That Udanas was admittedly one of the traditional writers on Dharmasastra is borne out by the well-known list of Dharmasastra-Khaṇḍas contained in Yajnavalkya, I.4-5. At present, we know of three works attributed to Udanas. One of them is written in the style in which the Dharmasastras of Gautama, Sandhyāyana, etc. are composed. In it we find prose passages interspersed with verses. The other, metrical compositions, two of the two metrical works of Udanas, one appears to be a truncated version from the opening verse which reads atahparam pravakayānī clearly hinting at a lost portion of the work preceding it. The other metrical work is longer and much wider in scope. For the present purpose, we are concerned with the Dharmasastra of Udanas.

In the form, now available, it is a brief work consisting of seven chapters. It appears to be incomplete from the fact that it begins abruptly, and that the first folio of the US, is wanting. The second chapter deals with impurities of man, animals and various things and the means of purifying them.

I.C.* (1) VS.No.191 of A 1881-82 of (1) Poona

(2) MS.No.648 of Vissanbag (1) of B.G.I, Poona.
It is fragmentary containing as it does only two folios.


3. Video (1) Samuccaya, op.cit., p.p. 46-48 (Udānasāstra-
Chapter II treats of the different castes of which the Brāhmaṇa has been declared foremost. In this connexion, the various mixed castes are also described. They are Kṣatriya, Ambastha, Sūta, Ugra, Magadha, Vena, Pulkasa, Kukkuṭa, Vaidehaka, Candāla, Śvapūka, Pārāśara or Misāda, Ayogava. The noticeable feature is that the superior castes are those who are born from union of males and females in the regular order (anuloma) while those born as a result of their union in the reverse order (pratiloma) are said to be inferior. In anuloma marriage again, one born of the union of a male with a female of the next inferior caste has been given higher status than one born of union of a male with a female of the caste still lower 4.

The fourth Chapter opens with the prohibition of killing a Brāhmaṇa and of causing bloodshed to him on pain of severe penances and hideous consequences in the life beyond. A Brahmīn holding deadly weapons, with a criminal intent, can however, be killed with impunity 5. Punishment has been ordained for killing innocent men of the Kṣatriya and Vaiśya castes too 6. The murderer of a Śūdra can be absolved by performing a six month long penance and the gift of eleven oxen. One having committed adultery with the preceptor's wife, is to die an extremely painful death. Penalty is prescribed for expiating

4. C.f., for example, Tad siguientes text: Aranāsik, Vaiṣṇava, etc.
5. This appears to contradict the general rule that a Brāhmaṇa can be killed under no circumstances (see f.n.13 infra)
6. This portion of the MS. is corrupt
7. C.f., for example, Puruṣasūkta, Śvetāsvala, etc.
the sin accruing from the smell of wine (sura)\(^8\). The portion of the M.S. is woefully corrupt from this point. All that we can gather is that herein the author prescribes means of purification \(^4\) from the sin arising from taking inadvertently the excretions of certain animals, sexual intercourse with another man's wife (parāśara-ganana), theft of vegetables, etc. A wife, committing adultery (vyāhāra-rādī), is also subjected to very hard expiatory rites like śanḍāyana and Prāṣāpatya. It should be observed here that, while mentioning the above sins and the corresponding purificatory rites, the author does not expressly mention any particular caste.

In the next place, it has been said that a Brahmans may have a wife of any of the four castes.

MS.
Here again the M.S. continues to be corrupt up to a certain length. We can, however, gather the following. The sin arising out of a Brahmin's sexual enjoyment in the month of his lawfully wedded wife (dharma-patna) has to be atoned for.

In this portion are also mentioned the sins with corresponding modes of expiation, accruing from the killing of petty animals (kṣudra-jantu), certain beasts and birds. It is interesting to note that the killing of even such domestic animals as cat, rat, pigeon, some of which are positively mischievous, has been condemned on pain of punishment. It deserves notice that the monkey, whose killing is a taboo even to-day among the Hindus, has been listed by Usānas as one of those animals which render the killer liable to a not very light punishment. The eating of priyāṅgu

\(^8\) Which kind of wine is meant is not clear.
(long bepper ?), lasuna (garlic), and palandu (onion), has been vehemently condemned. A stealer of gold, belonging to a Brahmana, has to go to the king with a mace (musala). The king may either strike him to death with that mace or let him off.

The fifth chapter opens with rules regarding śraddha. A very important part of śraddha is the invitations, by the performer of it, on the previous day of Brahmins possessing the requisite qualifications of Vedic learning, unimpeachable character, etc. Next are given certain procedural rules many of which cannot be read owing to the corrupt nature of the MS. The manes are said to derive varying degrees of satisfaction from the offering of paddy, barley, masa, fish, the flesh of deer (particularly, spotted antelope), birds, boar, goat, sheep, buffalo, vādrīnasa.

The flesh of a rhinoceros has been said to give the greatest satisfaction to them. In the verses following we have, a code of ethics to be scrupulously observed by the performer of śraddha and the invitees thereto. Then we have a very corrupt portion of the manuscript from which we can gather a list of the persons, disqualified for invitation to śraddha. The list includes, inter alia, persons with physical deformities like deafness, blindness, etc. persons suffering from some maladies like leprosy, man of evil character and of

9. This word has several meanings for which see Skt Eng. Dict. by Monier Williams. It may mean rhinoceros or a kind of bird or some other animal. In view of the following word Khaḍga, meaning rhinoceros, the word here appears to mean the bird so called.
reprehensible means of livelihood as usury, medical profession, trade and commerce, attendance upon an idol and subsistence on the offerings made to it (devalaka), manual art or craft (silpa), a degraded man (patita), and son of a remarried widow.

The invitees being Brahmins, we may, by implication, learn that the above means of livelihood were condemned for them alone.

The next chapter, a brief one, gives a list of commodities the sale of which renders a Brahmin liable to expiation. The prohibited articles may be classified as follows:

A. Agricultural products - sesamum, rice.

B. Vegetables - roots and pot herbs.

C. Milk and milk products like condensed milk, ghee.

D. Miscellaneous - molasses, honey, salt, lac-dye, black or crude iron, conch-shells, pearl-oyster, poison, husk, kutapa, water, soma-screw, dyed cloth, silk cloth, leather, liquor.

10. This may mean either kusa grass or a blanket made of the wool of the mountain-goat.
The latter part of this chapter enumerates certain articles of food stuff prohibited for Brahmins. This may be classified as follows:

A. Fish and other aquatic animals—ceta, makara, kusumara, etc.
B. Beasts—Ichneumon.
C. Vegetables—kusumbha, nalika, naltaka, patika.

The sins arising out of the violation of these rules regarding prohibited food are said to be atoned for by the muttering of Gayatri for ten thousand times. In conclusion, the author prescribes pāramatya for the expiation of all other sins for which no purificatory rites are specifically mentioned.

The concluding chapter is full of corruptions so that a complete analysis of its contents is not feasible. We state here only as much as can be made out. For the commission of certain very grave sins like adultery with preceptor's wife, killing of a Brahmana, etc., members of all the castes, excepting a Brahmana, shall have death-penalty. A Brahmana, committing any kind of sin, cannot be killed. The concluding verse of the work makes it incumbent upon a Brahmin, desirous of merit, to read this work with the same care as is necessary for the Vedic study.

11. The relevant portion of the Śrāvaṇa is too corrupted to enable one to read all that is intended by the author.
12. C. F., अपूर्वैः म बर्णानं देश: प्राणान्तिते अवेष्टे ।
13. C. F., तत: तोंस: अग्रं दृष्टा गद्यं प्रविष्टं रचयिते भवेत् ॥

This rule is hard to reconcile with the statement, made in chapter four of the work, to the effect that a Brahmana, with criminal intent, may be killed with impunity. (vide f.n. 5 supra.)
We shall now examine what relationship this work bears with the metrical works attributed to Usanas. A close comparison of this work with the shorter metrical composition reveals that they differ from each other on the following points:

1) While the Sutra work deals with a number of topics, the versified Sutra treats merely of the castes and mixed castes.

2) Some of the mixed castes, mentioned by the metrical work, are wanting in the other one, e.g., Matsyabandhaka, Katakara, Sulika, Taksaka, Manikara, to mention only a few.

3) None of the verses, occurring in the metrical work, is found in the other one.

On these evidences, it can be concluded that the above two works could not have been by the same hand, nor could the one be a version of the other.

The same conclusion is reached by a comparison of the Sutra work with the longer metrical work. Neither are the verses of one found in the other nor do the scopes of the two works agree with each other.

In the Sutra work, at least in the portion of it that can be read, the following authors are mentioned:

Manu, Vasistha, Saunaka, Gautama, Vaivasvata and Harita.

---

14. O. P., अन्तग्रहे प्रवीण सहितृ बहुतिक्रियात्मकम्।
अनुजीतीत च व्रतिक्रियात्मकम्। तथा।

Dharmadatta-samgraha

1927, V. I
The extant Manu-Smrti is believed by scholars to have been composed in the period between 2nd century B.C. and 2nd century A.D.¹⁵. Several verses, contained in the Uśanas-Smrti, can be traced in the present work of Manu. This fact appears to prove that the former was composed after the final redaction of the latter sometime in the above period. It must be borne in mind, however, that the possibility of the extant Manu-Smrti borrowing these verses from the Uśanas-Smrti cannot also be ruled out. Vasistha is placed between 300 and 100 B.C.

Saunaka's date is not yet known.

The probable age of Gautama is between 600 and 400 B.C.

Of the work of Vaivasvata, who may or not be identical with Manu, and his time, we do not know any thing as yet.

The mention of Harita presents some difficulty. At present, we have both a Sutra work and a metrical work ascribed to Harita.¹⁶

The latter has been proved to be much later than the former. Uśanas, however, appears to have referred to the Sutra work.¹⁷ Unfortunately, the date of the Sutra work of Harita has not yet been settled even within wide limits so that no conclusion is possible from this evidence.

From the internal evidences, recorded above, we may conclude that the Uśanas-Smrti is later than the Manu-Smrti in its present form, so that the former may have been composed some time after the 2nd century A.D.

---

¹⁵ For the dates of the authors on Dharma-Sutra and Dharma-Sastra, we have taken P. V. Kane as the authority. See his History of Dharma-Sastra, Vol. I.


¹⁷ See Chap. IV.
The lower limit of the period of the final redaction of the latter.

The existence of a Sutra work on police by Ușanas, is inferred from certain literary references, but the work has not been discovered.

In commentaries on some works on Smṛti as well as in some Smṛti Nikandhas, prose passages from Ușanas are quoted. Some of these passages are traceable in the present work of Ușanas, while others are not; this seems to point to the incomplete nature of the Sutra work that we now have.

18. See Kane, op. cit, pp. 110 – 111.

19. For some such quotations, see F. V. Kane, op. cit, pp. 114 – 115.
Udana-Smrti.

The prose work of Udana exists in the following manuscripts preserved at B.O.R.I., POONAI:
(1) No 644 of Visrambag (1)
(2) No. 191
of A1831-B2

The former is fragmentary and contains two folios only. It has, therefore, been rejected for the present purpose.
The text, presented here, is based upon the latter. Written in Devanagari characters, the M.S. is full of gaps and corrupt readings. It consists of eight folios of which the first one is completely blank. In an attempt to reconstruct the text, the corrupt portions are indicated by dotted lines instead of readings for the entire lines. Here and there a word or syllable has been suggested in ( ), and doubtful portions have been indicated by query marks. The verses have been, wherever possible, traced to their original sources with the variants, if any. Quotations from the text in authoritative Smrti digests and commentaries have been indicated in the footnotes. The quotations have been carefully collated with the text which has been improved upon with the help of the same.

-Budha-Smrti.

-Budha, though not mentioned as one of the traditional writers of Dharma-Sastra, has been cited as an authority in some important Smrti digests and commentaries. We donot

1. For references to citations from Budha, see Kane: History of Dharma Sastra, Vol. I, p. 123.