*, Shah 1975-1992, p. 84). This interpretation could be justified as meaning that disgust in general cannot be a criterion, since some (like the Buddhists) are even disgusted by Vedic practices. But the point here seems not to be general disgust, but rather disgust on the part of Vedic scholars.

And the fact that they contradict [the Veda] has been refuted (in section 6.1.1), and is difficult to be known due to the endless number of Vedic branches (so that there could always be a Vedic branch supporting a certain non-Vedic text) ||

That^{xliii} which stays in front of our eyes, is it the entirety of the Vedas?

Or [since it is not, as we all know], what is the evidence that agreement is not obtained out of another Vedic branch (one you do not know yet)? ||

And in the same way, a Vedic inferential mark¹²³ is grasped aiming at suggesting that the nature is made of three qualities, [as is] well-known in the Sāṅkhya system, namely [the Vedic statement] “Unborn, single, red, white and black”. [Śvetāśvatara Upaniṣad 4.5] And this explanatory passage, which praises the knowledge of reality assisted by asceticism (*tapas*) [just like it is] composed (taught) by hermits of the Jaina Nirgrantha [sect], is found [in the Veda]: “The sages (*muni*) have the wind (*vāta*) as their girdle (*raśana*)” [Ṛgveda 10.136.2a] (i.e., they are naked).¹²⁴ Similarly, experts [in the Veda] also do perceive (*labh-*) a root for wearing red clothes, [using] ashes and holding skulls and other [seemingly non-Vedic behaviours]:

Therefore, although [Buddhist and other non-Vedic texts] cannot share the same performers [with the Veda], as it happens to be the case for the recollected traditions of Manu, etc., |

the recollected tradition consisting of all sacred texts can be said to be an instrument of knowledge because [these are all] based on the Veda ||

And therefore:

Whatever dharma has been proclaimed by Manu for anyone |

this is denoted in the Veda, since it (the Veda) consists of knowledge about all ||
(MDhŚā 2.7)

Like the mention of Manu in this passage implies through synecdoche [all] the authors of recollected traditions, such as Gautama, Yama, Āpastamba, Saṃvarta^{xliv}, in the same way [the mention of Manu] should be explained as also aiming at implying the Arhat, Kapila, the Buddha, etc.

6.2.2.3 Lokāyata texts have no independent value [Obj.] But in this way also in regard to the sacred texts of the Lokāyatas there would be validity, because one sees that [they] have a Vedic root, namely: “The mass of consciousness arises out of these elements and then vanishes with them. There is no awareness (*saṃjñā*) after death”.¹²⁵ And therefore, once the Lokāyata system has become valid,^{xlv} adieu (*svasti*) to all other sacred texts!

[R.:] It must be replied:

Since in the Lokāyata [system] nothing to be done is taught |

[theirs] is only an eristic talk, and no sacred text ||

[Obj.] But there [something to be done] is indeed taught: “Until one lives, one should live happily”.

[R.:] No, because in this case there is no fruit of [such] teaching [and no teaching can exist if it does not yield any result], since it is already established out of our own nature (it

¹²³*līṅga* in the context of the Veda refers to mantras and statements which aim at something other than themselves.

¹²⁴Bhattacharyya thinks that the passage refers instead to Buddhists: “The Buddhists hold that the sages live only on the air. It is a repetition of the Vedic conclusion that the realisation of consciousness as the ultimate reality is the goal of life” (Bhattacharyya 1978, p. 560).

¹²⁵BṛUp 2.4.12-14 and 4.5.13-15 (almost identical).

is useless to teach something we already know, and we know that we have to be happy, since we naturally want to be happy). As for what [Lokāyatas] teach, such as: “The dharma should not be done”, “As for the teachings [of the Veda], one should not believe [them]”, this has already been refuted, since the Lokāyata system is based on the Objector’s statements [found in the Vedas]. And in the same way, there is in this regard the Brāhmaṇa[-passage] answering [the passage quoted above as the Vedic root of the Lokāyata system]: “I am not really saying anything confusing. This self is in fact imperishable. It has [only] a [temporary] connection with the elements (*mātrā*)”.¹²⁶

Therefore, in this way, it is not the case that the system of the Lokāyatas has a principal value,^{xlvi} because it is based on an objector’s statement, just like [the objector’s statements have no independent value and must be understood as subsidiary to something else]. In other words,^{xlvii} it should not be honoured because it has been refuted already by the answering sentence [in the same passage quoted above].

By contrast, for the other systems (*śāstra*) it is wrong to postulate that they are based on an objector’s sentence, since one does not grasp immediately after [the sentence which is their Vedic root] a statement refuting it.

Therefore, all sacred texts are valid because they are based on the Veda (the Lokāyata and similar texts are not sacred texts, but just opponent’s statements).

6.3 Conclusion through Mīmāṃsā and Nyāya arguments

[Obj.:] “Once one has justified in this way the validity of all sacred texts |
whatever^{xlviii} a sacred text I compose today ||
in a few days this would surely become valid, too |
[because] even in its regard the reasoning mentioned above would easily apply
(i.e., it would be valid, because one could find a Vedic root, or because one could
assume that it has been written by a reliable author, given that people agree on its
validity) ||

I hear (*kila*) that some deceiver, after bringing whatever has been written in an old book, announces “This is a great Text”.¹²⁷ One would have to assume a reliable author even for it! Alternatively, one would have to say that the one [or] the other Vedic sentence is its root.

[R.:] It is not so. Only the Texts which reached the general opinion without
objections (*avigīta*)¹²⁸ [among normal people],
and which have been embraced ¹²⁹ by many cultivated people ||

¹²⁶BṛUp 2.4.12-14 and 4.5.13-15 (almost identical). Walter Slaje argues in favour of the latter as source, since Mīmāṃsakas tend to quote from that dialogue (Slaje 2007, 141, fn. 96, where “not in 4.4” probably means “not in 2.4”). The last sentence is only present in the Mādhyandina Recension of the BṛUp (published in Böhlingk 1889), but not in the Kāṇva recension (which is the one followed by Olivelle in his Olivelle 1996). The same last sentence is also present in a slightly different quote of the same passage in the ŚBh: *na vāre ’haṃ mohaṃ bravīmi, avinaśī vāre ’yam ātmānucchītidharmā, mātrāsaṃsargas tv asya bhavaṭīti* (Frauwallner 1968, p. 60, ll.20-22).

¹²⁷This risk had already been sensed by Kumāṛila: “Because even today one sees people who speak out contents which are not found in a sacred text imposing on them the [wrong appearance] of having been written in a sacred text” (*drśyante hy anāgamikān apy arthān āgamikatvādhyāropeṇa kecid adyatve ’py abhidadhānāḥ*, TV ad 1.3.1 Subbāśāstrī 1929-1934, p. 160). Bhattacharyya seems rather modern in inverting the sentence, which thus favours novelty: “The book which is very old is reported by some cunning fellows as a new one” (Bhattacharyya 1978, p. 562).

¹²⁸See ŚV codanā 133, section 6.4.5 in Kataoka 2011b, where three invalidating criteria are mentioned, i.e., *vigānāt ’disagreement*, *chinnamūlatvāt* ‘being based on an interrupted tradition’ (addressed below as *apūrvā iva bhāntī*) and *kaiścid eva pariḡrahāt* ‘being accepted only by a few’.

¹²⁹If we want to distinguish it from the preceding *prasiddhi*, it must be “embrace”, “accept as one’s own practice”, cf. *vedapathapravṛtta* in 5.2.3.3. See also the introductory study, section II.4.6.1.

and which, while functioning today,¹³⁰ do not appear totally unprecedented |
 which are not based on greed, etc., [and] which people do not fear:¹³¹ ||
 only these texts are here (in this view I am explaining) regarded as valid |
 By contrast, it is not is conceded that any opinion of a bawd is an instrument of
 knowledge ||¹³²

To elaborate:

The^{xlix} Nīlāmbara religion (*vrata*),¹³³ in which many activities (*ceṣṭā*) are per-
 formed by a man and a woman united [and] wrapped (*nivīta*) in a single black
 cloth, it is reported, has been made up by some parasites (*viṭa*) ||¹³⁴

The King Śaṅkaravarman, who knows the reality of dharma prohibited [it], know-
 ing that it was a new [addition] |

By contrast, he did not [prohibit] in the same way the opinion of the Jainas, etc. ||¹³⁵

Therefore, due to the fact that [the Vedic texts] have been uttered by a reliable
 [speaker], [a reason] whose all flaws (*doṣa*) enunciated by others have been stolen
 (i.e., removed), |

validity has come to a firm ascent on these Vedic texts.¹³⁶ Then,

due to the fact that they are based on these (Vedic texts), or that they have been
 uttered by a [reliable] person, the same condition must hold for all sacred texts |

Even through this [reason, i.e., because they depend on an author], it cannot be
 said that the Vedic utterances are faulty [since the author is reliable] ||¹³⁷

¹³⁰Bhattacharyya: “Though they may have been recently composed” (Bhattacharyya 1978, p. 562).

¹³¹Above (section 6.1.2, 6.1.2.1 in Kataoka 2004a) it has been said that suspicion (*vicikitsā*) is not enough to infer invalidity, therefore *udvij-* must have a stronger connotation, although in usage the two tend to be synonyms (see introductory study, section II.4.4, see also the end of section II.2 for a different interpretation). Towards the end of NM 6 (NM, p. 259) the Bṛhaspati’s teachings are said to be *udvegākārin* ‘causing anxiety’. See also introductory study, section II.4.6.1.

¹³²Bhattacharyya understands this verse as referring to a precise work: “Any and every treatise should not be considered to be an authentic one. Shall we accept *Kuṭṭinīmatam* (a book written by Damodara Gupta) in which advice has been given by a senior prostitute to the junior ones as an authentic one?” (Bhattacharyya 1978, p. 562). V. Raghavan interpreted this verse as a mention of the *Kuṭṭanīmata*, and thus as an evidence for dating Jayanta (Raghavan 1964, p. vi).

¹³³About which see *Āgamaḍambara*, act 2, Dezsó 2005, p. 116, also describing this practice; see also introductory study section II.4.7.

¹³⁴*āryā* metre.

¹³⁵*āryā* metre.

¹³⁶*upagatam-* is constructed with accusative, cf. *na praroham upagacchet, Tantrālokaiviveka* by Jayaratha, ad 9.159, Mishra 1992-1997, p. 461 (other examples of *upagam-* and *praroham* can be found in the same text).

¹³⁷*sragdharā* metre. Bhattacharyya: “But under no circumstances one can point out defects in the Vedas on the ground that the Vedas are not based upon a source book” (Bhattacharyya 1978, p. 563).

Notes

- ⁱ *vatsa p̄rchasi* with K₁, also in accordance with the fact that *vatsa* is generally used in the vocative.
- ⁱⁱ *prāmānyam* as in K₁.
- ⁱⁱⁱ We kept *ca* because K₁'s reading *tu* is probably an overinterpretation made in order to better fit the context.
- ^{iv} We have adopted *kim atra trikālānavacchedena tadavacchedena vā kṛtyam, against kim atra trikālānavacchedena kṛtyam* of K₁, although the *tadavacchedena vā* could seem a later expansion, because of the parallel *kim iva hi trikālasparśasparśābhyām kṛtyam* in NM, p. 271, 1.6 —vol. I.
- ^v *abhiniveśa*, as in K₁ against *durabhiniveśa*, unnecessary.
- ^{vi} *purānam api bhavatu pramānam* like in K₁ against *purānānām api bhavatu prāmānyam*, also because the syntactic role of *smṛtivat* is, in the latter case, odd. Jayanta could have just written: *vedamūlatvāt smṛtīnām iva purānānām api bhavatu prāmānyam*.
- ^{vii} Plural as in K₁.
- ^{viii} Plural as in K₁.
- ^{ix} *āmukhe* as in all editions and manuscripts against K₁'s *āmukhataḥ*, because locative-constructions are generally used by Jayanta in similar contexts.
- ^x *kalāpa* omitted like in K₁, also because one does not need the whole set of three, one element is enough to invalidate a notion. Still, an eyeskip is also possible, due to the three *kas* (*-kāraṇakāluṣyakalāpa-*).
- ^{xi} We drop *veda-* at the beginning of the compound, like in K₁, because it seems an unnecessary addition and because in section 5.2.2.1, the *caturvarṇya* is said to be *āryadeśaprasiddha*.
- ^{xii} *ye copaniṣad-* instead of *sarvopaniṣad-*, following K₁.
- ^{xiii} *tair eva* with K₁ against *tenaiva*, also because *upavarṇitam* requires a human agent. Shah reads *tenaiva*, but explains “Kṛṣṇadvaipāyana” (Shah 1975-1992, p. 73).
- ^{xiv} *tadyāgaś* with K₁ against *tadyogaś*. Shah reads *tadyogaś*, but interprets it in the same way: “Rudraś and Viṣṇuś yoga, i.e. the means to please them” (*rudr ane viṣṇunā yogo arthāt emane ārādhavānā upāyo*, Shah 1975-1992, p. 73).
- ^{xv} *tadyāgā* with K₁, against *tadyogā*.
- ^{xvi} *-mocaḥkādyaḥgamāḥ* with K₁ against *-mocaḥkagamāḥ*.
- ^{xvii} *pāpācāra*, more common, with K₁ against *pāpakācāra*.
- ^{xviii} *teṣām* with K₁ against *teṣu*.
- ^{xix} *tatra* correlative of *yatra* as in K₁. *tasya* is probably later and due to the desire of making explicit that the pronoun refers to *prāmānyam* in the previous compound.
- ^{xx} Without *ya ete*, against K₁.
- ^{xxi} “*ākāras tu tasya kīdrśaḥ, pānīpādam kīdrśam śirogrīvaṃ vā, kiyatī tasya saṅkhyā*” —*iti puruṣalakṣaṇāni*... as in K₁, better also because *saṅkhyā* is not part of *ākāra*.
- ^{xxii} *kurvanti rahasyam rahasya aprakāśan* with K₁, against the reading *rahasi kurvanti, na prakāśam* of the other witnesses, since they could have skipped the first *rahasyam* or considered it as a dittography.
- ^{xxiii} *vandakādibhiḥ* with K₁.
- ^{xxiv} *ayam eva sarvānumataṃ cāturvarṇyādi mahājanaḥ* with K₁. Note that at p. 197, 1.14 (section 5.2.2.1) there has already been a case of neutral-masculine concordance.
- ^{xxv} *dr̥ṣṭvā* in A and M^{back}, which could also fit the context, insofar as Dharmaśāstra texts claim that caṇḍālas are polluting just by seeing them. Thus, the change of *spr̥ṣṭvā* to *dr̥ṣṭvā* could be justified due to this background knowledge.
- ^{xxvi} *kimartham* with K₁, also because Jayanta does not ever use *kimarthaḥ* as adj.
- ^{xxvii} Against *-viṣayyeṣu*, as in K₁, because *vivadante* is regularly used with a sg. in Jayanta.
- ^{xxviii} *āsthāśaithīlya* as in K₁. The same expression is used in *Nyāyikalikā*, Jhā 1925, p. 14, in the sense of losing confidence: *anirākriyamāṇe ca tasmin tattvajñānāsthāśaithīlyam śiṣyāṇām syād iti jalpavitaṇḍayor upadeśaḥ*. Similarly, in the present passage: in order to shake one's confidence [in oneself], Buddhists teach that there is no self.
- ^{xxix} Without *vā*, as in K₁.
- ^{xxx} *dhāraṇa* as in K₁.
- ^{xxxi} *viśeṣa* as in K₁.
- ^{xxxii} *matī* as in K₁, against the other witnesses and the version of this verse published in Śāstrī 1981, 1982, also because of the paraphrase with follows, and because *matibhedāḥ* is found in Bhaṭṭa Rāmakaṇṭha's version of this verse, which points to a different Kāśmīri transmission (*Mokṣakārikāvṛtti* ad 147cd-148ab, in Dvivedī 1988).
- ^{xxxiii} *bhavatu kāmam*, against K₁ because of the NMGBh, which confirms the presence of *kāmam*.
- ^{xxxiv} We keep *hi*, as in K₁, which might have been skipped by the other witnesses because of the following *hi* in *himsā*.
- ^{xxxv} *khecarā-* with K₁ against *khecaratā-*, since compounds such as *khecarādyasṭasiddhi* are commonly found in Śaiva texts.
- ^{xxxvi} *avaśyam bhavatīti* as in K₁.
- ^{xxxvii} *apare* with K₁.
- ^{xxxviii} K₁ reads *santaṃ samjñābhedān upagacchann* instead of *sa eva samjñābhedān upagacchati* of the other witnesses. Since *sa eva* is repeated also in the following sentence, K₁'s reading could be the result of a previous reading, which could be better than the actual one but cannot be at present reconstructed.
- ^{xxxix} *ekakarṭṭve* as in K₁, whereas A₁ and B₁ have *ekakarṭṭkatve*.
- ^{xl} *tatkalpanāyām* as in K₁, also because it better fits with the preceding statement.

- ^{xli}Plural as in K₁.
- ^{xlii}*dākṣiṇya* with K₁. *dākṣiṇya* is the skill to approach the opponent in a debate in a way which does not irritate him. On *dākṣiṇya* as a *vādālanākāra*, see Oberhammer, Prets, and Prandstetter 1996, s.v.
- ^{xliiii}*idam* with K₁. *iyad* is not necessary and has probably been influenced by *yāvad* (which does not have a correlative).
- ^{xliiv}*saṃvarta* with K₁ against *saṃvartaka*, hardly attested.
- ^{xlv}*pramāṇībhūte* without the following *sati*, as in K₁, also because *sati* is not needed.
- ^{xlvi}*tantra* as in K₁, in its meaning of *pradhāna*. *svatantra*, which is the reading of the other witnesses, seems an elucidation of it. Cf. *kiṃtantratā* at the end of NM 4, NM, p. 703, asking what is principal between Vedic statements pointing at something established (*siddha*) and Vedic statements teaching something to be done (*sādhyā*): *kiṃtantratā bhavati kasya tayor* |
- ^{xlvii}without *tu* with K₁, because this sentence is almost a gloss of the preceding one.
- ^{xlviii}We keep *yatkimcid* (in compound with *āgamam*), thinking that K₁'s *yam kimcid* could be a case of hypercorrection. Jayanta allows caesures at the end of a compound member, and not of whole words only.
- ^{xlix}-*vratam kila*, as in K₁, without *idam* (unmetrical).

7 Abbreviations

7.1 Texts

- ĀḌ *Āgamaḍambara* by Jayanta, see Dezsó 2005
BṛUp Bṛhad Āraṇyaka Upaniṣad, see Bōthlingk 1889
JS *Mīmāṃsāsūtra* by Jaimini, see Subbāśāstrī 1929-1934
MDhŚā *Mānavadharmasāstra* attributed to Manu, see Olivelle 2004
NM *Nyāyamañjarī* by Jayanta, see NM
NMGBh *Nyāyamañjarīgranthibhaṅga* by Cakradhara, see Shah 1972
NS *Nyāyasūtra* by Gautama
SĀP *Sarvāgamaprāmāṇya*, the name we adopted for the section of NM 4 under analysis
ŚBh *Śābarabhāṣya* by Śābara, see JS
ŚV *Ślokaṽrttika* by Kumārila Bhaṭṭa, see Uṃveka Bhaṭṭa 1971
TS *Tattvasaṅgraha* by Śāntarakṣita, see Śāstrī 1981, 1982
TV *Tantravārttika* by Kumārila Bhaṭṭa, see JS

7.2 Other abbreviations

- Mī. Mīmāṃsaka
Nai. Naiyāyika
Obj. Unidentified objector
R. Unidentified replier, possibly Jayanta himself
UP Unidentified *uttarapakṣin*, upholder of an intermediate view, distinct from both the *prima facie* one and the final one.

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