CHAPTER V

THE DISTINCTIVE FEATURES OF THE TEXT (GENERAL)
INTRODUCTORY:

In this & the next chapter, an attempt is made to study the text, from various standpoints, with a view to enlightening the distinctive features, reflected in it. The treatment would be somewhat critical & comparative.

The present chapter, contains the study of the text, from the following points of view, that constitute the abhūdaya aspect (worldly prosperity) of the twofold purusārtha, mentioned by Devala (2201–2202).

(A) The Distinctive Religious Features.
(B) The Distinctive Social Features.
(C) The Distinctive Sacramental Features Part I.
(D) The Distinctive Sacramental Features Part II.
(E) The Distinctive Sacramental Features Part III.
(F) The Distinctive Ritualistic Features.
(G) The Distinctive Legal Features.
(H) The Distinctive Expiatory Features.

The next chapter would contain the distinctive philosophical features of the text. These are separately studied, as they constitute the niḥsreyāsa aspect (spiritual prosperity) of the purusārtha.
(A) THE DISTINCTIVE RELIGIOUS FEATURES

I. DHARMA

1) CONSTITUENTS OF DHARMA

According to Devala, the ten virtues, namely, (1) sauca (purity), (2) dāna (gift), (3) tapas (austerity), (4) śraddhā (faith), (5) guruseva (serving the venerable), (6) ksama (endurance), (7) dayā (compassion), (8) vijnāna (knowledge), (9) vinaya (decorum), & (10) satya (truth) are the constituents of Dharma (7).

Manu (6.92) also mentions ten virtues that characterize Dharma. Only the four them (namely, sauca, ksama, vijnāna or vidyā (acc.to Manu) & Satya) are common between the two, while other virtues, mentioned by them are different. The other smrtikāras, like Yajñavalkya (I.122), Brhaspati (Samh.489), Visnu (II/16-17), etc. also enumerate some virtues as samanyadharman (dharmas, common to all). Gautama (I/8/23-24) & Atri (33-41) also refer to eight virtues. The six virtues (namely - (1) sauca, (2) dāna, (6) ksama, (7) dayā, (8) vijnāna, & (10) satya), mentioned by Devala are also found in the Yajñavalkya smrti & the five except vijnāna in the Visnu smrti. While only three virtues (namely, sauca, ksama & dayā) are common with Brhaspati, Gautama and Atri (Atri mentions dāna & omits ksama). The other virtues, mentioned by these smṛtis are different. The two virtues, (tapas & śraddhā) mentioned by Devala, are not found in the enumeration of virtues of the above Smrtikāras. While the mention of guruseva (serving the venerable), is found
Though the virtues are mentioned by most of the śrmis, Devala alone describes them as Dharmasamuccayaḥ (the constituents of Dharma), elsewhere they are generally mentioned as 'śamanyadharma' (the Dharmas that are common to all). The comparative study, treated previously indicates that Devala's enumeration of virtues is somewhat near to that of Manu, Yajñavalkya & Visnu. It is also noteworthy that Devala enumerates & also explains most of the virtues (8 to 49). Devala's views about dāna & śauca, can be understood from his treatment of these topics, in the dāna & dravyasuddhi chapters respectively. The explanation of the word 'satya' only is not available.

(2) THE QUINTESSENCE OF DHARMA:

In a single verse (50), Devala declares the quintessence of Dharma that whatever is adverse to oneself, should not be performed in case of others. In other words, one should not be harmful or troublesome to others. Similar views about moral behaviour are found in other śrmis & in the Mahābhārata. The peculiarity of Devala is that he designates this rules as 'the Dharmasarvasva' (the quintessence of Dharma).

The present verse is a very famous one. It is found verbatim as a quotation from 'śmsrti' in the pāñcatantra. The pāñcatantra
is an old work, that had become famous even during the 6th century A.D. The present verse, to be so much popular even during the period of the Panca
tantra, must be of a date, quite earlier than it. This fact reflects upon the antiquity of the present verse & the work of Devala, from which probably the pan
catantra might have borrowed this verse.

3) SOURCES OF DHARMA :

The sources of Dharma are the vedas, vedanga, smritis & Itihasas according to Devala (1 to 6). The vedas are the most ancient authorities on Dharma. The vedanga are also mentioned, as they are helpful in understanding the veda. Gautama (II/3/19) & Yajnavalkya (I.3) explicitly mention vedanga like Devala, among the sources of Dharma. The Itihasas, mentioned among the sources of Dharma by Devala are not generally enumerated likewise in the other smritis. The terms veda & vedanga are properly defined, but the term 'Itihasa' is not explained likewise as referring to some distinct works. It is interpreted as referring to "those works, composed by sages, narrating ancient incidents, leading to the right knowledge". (6)

The term Itihasa is a very ancient one, occurring even in the Atharvaveda, Satathya Brahmana, Taittiriya Aranyak, Chandogya & Brhadaranyak upanisads etc. But the term, referred to in these ancient works has reference to ancient narratives, occurring in the Brahmanas. Kautilya's explanation of the term, indicates his knowledge of the 'definite work', "more or less very like the extant Mahabharata". (6) The Asvalayana G.S. (III.4.4) distinctly
refers to the *Bharata* & the *Mahabharata* (II.5.3) only to the *Mahabharata*. The mention of *Itihasa* & *Purana* in the *Vajñavalkya smrti* (I.101) has reference to the "works distinct from vedic literature". Thus the term *Itihasa* is understood to be referring to the *Mahabharata*, from very early period. But *Devala* does not explicitly mention the *Mahabharata* here, while explaining the term 'Itihasa'.

The word 'Itihasa' is used in plural by the author. Hence it does not stand for a single work like the *Mahabharata*. It cannot be understood as referring to the epics, the *Ramayana* & the *Mahabharata*, as the term *Itihasa* is not in dual form. Moreover, the *Ramayana* has been traditionally admitted to be the best piece of *kavya* & not as an *Itihasa*.

Hence, *Devala* refers most probably to the various, legendary, historical narratives & stories, frequently occurring in the *Mahabharata* & the *Puranas*, with the phrase -

"Atharyudharantimam itihasam puratanam"

4) THE QUALIFICATION FOR DHARMA:

*Devala's View*:

The author maintains that there is no instruction of *purusartha*, in case of lower beings; as they are bereft of Dharma. There is two fold *purusartha*, namely *abhyudaya* (wordly prosperity) & *nihsreyasa* (spiritual uplift), in case of gods & human beings. (2200-2202).
IMPLICATIONS:

The words of Devala reflect upon his views, about the question of qualification for Dharma. The lower beings, (animals, beasts, birds etc.) are not qualified for Dharma. But Gods & human beings are entitled to the same. Hence there is instruction of the two-fold purusartha only to them.

LOWER BEINGS, NOT QUALIFIED:

The author explicitly mentions that animals are bereft of Dharma. In fact, the human beings have impulses for food, sleep, fear & dalliance, that are also found in lower beings. But it is the Dharma, that distinguishes them from beasts. The lower beings, also follow instinctively the physical laws (Dharms), without disturbing the natural order, but they do not possess the knowledge of Dharma.

From the traditional standpoint, the lower beings are incapable for understanding & practising Dharma. It is based upon vedic or scriptural authority (veda or sabdapramanya). The animals do not get any knowledge, from scriptural authority, due to incapability. They have only perceptual & inferential knowledge. On the contrary, human beings, right from the childhood, have to depend upon the words of an authoritative person for knowledge.

Hence, as the human beings are capable of understanding & practising Dharma, prescribed in the veda, they are entitled to it.
GODS ALSO ARE QUALIFIED:

Like human beings, Gods also are qualified for the Dharma, constituting the two fold purusārtha. Sabarāsvāmi (on Mm. S. 6.1.4 & 6.1.5) & Karkācārya (on Kat. S. S. 1.1.4) maintain that only human beings are qualified for Dharma. Gods are not at all entitled to the practice of it. Thus these commentators are opposed to the above view of Devala. While Parthasarathi Misra16 believes like Devala, in the eligibility of Gods for Dharma.

The question of qualification of Gods for the brahmavidyā (spiritual knowledge) is thoroughly discussed in the Brahmāsūtras17. The view of Jaimini is that Gods are not entitled for it. But Badarāyāna & even the commentator Saṅkarācārya accept the eligibility of Gods for spiritual knowledge. It is remarkable that Devala also maintains the view of Gods, being qualified for the second purusārtha, namely nihsreyasa.

5) GRHYAKĀRAS FOLLOW DHARMASĀTRAKĀRAS:

Manu & others are promulgators of Dharmaśāstra & whatever Dharma, they have declared, is prescribed also by the Grhyaśūtrakāras, in conformity with the Mantras of their recensions, according to Devala(3).

Devala, here represents the view that the Dharma, prescribed by the Dharmaśāstrakāras, is followed by the Grhyaśūtrakāras, with the prescription of the Mantras of their recension. Thus according to Devala, Grhyaśūtras follow the dictates of Dharmaśāstra.
The srauta, Grhya & Dharma sūtras are the three main divisions of the kalpa. "In the corpus of the Kalpa sūtras, the Dharmasūtras as a rule follow the Grhyasūtras" states Dr. Ram Gopal\textsuperscript{18}. The Dharmasastras, those of Manu etc. are historically of later period than the Grhyasūtras. Hence Devala's opinion may be explained as referring to some ancient works of the Dharmasūtras of Manu etc., the rules, contained in which, might be re-enjoined by the Grhyasūtras, in accordance with the Mantras of their recension. But on the whole, the statement of Devala, seems to be somewhat curious.

II - GURU:

MALE & FEMALE MEMBERS, WORTHY OF RESPECT, AS 'GURU':

Generally, father, mother & preceptor, these three are understood to be the most venerable persons and are called as 'guru'. All elderly persons are also honourable, but Devala especially describes eleven elderly male persons & eight female persons to be respectable as 'guru'. (1) Preceptor, (2) father, (3) eldest brother, (4) king, (5) maternal uncle, (6) father-in-law, (7) protector, (8) mother's father & (9) grand father, (10) eldest among the castes (the Brahmana) & (11) uncle - these are the eleven male persons, who are designated as 'guru'. While - (1) mother, (2) mother's mother, (3) wife of the preceptor, (4) sister of father & (5) that of mother, (6) mother-in-law, (7) grand-mother, (8) eldest foster mother, - these eight female members are also enumerated as 'guru' (10-11).
Later on, the author, further adds that father, mother, preceptor, elder brother & sustainer (bhārata-king, master or husband) are also gurus i.e. worthy of respect. The first three among them are more venerable, while the mother is the most honourable among them. (18 to 20). Like Devala, the Mahābhārata (Vana.214.27) also mentions five gurus. However, they are father, mother, fire, self & preceptor.

Thus the treatment of the above topic also displays the peculiarity of Devala. A similar kind of exposition in almost identical words is also to be found in the Ausanas - smṛti (I.26 to 42) & the Kurma purāṇa (12/20 to 42). But it is difficult to decide, who is the borrower. All of them might have taken from a third common source or from the floating material.
REFERENCES

1) Dhṛtih ksāma damśteyam 'sauca'mindriyanigrahah /
Dhīrvidyā satyama-krodho dasakam Dharmalaksanam //
- Manu.S. 6/92

Ahīṃsā satyamasteyam 'sauca'mindriyanigrahah /
Etam sāmasikam dharmam cāturvarṇya 'bravinmanuh //
- Manu.S.X/63

2) Ahīṃsā satyamasteyam 'sauca'mindriyanigrahah /
Dānam dayā damah ksāntih sarvesām dharmasādhanaṃ //
- Yaj.S.I/122

Satyamasteyamakrodho hṛīḥ saucam dhīrdhrtirdamah /
Saṁyatendriyātā vidyā dharmah sārva udāhrtah //
- Yaj.S.III/66

Dayā ksāma'ṇusuyā ca saucanāyasamaḥgalam /
Akārpanyamasprhatvam sarvasādhāranāni tu //
- B.S. 4/489

Ksāma satyam damah 'sauca'm dānamindriyasāmyamah /
ahīṃsā gurususṛṣa tīrthanusaranam dayā //
Ārjavatavamalobhaṣca devabrāhmanapūjanam /
anabhyasūya ca tathā dharmah sāmanya ucyate //
- Vsn.S.II/16-17

3) Athaśtāvātmatmagunah / Dayā sarvabhūteṣu ksāntiraṇasūya
Saucamanāyāso mahgalamakārpanyamasprheti //
- GDS. I/8/23-24
Saucamahgalanayanasa anasuyasprha damah /
Laksanani ca viprasya tatha danam dayapi ca //

- Atri.S.33

(Atri.S. verses 34-41 explain the above virtues)

4) Nasramah karanam dharme kriyamano bhaveddhi sah /
ato yadatmano'pathayam parasya na tadacaret //

- Yaj.S.III.65

Yathaivatma parastadvad drastavyah sukhamiechatat
sukhaduhkhani tulyan yathatmani tathapare //

- Daksा.S.III.20

Matrvat paradaramsca paradravyanilosthavat /
atmavat sarvabhuhatani yah pasyati sa pasyati //

- Ap.S.X.11

Yadanyairvihitam necchedatmanah karma purushah /
na tatparesu kurvita janannapriyamatmanah //

- Mbh.Santi.259.20(Cr.ed.12/251/13)

Sarvam priyabhupagatam dharmam prahurmanisinah /

- Mbh.Santi.259.25(Cr.ed.12/251/24)

Na tatparesya sandadhyat pratikutam yadatmanah /
esa sankshepato dharmah kamadanyah pravartate/
pratyakhyanena daane ca sukhadukhe priyapriye /
atmaupamyena purusah pramanamadhiacchati //

- Mbh.Anu.113.8-9(Cr.ed.13/114/8-9)
5) Catakamarjārjyoh - Pañcatantra, 3.3


7) Tasya ca vyavahāro vedo dharmāstrastranyahganyupavedāh purānam -
   - G.D.S. II/2/19

   Purānanyayamimāṃsādharmastrastrāṅgāmisritān /
   vedāh sthanāni vidyānām dharmasya ca caturdasa //
   - Yaj.S.I.3


9) Purānimitivṛttamākhyāyikodharaṇam dharmāsāstraṃmarthaśastraṃ


11) Pailasūtrabhāṣayabhāratamahabhāratadharmacārya.....
   - Asva.G.S.III.4.4.
   Kau.G.S.II.5.3 is similar, but omits 'Bharata' 

12) Vedātharvapuraṇāni setihasāni śaktitān /
    japayajnaprasiddhyartham vidyām cādhyatmikīm japet //

14) \( \text{Ahāranidrābhayamaithum} \) ca \( \text{sāmānyam etat pasubhirnaranām} / \) dharmo hi tesāmadhiko vīsesah dharmena hīnāh pasubhī samānāh //

15) Phalarthatvat karmanah sāstram sarvādhikāram syāt / karturvā śrutiśāmyogat vidhiḥ kārtṣnyena gāmyate //
- MM.S.6/I.4-5

Na caitadasti.....tiryagādīnāmapi adhikārah.....iti.....
na devānām, devatāntarābhavāt / .....na rśīnām ārseyantarābhavāt //
- Sabarāswāmi on MM.S.6/I.5

Sarvesāmavisesāt / Manusyaṇām vā' rambhāsāmarthyāt //
- Kāt.S.S.Í/I/3-4.

......Na sarvesāmadhikāre, manusya eva karmasvadhikriyante /
Tu eva hi yathaśrutam karmārdhum saṃarthā, na devādayah /
Devastavādaptakāmāh / Na ca tesāmavāptavyamasti, yadyaśādibhi-
ravāpyate/ Na ca devādīnāmānya devāh santi yān yajeran /
Rśīnāmarṣeyābhavādanadhikārah / Raksahpiśācanāmasucītvāt /
Gavādināmasannacetanātvāt / Vidyaśūnyatvāccha / .....Tasmā-

16) Editor’s footnote, Sabarabhāṣya on MM.S.6/1/5.
Cf.also Prof. Jha, Ganganatha – Purvaīmāṇḍava in its sources, p.307.

Bhāvam tu Badarāyana'ṣti hi / Bh.S.Í/3/33.
Upapanno devādīnāmapi brahmavidyāyamadhikārah /
- Bh.S.S.Í/3.33.

19) Pañcaite guravo brahman puruṣasya bubhūṣataḥ /

\[
\text{Pita \ mātagniratma ca gurusca dvijasattama} //
\]

- *Mbh. Vana. 214/27 (Cr. ed. 3/204/26)*)
B. THE DISTINCTIVE SOCIAL FEATURES

VARNAJÄTIVIVEKA :

1) DUTIES OF BRAHMANA - THE PERFORMANCE OF KÄMYA & NAIMITTIKA SACRIFICES :

The author mentions & explains the prominent duties of the Brahmansas (60-63). They are adhyayana (learning), adhyapana (teaching), vajana (performing sacrifices), vajana (officiating at the sacrifices). While explaining the term Yajana, he mentions that it constitutes the performance of the sacrifices, that are kāmya (voluntary) & naimittika (periodical). Thus according to Devala, the sacrifices are not nitya or compulsory.

"The Trikandamandana (I.6-7) refers to the two views that adhāna (kindling of śrauta fires) is nitya (obligatory) & the other view (discussed by Baudhāyana) that it is merely kāmya (to be performed only if one desires the fulfilment of certain objects". Thus there are two views, regarding sacrifices, (1) that they are nitya (obligatory), (2) that they are kāmya (voluntary). Katyāyana² (Kat.Śś1/2/10-13) has properly put forth these two views, regarding sacrifices. The commentator karkācārya has explained them by quoting two kinds of vedic injunctions, suggesting the compulsory & voluntary character of sacrifices. Thus according to Katyāyana, the sacrifices like Agnihotra, Dharṣapūrnamāsa etc. are nitya or compulsory. Even the Bhagavadgītā (18/3-7)²A discusses
this point about sacrifices & maintains them to be nitya. Some
smrtis³ include the 7 pakayajña, the 7 havirayajña & 7 somayajña
sähasthas, among sacraments & thus suggest them to be compulsory.
Saṅkarācārya⁴ has discussed these two views, regarding sacrifices,
like Agnihotra etc., being nitya (compulsory) & kāmya (voluntary).
He maintains, like the sūtrakāra, Badarāyana that they are compulsory
& helpful in obtaining salvation, when performed without the desire
for fruit.

But Devala, as mentioned previously, supports the view of
sacrifices, being kāmya (voluntary) & not nitya (compulsory).
Thus according to Devala, the sacrifices can be useful in getting
worldly prosperity, but like the sāṁkhyaśas, he seems to maintain
that the sacrifices would be of no use for niḥsreyasa (spiritual
uplift). Thus Saṅkarācārya maintains the performance of sacrifices
to be compulsory even for the spiritual knowledge. While according
to Devala, following the sāṁkhya doctrine⁵, the sacrifices are meant
only for the worldly purposes & are not necessary to be practised
by the aspirant for liberation. This is an important distinction
between Saṅkarācārya & the sāṁkhya follower like Devala etc. For
this reason only, it seems that Saṅkarācārya expressed his dissent
for Devala's inclination towards the sāṁkhya doctrine, in the
commentary on the Brahma-sūtras⁶.

2) STATUS OF SŪDRA:

The smṛtis⁷ generally mention the serving of the three varnas
to be the primary duty of the sūdra. The other occupations of arts
& crafts could be followed by him only as an optional duty, if
he is unable to follow his primary duty or only at the time of distress. But the duties of the sudra, mentioned by Devala, reflect upon his improved social status. According to Devala, it seems that the sudra could follow, even during ordinary course, the occupations like agriculture, cattle-rearing, selling of commodities, dancing, singing etc., which are common to the vaisya. He is also allowed to play upon the musical instruments like flute, lute, drums, taber etc. (94-99).

But yet, it is remarkable that the duty of the vaisya, according to Devala is to make others to carry loads (bharodvahana), while that of the sudra is to carry loads (bharodvahana). This distinction reflects upon the sense of slavery, associated with the duties of sudra.

(3) NUMBER OF ANULOMAS:

Devala explicitly mentions that the anulomas are four in number. They are savarna, ambastha, parasava (or Nisada) & ugra (53-54) (Cf. Arthasastra, III.7.21-25). Manu (10/6-10) & Yajñavalkya (I.91-92) mention them to be six in number. Manu explains only three of them viz. Ambastha, Nisada (or Parasava) & Ugra; while the other three are not given specific names. Yajñavalkya names these six anulomas as Murdhavasikta, Ambastha, Nisada (or Parasava) Mahisya, Ugra & Karana. Gautama (1/4/14) also mentions six anulomas. Their names, given by him, are - Savarna, Ambastha, Ugra, Nisada, Dausmantha & Parasava. Thus there is difference in the names of some anulomas.
But Devala mentions anulomas to be four. The other Smrtikaras like Manu, Yajnavalkya, Gautama mention them to be six as mentioned previously. In fact, there can be six anulomas – viz. 3 by the Brähmana in 3 lower varnas, 2 by the Kṣatriya in two lower varnas, one by the Vaisya in the śudra woman. But Devala’s mention of four only is also proper, because the off-spring by the union of higher Varna male, with the next lower varna woman, is called Savarna. Hence three of them become Savarna & the remaining three are given specific names (298-300). This treatment of Devala is identical with that of Kautilya (III.7.21-25).

4) ANULOMASĀVARNYA:

There are three views regarding the status of the progeny, born from the anuloma marriages of the higher Varna male with the woman of the next lower Varna. (I) One view, as maintained by Manu (X.6) is that the status of the child is lower than that of the father, but higher than that of the mother. The child becomes similar to its father, but not of the same Varna. (II) The second view is that the progeny is equal in its status to its father. Cf. Kautilya III.7.21 Narada (strī.) 106. (III) The third view is that the offspring belongs to the Varna of his mother. (Vṣn.S.16/2).

Thus pitṛsādarśatva, pitṛsāvarṇya & mātrāvarṇya – these three views are found about anulomāvarṇya. Devala follows the view of the mātrāvarṇya in case of śudra, when he states that the son born of a śudra woman by the Vaisya male is called śudra only. While in case of the other two savārṇas – he seems to follow the view of pitṛsāvarṇya. This is quite identical with
Kautilya (III.7.21-25).

5) **ANTARALAS EXPLICITLY MENTIONED:**

After enumerating the varnas, anulomas & pratilomas, Devala also enumerates the six antaralas. They are - kūkūkūta, pūlkaśa, vena, kusilava, bandī, svapaka. These are also, later on, explained in the text. (Cf. Arthaśāstra, III.7.33-37).

The term 'antarāla' occurs in the Manusmṛti. But antaralas are not specifically mentioned & enumerated in the Manusmṛti. The Yājñavalkya smṛti also does not explain or mention the term antarāla. The treatment of antaralas, as found in the present text, is rarely to be found elsewhere. Even Mm.P.V.Kane, also has not treated the topic of antaralas separately like the Manu & Yājñavalkya smṛtis, he only discusses the anulomas & the pratilomas & includes antaralas therein, without specific distinction.

However antaralas are mentioned & explained in the Arthaśāstra of Kautilya (III.7.33-37). The treatment of Kautilya is almost identical with that of Devala.

6) **STATUS OF SEVERAL CASTES:**

The author declares in one verse, the status of persons, born from different marriages. Those that are born from savarna relations are the best, lower in status than savarnas are those produced from anuloma marriages, while antaralas are beyond the system of four varnas & those from pratiloma marriages are patita (fallen or degraded).
7) **DUTIES OF CĀNDĀLA ALSO TREATED** :

It is noteworthy that the author also deals with the duties of the cāndāla. This kind of tolerable & sympathetic treatment of the topic is not generally found in the prominent smṛtis like Manu, Yājñavalkya etc. The mention of the duties of cāndāla indicates that like other civilized people, he also has to follow certain code of conduct, as prescribed in the text, though he was generally treated as equal to crow & dog etc., excluded from all relations. Yet the duties of cāndāla reflect upon his social status - however low it might be.
### TABLE NO. 3

**VARNAJITIVIVEKA**

A table, showing varnas etc. mentioned & named in the text, (Chapter II of *adhyāya I*) is given below:

<table>
<thead>
<tr>
<th>Male Varnas</th>
<th>Female Varnas</th>
<th>Offspring</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Bhāhmana</td>
<td>Brāhmaṇa</td>
<td>Brāhmaṇa</td>
</tr>
<tr>
<td>2) Ksatriya</td>
<td>Ksatriya</td>
<td>Ksatriya</td>
</tr>
<tr>
<td>3) Vaisya</td>
<td>Vaisya</td>
<td>Vaisya</td>
</tr>
<tr>
<td>4) Sudra</td>
<td>Sudra</td>
<td>Sudra</td>
</tr>
</tbody>
</table>

**Anulomas savarnas**

<table>
<thead>
<tr>
<th>Male Varnas</th>
<th>Female Varnas</th>
<th>Offspring</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Brāhmaṇa</td>
<td>Ksatriya</td>
<td>Brāhmaṇa</td>
</tr>
<tr>
<td>2) Ksatriya</td>
<td>Vaisya</td>
<td>Ksatriya</td>
</tr>
<tr>
<td>3) Vaisya</td>
<td>Sudra</td>
<td>Sudra or Karāna</td>
</tr>
</tbody>
</table>

**Anulomas (contd.)**

<table>
<thead>
<tr>
<th>Male Varnas</th>
<th>Female Varnas</th>
<th>Offspring</th>
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<tbody>
<tr>
<td>1) Brāhmaṇa</td>
<td>Vaisya</td>
<td>Ambastha</td>
</tr>
<tr>
<td>2) Brāhmaṇa</td>
<td>Sudra</td>
<td>Parasava or Ugrā Nīṣāda</td>
</tr>
<tr>
<td>3) Ksatriya</td>
<td>Sudra</td>
<td></td>
</tr>
</tbody>
</table>

**Pratilomas**

<table>
<thead>
<tr>
<th>Male Varnas</th>
<th>Female Varnas</th>
<th>Offspring</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Sudra</td>
<td>Vaisya</td>
<td>Ayogava</td>
</tr>
<tr>
<td>2) Sudra</td>
<td>Ksatriya</td>
<td>Kṣattā or Mainda Candāla</td>
</tr>
<tr>
<td>3) Sudra</td>
<td>Brāhmaṇa</td>
<td></td>
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<tr>
<td>4) Vaisya</td>
<td>Ksatriya</td>
<td>Magadha or Mucaka</td>
</tr>
<tr>
<td>5) Vaisya</td>
<td>Brāhmaṇa</td>
<td>Vaidehaka</td>
</tr>
<tr>
<td>6) Ksatriya</td>
<td>Brāhmaṇa</td>
<td>Sūta</td>
</tr>
</tbody>
</table>
The author mentions various articles that are necessary for the vedic study of the brahmacari. The mention of aksamāla, among them is significant. The words of the text suggest that it is quite essential for the brahmacari. The word 'aksamala' is to be construed with the term 'dhānam', occurring at the end of the compound. Thus it would mean actually 'holding or wearing the aksamāla'. But wearing of garlands is always prohibited by smrtis including the present text. However, according to Devala, aksamāla was at least indispensible for the vedic study of the brahmacari. But such a rule is not generally found elsewhere.

Aksamāla means 'a rosary, string of beads' (Akaradiksakarantah aksah tatkrta tatpratinidhibhuta va malā). It is made of rudrakṣa seeds, corals, crystals, rubies, gems etc. Devala has not specifically mentioned the material utilized for the aksamāla, in the present context. But it must be of rudrakṣa seeds in
the present case. Moreover, the word aksamāla is generally used for the rosary of rudrakṣa seeds & not for garlands of other materials. Under the influence of tantras, the deities are described to have aksamāla on their hands. In short, Devalā's reference to aksamāla indicates the saivite & tantric influence on the present text.

2) HAIR ON THE HEAD OF THE BRAHMACĀRĪ:

There are three different views regarding the hair on the head of the brahmacārī. The question here arises - whether he should allow them to grow as matted or should shave them? There are three alternatives (1) keeping of hair & allowing them to grow as matted. (2) keeping a tuft of hair on the head & shaving the remaining head. (3) shaving the entire head.

Manu19(2.219) & Gautama (I/1/26) mention & allow any of the above three alternatives to be followed by the brahmacārī. The Āpastamba D.S.20 (I.I.2.31-32) & Vasistha D.S. (VII.11) allow only first & second alternatives. While the Viṣṇu D.S. (28)21 allows the first & third alternatives only. The Kathaka G.S. (I.3) describes the brahmacārī as saṃhatakesāḥ (with matted hair).

The rule, mentioned in the text is remarkable. There should not be disappearance of the hair on the head & beard & of nails. This indicates that the brahmacārī should not shave his head & beard. The nails also are not to be cut by him. The term 'aluṭa' mentioned in the text may suggest that 'jaṭilatva' (keeping matted hair) is also not intended by the author. Otherwise, the author himself would have used that term. It may be understood that
3) ANADHYAYA:

Several days & occasions are mentioned in the text, when there is suspension of vedic study. (anadhyaya). The observance of anadhyaya, on two dvadasis (twelfth lunar days) that follow the sleeping & waking days of Vishnu, is remarkable. The twelfth lunar day of both fortnights is not generally prohibited for vedic study, but Devala here declares two special holidays on the 12th lunar day of the bright fortnight of asadha & that of kartika months. The Naradiya Purana (quoted in the S.C.1.58) mentions anadhyaya not on the above twelfth days but on the both eleventh lunar days (ekadasis), when the lord Vishnu goes to sleep & is awake.

The above reference clearly indicates the Pauranic & Vaisnavite influence on this portion of the text. These anadhyayas must have developed, when the mythological stories of the Puranas & the Vratas mentioned therein, had become popular in the society.

II. DIVISION OF GRHASHTHAS - YAYAVARA & SALINA:

The author classifies the householders in two varieties, namely Yayavara & salina. The former is superior to the latter, because he does not accumulate wealth by officiating at a sacrifice, by teaching or by accepting gifts. While salina is engaged in all the six kinds of activities (viz. vaJana, vaJana, adhyayana, adhyapana, dana & pratigraha). He is following the mode of life of the ordinary person & possesses servants, cattle, wealth, grain
& is having house & living at a fixed place. Thus the mode of life, followed by each of them is different.

The Baudhayana D.S.\(^2\) (III/1/1&3) also mentions these two varieties of the householders & adds one more to them, viz. that of cakracara. Harita\(^2\) (quot.in G.R.P.415 & 419) also mentions the two varieties of salina & vayavara & explains them. The vaikhānasa D.S.\(^2\) (I.5) divides the householder in four varieties - namely - vartavṛtti, salinavṛtti, vayavara, ghoračārika. The vayavara is devoted to all the six kinds of activities of adhyāyana etc. according to vaikhānasa, while Devala declares salina to be of this kind & vayavara does not indulge in the three activities, of adhvāpana, vajana & pratigraha. The last variety, namely - ghoračārika mentioned by vaikhānasa, is similar in his activities to the vayavara in the present text.

III. Sannyāsa :

1) BRAHMAYĀDĪ - A SIGNIFICANT EPIPHANY OF SĀNYASI :

One of the important & significant qualities, mentioned by Devala about an ascetic is that he should be 'brahmavādī'. The word can be interpreted as (1) one who teaches or expounds veda or (2) one who follows (lit.preaches) the doctrine of Brahma mentioned in the Upanisads. This second interpretation suits the context better. The ascetic should be the knower & preacher of the Brahma, the ultimate reality. This reflects upon the Upanisadic influence on Devala & his admittance of the ultimate reality, the Brahma. Thus though he, himself, has dealt with the sānkhya-yoga doctrines
in the text, he also believed in the doctrine of Brahman, propounded in the Upanisads. He is an expounder of śākhya & yet is brahmavādi. This point will be dealt with in detail later on in the portion of philosophical features.

2) STAYING AT ONE PLACE, DURING RAINY SEASON:

The śānyāsi should not stay at one place, except during the period of rainy season. Acc. to Devala, rainy season is for four months, starting from the month of Īśāna. The author, further, seems to indicate that there are only three seasons in reality. After the rainy season, the next season that follows is the hemanta, which includes in itself also the Āsir (winter). The third season is the grīma, which also includes in itself, the vasanta (spring). While the sarad has entered the rainy season. Thus Īrā, hemanta & grīma, these three seasons are the prominent among them.

There are two methods of reckoning months. (1) Paurnimānta
Method - According to this method, the month begins from the pratipat (first lunar day) of the dark fortnight & ends on the full-moon day of the bright half of the month. This method is evennow prevalent in the Northwest of India. For certain religious customs & observances, this method is still prevalent throughout India & is recorded even in the Modern digests on Dharmaśāstra like Dharmaśindhu. For example the completion of religious bath during the months of Vaiṣākha, Kārtika, Māgha etc. (i.e.Vaiṣākhaśa- nāgāmāpti & so on). Similarly the festivals like Vasantotsava.
Gurupūrṇima etc. are also based upon this method of months, ending on Paurnima.

(2) Amanta Method - According to this method, the months start from the pratipat (the first lunar day) of the bright fortnight & end on the last, amāvasya day of the dark fortnight. This method is prevalent in the southern India.

Hence according to the second method, the month of āsadhā will start from the pratipat of the bright fortnight & will end on the amāvasya day of the dark fortnight. While in accordance with, the first method, the month of āsadhā will begin not from the pratipat of the bright fortnight, but from the pratipat, after the fullmoon day of the previous month viz. the īvēṣṭha month & the āsadhā will end on the full moon day i.e. on the gurupūrṇima day & from the next day i.e. on the pratipad of the dark fortnight of the month, the month of śrāvana will begin.

From this standpoint of reckoning months, ending on Paurnima, the prescription of Devala, that the ascetic should stay at one place, during rainy season, starting from the month of śrāvana, is quite in conformity with the usual customs, because the ascetics perform the worship of Vyāsa etc. on the day of gurupūrṇima & there-after stay at one place, preaching dharma, to the masses, during those days of rainy season, when the external activities and travelling remain suspended due to rain.

As mentioned previously (Pt. III, Ch. II), this reference is important for determining the home of Devala. The method
of reckoning months, ending on full-moon day is still prevalent in the North-West of India. It has been prevalent in that area from very ancient period. Mr. P. V. Kane notes "that the months in North-West India were purnimanta in the Kharosthi records, drawn up in Kaniska's era...."\(^{29}\). This evidence indicates Devala to be belonging to the North-West of India.

3) SAMNYASA & AGNIHOTRA IN KALI AGE:

Devala is of the opinion that the samnyasa & the agnihotra can be practised or resorted to even in the kali age, as long as the distinctions of castes are maintained & the study of vedas continues. But Vyasa\(^{28}\) (quot. in C.M.S. p. 55) forbids samnyasa to be resorted, after the lapse of 4400 years of kali age.
REFERENCES


2) Phalayuktanamarambhe yathākāmī phalarthīvat /
Na niyamanimittagnihotradarpurnamāsadhaksāyanagravanapadasusupravṛtteḥ / Some caīke / Caturmāsyesu caturmukhāsruteḥ /

Agnihotre'pi na yathākāmyam / 'Yavajjīvamagnihotram juhuyāt' 
itī śruyate / Nanu ca 'agnihotram juhuyāt svargakāmā'īti ca/....
- Karkabhāṣya on Kat.S.S.I/2/11

2A) Tyājyam dosavadyeke karma prāhurmanīsinah /
Yajñadānatopahkarma na tyājyamīti cāpore //

....................
Yajñadānatapahkarma na tyājyam kāryameva tat /

....................
Etānyapī tu karmāni saṅgam tyaktā phalāni ca /
Kartavyānīti me pārthā niscitam matamuttamam //
- Bh.G.I/8/3-7.

Cf.also Bh.G.VI.3.

3) Gautama (I/8/14-22), saṅkha, Yama, Vaikhānasā etc. cf. The 
sacramental features, part III, p.735 of the present chapter, 
for details.

......Sresthatamaya karmane... Cf.V.S.I.1.
Yajñō vai sresthatamam karma / satapatha-Brāhmaṇa (I/7/1/5).
4) Agnihotradi tu tatkaryayaiva taddarsanat /
Ato'nyapi hyekesamabhayoh / Yadeva vidyayeti /

- Bh.S. (4/1/16-18)

Yannityam karma vaidikamagnihotradi tattatkaryayaiva bhavati /
- Bh.S.S., 4/1/16.

Ato'gnihotrādernityatvatkarmano'nyasyapi hyasti Sādhukṛtya,
Ya phalamabhisandhāya kriyate /
- Bh.S.S. 4/1/17.

.....Nityamagnihotrādikam karma mumuksunā moksaprayojanoddesena
Kṛtamupāttaduritaksayahhetutadvārena sattvasuddhikāraṇataṃ
pratipadyāmannam moksaprayojana-brhamādhimagamanimittatvena
brahmavidyā sahaikakāryam bhavatīti /
- Bh.S.S.4/1/18.

5) Drstavadānasravikāh sa hyasuddhikṣayātisaya yuktah /
tadviparitāh sreyān vyakteyaktajñāvijñānāt //
- Saḥ. Kā.2

6) Devalaprabhrtibhisca kaiscidharmasūtrakāraih svagranthesvasritah
tenā tatpratisedhe yatnoitīva krto nānvādikāraṇavādadapratisedhe /

7) Ekameva tu südrasya prabhuh karma samādisat /
Etesameva varṇānām susrūṣāmanasasyayā //
- Manu.S. I/91.
Paricaryātmakam karma śudrasyāpi svabhāvavajam /
- Bh.G., 18.44.

Asaknuvāḥstu sūsrasām śudrah kartum dvijammanām /
Putradāratayam prāpto jīvetkarukakarmabhīh //
Yaīh karmabhīh pracaratīh sūsrusante dvijātayah /
 tāni karukakarmāṇiśilpāṇi vividhāni ca //

Śudrasya dvijāsūsrusā tayā jīvan vanik bhavet /
Silpairva vividhairjīved dvijātihitaṁacaraṇa //
- Yaś. S. I. 120.

Śudrasya dvijāsūsrusā sarvasilpāṇi cāpyatha /
- Śaṅkha.S. I. 5

Vāniyam pāsupālyam ca tathā silpopajīvanam /
Śudrasyāpi vidhiyante yadā vṛttirna jāyate //
- Mbh. Sānti. 294/4(Cr.ed.12/283/3)

8) Viprasya trisu varnesu nrpatervarnayordvayoḥ /
vaisyasya varne caikasmin sadetepasadāh smrtāḥ //
- Manu.S. X/10.

Viprānmūrdhābhīṣikto hi ksatriyānām visah striyām /
ambasthāh śudryām nisādo jātah pārasavo'pi vā //
Vaisyāśudrayostu rājayāmāhisyograu sutau smrtau /
vaisyāttu karanaḥ śudryāṃ vinnāśvesa vidhīḥ smrtaḥ //
- Yaś. S. 1/ 92-93.
9) Anulomanantaraikantaradvyanantarasa jatah savarnambasthograniṣada-
     dausmantaparasavah //

10) Brahmansatsatriyayoranantarā putrah savarnā ekāntara aśavarnāh/
     Brahmanasya vaisayāmambasthah /
     Sudrayam nisādah / Parāsavo va / Ksatriyasya sudrāyāmugrah /
     Sudra eva vaisyasya //


12) Strīsvanantarajatasa dvijairutpaditān suṭān /
     sadṛṣān eva tānāhurmatrdosavigarhitān //

13) Arth. S. III/7/21, Cf. N. 10 above.
     Savarnā brahmāṇiputraḥ ksatriyāyamanantarāḥ /
     - Narada S. (strī.) 106.

14) Anulomāsa mātrvarṇāh /
     - Vśn. S. 16/2.

15) Varnānām sāntarālānām sa sadācāra ucyate /
     - Manu. S. II/18

16) Ugranaisādyāṃ kukkutah / Viparyaye pulkasah /
     Vaidehiḥ kavīmambasthād vainah / Viparyaye kusīlavah /
     Ksattāyāmugraochvapaka ityete cāntarālāḥ /
17) R.T., Sr. no. 1082.

18) Varjayen madhu māhāsam ca gandham mālyam rāsan striyah /
- Manu.S.II/177.
Cf.R.T., Sr. no. 121.

19) Mundo vā jatilo vā syādathāvā syācchikhājatah /

20) Jatilah sikhājata vā / Vāpayeditarān / 
Jatilah sikhājata vā / 
- V.D.S.VII/II.

21) Brahmacarīna mundena jatelena vā bhāvyam / 
- Vsn.S.(28/41).

22) Amāvāsyacaturdasyoh paunamāsyastakāsu ca / 
amāvāṣya gurum hanti sisyam hanti caturdasi // 
Brahmāstakapauṇāmāsyau taṃśattāh parivrajet // 
Paṇcadasyaṃ caturdasyāmastamyam rāhusūtake // 
- Yaś.I/146.

23) Ayane visuve caiva śayane bodhane hareḥ / 
anandhyayastu kartavyo manvādisu yugādisu // 
- Naradiya purāna - S.C.I,p.58.
24) Atha śalīnayāyāvaracakraśaradharmaśakhaṁinaṁ / 
Śalāśrayatvačchālīnaṁ / Vṛtya varayātīti 
Yayavaratvam / Anukramacaranaacakraśaratvam //
- BVS. III/1/1 & 3.

25) Dvividhamapi grhaśtham prāhun śalīnām yayāvaram ca / 
śalīnaḥ panyataraḥ yayāvaraḥ sreyan //......
Sarvasvavasthasu bahvosya sālī iti śalīnāḥ śalāvaniti 
va śalīnāḥ śalayāmātmavṛttiḥbhirlināḥ śalīnaḥ / ..... 
śalīnādātmavṛttiyapanuḥ vara iti yayāvarah / 
Dāsa dāsa rātrīrvasan yātīti yayāvarah / 
Parāsvastasuvṛtīsvatmanam yāpayatīti yayāvarah /...... 
- Harīta quot. in G.R., p.415 & 419

26) Gṛhausthacaturvīdhāḥ vartāvruttih śalīnavṛttirvayaavyavarghoracarakikas- 
ceti / Yayavaro haviryajñaḥ somayajñaisca yajate yajayatya- 
dhīte'dhyāpayati dadāti pratigrhnati satkarmanirato..... 
Ghoracariko niyamairuykto yajate na yajayatyadhīte nādhyāpayati 
dadāti na pratigrhnati..../


28) Catvāryabdasahastrāṇi catvāryabdasatāni ca / 
kaleryādā gamisyanti tada tretā parīgrahah/
Sahmyāsastu na kartavyo brāhmaṇena viṣṇunā //
- Vyāsa quoted in C.M.S.,p.55.
C. THE DISTINCTIVE SACRAMENTAL FEATURES: PART-I

1) IMPORTANCE OF SAMSKRAS:

The text contains a fine simile, emphasizing the importance of the samskaras (329). Just as a work of painting is gradually unfolded by the various colours, used for its painting, the status of a brahmana is also similarly brought out or manifested by the numerous samskaras, performed in the prescribed manner (329). Parasara (VIII.2.6) is identical with the above verse of Devala. The term 'brahmanya' may be taken as an illustration or it might have been used to emphasize the importance of samskaras, in case of brahmana, who is the spiritual teacher & promulgator of Dharma for all varnas.

2) FOURTH NIGHT ALLOWED FOR COHABITATION:

There is difference of opinion, regarding the fourth night after menstrual flow, to be allowed for cohabitation (garbhadhana). Manu (3.47)¹ & Yajñavalkya (I.79) explicitly prohibit the first four nights after menstrual flow for conception. The Laghu-Asvalayana smrti (III.1)² also enjoins it to be performed only after the fourth day. But Devala like Āpastamba G.S. (III.IX.1), Harīta (quoted in S.C., I.p.15)³ explicitly allows the fourth night for conception (garbhadhana) (332/345).

The above peculiar view of Devala is quoted by Renukācārya in his dated work, namely, Āraskaragṛhyakārikā (an unpublished work, Manuscript of which is available in Oriental Institute of Baroda, Acc.No.12092) of 1266 A.D. This fact, indicates not only the
authenticity of the text, but also antiquity of the verses of Devala to the period of the said work. Thus the verses, even from the pryāścitta section of Hemādri must be presumed to be earlier than 12th century A.D.

3) **GARBHĀDHĀNA & SIMANTONNAYAYA SACRAMENTS TO BE PERFORMED ONLY ONCE & NOT AT EACH CONCEPTION:**

There are two views, regarding the performance of the garbhadhāna sacrament. Some regard it to be the sacrament of the child to be born & hence it is to be repeated at each conception. While others maintain it to be the sacrament of the lady. It is, therefore, not to be repeated at each conception when it is once performed, it will sanctify all the subsequent children to be born.

Dr. Raj Bali Pandey, rightly observes, "logically speaking, the garbhadhāna was a garbhasaṃskāra in the beginning & the second school represents the tendency of simplifying & omitting the saṃskāras & certainly is of later origin".

And Devala believes in the second view, that garbhādhāna is not to be repeated at each conception, but it is to be performed only once at the first occasion. (336,337). The portion of the present text, representing this view is definitely later than the sutra period. But it is noteworthy that the latter view, represented by Devala, has become very popular in the subsequent period & even some Nibandhas like the S.C., the S.T. etc. follow the same view.
The same problem, as discussed previously arises in case of the śimantonnayana sacrament. "Āpastamba, Baudhāyana, Bārdravāja & Paraskara expressly say that this sāṃskāra is to be performed only once at the first conception". Most of the commentators & digest-writers follow the same view. Devala(351) also definitely maintains this view. But there is a tradition, represented by Visnu, that some hold it to be the sacrament of the garbha (the child to be born) & should be repeated at each conception.

4) POLYGAMY - WHICH WIFE IS TO BE APPROACHED FIRST?

The polygamy was quite common in ancient India & was prevalent during the period of the present text. When there are many wives, the question naturally arises about the priority or preference to be given to a wife for cohabitation. Devala (347) represents three alternatives here. (1) that the wives should be approached, according to the caste-status; or (2) the wife, without any male issue is to be given preference or (3) the preference should be given in accordance with their seniority - the order of their marriage. Kautilya (3.2.54) also has considered this point. He mentions two alternatives. Like Devala, he also mentions the order of marriage, as one of the options. While he refers to another option of giving preference to the wife, having a son. But this is quite opposed to Devala's mention of giving priority to the sonless wife.

5) DESCRIPTION OF KARNAVEDHA:

The Karnavedha sacrament is "omitted in almost all ancient smṛtis". However, it is referred to in the Kausitaka G.S. (I.20), the Katyāyana G.S. (Interpolated portion) (II.2), the Baudhāyana G.
Sesa.S. (I.12), the Vedavyāsas̄mṛti (I.14), the Brhaspati smṛti (reconstructed Sām. 86–101) etc.

The present text contains the verses, (372,373) emphasizing the importance or necessity of the piercing the lobes of ears (Karnavedha). All merits, accumulated previously, disappear on seeing a brahmana, through whose holes of ears, the rays of the sun do not pass. He should not be invited for the śrāddha ceremony. If one invites him, that śrāddha becomes āsura—demonish. Thus the brahmana, whose earlobes were not pierced, was regarded as the most unauspicious & sinful. He was also not given proper honour due to his status as a brahmana. Thus the Karnavedha had become an indispensable or compulsory ceremony, during the period of the present text.

6) VIDYĀRAMBHA OR AKSARASVIDKARANA:

The sacrament of Vidyārambha (commencement of learning) or Aksarasvidkaranā (learning of alphabet), is not generally treated in the Grhya-sūtras, Dharmasūtras & the early smṛtis. It is referred to in the Brhaspati smṛti (Reconstructed) & the Markandeya purāṇa. Mm.P.V.Kane remarks, "It appears that from the early centuries of the Christian Era, a ceremony called, Vidyārambha (commencement of learning alphabet) was celebrated".

The present reconstructed text also contains a verse that deals with this ceremony (377). According to Devala, this sacrament is to be performed in the fifth year of child, when the sun is in the Northern Hemisphere. The goddess sarasvatī & gods, visnu & vināyaka should be properly worshipped with the offering of guda (mollasses), Odana (cooked rice) etc.
7) **VEDAVRATAS:**

Gautama (8)\(^{14}\) refers to four *Vedavrata,{ while enumerating the forty sacraments. Similarly, these are also counted among the forty-eight sacraments\(^{15}\), referred to by *Saṅkaracārya* (Bh.S.S.III.4.34). Some grhyasutras and the *laghu-āśva-smrti* mention the *vedavrata,{ but they vary with regard to the number & names of these *vrata{s. Their names mentioned in the above works are as follows\(^{16}\):

1) *Mānava.G.S.* - Caturhaṇṭhrika, Āgniṅa, Āsvamedhbī, Traividyaka.
2) *Kathaka G.S.* - Traividyaka, Caturhaṇṭhrika, Godāna, Astacatvāriṃśat-

3) *Saṅkha G.S.* - Sukṛiya, Śākvara, Vṛatika, Aupanisada.
4) *Khadira G.S.* -
5) *Gobhila G.S.* - Godanika, Vṛatika, Āditya, Aupanisada, Jyesthasāmika
6) Baudha. G.S. - Hotārah, Sukriyah, Aupanisadah, Godānam, Sammitam
7) *Laghu-Asvalā* - Mahānāṃśivrata, Mahāvrata, Upanisadvrata.

The four *Vedavrata{s mentioned by Devala (388-392) are different. They are - Prajāpatya, Saumya, Āgneya & Vaiṣvadevaka.

8) **THE MARRIAGE SACRAMENT:**

**THE SONLESS DOES NOT GO TO HELL:**

The sonless person may be afraid of falling into Hell, on account of various declarations to that effect, in the *smrtis* But, Devala seems to suggest that they should not be so frightened, if they have only daughters & no son. Neither the father nor the mother,
giving birth to female offsprings goes to hell, if he or she properly brings up their daughters & give them to some appropriate persons (395).

THE FOUR KINDS OF MARRIAGEABLE GIRLS:

The four kinds of marriageable girls are mentioned in the text (408-412). The girls from seven years up to the time of puberty are called nagnikas & are considered most suitable for marriages. The girls between these years are designated by four different names - viz. (1) Saisavi of 7 years, (2) Gauri of 8 years, (3) Rohini of nine years, (4) Gandhari from 10 up to puberty.

This reflects upon the fact that Devala, like Manu, Yajñavalkya, Parasara etc. advocates pre-puberty marriages. During the period of ancient Grhya & Dharma sutras, "girls were married just before the time of puberty or immediately after it" & that "from about 600 B.C. to about the beginning of the Christian Era, it did not matter at all if a girl was married a few months or a few years after puberty. But by about 200 A.D. (when the Yajñavalkya-smrti was composed) popular feeling had become insistent on pre-puberty marriages". The above verses of Devala are definitely later than the period of the Yajñavalkya smrti, when the pre-puberty marriages became prevalent.

AGE OF THE BRIDEGROOM:

The pre-puberty period is advocated by the author as the age for the bride, but great age-difference was prescribed to be maintained between the bride & the bridegroom (409-410). For Saisavi
bride of 7 years, the bridegroom was to be of 18 years & for gaurī of 8 years, he was to be of 25 years. From this, it follows that in case of rohini & gandhari types of brides also, the bridegroom must be of higher age, as considered from the above two cases. The Manusmṛti$^{20}$ (IX.94) also enjoins a similar rule that the bridegroom of 30 years & 24 years should marry brides of 12 & 8 years respectively.

**THE QUALIFICATIONS OF THE BRIDE:**

According to Devala (408) the five qualifications of the bride were to be considered & given importance for marriage. They are

(1) Kula-family, (2) Śīla-character, (3) Vaya-age, (4) Vṛtta-Conduct, (5) Rūpa-beauty. The beauty is mentioned at the end & hence it is only a last qualification to be considered. Learning or education is not at all mentioned here by the author. This reflects upon the fact, that girls were mostly illiterate & education was not given much importance in case of women. This also shows the attitude of the author towards education as a qualification for marriage. The Bharadvāja G.S.$^{21}$ (I.11) also mentions four qualifications namely - wealth, beauty, intellect & Family. The smrtis like those of Manu, Yajñavalkya, etc. also dilate upon the external signs of beauty.

It may be remarked that Devala's enumeration of qualifications of the bride is the most ideal & perfect one and may be with vidyā or education, to modernize it.
The general rule about śāpindya (common ancestor-ship) is that— it does not remain after the fifth degree on the mother's side & the seventh degree on the father's side; But Devala (416-417) also introduces an alternative or option. If a girl of the proximate relation is to be married, she should at least be beyond three degrees from the father's & mother's side. This view of Devala is remarkable.

RELIGIOUS CEREMONY, NECESSARY FOR ALL FORMS OF MARRIAGES:

The eight forms of marriages are described in the text. In the later forms of marriages (i.e. in the gāndharvya, āsura, rāksasa & paśa), there is prior acceptance or kidnapping of the bride. But the marriage ceremony should be performed afterwards, in the presence of fire, in case of persons, belonging to the three varnas. (407). As long as the marriage ceremony is not performed in the presence of fire, the marriage is not considered valid & irrevocable. Thus the sacrament of marriage, was considered quite necessary & even compulsory, in every form of it, in the society.

The above injunction of Devala also reflects upon another fact. The latter forms of marriages were also prevalent in the society, but the marriage sacraments might not be performed intentionally by some. Hence there was necessity of explicit declaration that the marriage sacraments were compulsory for legalizing all forms of marriages.
The grhvasutras like parasara, kausika, asvalayana, sankhayana, kausitaka etc. deal with the topic of hala-pravartanam or ceremonies of ploughing. The parasara and Brhat-parasara smritis also refer to some such rites, related with agriculture. The present text also contains (458-468) the description of the rite of yoking the plough, which is a sacrament specially connected with vaisya and farming.
REFERENCES

1) Taśamadīyauṣṭīcatasṛastu ninditaikādāsī ca ya / 
   - Maunu.Ś. (III.47).

   Brahmacaryaiva parvanyadyaṣṭīcatasṛastu varjyet / 
   - Yaj.Ś. (I.79).

2) garbhadhanam dvijah kuryādṛtau prathama Eva hi / 
   caturth意大利adāśuddhāvam putrārthāi divase same // 
   - L.Asv.Ś. (III.1).

3) Caturthiprabhṛtyā sodasīmuttārāmuttārām......
   caturthe 'hni snātāyam yugmasu ceti / 
   - Hārīta in S.C.I, p.15.

4) Nisekādīṣmaśānantō mantrairyasyodito vidhiḥ / 
   - Manu.Ś. (II.16a)

   Nisekādīṣmaśānantāstesām vai mantrataḥ kriyāh // 
   - Yaj.Ś. (I.10)

   Garbhadhanapūṃśavana....etyete catvāriṃsat saṃskārāḥ // 
   - G.D.S. (I/3/14-22)

5) L.Asv.Ś. (III.1) - Cf. No. 2 above. RT-Sr. no. 336-337.

6) Hindu Saṃskārā - Ch. V, p. 94.

8) Simantannayanam karma tatstrīṣāṃskāra isyate / kecidgarbhasya saṃskāro garbham garbham prayujyate //
   - Viṣṇu. quot. in S.C.I, p. 17.
Simantonnayanam karma na strīṣāṃskāra isyate /
   garbhasyaiva tu saṃskaro garbhe garbhe prayojayet //

9) Tīrthasamavaye caśām yathāvivaham purvodham jīvatputraṁ vā purvam gacchet /
   - Arth. S. (3/2/54).


12) B.S. (Saṃ) 230-258.


17) Trīṣaḍadvarṣodvahet kanyām hṛdyām dvādaśaṝavasikīṁ /
   tryastavaroṣṭavarsām vā dharme sīdati satvarah //
   - Manu. S. (IX. 94).
Aprayacchan samapītōti bhrūnāhatyāmṛtavrtau / 
gamyantyabhāve datrnam kanyā kuryat svayamvaram //
- Yāj.S. (I/64)

Mātā caiva pīta caiva jyeṣṭha bhrātā tathāvā ca / 
trayastē narakam yānti drstvā kanyām rajasvalām //
- Parasara S. (VIII/6-9)


19) Ibid., p.443.

20) Cf. Note 17 above.

21) Catvāri vivahakaranaṇī vittam rūpam prajñābhidhavanamī / 
- B.G.S. (I/11)

22) Dr. Ram Gopal - India of Vedic Kalpasūtras, pp.425-427.

23) Parasara S. (II), Brhatparasara S. (V).
D. THE DISTINCTIVE SACRAMENTAL FEATURES : PART-II

THE FUNERAL CUSTOMS & RITES :

I. ĀṢAUCA :

1) SRĀVASAUCA :

The general & simple rule about sravasauca is prescribed in the text. (1144). The impurity is for the days, corresponding to the months of pregnancy, according to Devala. Parasara (3/17)¹ also mentions a similar rule. He further points² out that abortion upto 4 months of pregnancy is called srava & abortion during fifth & sixth months of pregnancy is called pata. However there is impurity for ten days, if there is abortion, after 6 months of pregnancy. But the view of Marici³ is still quite different. He maintains that impurity to mother only is for three days on srava & that impurity for three days to father etc. & the days corresponding to the months of pregnancy to the mother is to be observed, when there is pata. The Yaj.Ś.⁴ (3.20) also contains a rule that is similar to that of Devala. The impart of Manu (5.66)⁵ is also similar. Thus Devala agrees with Manu & Yajñavalkya, in this respect.

2) DAYS OF IMPURITY FOR THE FOUR VARNAS :

The days of impurity in case of four varnas are 10,15,20 & 30 respectively according to Devala (1146). This is similar to Vasistha (4/27-30)⁶. But other smṛtis⁷(viz. Manu, Yajñavalkya, Daksa, Atri, Saṅkha etc.) lay down the period of 10,12,15 & 30 days respectively
for four varnas. While Gautam (II/5/1-3) prescribes 10, 11, 12 (or half month) & 30 days respectively for the same.

Devala (1148) also refers to the view of 'others' (apare) that the impurity on birth or death should be observed for ten days by all varnas. The author may be referring to the view of sātāma by the term 'apare' as is clearly indicated by the verse of Aṅgiras.

3) TOUCHABILITY ALLOWED AFTER PRESCRIBED DAYS:

The impurity may be lasting for 10, 15, 20 & 30 days respectively for the four varnas, but they can be touched, after the period of 1/3 days of the total number of days of impurity (1149). The author further declares that the four varnas can be touched, after 3, 4, 5 & 10 days of impurity respectively & their food can be partaken after 10, 12, 13 & 16 days respectively (1150). The view of samvarta (41) is different. He mentions that the four varnas become touchable, during impurity, on 4th, 6th, 8th & 10th day respectively.

4) AŚAUCA FOR ONE DAY TO SAGOTRAS:

Devala's view about aśauca for sagotras (those belonging to the gotra of the dead) is noteworthy. He prescribes (1154) the impurity for one day to the sagotras but bath only (snanamatra) is prescribed for sagotras by Brhaspati (Reconstructed, aśauca 29). The Dharmasindhu notes that the former view (i.e. aśauca for one day) is followed by Nāgoji Bhatta, while others do not prescribe aśauca (impurity) to the sagotras.
5) **AŚAUCA TO THE SLAVES**: 

The slaves also have to observe *aśauca* (impurity) for the days, similar to those, observed by their master. Similar view about *aśauca* to the slaves is also to be found in the *vishnu-sūtra* (22/19), the *Atrisūtra* (69) & the *Bṛhaspatisūtra* (Reconstructed, *Aśauca* 135). This would reflect upon the fact that slavery was prevalent, during the period, when this rule about impurity to the slaves was introduced.

6) **AŚAUCASANIPATA**: 

The impurity is of two kinds (1) caused by birth (*śūtaka*) & caused by death (*Mrta* or *śāva*) of a person. But there may be simultaneous occurrence of the two impurities. Another similar or dissimilar kind of impurity may occur during the period of an earlier impurity. The question of days of observance of impurity in such cases requires consideration. Devala deals with the problem in the following manner (1168-1172).

1) The *śūtikā* (the lady, that has delivered), can be pure only at the end of the period of ten days. There is no relaxation in her impurity, due to the occurrence of another impurity.

2) When another impurity of death occurs during the period of an earlier impurity caused by death, the persons become pure at the end of the earlier impurity only. This another impurity of death, must occur, before the lapse of ten days. If it falls on the last i.e. tenth day the impurity is to be extended by two days. If another impurity of death is heard in the morning of the
eleventh day, the earlier impurity is to be extended by three days. The Vasistha D.S. (4/24-26) & the Gautama D.S. (II/5/5-7) contain similar rules.

3) The impurity, caused by death is severe & strict as compared to the impurity caused by birth. Hence the latter cannot affect the earlier one, when there is any conflict between the two.

4) The impurity of lesser days can be got rid of that of more days, but not the vice versa.

5) If there is increase in the days of impurity by the occurrence of another impurity, the person can be pure at the end of the later impurity, if the subsequent impurity occurs after the fifth day of the previous impurity.

Manu & Yajñavalkya do not consider all such possible alternatives of this topic. Both of them, merely prescribe the general rule that when there is occurrence of another similar āśauca, during the period of ten days of the earlier one, the person becomes pure at the end of the earlier impurity only. (Cf. Manu.S. 5/79, Yaj.S. 3/20a)\textsuperscript{14}.

II. ANTYESTI :

1) DEATH AT A PLACE OTHER THAN ONE'S BIRTHPLACE :

The death, in a country or a place, which is other than the birth-place of the dead, leads him to hell. Hence an expiation is necessary to remove the taint, associated with the dead. On the contrary, the death at one's birth-place & on the bank of the river ganges are declared to be leading the deceased to liberation(1202-1205).
2) **DAY FOR MUNDANA**

The person, who performs the obsequial rites, has to undergo mundana (shaving of head & beard), on the first & tenth day of impurity & other younger brothers of his should undergo it only on the tenth day (1265 & 1266) according to Devala. Thus the author mentions only the first & last day for the eldest son & tenth day only for other sons, as the time, prescribed for mundana. But Baudhayana mentions several alternatives. It can be performed on the second, third, fifth, seventh or on any other day until the offering of sraddha rites continue upto sapindikarana.

But the above difference in the practice of mundana is due to the several usages, prevalent in the various parts of the country. "....According to the Benares school, the person, who performs the cremation shaves his head at the time of cremation, whereas under the Mithila school, there is no such shaving at that time". Mn.P.V.Kane cites these judicial remarks.

3) **OBSERVANCE OF RESTRICTIVE RULES FOR ONE YEAR**

The spirit of the dead person becomes mane after the completion of one year. Hence certain rules are prescribed to be observed by the son, on the death of his father or mother for one year. The body of the son is considered impure, for the practice of certain religious observances, as are mentioned in the verses (1301-1304).
III. ŚRĀDDHA RITES:

1) DUTIES OF AN IDEAL SON:

The present text (1307) mentions three important duties of an ideal son. The 'sonness' of the son lies in the proper performance of them. His appellation as a 'son' becomes meaningful only, if he ideally follows them. (1) When the parents are alive, he should carry out the orders of them. (2) When they are not alive, he should regularly perform the śrāddha rites, every year, on the day of their death, by giving ample food to Brāhmanas, in honour of them. (3) He should offer the lump of rice at the sacred place Gayā. This is a very famous verse. It attaches great importance (1) to the obedience to the words of parents, (2) the performance of yearly śrāddha & (3) to the offering of pīndas, at Gayā.

2) FOOD OFFERED IN ŚRĀDDHA REACHES THE ANCESTOR:

The deceased person might have obtained birth in a different form of existence. The food is offered in the śrāddha, in honour of him. Food to the deceased ancestor, in his next birth, would naturally be different in different forms. Then, how can the human food satisfy the deceased? This question naturally arises in the present context of śrāddha. Devala elaborately describes, how the food can satiate them (1316-1319). This view, in brief, is that the food, transformed in an article, suitable for their enjoyment is cherished by them in every form of their existence. viz. If the dead has become god, the food is transformed into amṛta (nectar) and thus reaches them. These verses of the text are also
found in some Purānas (like - eg. Matsya, Padma (Srṣṭi), Garuda Markandeya). The Visnu Smṛti (20/35) paraphrases the idea of these verses in a single verse.

3) **PERIOD FOR MAHALAYAŚRĀDDHA** :

The Dharmasindhu (p.68) maintains that ordinarily there are fifteen days only for mahālaya śrāddha. If there is an increase (vṛddhi) in the lunar days, they may become 16 in number. Devala, on the contrary, mentions the period of the mahālaya to be for sixteen days (1330). The first lunar day (prayipada) of the bright half also is included among the days of mahālaya. Thus the fifteen days of dark fortnight & the first day of the bright fortnight form the 16 days of mahālaya. The mānava śrāddhakalpa, Saṭyavāni etc. also mention sixteen days for mahālaya śrāddha, like Devala.

4) **APĀṅKTEYAS** :

While mentioning the apāṅkteya brahmānas (the brahmānas that defile the row) i.e. who are not fit to be invited for śrāddha ceremony, the author classifies them into five groups (1) patitas (apostates), (2) upapātakins (perpetrators of minor sins), (3) pataṇiṣyakas (sinners) (4) pāṅkidūṣakas (defilers of the row) & (4) pāṅpiṣṭhatamas (the most sinful). Several kinds of sinful persons are enumerated under each group & later on the important terms occurring in the enumeration are also explained (1334–1383). The impotent persons are also mentioned in the above enumeration.

Hence the author enumerates & explains six kinds of impotent persons (1379–1383). Narada (strī.11–13) enumerates impotent persons of
fifteen kinds.

5) **GHEE OF THE MILK OF BUFFALO ALLOWED:**

Devala prescribes that the milk and its products, of sheep, ewes & she-buffalo should not be used for the sraddha, but the ghee of she-buffalo is beneficial i.e. it can be used for it. Some puranas like Vayu (78/17), Brahma (220/169), Markandeya (32/17-19), Visnu (3/16/11) have prohibited even the use of ghee, prepared from the milk of buffalo.

6) **TIME OF OFFERING PINDAS:**

The lumps of cooked rice are offered in honour of the manes at the sraddha. There is no unanimity about the time, when these are to be offered. The grhyas & smrtis mention different conflicting views. The Dharmasindhu has noted that there are in all six alternatives, mentioned in different smrtis.

Devala appears to maintain the view of offering pindas, before the brahmanas have taken food. The pindas are to be offered at the beginning, after the brahmanas have taken their seats, before worshipping and feeding them in the sraddha, as described in the present text. (1456, 1479, 1483). Manu (3/219) also describes the offering of pindas before the meal of brahmanas, but he also refers to the opposite view (Manu 3/261). The Manavasraddhakalpa (249-251) prescribes the pindadana, after the feeding of brahmanas.
7) **THE FORMULA FOR OFFERING PINDAS:**

The formula for offering *pindas*, mentioned by Devala is

'Etatte tata ye ca tvāmanu' (This is for thee, o Father! & also for those who follow thee!). This is similar to the expression, occurring in the Ap.M.P.(2/20/13). Similar formulas are also found in the T.S.(1/8/5/1), AV (18/4/71-77), ASV.S.S.(2.6.15), Gobhila G.S. (3.3.6), Khādira G.S. (3/5/17), Bhrāadvāja G.S.(II/12) etc.

But the *satapatha Brāhmaṇa* (2/4/2/19) finds fault with the above formula of offering *pindas*. The person, offering *pindas* would also be included by the expression 'ye ca tvāmanu' & this inclusion is not proper. This formula, mentioned in the text clearly indicates that the author of the text is not at all the follower of the school of white *Yajurveda* in which recension, the formula of the text is not followed & is even criticised in the *satapatha Brāhmaṇa*.

8) **GIVING OF GIFTS (DAKSINĀDĀNA):**

The author points out that all acts, relating to manes are to be performed with the *apasavya* (with the sacred thread worn on the right shoulder), but the act of giving gifts (*daksina*) only is to be performed with the *savya* (with sacred thread held on the left shoulder). Moreover, all acts, pertaining to the *deva brāhmaṇas* are to be performed first, & then for the Manes, but the act of giving *daksina* only is to be performed in the reverse order, i.e. the *brāhmaṇas*, invited in the place of Manes should receive the *daksina* first & then after the *brāhmaṇas*, in the place of gods are to be given. (1494)
9) THE PERIOD FOR ELABORATE ŚRĀDDHA:

After having described the entire procedure of the elaborate śrāddha, the author remarks that śrāddha should be performed in the prescribed manner, once, thrice or four times in a year or in each month or on each day, according to one's faith in that ritual. Thus several alternative periods for its performance are suggested. Manu24 (3/281) also enjoins like Devala the performance of śrāddha thrice in a year (i.e. in three seasons, hemanta, grīsmā & varṣa) and daily as a part of five great sacrifices. But the two alternatives, those of its performance once or four times in a year, mentioned by Devala, are not found in the above verse of the Manusmṛti. However, Manu mentions the performance of śrāddha on amāvāsyā day of every month, (3/122)25 at another place.

10) SUBSTITUTES FOR ŚRĀDDHA:

Devala prescribes several substitutes or alternatives, if one is unable to perform the extensive śrāddha ritual. (1503-1509).

(1) Offering of pindas only, if dravya (articles) & brāhmaṇas are not available. (2) A fast on that day. (3) Offering water in honour of Manes to satiate them. (4) If a qualified brāhmaṇa is not available, another daily pitṛvajña is to be performed and the food is to be donated to the qualified brāhmaṇa. (5) The darbha grass is to be strewn in the place of brāhmaṇas & the śrāddha is to be performed properly with seeking their sanction (praisa) & the performance accordingly (anupraisa). (6) In the absence of everything else, one should at least offer into the fire in honour of Manes or give something to cow, or throw in water.
But the ritual, relating to Manes should not be omitted. (7) If only one brahmana is available, the sraddha can be performed with the offering of six pindas & six arghyas & food is to be given to the six Manes. All of them, are to be considered as receiving food in the hand, mouth, palate, throat, heart & navel of the invited brahmana. Thus the elaborate sraddha can be performed even with a single brahmana, but omission thereof is forbidden.

11) INDEBTEDNESS TO MANU:

The author explicitly mentions that his description of the sraddha rite is the same, as was proclaimed by Manu. Hence it is necessary to consider how far Devala agrees with the extant Manusmrti & other works like Manavagrhvasutra, Manavasraddhakalpa etc., that deal with the sraddha rite.

From the comparative study of the sraddha rite, in the extant Manusmrti & the present text, it appears that Devala is not indebted to the extant Manusmrti, because the treatment of various topics like (1) praise of sraddha, (2) brahmanas, unfit for being invited, (3) Time of sraddha, (4) the entire procedure of sraddha etc. is not in full accordance with the extant Manusmrti. A few cases of similarity may be there in some verses, but on the whole, the exposition of Devala is quite distinct from that found in the extant Manusmrti. There is agreement between Manu & Devala, in respect of the time of offering pindas, before the meal of the brahmanas. But the worship of brahmanas & offering be made in the fire (agnaukarana) are prescribed by Manu, before offering
Of pindas, while Devala prescribes them after it. The supplication for blessings (varayacana) is mentioned by Manu, at the end of the whole ritual; while Devala has enjoined the same, after the offering of pindas & before the worshipping & feeding of the brahmanas. The act of taking out three portions from each of the three pindas & offering them to the invited brahmanas respectively, occurring in the Manusmrti is not at all found in the present text. Thus there are various fundamental points of disagreement between the extant Manusmrti & the present text of Devala, Hence Devala's exposition is not based upon the extant Manusmrti, in its entirely.

Moreover, the description of sraddha in the present text is not based upon that in the Manavagrhyasutra or the Manavasraddhakalpa. The treatment of sraddha rite in the Manavagrhyasutra is very scanty. Devala's exposition does not tally with that also. Devala explicitly refers to the Manavasraddhakalpa in the verse - "Manayah sraddhakalpadyaṃ manuna samudahrtah" (1511). Hence it would appear that Devala may be indebted to the text of Manavasraddhakalpa. But the extant text of the Manavasraddhakalpa does not exhibit any such similarity, on the basis of which Devala's indebtedness can be proved. The Manavasraddhakalpa prescribes the worship of brahmanas, agnaukarana & feeding of brahmanas, before the offering of pindas, while Devala enjoins all of them to be performed after the offering of pindas. Thus there is fundamental difference in the procedure described in the two texts.

Hence Devala is indebted to Manu for the exposition of sraddha rite, but not to the extant texts ascribed to Manu, mentioned
previously. Devala’s words may be interpreted as referring to Manu as the promulgator of the institution of śrāddha.
REFERENCES

1) Yadi garbho vipadyeta sravate vāpi yosītām / Yāvanmāsam sthito garbho dinam tavat sa sūtakah //
   - Parāśara s. 3/17.

2) Ā caturthād bhavet sravah pataḥ pāncamasaṣṭhayoh / ata ūrdhvam prasūtih syaddaśaham sūtakam bhavet //
   - Parāśara s. 3/18.

3) Sravē mātuṣṭrīratram syāsāpindāsaucavārjītam / pāte māturyathāmāsam pitrādīnām dinatrayam //
   - Marici quot. in Mitā on Yāj. s. 3/20.

4) Garbhāsraṇe māsatulyā nīṣah suddheṣtu kāranam /
   - Yāj. (III/20).

5) Rātribhirṃāsatulībhīrgarbhāsraṇe visudhyati /

6) ....Bṛahmano dāsarāṭreṇa/ pāṇcadasarāṭreṇa rājanayah /
   viṃsātīrāṭreṇa vaisyaḥ / sudro māsena suddyati/ 

7) Sudhyed vipro dāsāhena dvādāsāhena bhūmipah /
   Vaisyaḥ pāṇcadasāhena sudro māsena suddyati //
   - Manu. (V/83).

Brāhmaṇasya dāsaham tu bhavatiṃtāsūtakam /
Eṣatrasya dvādāśañi visah pāṇcadasaiva tu //
Triṃśaddinani sudrasya......................

Jātivipro dasāhena dvādasāhena bhūmipah /
Vaisyaḥ pāncadasāhena sudrānasena sudhyati /
- Dakṣa S. (6/7).

Brahmano dasarātrena dvādasāhena bhūmipah /
Vaisyaḥ pāncadasāhena sudro māsena sudyati //
- Atri S. (85).

Namaṭhāraka vīpaprastu dasāhena visudhyati /
Kṣatriyo dvādasāhena vaisyah paksena sudhyati /
Māsena tatha śūdraḥ suddhimaptoti nāntara //
- Saṁkha S. (15/2-3).

8) Savamaśau camer dasaratram.... Ekādasaratram kṣatriyasya /
Dvādasaratram vaisyasyārdhamāsameke / Māsam sudrasya..... /
- Č. D. S. (2/5/1-3).

9) Sarveśāmeva varṇañām sūtakemrtaketathā /
dasāhācchuddhireteśamiti satatapo'bravīt //

10) Caturthe'hani viprasya sāsthe vai kṣatriyasya ca /
aśtame daśame caiva sparsah syād vaisyasyādrayoh /
- Saṁvarta S. (41).

11) Daśāhena sapindaśtu sudhyanti pretasūtake /
trīṣrātrena sakulyāstu snātva sudyanti gotrajāh //
- B. S. (Recon. Asauca) 29.
12) Sagotrāṇamekaratramiti nāgojībhāṭṭiyē, anyetu sagotrāṇam
nasaucamityāyahūh /
- Dharmasindhu (3). p.367.

13) Patnīnām daśānāmanūlomyena svāminiastulyamasauccam /
- Vēn.S. (22/19).
Mrtaśūtake tu daśīnām patnīnām canulominām /
svāmitulyam bhavacchancam mṛte svāmini yaunakam //
- Atri.S. (89)
Daśāntevasibhratah sisyāṣcaikitavāsinaḥ /
svāmitulyena saucena sudhyanti mṛtasūtake //
- B.S. 35 (Recon. Aśaha)

14) Antardaśāhe cetsyatām punarmaranajanmanī /
tāvat syādasucirvipro yavat tatsyādanirāsam //
- Manu.S. 5/79
Antara janmamarane sesāhobhirvisudhyati //

15) Aluptakeso Yāh pūrvam so'tra keśān pravāpayet /
dvitiye'hni trtiyehni pañcane saptame'pi va //
yāvacchṛddham pradīyeta tāvadityaparam matam //
- Baudhāyana quot. in P.M. I/2, p.2


18) Devatve yātanaśthahe tiryagyonau tathaiva ca /
manusye ca tathāptoti śrāddham dattam svabāṇdhavaih //
- Vēn. S. 20/35.
19) Kanyāgate savitari yānyahāni sodasā / 
Kratubhistāni tulyāni pitṛnām dattamāksyam //
- Gelder J.M.V. - Manavasautasūtra
- Sraddhāparisista on p.254, verse 7.

Nabhasyasyāpare pakṣe tithisodasakam tu yat /
Kanyāsthārkānvitam cet syāt sa kālah sraddhakarmāni //
- Satyayāni quot. in F.M.I/II/p.319.

Ādau madhye'vasāne vā yatra kanyām vrajed raviḥ /
Sa pakṣaḥ sakalāḥ pūjyāḥ sraddhasodasakam prati //
- Smrīti quot. in Dharmasindhu, p.69.

20) Caturdasavidhāh sāstre sandho drsto maṅisibhīh / 
Cikitsyascacikitsyasca teśaṃukto vidhiḥ kramat //
Nisargasandhā vadhriśca paksaṃändhastathaiva ca /
abhisapād gūro rogād devakrodhāttathaiva ca //
Īṛsyāsandhasca sevyasca vātaretā mukhe bhagāḥ /
āksipto moghabijasca salīno'nyāpatistathā //
- Narada (Strīpum.11-13).

21) Māhiṣam cāmaram mārgamāvikaikāsaphodbhāvam / 
Strainamaustramāvike ca ('stramaṣṭikāvike?) dadhi kṣīram 
gṛtāṃ tyajet //
- Quot. by Mm. Kane, P.V., H.D.S., Vol. IV, 
p.415, no.935.

22) Atha pindadānam / Taccāraconāttaramagnau-karanottaram 
bhojanottaram vikārotētaram svadhāvācānottaram vipravisarjana-
ttaramiti satpaksāh smṛtyuktāh //
- Dharmasindhu, p.350.

24) Anena Vidhinā śrāddham trirabdasyeha nirvapet / 
hemantagṛīśmavārśasu pañcayajñikamanvaham //

25) Pitryajñam tu nirvartya vipraścandraksaye'gnimān / 
pindānvahāryakam śrāddham kuryāṁmaśānumāsikam //

1) Enumeration of 21 Kinds of Sacrifices:

The text contains enumeration of 21 kinds of sacrifices (428–430). They are the seven pākavajña, seven haviryajña & seven somavajña saṁsthās. The ancient sūtrakāras like Gautama (I/8/14–22), Vaikhānasa (Śāṅk.Ś. I. I.) have enumerated these sacrifices among saṁskāras.

Following the practice of the ancient sūtrakāras, Devala also refers to 21 kinds of sacrifices, but it is not clear, whether he accepts them as saṁskāras or not. In the latter period, the sacrifices might have lost their significance in the society, due to the influence of Bauddhas & Jainas and the result was that they were not even generally mentioned among saṁskāras. Only the sixteen saṁskāras became more popular. Even the Manu & Vaijnāvalya smṛtis do not mention the 21 kinds of sacrifices. Thus the peculiarity of Devala lies in the fact that he not only mentions and dilates upon the popular sixteen saṁskāras, but also enumerates the 21 kinds of sacrifices like ancient sūtras. This may reflect upon the priority of the sūtra portion of the text to even the Manu & Vaijnāvalya smṛtis.

But it may be remarked here that though Devala has enumerated 21 kinds of sacrifices, he maintains them to be kāmya & not nītya (62), as discussed previously. Thus according to Devala, they can bring about worldly prosperity, but not the spiritual uplift. While Śaṅkaraśārya (ŚR. 4/1/16–18) propounds them to be helpful
even for emancipation, if they are performed without desire & he includes them in 48 saṁskāras that are nitya; The Bhagavadgītā (6/3 & 18-3 to 7) also seems to expound the same doctrine.

2) **INCLUSION OF SACRIFICES IN 48 SAṄSKĀRAS:**

The Gautama D.S. (I/8/14-22), Sāṅkha (quoted in S.C.,p.13) etc. mention forty sacraments. The vaikhanasa smart s. (I.I) speaks of 18 sarīra saṁskāras & twenty-two vajñas (i.e.21 kinds of sacrifices + paṅcamahāvajñas as one). Mm.P.V.Kane remarks, "Most of the Grhya-
śūtras, Dharmasūtras & smṛtis do not enumerate so many".

But Sāṅkaracārya (Bh.S.3/4/34) refers to forty-eight saṁskāras, the highest number of them ever known. No modern scholar including Mm.P.V.Kane, has ever taken notice of this fact. However while commenting upon the above statement of Sāṅkaracārya, Anandagiri has enumerated the forty-eight saṁskāras. But they are not yet traced in any of the available texts of G.S., D.S., & Smṛtis. Among Nibandhas the Vidhanaparījāta contains a single verse ascribed to Yama, in which 48 saṁskāras are referred to. The same work contains two verses from the author's own collection, in which the forty-eight saṁskāras are enumerated. The three kinds of vajñasūthas each consisting of 7 kinds of sacrifices are included among them.

3) **SAṄSKĀRAS MENTIONED IN THE TEXT:**

Names - (1) Garbhādhāna (2) Puṁsavāna (3) Sīmantonnayana (4) Jata-
karma, (5) Namakarma (6) Annapraśana (7) Karnavedha (8) Cūdākarma, (9) Aksarārambha (10) Upanayana, Upākarma (11) Vedavrata,
(12) Godāna (13) Vivāha (14) Paitrmadhika i.e. Antyesti & śrāddhas,
(15) 7 Pākayajñas (16) 7 Haviryajñas (17) 7 Soma yajñas (18) Lāṅgala-
yojanam.
REFERENCES


2) Yasyaite 'stacatvarimsat samaskara ityadya ca samaskaraprasiddhivaidikesa karmasu tatsamskrtaasya vidyotpattimabhipretya smrtau bhavati /

- Bh.S.S.-3/4/34.

Anandagiri's explanation -
Garbhādhana-dhayah sahadharmacarinīsahayogāntascaturdasa /
Pañca mahāyajñāh, sapta somaśāmsthāh sapta haviśāmsthāh sapta pākasaṃsthā iti catvāriṃsatsaṃskārah / Anasnat saṃhitādhhyāyanam, prayanam karma, japa, utkramanam, daihikam, bhasmasamāhanama-sthisānecayanam śraddhāniśtevamastacatvarimṣat saṃskārah //

3) Aṣṭacatvarimśadete saṃskāra vihitadvije /
Ya etaiḥ saṃskṛto' vipro brahmalokam sa gacchati //

- Yama quot. in Vidhanaparījata II/372.

4) Garbhādhana-matho hi puṁsavanakam simantajatakriyānāmānānādana caulakopanayanam vedavratanyapyuta /
Catvāri snapanam vivāhakaranam pañcāpi yajñā atho
Saṃsthāh sapta ca sapta sapta gadiṭāh trimsaddasāpyatra tu //
Evam caanasanena vedapathanaṃ karne japastomiti
Pranotkṛntirathaurdhwadehikamataḥ saṁvyū(ṣū) hanam basmanah /
asthānām saṅcayanam tataḥ paramāpi sṛaddhāni sapindaṅkam

catvarīṁśaditi sṛtau nāgadītab samśkarākā hyasta ca //

- Ityetau māmakau saṅgrahasloka

- Vidhānaparījāta II / pp.370-372.
I. THE NECESSARY INGREDIENTS OF RITUAL - DARBHA, PAVITRA, KURCA ETC.

1) ENUMERATION OF SEVEN KINDS OF DARBHAS:

The seven kinds of darbhás (sacrificial grass) are mentioned in the text (469). They are kusa, kṣa, usīra, dūrva, vṛīhi, visvaṁitra & kutha. (The verse contains repetition of the word kusa & hence the reading 'kuthāsaiva' for 'kusāsaiva' is suggested. But yet the phrase 'visvāmitraḥ kuthāsaiva' is ambiguous. Devala intends to refer to two kinds of darbhás by it. The other kinds of darbhás are wellknown & are enumerated also in the lists of ten varieties of darbhás, occurring in the quotations found in the Nirnayasindhu & the Dharmasindhu.

Devala (470) also prescribes that the darbhás, of the following kinds should always be avoided. (1) those that are pregnant with other darbhás (2) short-tips of which are cut with nails (3) those that are boiled (4) those that are burnt with fire.

2) WEARING OF RING IN THE ANĀMIKĀ FINGER:

It is prescribed that the ring (whether of gold or of kusa etc.) should always be worn in the finger next to the smallest one (anāmika). The reason is also pointed out for such a use. The wearing of it, on the thumb, the tarjanī (finger near the thumb), the middle one, & the smallest one brings about the loss of father, loss of oneself, loss of son & all kinds of calamities,
respectively. (471-474). This point is noteworthy.

3) THE PREPARATION & UTILITY OF KURCA :

The important technical information about kūrca (a bundle or handful of kusa grass) is also found in the text (475-478). It is said to be of three kinds (1) uttama (the best), (2) madhyama (middling), (3) adhama (the lowest). The seven, five or three darbhas (sacred grass) are to be used for its preparation. The knot, made with right turn should be of the size of one finger.

The upper part of the kūrca should be of four fingers, & its lower part of the length of four fingers. The kūrca, with its tips upwards, brings about prosperity. It is used in the rituals of śānti, with its tips, turned downwards; while during the activities of magical purposes, it should be used with tips, turned inside. The kūrca can be prepared with 27, 21 or 15 darbhas.

4) YAJÑOPAVĪTA :

PREPARATION & WEARING OF YAJÑOPAVĪTA :

The sikha (tuft of hair on the head) & the yajñopavīta had become quite indispensible, by the time of the text. In the absence of these two, all religious acts, performed by a person, become futile (479).

The text deals with the procedure of preparation & wearing of yajñopavīta (480-497). It should be made up of nine strands (tantu), possessing three or two threads, tied with one knot. All the nine strands are believed to be having nine different
deities in them. The deities are Omkāra, Agni, Nāga, Soma, Pitrs, Prajāpati, Vāyu, Sūrya & all deities respectively in the nine strands. The material, out of which the Yajñopavīta is to be made, is also enlisted. It can be made up of cotton, kṣuma, hair of cow's tail, hemp, bark of a tree & kusa-grass. Any kind of material can be used, for its preparation, according to availability. But Manu (2.44) & Visnu (27/19) prescribe the use of cotton, hemp & sheep-wool respectively, for the three varnas. While the Baudhāyana D.S. (I/5/8/5) & the Gobhila gr.s. (I.2.1.) mention only kusa grass & cotton thread. Thus Devala, not only mentions different kinds of material for the Yajñopavīta, but also allows the use of any of it, according to the availability.

With regard to the length of Yajñopavīta, it is prescribed that it should not be too small as would go above the chest nor should it be so long as would go beyond the navel. The Yajñopavīta of the first type destroys the wealth, while the latter is destructive of the penance. Hence the length should be measured. The technical description, about the method of preparation of Yajñopavīta from cotton etc. is to be found in verses 483-494.

While wearing the Yajnopavita, the following procedure is to be followed, (495-497) according to Devala. The smooth cotton, made threefold, in the prescribed manner should be placed in the left hand & sprinkled with water to the accompaniment of the Savitri mantra, recited ten times. It is also to be sanctified with recitation of three mantras, Bhūrīniḥ etc. (T.B.III.10.2). It should be worn, after saluting Hari, Brahmā & Isvara (probably Brahmā, Visnu & Mahesa), with the chanting of the mantra
The Baudhāyana Śūtra, quoted in Saṃskāra Ratnamāla (p.188) contains the description of preparation & wearing of Yajñopavītā.

But the detailed process & procedure as found in the present text, is rarely met with elsewhere in other smṛtis.

**NUMBER OF YAJÑOPAVĪTAS TO BE WORN:**

The number of Yajñopavītās to be worn by a person is also considered in the text (499–503). The general rule is that two Yajñopavītās (sacred threads) should be worn for all kinds of śrauta & śramaṇa rituals & the third may be worn in the absence of the upper garment. The decision of śastra is that it should be one for brahmachārin, two for gṛhastra & vānapraśṭha & one only for saṁnyāsin; The snātaka may wear two or more of them. A person, desiring longevity should put on more number of Yajñopavītās. Those, desiring son & piety should wear even five of them.

**THE CIRCUMSTANCES, WHEN THE YAJÑOPAVĪTA IS TO BE DISCARDED:**

The Yajñopavīta is to be discarded under the following circumstances (506). If it is prepared by a widow, or is prepared on the days, prohibited for vedic study or is made after taking meals or is broken or has gone below (the navel). This shows that certain rules, mentioned above, were also to be followed, while preparing & wearing it.
THE YAJÑOPAVĪTA CAN BE TAKEN OFF FOR WASHING:

The text contains a very curious view that Yajñopavīta can be taken off for washing (507-511). The general rule is that the sanctified sacred thread, worn by the twice-born, can not be taken off for purifying it, if it is taken off, the person has to undergo an expiation. But it is also pointed out that the twice-born person, belonging to the Taittirīya, Katha, Kanya, Caraka, Vājasaneyin schools, may take off the Yajñopavīta for washing it, while those belonging to the Bārca, Sāmaga & schools of Yajurveda (except those mentioned previously) should never take off the sacred thread. If they take it off, the rite of wearing a new Yajñopavīta, after discarding the old one, is to be performed by them. But ultimately, it is prescribed that all the twice-born persons can take off the Yajñopavīta, for washing it on the three occasions - (1) While smearing the body with oil (abhyanga) (2) While taking bath in the ocean (3) On the day of annual śraddha ceremony of parents.

II. ĀHNĪKA (DAILY RITUALS):

1) THE EIGHT AUSPICIOUS SIGHTS:

The Vyāsa smṛti (3.2) prescribes that during the last watch of night, one should get up and remember Hari. After seeing the auspicious object (mahagādṛavya), he should perform the necessary work. Thus the observance of mahagādṛavya is an important duty, after getting up from bed. The verses (512-513) enumerate the eight auspicious or lucky objects. They are brahmana, cow, fire, gold, ghee, the sun, water, the king. He, who sees, bows down,
worships & circumambulates them, his life is not diminished. These verses in the text are identical with those in the Naradasmrti (prakīrnaka - 54/55).

2) Mūlapurīṣavidhi - Answering Calls of Nature

DIRECTION TO BE FACED:

According to Devala, while answering the calls of nature, one should always face towards the north in the morning & the south in the evening, while it should always be avoided, during the two twilights. Thus two directions only are allowed by Devala, while Yama prescribes that one should face the west in the morning (pūrvāhna), the east in the afternoon, the north at the noon & the south, during the night. Thus there is explicit disagreement between the two.

According to the Krtyakalpataru Brah. (p.149 & 150), the following solution can be suggested. In accordance with the statement of Devala, in the morning time (i.e. prātaḥ or pūrvāhna of three Mahūrtas - that is the first part of the fivefold division of the day) & in the savāhna (the last three mūhūrtas of the day), one may face the north & south respectively, but at the remaining time of the day (i.e. in the remaining part of pūrvāhna, other than prātaḥ of three mūhūrtas & in the aparāhna), one should follow the statement of Yama & face west and east respectively. The Vīramitrodaya (Āhn. p.29) remarks that in the opinion the Krtyakalpataru, the statement of Devala is from the standpoint of the fivefold division of the day, while that of Yama is from the point of view of threefold division only.
Devala prohibits the answering of natural calls, during the two twilights & the middle time of the day (madhyāna) (cf.199). But Yama allows it during madhyāna with face to the northern direction. Manu⁶ (4.50) & Gautama (I/9/41-43) allow the answering of calls even during two twilights, with face towards the north. Manu (4.50) & Gautama (I/9/41-43) mention a simple rule that during daytime, & the two twilights, one should face towards the north, while during nighttime, one should face the south.

NO PRESCRIPTION OF PRAMĀNA & DRAVYASANKHYĀ FOR PURIFICATION:

While answering the calls of nature, the lump of clay used for cleaning the parts of the body. Some smṛtis consider the point as to how much of it was to be used & how many times it was to be employed.⁷ (Cf. Manu S.5/136-137, Vṣa. S. (60/25-26), Dakaśa S. V/5-12)). The smṛtis prescribe the pramāna (number of times) & dravyasankhyā (number of lumps), in various manner. But Devala, going against the above views of Manu, Visnu etc. declares that the wise do not prescribe the number of times & the lumps for purification, but the cleansing can be done as long as one thinks to be purified. Thus according to Devala, there is no necessity of prescribing such details. They can be followed to the extent of one's own concept of purification. They depend upon the various conditions like the individual, the situation, time, availability of material like water, clod etc. (527).

HANDS & FEET TO BE WASHED UPTO WRIST & KNEES RESPECTIVELY:

It is remarkable to note that while washing hands & feet, they are to be washed with water upto the wrist & the knees respectively, for purification after answering calls, according to Devala (544).
3) **SNĀNA**:  
**BATH EVEN DURING NIGHT ON ECLIPSE ETC.** :

Generally, the bathing & giving gifts are prohibited to be performed during the night time. Both these acts can be performed even during night on certain occasions like - the eclipse, sahkrānti, marriage, birth, death or voluntary vows (557).

**MĀNASASNĀNA** :

A nice description of the manasasnāna (mental bath) is to be found in the text (588-599). One should meditate upon the Purusottama (Visnu), residing in oneself; The Ganges, arising from his feet should be thought of as falling upon one's head & entering the body through the brahmarandāra. With it, one should purify the internal & external dirt & become pure like crystal. The three nadīs, namely idā, piṅgala & susumna are respectively the three rivers, Gaṅgā, Yamunā & Sarasvatī. One, who thus bathes in this Manasatīrtha which is considered to be the lake of knowledge, with water in the form of meditation, which is destructive of attachment & hatred, he attains the Highest state. One should also think oneself to be Acyuta, Ananta, Govinda & Hari. One should imagine oneself to be blissful, complete, unborn, immortal, eternal, doubtless, unchanging & immutable. One should think oneself to be Brahmaṇa & liberated, not a samsārin, involved in worldly affairs. Thus whosoever performs this Mānasasnāna, daily, reaches the Highest Brahman, at the end of his life. This bath has been declared by Harihara & others. It is the best & divine bath,
superior even to the Mantrasana. He, who, regularly performs this snana is really Narayana. He lives long over-coming the Kalamrtyu (timely death).

Some peculiarities of this description are noted below:
(1) There is influence of the Vaisnava sect upon the author of the verses. (2) There is also influence of Tantra literature, as there are explicit references to the brahmardhra & the nadis like ida, pingalā & susumna (3) The vivid description of one's own real nature, as identical with the supreme Brahman, is purely vedantic & the Brahman is also referred to at two places. (4) This Manasasana is said to have been declared by Harihara & others. But it is not known, who this Harihara, who declared the Manasasana is & who are meant by the term 'adibhīh'. (5) The description of the Manasasana is, after all, marvellous & interesting.

PURIFICATION OF PERSONS, SUFFERING FROM DISEASES:

The author prescribes a peculiar method of purification of a woman, suffering from disease, in her monthly course. The lady has to take bath on the 4th day for purification or she may be required to take bath, during course, but as she is suffering from disease, she may be unable to do so. Hence a different method of purification of such a lady is mentioned in the text. (585 & 586). She is not to be bathed. But another lady, who is not suffering from disease, should touch her & bathe for ten times, wearing fresh garments at each time, after bath. The sick lady becomes pure, by giving meals to the brahmanas on some auspicious day. The same rule is to be followed in case of sick person, who is unable to take bath, but when the bath is quite necessary to be taken by him. (587).
The Usanas smrti quoted in the S.C.(I.p.121) mentions similar method for the purification of a woman, in her course, but there the woman that touches, the sick lady, has not to change her clothes for ten times, as mentioned by Devala. Similarly, Yama (53), mentions that the other healthy person has to take bath & touch the sick person for ten times for purification of the sick, but he also like Usanas does not mention wearing of new clothes at each time after bath. Yama's prescription is for the purification of a sick person. The Brhatparasara smrti (8/305) also prescribes a rule like Yama for the purification of a sick person.

4) WEARING OF GARMENTS:

Some rules about wearing of garments, mentioned in the text are noteworthy.

(1) A healthy person should not rinse his limbs, with a scarf or hand, because the water of the head, face, chest & the lower part is drunk by the Gods, Manes, Gandharvas & all creatures respectively. An alternative rule is prescribed that one should at least rinse the body with an already washed garment & wear two dry garments (575 & 576).

(2) The religious activity should be performed by the wise, with a garment, washed by himself. It should never be performed by a garment, that is new (unwashed) or is washed by a washerman. This shows that, for the religious purposes, one has to wash his own garments. The garments, washed by a washerman are not allowed.
(3) The garments dipped in indigo are not at all allowed by the author. These garments are prohibited for all religious activities and if they are performed with such garments, those activities become futile. One should undergo yavaka expiation on wearing it for one day, parāka on occasional wearing of it & candrāyana, on wearing it for one year.

5) MĀRJARA, UPASTHĀNA, VAISHVADENA ETC.:

MARJANA AT THE END OF A PĀDA:

The Marjana is to be performed with nine quarters (padaih) of eight syllables. The three Mantras, namely apōhiṣṭhā etc. contain three lines in each Mantra & these lines have eight syllables. The sprinkling of water is to be done at the end of each quarter or line. The sprinkling of water is to be done for nine times, as there are totally nine lines of the three Mantras. The divine lustre would be lost, if the person does not practise it in the prescribed manner (603).

There are three alternatives about Marjana. It can be done at the end of each re or half of it or at the end of each pāda or line. Devala prescribes only the last one & does not allow the other two alternatives. Brhaspati is also of the same opinion.

From the Dharmasindhu (p.239-241) it appears that the above method of Marjana is followed by the followers of Bhrīra (Ṛgvedins) & Kāṭyāyana (white Yajurvedins) recensions, while the Taittirīyas follow the 'rgante' method of mārjana. Thus the statements of
the Dharmasindhu would suggest that Devala does not follow the Taittirīya recension of the Veda or that the Taittirīyas do not follow the method, prescribed by Devala.

MANTRAS FOR UPASTHANA:

The Upasthana (Mantras, recited during the worship of the sun in the twilight-worships) is to be performed with the recitation of the four Mantras viz. the three Mantras from Mitrasya etc. (V. S. 11.62-64) & the fourth, 'Vasavasva' etc. (VS.11.65) during the morning worship, while during the evening adoration, the four Mantras from 'imamme etc.' (VS.21.1-4) are to be recited. Like Devala, Baudhāyana D.S.13(II/4/7/9-11) also refers to the recitation of Mantras, addressed to Mitra in the morning & with those addressed to Varuna in the evening. But he prescribes the recitation only of two Mantras at both times - viz. Mitrasya carsani (RV.3/59/6) & 'Mitro janān' (RV.3/59/1) in the morning & 'imam me (RV.1.25.19) & tatvayāmi (RV.1.24.11) in the evening. Thus, in this respect, Devala & Baudhāyana are different. The Upasthāna-Mantras, recited by Bāhras (Rgvedins), Taittirīyas (followers of Taittirīya recension of Black Yajurveda) & Katyāyanas (followers of white Yajurveda) are quite different from those mentioned by Devala. (Cf. Dharmasindhu pp.240-242).

The Mantra 'Vasavastva' is not found in the Rgveda, Sāmaveda & Atharvaveda Samhitās, which may indicate that the author does not follow any of these samhitās here.
URDHVAPUNDRA—INFLUENCE OF VAISNAVA CULT

The necessity of Urdhvapundra is emphasized at two places in the text. All activities like sacrifice, giving gifts, home (offerings), the study of Veda & the offering of water to the Manes become futile, if these are performed without Urdhvapundra (perpendicular mark on the forehead) (172). Even a knower of Veda & Vedanta is regarded as the vilest person & a thief among men, if he does not possess the Urdhvapundra mark on his forehead (607). This reflects upon the influence of the Vaisnava cult upon the present text.

The Bhavisya Purana & Katyayana (quoted in A.M.38)\textsuperscript{14}, on the contrary emphasize the necessity of tripundra, in a similar manner. Thus the followers of Saiva & Vaisnava sects have given importance even to the external aspects of Dharma, as indispensible, as they distinguished their sects from the other sects.

The two epithets 'cakrahkitatanuh' & 'Lingakita' refer to the followers of the Vaisnava & Saiva cults, who make the external peculiar marks of wheel & phallus respectively on their body. The text (699) prohibits taking food in the row of such persons. The influence of Vaisnava cult is also indicated by the statements like "He does not remember Govinda at the time of his death' (731) & 'from him Hari is quite away' (727).

VAISHVADEVA—KRATVARTHA OR PURUSARtha:

The Vaishvadeva is considered to be Purusartha only (i.e. for effecting some saṃskāras on the person) by the Mitaksara (on
Yaj. S. I. 103), the Smriticandrika (I. 213), the Parasaramadhava (I. I. 390) etc., while there is also another view that it is both purusārtha & also for effecting saṃskāra (the unseen spiritual result) on the food\(^{15}\) (smṛtyarthāra p. 46 & Laghu-Asv. Smr. I. 116).

But if it is performed only for effecting saṃskāra on the person, it is not necessary to be repeated, when food is cooked, again on the same day. On the contrary, if it is a saṃskāra on the food-cooked, it must be performed at each time when it is cooked. Devala prescribes the first alternative, that the vaiśvadeva is to be performed only once, even when food is prepared again on the same day (619–622). Thus according to Devala, the vaiśvadeva is purusārtha only. But it is to be noted that the verse (618), also explicitly mentions that it is to be performed for sanctifying or purifying the food. This verse is most probably of a later period than the sutra portion of the text.

**BLOWING OF FIRE WITH MOUTH:**

It is necessary to blow the fire to kindle it. Blowing of fire is not to be done with a cloth, or a leaf or hand or a winnowing basket or mouth or a ladle or even with a fan. This is the declaration of the sruti, according to the author (624). If the fire is blown with a leaf or a winnowing basket or hand or mouth, the result is the ill-health, loss of wealth, death, diminishing of life respectively (625). But the katyāyana smṛti\(^{16}\) (9.14 & 15) allows to blow it with a fan and the śrūta fire even with the mouth. The Grhyasahāgraṇa parisīṣa\(^{17}\) (I. 70) also allows the blowing
with the mouth, which is quite opposed to the explicit prohibition of Manu (IV.53) and Gautama (I/9/32).

But according to Devala, the fire should be blown with the mouth only, as the śrutī declares it to have been produced from the mouth. (VS.31.12). But it is not to be blown only with the mouth, some other material like the dhāranī (blowing pipe), grass, stick etc. should be kept between the fire and the mouth (626).

The last quarter of the verse (626) reminds one of the last quarter of the mantra in the purusāsūkta of the VS (31.12a). This may suggest the influence of this saṁhitā on the author.

6) BHOJANA :

PLATES OR VESSELS FOR EATING :

The general rule is that a broken vessel or plate is not to be used for eating. But the present text (646) allows taking food, even in the broken plate, made up of copper, silver, gold, stone, conchshell & crystal. A similar rule is ascribed to paithinasi in the smṛticandrika (I.p.222). It is also enjoined by Devala that one should always eat in a plate made up of gold, silver or copper & not in plate made up of a material different from these (652). (If the word 'tadbhinnam' is understood in the sense of a broken vessel, this rule would go against the above view of Devala of taking food in a broken plate of gold etc. but the sūtra (646) is chronologically of earlier period of than the present verse (652)). The taking of food
in a silver (pisaca) & a copper (udumbara) plate is highly praised, as destroying all sins & leading to the Highest State.

MANDALA FOR BHOJANA:

Devala (657) declares that the four varnas should make square, triangle, circle & crescent figures below the plate with water as a mandala. All strength of that food is taken away by the spirits & goldins, when the mandala is not made below the plate (658). Some other smritis (e.g. Atri V.1) do not prescribe the crescent figure, in case of a sudra, but they enjoin only the sprinkling of water below the plate.

FOOD OF SOME SUDRAS CAN BE PARTAKEN EVEN BY BRAHMANAS:

The food of the following five persons of sudra caste could be partaken even by the Brahmanas. They are one's own servant, barber, cowherd, potter & farmer, according to Devala (656). Other smritis like - Yajñavalkya (I.168), Parāśara (11.20), Yama (20), Visnu (57/17) also enumerate the sudras, whose food could be partaken. Devala enumerates only five such persons, but Yajñavalkya (I.168) & others enumerate five & add one more i.e. yasatmanam nivedayet (whosoever surrenders himself as a dependent). The servant cowherd, cultivator, barbor - these four are common. Family-friend (kulamitra) mentioned by them is absent in Devala's enumeration and the potter, mentioned by Devala is not found in the other smritis. Moreover, the author specifically adds 'sva' in the beginning with 'dasa' which may indicate that other persons also related with oneself are bhojyanna & not others (Cf. K.K.N., p.263).
OCCASIONS, WHEN THE TAMBULA IS PROHIBITED:

The use of tambula for eating is not found in the sutras and early smrtis. Hence, the rules, prescribing & prohibiting the eating of tambula are of a later period, when it became current in India (i.e. first or 2nd century A.D.).

Several occasions on which the partaking of the tambula is prohibited are mentioned in the text. They are (1) amavasya, (2) day of śrāddhā to the ancestor, (3) pilgrimage, (4) impurity due to death, (5) death of a kinsman, (6) eleventh lunar day in both fortnights, (7) when one is impure, (8) on a road, (9) during both the twilights, (10) in a temple, (11) in an assembly hall, (12) during conversation, (13) when many people are suffering, (14) when there is great danger, (15) fall of empire, (16) unrest in the public, (17) during the worship of gods & preceptors, (18) when vow is undertaken, (19) while listening purāṇa — (703-706).

The mention of 'Hari's day during both fortnights' clearly indicates the influence of vaisnava cult on the text. The prohibition of the tambula, while listening purāṇa suggests that the purāṇa recitation and exposition had become very much popular in those days. This indicates the later emergence of the present verses.

7) BHAKSYADHAKSYA:

IMPORTANCE OF GHEE IN BHOJANA:

The ghee is the most necessary article in the food of a householder. He should not take food, without ghee at any time, because the ghee is not only purifying and agreeable, but also
destructive of sins according to the author (716). Plenty of ghee was also to be served to the guest. The author adds that the householder, not serving ghee to the guest, even when it is available in the house, goes to Hell (635).

EATING OF SEEDS PROHIBITED:

The text prescribes that seeds, should not be eaten except for curing diseases, as the eating of them would destroy the production of future innumerable fruits (717). This shows that seeds can be used for curing diseases. But in ordinary circumstances, the seeds should not be destroyed by eating. Numerous other trees, giving plenty of fruits can shoot forth from seeds.

CUSTOMS CONNECTED WITH THE USE OF MILK:

The following two customs, connected with use of milk in the text (718) are noteworthy. (1) Any article, which is a product of milk is not to be partaken during night-time. The Brahmāṇḍa-Purāṇa (quoted in G.R.370) strictly prohibits the partaking of curds at night, even at the time of commencing the journey during night-time. (2) The milk is the most pure & purifying article of food & hence it should not be denied, when served. Both these customs are still prevalent in some parts of Mahārāstra.

KAUSUMBHA - FORBIDDEN:

Kausambha means the product of kusumbha, known as karadai in Marathi, safflower in English, Kusūmbhi, Kasambi, Kabri (seed) in Gujarati, Kasumber, Kusum in Hindi. It is prohibited by the
author (721). But the green leaves of it are freely used as a vegetable, even by brahmins in the Mahārāṣṭra, before the ground-nut oil became popular.

**DRINKING OF URINE ETC. FOR CURING DISEASES, NOT ALLOWED:**

The diseases can be cured by the use of urine etc. This remedy was known from very ancient times. Even the works like *caraka* etc. do contain references to such use. The present text (796-802) indicates that not only urine, but the intoxicants, human semen, ordure, milk etc. can work as a remedy for diseases, but are strictly prohibited & an expiation is prescribed for such a use by a person. The expiation, mentioned in the text for drinking human semen, ordure, urine etc. is somewhat liberal than that mentioned by *Manu* (11.151) & *Yājñavalkya* (3.254) *smṛtis*.

Devala maintains that the twice-born person should fast for three days, if he drinks urine, semen etc. through ignorance and should perform the *tapakročchra* penance, if these are drunk intentionally, while *Manu* & *Yājñavalkya* enjoin *punahsaṃskāra*, even when these are drunk through ignorance.

**DRINKING OF WINE:**

Many varieties of wine are mentioned in the text. The eleven kinds of intoxicants are referred to in the verse (1635). The verses 769 & 770 enumerate seven & ten varieties of wine. The *Visnu smṛtis* (22/83-84) also mentions ten kinds of intoxicants like Devala (verse 770), while *pulsatya* (quoted by *Mitaksara* on *Yājñas.3.253*) refers to eleven varieties of them, excluding *sura*, which would be the twelfth one.
All these varieties of intoxicants are strictly prohibited for brahmanas, but the ksatriya and the vaisya are allowed to drink them (771). Even the expiation also is enjoined, only for the brahmana by Devala (1633 & 1635). The Vishnu Smr. (22/83-84) also contains similar rule. But Manu (25) (XI.94, 95) prohibits the drinking of three kinds of sura for all the three varnas viz. for brāhmaṇa, ksatriya and vaisya also.

III. PERIODICAL RITES & CUSTOMS:

1) THE AUSPICIOUS PERIOD ON VARIOUS SAŃKRAṬTIS:

Certain practices of bath, giving gifts etc. are to be observed, when the sun passes from one rāsi to another but the exact time of the sun’s transit is so minute that it is difficult to be known by the ordinary maked eyes (819). Hence several alternatives are suggested about the time of observance of religious activities on that day.

1) The most general rule is that the whole day is auspicious, when the saṅkramana is during daytime, while only the half of the day is auspicious, when it is during night-time (825).

2) Another general rule is that it is 30 ghatikas (12 hours) before and after the time of saṅkranti (819).

3) The 30 ghatikas on karka, 20 ghatikas after saṅkramana for magara, 10 ghatikas before and after the time of transit on meṣa & tula saṅkrantis, 60 ghatikas after the transit in case of sadasiti - i.e. mithuna, kanya, dhanu, & mīna saṅkrantis & 16 ghatikas.
before & after the saṅkramana for visṇupada (i.e. siṁha, vrśeika, kumbha, & vrśabha saṅkranti) (823 & 824).

**TABLE NO. 4**

The following is a table showing the auspicious time on each saṅkranti, according to Devala. It is also compared with the information, supplied by the Dharmasindhu (p.2).

<table>
<thead>
<tr>
<th></th>
<th>Devala</th>
<th>Dharmasindhu</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Ghatikāh</td>
<td>Ghatikāh</td>
</tr>
<tr>
<td></td>
<td>Purvāḥ</td>
<td>Parāḥ</td>
</tr>
<tr>
<td>1. Mēsa</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>2. Vṛṣabhā</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>3. Mithuna</td>
<td>–</td>
<td>60</td>
</tr>
<tr>
<td>4. Karka</td>
<td>30 (purvā or parā not clear)</td>
<td>30</td>
</tr>
<tr>
<td>5. Siṁha</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>6. Kānyā</td>
<td>–</td>
<td>60</td>
</tr>
<tr>
<td>7. Tula</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>8. Vṛṣeika</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>9. Dhanu</td>
<td>–</td>
<td>60</td>
</tr>
<tr>
<td>10. Makara</td>
<td>–</td>
<td>20</td>
</tr>
<tr>
<td>11. Kumbha</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>12. Mīna</td>
<td>–</td>
<td>60</td>
</tr>
</tbody>
</table>
4) The most auspicious time is the nadīs or ghatikās that are nearest to the time of saṅkrānti (822).

Mr. P. V. Kane is of the opinion that "in any case the observances & festival of makara-saṅkrānti do not appear to be much older than the beginning of the Christian era". The observances relating to each saṅkrānti, were prevalent at least during the period of the present portion of text, in which the auspicious time on each saṅkrānti is laid down.

2) THE FAMOUS VERSES OF TITHI-NIRNAYa:

The verses 828 & 829 are very much popular and are frequently quoted by almost all the digestes & commentaries, in connection with the subject of decision of a lunar day (tithi). The variants of these verses would also indicate that there is no unanimity about the last quarter of them. Some follow the reading as given in the present text, but some other read 'Danadhyayanakarmasu' as the last quarter of the first verse & 'snaṇadāna-japādisu' as the last quarter of the second verse. The general import of the verses is as follows: The tithi may not sometimes be for the whole day & hence whichever portion of the tithi is at the time of rising of the sun, it should be taken to be for the whole day for performing acts like bath, giving gifts and japa (muttering of mantra). Whichever tithi is at the time of setting of the sun, it should be considered fit for the acts like gifts & study.

3) SIMPLE DICTUM OF TITHI-NIRNAYa:

The author also mentions a very simple & easy rule for the decision of tithi. It may happen that on one & the same day, there
may be two tithis, at the different parts of the day. In such cases, the decision of tithi for a particular rite becomes difficult. The simple solution is suggested by the author. The tithi at the time of the sunrise, though it may be for 24 minutes that should be taken for vows, fast, bath etc. i.e. for daiva karma. While that tithi which is at the time of the sunset, should be understood for śraddha i.e. for pitrkarma. Thus instead of suggesting some calculations from the point of view of threefold or fivefold division of the day for determining tithi, the author has advocated a very easy rule, which can be understood & followed even by the ordinary person.

4) FAST FOR LONG DURATION PROHIBITED TO VAISHYA & ŚUDRA:

The vaishya & śudra can observe fast, but they should not observe it continuously for three or five days. The fast for days less than three or five may be observed by them (840). Similar rule about observance of upavāsa by vaishya & śudra occurs in the Mahābhārata27 (Anu.106.12) but the difference is that according to the verse in the Mahābhārata the vaishya & śudra can observe fast only for three or two days, while according to Devala, they can observe the same for three or five days.

The varsakriyākaumudi (p.67)28 has properly explained the implications of the term 'puṣṭi' in this verse. It means 'fruit' & thus according to Govindānanda, there is prohibition only of kāmya or voluntary fast. Thus the vaishya & śudra should not observe a kāmya or voluntary fast for three or five days but the fast, which is compulsory or occasional (nitya & naimittika) & extends for longer duration, can be observed by them.
5) **RULES TO BE OBSERVED DURING THE PERIOD OF VRATA:**

The person must observe certain restrictive rules during the period of the observance of a vow. He should avoid drinking water repeatedly, eating the *tambūla*, sleep during day time and cohabitation (848). If these are practised, they would break the fast. Moreover, certain virtues are also necessary to be observed in all vows. Devala mentions the four virtues, namely celibacy, non-violence, truthfulness, avoidance of eating meat. (849). The *Agni Purana* 29 (175/10, 11a) prescribes ten such virtues, generally to be observed in all vows.

As regards, celibacy, the author remarks that it is lost by passionately looking at, touching, talking unnecessarily to women, but not by cohabitation with one's own wife at the proper period (850).

6) **AVOIDANCE OF FOUR MEALS WHILE OBSERVING FAST:**

The person, observing religious fast should avoid taking four meals, i.e. he should not eat in the evening of the previous day, both in the morning and evening on the day of the fast & in the evening of the next day (841). In other words, the taking of food is to be avoided on the day of the fast, & during the evening time of the previous as well as the next day of the fast. The *ekabhukta* is to be observed on the previous & the next day of the fast. Referring to the views of the works like *Kalanirnaya, Ekadasi-tattva* etc., Mn.P.V.Kane 30 remarks, "All these works say that the word *sayam* is not to be taken literally, but is only
indicative & what is really intended is the giving up of four meals in three days.

7) AVRATAGHAN\:NI :

The vow must be properly & strictly observed, but sometimes it may be broken due to some accidental causes. The text mentions four causes, that do not break the vow, when they occur only once, during the period of the vow.

The vow is not considered to be broken, when the breaking of it, takes place only once, due to (1) danger from or to all beings, (2) disease, (3) mistake, (4) the command of the elder person (844). In the \textit{Agnipura\:na}\textsuperscript{31} (175/43), eight such causes are mentioned, that do not cause obstruction or impediment to the observance of vow. They are water, root, fruit, milk, sacrificial food, desire of brahmana, advice of the preceptor, & medicine.

8) RULES ABOUT EKABHUKTA, NAKTA & P\:ARAN\:A :

In the \textit{ekabhukta} vow, the food is to be taken, according to Devala (845), after the half of the day has passed. The three morsels are to be taken less than those that are ordinarily eaten. Generally, eight morsels are prescribed for an ascetic, sixteen for the forest permit, thirty-two for the house-holder & unlimited for the student. (Cf.A.D.S.2/4/9/13). A similar verse ascribed to the \textit{skanda purana} (quot.in H.K., p.108) reads the last quarter as \textit{atastat-sy\:addiva\:va hi} & thus emphasises the importance of its performance during day time, while Devala adds the rule of
restricting the number of morsels to be taken.

In respect of nakta vow, the question arises about the time, when the food is to be taken. The term nakta itself clearly indicates that in this kind of vow, the food is to be eaten, during night time & should be avoided during day time. The Bhavisya Purana 33 (K.K.Y., p.3) mentions two views about nakta. According to some, it is the time, when the stars become visible, while according to other wise men, it is the time of the last muhurta (i.e. 48 minutes) of the day, before the sunset. The Bhavisyapurana itself favours the former view. Hemadri 34 (kala, p.114) explains the former to be the primary period & the latter as the secondary period for nakta.

Devala also seems to be aware of the above two views about nakta & permits both of them, by pointing out a very logical reason for this kind of twofold distinction. He states that (846) the wise declare the nakta, in case of householder, to be, when the stars are visible, but the 8th part of the day is prescribed for an ascetic, as he is not allowed to take food, during night time, after the sunset.

About parana (completing the vow by taking food), the author prescribes that it should always be performed in the morning, otherwise half of the fruit of the fast would vanish (847). But it may happen that due to some adverse circumstances, the performer may not be able to complete his vow, by taking food in the morning. But it is a rule that evening meal is to be avoided on the next day of the fast. Hence the observer should break his vow, merely by drinking water in the morning, so that
even if he takes food at any time of day, it does not go against the rule, as he does not take food at the second time (870). Thus the ārāṇā, which is performed by drinking water, amounts to both eating & non-eating (871).

9) FAST ON EKĀDASI:

There are divergent views about the observance of fast on eleventh day of both fortinights. According to Devala, the fast on the eleventh day of both the fortinights should be observed only by the foresthermits & ascetics, but the householder should observe it only on the ekādasi of the bright fortnight. (863). Narada²⁵ (Nirnayasindhu, p.26) also like Devala, prohibits the ekādasi fast in the dark fortnight for householder, having son. The Brahmavaivarta Purāṇa²⁶(4/26/38) also allows the omission of the ekādasi of the dark half in case of persons, other than vaisnava.

Some other views may also be noted. (1) The ekādasi fast on both the fortinights should be observed by all devotees of Vīṣṇu at all times. (2)³⁸ The fast on both ekādasi is to be observed by all, during the caturmasya period. These views are opposed to the above statement of Devala. Thus though Devala is influenced by the Vaisnava cult, he does not prescribe like orthodox sectarian the fast to be compulsory on both ekādasi to all persons.

10) FESTIVALS:

WORSHIP OF COWS ON PRATIPAD:

The worship of cows is to be performed on the pratipad of bright fortnight in the month of kārtika. The pratipad which is
mixed with the amavasya is to be taken here for the worship of cows & not that which is connected with the dvitiya tithi. The sons, wife & wealth are lost, if the cows are worshipped on the pratipad, associated with dvitiya, while there is enrichment of progeny, cows & the king, if they are worshipped on the pratipad, connected with the amavasya (852-854). Moreover, if the moon is seen at night on the day of worship & sporting of cows, the moon, the soma king, destroys the beasts and the worshipper of cows (855). Hence the pratipad, mixed with amavasya only, is considered to be valid for cow-worship.

It is prescribed that worshipping of fire/cows should not be done on the pratipad & dvitiya respectively, as that would destroy the warrior caste, wealth & family (852). Here the term 'pratipadagnikaranam' seems to prohibit the worshipping of fire (the festival of Hutasani), on the full-moon day of phalguna, connected with the pratipad, but it is to be observed on the full moon day, mixed with the caturdasi day only. Similarly, the worship of cows is also prescribed on the pratipad, connected with amavasya of the bright half of Kartika & not on pratipad, mixed with the second lunar day.

Thus these are references to the two popular festivals namely - cow-worship on the pratipad of the bright-half of Kartika & Hutasani, i.e. the fire-worship on the full moon day of the phalguna.

SERPENT WORSHIP:

The vow of worshipping serpents, known as Nagapancami is mentioned in the text (856-858). It is to be performed on the fifth lunar day. A fast is to be observed on the previous
IV. DANA :

1) ELABORATE DESCRIPTION OF NATURE OF DANA :

Devala has dealt with very elaborately with the subject of dāna (giving gifts), by explaining all the different constituents & varieties of it, with minute details. Such an extensive treatment of this topic is rarely to be found in other smṛtis.

DEFINITION :

The gift (dāna) is an act of donating of objects or wealth, with faith to a qualified recipient, as laid down in the śāstra (891).

ESSENTIAL ELEMENTS :

The essential elements of dāna are (a) two causes (b) six grounds (c) six constituent elements (d) six effects (e) four varieties (f) three fold division (g) three destructive elements (892).

It is remarkable that Devala deals with each of these points, in a very systematic & comprehensive manner. He explains each of these essential elements of gifts, in the very order of enumeration & thus brings forth the nobility of giving gifts.

a) TWO CAUSES (DVĪHETU) :

The faith & devotion are the two causes, in the absence of which anything that is given becomes null and void (893).
b) **SIX GROUNDS (SADADHISTHANAM):**

The dharma (piety), artha (motive), kama (selfish desire), vrīda (shame), harsa (joy), bhaya (fear) - these six are grounds, when gifts are required to be given (894). (I) Dharmadāna is the real gift in which only with the notion of dharma, something is given to a competent person, without any consideration for its return or reward (895). Gifts, that are given due to other causes like artha (motive), kama (selfish desire), vrīda (shame), harsa (joy), bhaya (fear) are really not gifts (dana), in the strict sense of the term. But in this world, such occasions of gift do occur, in our life. There is giving of something to other, with the renunciation of one's ownership upon it, due to above causes; Hence the author has also mentioned them as the grounds or causes that impell giving gift. (II) The gift, that is given on some occasion, with some purpose, in view & which gives only some material, benefit to the donor, is known as arthadāna (896).

(III) The Kamadāna is a gift given to an unworthy person through love or passion, on the occasion of enjoying; ladies, wine, hunting & dice-playing (897). (IV) When the wealth or object is given to the supplicant in an assembly, through shame or pride is called Vṛidadāna (898). It is only to retain one's prestige & reputation, the gift is given through shame & bashfulness to the supplicant in the assembly. Such occasions also occur in the society. (V) On seeing or hearing something agreeable, whatever is given through delight is termed as harsadāna (899). (VI) While giving up of things to thieves, rubbers etc., who harass the
donor is designated as bhayadāna, as it is given through fear, with a view to avoiding the calamity, (that may befall upon him otherwise) (900).

c) SIX CONSTITUENT ELEMENTS (SApANGAM)

There are six constituents of gift namely - the donor, the donee, faith, the object of gift, the time and place of gift (901). Of these, only first four are clearly indicated in the Manusmṛti (IV.226-227)\(^{39}\), while all these are to be found in the Yajñavalkya smṛti\(^{40}\)(I.6, I/203). But the detailed explanation of all of them is to be met with only in the present text (902-907).

The 'donor' is a person, free from pāparogas, pious, desirous of giving gift, free from vices, pure, & having blameless means of livelihood free from censures. While 'donee' (the worthy recipient) should be a brahmana, who is trisukla (endowed with good family descent, knowledge & means of subsistence), with insufficient means of livelihood, compassionate, without any physical defect & bereft of sexual vices. The attitude of greeting the supplicant with smiling face & showing honour & goodwill towards him is described as 'faith'. Whatever amount of wealth, whether more or less, one obtains by one's own efforts, by not causing trouble to anyone & without any affliction could become a worthy object of gift. The time and place, most appropriate for gift are those, when and where a particular thing is difficult to be obtained.
d) **SIX EFFECTS (SADVIPAKAYUK):**

There are six kinds of effects of giving gifts. (908).

(I) The gifts, given to atheists, thieves, aggressers etc. becomes *dusphala* (of bad result). (II) The gift, given without faith becomes fruitless, though it may be of great amount. (III) The gift, causing trouble to others becomes *hīna* or inferior, though it is of a higher kind. (IV) That, given with bad attitude of mind, on account of bad intention becomes *tulyaphala* or of equal nature i.e. becomes ineffective or indifferent. That, endowed with all kinds of six constituent elements is called *vipula* or magnificent & one, given with compassion or pity becomes inexhaustive (*aksaya*).

Parāśara⁴¹(I. 29) speaks of four such varieties of *dāna* (namely, *uttama* (best), *madhyama* (middling), *adhama* (inferior) & *nisphala* (fruitless); while Mahābhārata⁴² (Sānti.293/18-19) mentions three such varieties namely *abhistuta* (praiseworthy) *madhyama* (middling) & *adhama* (heinous).

e) **THE FOUR VARIETIES:**

The vedic classification of gifts is of four kinds - (I) *dhruva* (permanent), (II) *ājasrika* (continuous), (III) *kāmya* (voluntary), (IV) *naimittika* - occasional (913-917).

(I) The construction of well, garden, lake etc. that brings about benefit for all times is *dhruva* (or permanent), (II) Whatever is given daily is called *ājasrika* (continuous), (III) The gifts, donated through the desire for progeny, victory, glory, women
& children is termed as kāmya. (IV) That gift, which depends upon the time, ritual & object (wealth etc.) is naimittika. It is thus of three kinds & may or may not be performed with homa (sacrificial offering). Similarly, whatever is given on such occasions like eclipse, sahākrānti, pilgrimage & birth is also called as naimittika gift.

f) THE THREE KINDS OF OBJECTS OF GIFT — (DEYA) :

The objects of gift are said to be of three kinds — viz. best (uttama), mediocre (madhyama), & of a low variety (adhama). (918-923). Food, curds, honey, protection, cow, land, gold, horse, & elephant — these nine are gifts of the best (uttama) variety. The gifts of garment, house, things of enjoyment and medicines, are of a mediocre (madhyama) type. While shoes, swings, carts, umbrellas, vessels, seats, lamps, fuel-sticks, fruits etc. & chowry that would last for a long period — these & other numerous things are considered to be the gifts of low nature (adhama).

g) THREE DESTRUCTIVE ELEMENTS :

The gifts, presented are nullified, by three destructive causes, namely — declaration of it to others, by praise of oneself & repentance for the thing, given up. Hence one should avoid these, if one wishes to obtain the real merit of the act of giving gift (dāna) (924- & 925).

Thus the whole treatment of dāna is indeed a novel & original contribution of the author.
2) **THE THINGS, NOT FIT TO BE GIVEN TO CERTAIN INDIVIDUALS:**

Some objects are prohibited to be given to certain individuals (931-933). The cooked food should not be given to the house-holders, curds to the forest hermit & livelihood to those who live on alms. The *śudra* should not be given the clarified butter, milk, sesamum, honey & word 'svasti' nor should one take these things from him. The milk, gold, land, cow, sesamum, honey, ghee & all kinds of juices should not be presented to a *cāndala*.

3) **THE EIGHT KINDS OF QUALIFIED BRAHMANAS:**

The gifts are to be given to the *brahmānas*. The *brahmānas*, who are *pātra*, qualified for accepting gifts are described to be of eight kinds, according to their qualities & conduct. They are enumerated as *mātra, brahmāna, srotriya, anūcana, bhrūna, rsikalpa, rṣi & muni*. Each latter is superior to the earlier one, with advanced qualities & character. They are then explained by pointing out characteristic features of each of them. (934-944). The *vaikhānasa G.S.* (I.1) also explains briefly these eight kinds of *brahmānas*.

V. **PURIFICATION OF SUBSTANCES (DRAVYASUDDHI):**

1) **NATURE OF PURITY & IMPURITY (MEDHYĀMEDHYANTUPANA):**

The most salient feature in Devala's treatment of *drayyasuddhi* topic, is the elaborate elucidation of the nature of purity & impurity.

**NATURE OF PURITY:**

The author first enumerates the four varieties of purity explains each of them in the order of enumeration (1052-1075).
Similarly, the four kinds of impurity, are also enumerated & explained in the same systematic manner. (1079-1086).

The 'purity' (medhyatva) is said to have been declared by Manu to be of four kinds, namely (1) suci (2) pūta (3) svayam suddha (4) pavitra. While making such a division of medhya into four kinds, Devala declares it to be in accordance with the view of Manu. But such a division is not found in the extant Manusmrti. This may reflect upon the priority of the present text to the extant text of Manusmrti & it further indicates that the author may be referring to some ancient text of Manu, that embodied such explanation.

DEFINITIONS:

(1) The thing or object, which is fresh & stainless is said to be suci (pure). (2) The purified & sanctified object is called pūta (refined or sanctified). (3) Whatever thing, whether movable or immovable, which is pure by its very nature is designated as svayam suddha (self-purified). (4) The object, which is not tainted by any other object, which purifies other objects & is fit to be given honour, in the acts of worship of gods & manes is termed as 'pavitra' (purifying).

Then several objects, that fall under the above four categories are mentioned. (1) All kinds of objects, ornaments, grains, etables & objects of enjoyment are 'suci' or pure only. (2) For the entire group of objects, that are prohibited, the word 'suci' is employed, but when such object is used in a ritual,
that is considered 'pūta'. (3) The stainless & refined object, befitting a ritual is declared as 'pūta'. (4) For explaining the 'thing pure by nature' (svayamsuddha) the author refers to the three fold classification of 'pure objects' (visuddha) namely—
(1) unspoilt (adusta), (2) praiseworthy lit. praised by speech (vakprasastam), (3) pure by nature (svayamsuddha); in accordance with the view of Manu. There is a verse in the Manusmrti (V.127) which is of a similar import. The three points, mentioned by Devala are compared below with those in the Manusmrti.

TABLE NO. 5.

<table>
<thead>
<tr>
<th>Devala</th>
<th>Manu</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trini pavitrāṇi</td>
<td>Trini visuddhāṇi</td>
</tr>
<tr>
<td>1. Adustam</td>
<td>1. Adrṣṭam</td>
</tr>
<tr>
<td>2. Vakprasastam</td>
<td>2. Yacca vāca prasasyate</td>
</tr>
<tr>
<td>3. Svayamsuddham</td>
<td>3. Abhirnirṇiktam</td>
</tr>
</tbody>
</table>

Thus there is some difference in the actual import of the two texts. This difference also reflects upon the priority of the text of Devala to the extant Manusmṛti, in which the present view of the Devala-text can not be traced. Devala may be presumed to be referring to some ancient text of Manu.

Numerous objects, that are pure by nature (svayamsuddha) are enumerated. Similarly, the objects, considered as pavitra, are also mentioned. The water, fire, cow-dung & clay are the best among the objects, termed as pavitra. They are pure & purifying all kinds of impurities of objects at all times, in all ways.
NATURE OF IMPURITY:

The impurity is first explained generally by enumerating different impure things like human bones, corpse, faeces, semen, urine etc. The other smritis like Manu (V.135), Vaisnu (22/83) etc. mention twelve such impure things.

The author, then classifies the impurity into four varieties: (1) dusita (vitiated), (2) varjita - (prohibited), (3) dusta (soiled), (4) kasmala (dirty). Each of these are also explained in an orderly manner.

(1) The pure thing, which is closely connected with the impure is called dusita, (2) The eatables & drinks, prohibited for partaking are said to be 'varjita'. Similarly, the outcaste, patita, candala, village hog, cock & dog are also always 'varjya' (fit to be avoided). While the wounded person, sutaki (person, observing impurity), suté (the delivered lady), the intoxicated, the mad person, a woman in her course, a person, whose kinsman is dead & an impure person - all these are varjya (fit to be avoided) only during their specific period. The sweat, tears, foam, nails, hair, the wet skin & blood, these are proclaimed to be dusta. The human bones, corpse, faeces, semen, urine, womanly discharge, the dead body (kunapam) & pus all these are instances of impurity known as kasmala.

The 'dusita' substance can be purified by sprinkling water, the dusta thing, by the purificatory means of cleansing, while the 'kasmala' articles are to be sanctified by all means of purification, together.
Thus the author has explained the nature of purity & impurity. Such a systematic & elaborate treatment of this topic is not generally found elsewhere. This is a special contribution of the author.

2) PURIFICATION OF SUBSTANCES:

PURIFICATION OF GROUND: BHUMISUDDHI:

The author also deals elaborately with the topic of purification of ground (1088-1092). The polluted ground can be of three types, namely (1) amedhya - impure, (2) dusta - soiled, (3) malina - polluted or dirty. These three types of impurity, associated with the ground are explained with illustrations. Due to the delivery of a lady, death of a person, placing of dead body, residence of a candala, association with faeces, urine etc. & appearance of stench, the ground becomes impure. The ground becomes dusta - soiled, when it is associated with dog, pig, donkey, camel etc. while by charcoal, husk, hair, bones, & ashes etc., it becomes malina (polluted or dirty).

The impure (amedhya) ground can be made pure by four or five means of purification, the soiled (dusta) by two or three means only & the dirty (malina), by one purificatory means only.

The five means of purification for ground, mentioned in the text are - (1) burning, (2) digging, (3) swearing with cowdung, (4) replacing with another lump of clay, (5) the fall of rain.
Manu⁴⁵ (V.124) & Yajnavalkya⁴⁶(I.188) also enumerate different means of purification of the ground. The sammarjana (sweeping & sprinkling of water) & gokramana (striding of cows), mentioned by both of them do not occur in the present text. While vapana (replacing with another lump of clay) is not found in Manu & Yajnavalkya smritis. Moreover, dahanam (burning) is also not found in the Manusmriti.

PURIFICATION OF WATER :

This topic is also more extensively dealt with in the present text (1093-1100) than that in the Manu & Yajnavalkya smritis. The Manusmriti contains one and the Yajnavalkya smriti, just a ½ verse, that deals with this topic (Manu.S.V.128; Yaj.S.I.192).

(1) Water, having smell, & taste, free from dirt, stored in the earth, not exhausted by drinking of it by cows, is said to be extremely pure. This is similar to Manu & Yajnavalkya verses, referred to above. (2) Water, drawn up from well etc. & stored properly in the clean vessels is pure, but it becomes impure, when kept over night. (3) The water, which is not agitated & is in great quantity does not become impure, but when it is of small quantity or is drawn out of well - can be vitiated by dirty things. (3) The dirty & impure things may sometimes be found in the water of lakes, rivers, wells, tanks etc., the water of which is always unagitated, the entire water does not become impure; The water, from the part of the steps or descent (tirtha) should be avoided. (4) The water in the well, pond, lake etc. may become impure due to some impure things like dead body of
animal, bird etc. If the water is of less quantity, the entire water-reservoir should be emptied and the pāṇcagavya is to be poured into it. If the water is too much, it is not possible to empty the entire water, the impure thing should be removed & 100, 60 or 30 pots of water should be taken out from it to purify it. The pāṇcagavya along with the recitation of mantra is also to be poured into it.

**Purification of Garments:**

The method of purification of garments of different materials is also dealt with in the text (1124-1128). The dirty clothes, made up of tantu (cotton fibres) should be purified firstly with water & acidic substances & later on, they should be dried up by keeping them in the sunlight or wind. The simple means of purification - drying & sprinkling of water - are to be employed generally for the garments, prepared from wool, (ūrṇa), silk (kauseya), kusa grass (kutapa), fine cloth (pattā), linen (ksauma), the woven silk (dukula). But when they are too much polluted, the use of chaff, juices of fruits & acidic substances, may be made for purification. Manu & Yājñavalkya also treat this topic, but in a different manner. They enumerate particular distinct purificatory articles for each kind of garment. For example, both of them, maintain that the garments, made up of kutapa, pattā, ksauma are to be purified with arīṣṭaka (soapberry), arīṣphala (bilva tree), & gaurasarsapa (white mustard) respectively, while the kauseya & avika garments are to be made pure by ṛṣa (salt ground or acid) according to Manu & with salt or acid, water & gamūtra according to Yājñavalkya. Devala does
not mention distinct purificatory substances for each kind of garment. He points out the general means of purification for all of them. Moreover, the purificatory articles, like *aṛistaka, gaursarsapa* etc., mentioned by *Manu* & *Yājñavalkya* in the present connection are not found in the *Devala*-text.

**PURIFICATION OF WOODEN SUBSTANCES**

Devala also points out the means of purifying wooden substances (1130). The wooden vessels & things can be made pure by planning and also by such means like clay, cow-dung & water. *Manu* (V.115d)\(^49\) merely refers to the planning as a means of purification of such objects. The *Visnu-Smr* .(23/5)\(^50\) maintains that wooden substances should be given up, when they are extremely polluted. But in ordinary circumstances, they are to be purified by planning.
REFERENCES

1) Kus′ah kas′ah saro gundro yava durvā'tha balvajah /
gokesamūnja kundasca pūrvabhāve parah parah //
   - N.S., p. 288.
   kus′ah kasa yava durvā usira sa kundakah /
godhumavrihayo maunja dasa darbihah sabalvajah //
   - Dharmasindhu, p. 63.

2) Karpaśamupavītam syād viprasyordhvavrtam trivrt /
   sanasūtramayam rājno vaisyasyavikasa utrikam //
   - Manu S. 2/44.
   Karpaśasana vikānyupavītani vāsāmsi ca //
   - VSN. S. 27/19.

3) Kausam sūtram vā tristrivrdyajñopavītakam //
   - B.D. S 1/5/8/5.

4) Yāminyāh paścime yāme tyaktanidro harīm smaret /
   alokya maṅgaladravyam karmā'vasyakamācare //
   - Vyāsa S. 3/2.

5) Pratyahmukhastu pūrvahne parahne prānmukhastathā /
   udah mukhastu madhyahne nisayam daksināmukhah //
   - Yama in K.K.B., p. 150 (footnote)

6) Mūtraoṣcārasmutsargam diva kuryaduḥmukhah /
   daksinābhimukho rātrau sandhyayosca yathā divā //
   - Manu S. 4/50.
7) Eka linge gude tisrastathikatra kare daśa /
ubhayoh sapta datavyā mṛdah suddhimabhīṣpata //
Etacchaucam grhaṣṭhanām dvigunam brahmaearinam /
trigunam syād vanasthanām yatīnām tu caturgunam //
- Manu.S.V/136-137.
Cf.Vsn.S.60/25-26 reads tisrastu pādayoh for suddhimabhīṣpata & tu for syād in the fourth line above.
eka linge gude tisra daśa vāmakare tathā /
ubhayoh sapta datavyā mṛdastisrastu pādayoh //
grhaṣṭha-saucamākhyatam triśvanyesu yathākramam /
dvigunam trigunam caiva caturthasya caturgunam //
Arthaprśrtimatram tu prathama mṛttikā smrī /
dvitiyā ca trtiyā, tadardham parikīrtīta // etc. etc.
- Dākṣa.S.V.5-12.

8) ..sā sacailā'vagāhyapah snātāṃ snātāṃ punah spr̥t̥ /
.....Daśa dvādaśakṛtvo va anāmecca punah punah /
ante ca vāsaṃ tyāgastatah suddha bhavettu sā //
- Usanas in S.C.,p.121.

9) Ātūre snānasaṃprāptte daśakṛtvo hyanāturah /
snātāṃ snātāṃ spr̥ṭettantu tataḥ suḍhyeta ātūrah //
- Yama.S.53.
10) Utpannamāturya snānam dasakṛtvastvanāturaḥ / snātva snātva sprśedenam tataḥ suddhyet sa āturah //
   - Brhat-parasara S. 8/305.

11) Rgante'r'dharucānte vā pādante vāpi marjayet /
    gayatri śirasā cānte marjayitvā'ghamarsanam //
   - Dharmasindhu, p. 239.

12) Āpohistha suprasiddhā nava pāda bhavanti te /
    pādam pādam ksiped vāri brahmahatyām vyapohati //
   - Brhaspati S. (Recon. Ācāra. 27).

13) Vārunībhyām rātrimupatisthata 'Imam me varuna'
    'tatvā yamāti dvābhyan / evameva prātah prāmukhasthisthan /
    Maitrībhīyām maharupatisthate 'mitrasya carsanīdhṛto'
    'mitro janānyatayatītī dvābhyan //
   - B.D.S., II/4/7/9-11.

14) Sādhe yajñe jape home vaisvadeve surārcane /
    dhṛtrīpundrah pūtātma mṛtyum jayati manavah //
   - Kātyayana in A.M., p. 38.

   Satyam saucam japo homāstrīrtham devādipūjanam /
   tasya vyarthamidam sarvam yastripundram na dhārayet //

15) Grhastrho vaisvadevākhyam karma prārabhate divā /
    'anāsya cātmanasaiva susamskarārthamisyate //
   - S.S., p. 46.

   Sudhyartham cātmano'nnasya vaisvadevam samācaret //
16) Hotavye ca hute caiva pāṇisūrpaśphadāruberhiḥ / 
na kuryādagnidhamanam kuryād va vyajanādinā //
Mukhenaike dhamantyagnim mukhādhyeso 'dhyajayata /
nāgṇim mukheneti ca yallaukike yojayanti tat //

-Kat.Ś., 9/14,15.

17) Mukhenopadhamedagnim mukhādhyeso 'dhyajayata /

- G.S.P., I/70.

18) Caturastram brahmānasya trikanam ksatriyasya tu /
Vartulam caiva vājyasya sūdrasyābhuyukanam smrtam //

- Atri.Ś.V.1

19) Sūdresu dāsagopālakulamitrārdhasīrinah /
bhojjanā na pātāscaiva yascatmanam nivedayet //

- Yāj.Ś., I/168.

Smrtis of Parasara (11.20), Yama (20), Visnu (57/17) contain
a verse of similar import.

20) Yattu devalena kumbhakāro bhojjayanna ityuktah sa svakīyo
boddhavyah //

- K.K.N., p.263.

21) Api prayānasamaye rātrau na praśayed dadhi /
madhuparkapradānam tu varjayitvā tu kāmatah //


22) Ajñanat prāsyā vimūtram surāsāṃsprātameva ca /
punahsāmskāramarhanti trayo varṇā dvijātayah //

- Manu.Ś., 11/151.
Ajñānāttu surām pītvā reto vinmūtram eva ca / 
punahṣaṃskāram arhanti trayo varṇā dvijatayāḥ //
- Yaṣ. 3/254.

23) Madhukamaiksavam taḥkam kaulam kharjūrapānase /
mdvīkarasamadhvīke maireyam nārikelajam //
Amedhyānī dasaitānī madyānī brahmanasya ca /
rajanṛṣaiva vaisyaṣa prastvaitānī na dusyataḥ //
- Vaṣ. 22/83–84.

24) Pānasam dṛaksamadhukam kharjūram tālamaiksavam /
madhuḥtham sairamāristam maireyam nālikerajam //
samanānī vijāniyāt madyānyekādaśaiva tu /
dvādaśam tu surā madyam sarvesāmadhamam smrtam //
- Pulastya in Mītā.on Yaṣ. 3/253.

25) Surā vai malamannānām pāpma ca malamucyate /
tasmād brahmanarājanyau vaisyaṣca na surām pibet //
Gaudī paistī ca madhvi ca vijneyā trividhā surā /
yathaivaikā tathā sarvā na pātavyā dvijottamaṁ //
- Manu. XI/94–95.


27) Vaiṣyā śudrāsc ca yanmohādavāsam pracakrīre /
trīrātram pāncarātram vā tayorvyuṣṭirna vidyate //
- Mah. Anu. 106/12(Cr.ed.13/109/12).

28) Pustīh phalam / Etena kāmyasyāiva nisedhah /
- Varsakriyākaumudi, p.67.
29) Ksama satyam daya danam saucam indriyanigrahah / devapūjā'gni haranam santoso'steyameva ca // sarvavratesvayam dharmah sāmānyo dasadhā smrtah //
- A.P., 175/10-11.


31) Āstau tānyavrataghnāni āpo mūlam phalam payah / havirbrāhmaṇakāmyā ca gurorvacanama sa dham //
- A.P., 175/43.

32) Āstau grāsa munerbhaksah śodasāranyavāsinah / dvātrimśatam grhaṃ thasyaparimitam brahmaścarinah //

33) Naksatrādāraṁānānaktam kecidiechanti mānavah /
muhurtonam dinam kecit pravadanti manisinah //
naksatrādāraṁānānaktamah manye nārādhipa //
- Bhv.P. quot. in K.K.V., p. 3.

34) Naksatrādārānādūrdhvam naktasya mukhyah kālah; Aham manye iti vacanat / Itaro gaunah paramatatvenopadesat /

35) Saṁkrāntyāmupavasam ca krsnaikadasivasare /
candrasūryagrahe caiva na kuryat putravān grhī //

36) Sāklaṁevatu kurvanti grhino vaisnavetarah /
na kṛṣṇalaṅghane dosastesām vedesu nārada //
- BV.P. 4/26/38.
37) Yatha suklā tatha kṛṣṇā tatha taṁ tathetarā /
  tulye te manute yastu sa vai vaiṣṇava ucyate //

38) Sayanībhodhinīmadhye ya kṛṣṇaikādasi bhavet /
  saivoposya grhaṣṭhena nānyā kṛṣṇā kadačana //
  - BV.P.4/26/39.

39) Sraddhayestam ca pūrtam ca nityam kuryadatandritah /
  sraddhākṛte hyaksaye te bhavataḥ svāgatairdhanaiḥ //
  Dānadhaṁ man nīṣeveta nītyamaistikapaurtikam /
  paritustena bhāvenapatramasādyā saktitah //

40) Dese kāla upāyena dravyam sraddhā samanvitam /
  pātre pradīyate yat tat sakalam dharmalaksanam //

  Datavyam pratyaham pātre nimittesu visesataḥ /
  yācitenāpi datavyam sraddhāputam ca saktitah //
  - Yāj.S.I/203.

41) Abhigamyottam dānaṁahūtam caiva madhyamam /
  adhamam yācyamanam syāt sevādānaṁ ca nisphalam //
  - Parasara S.I/29.

42) Abhigamya ca tat tustya dattamāḥurabhistutam /
  yācitenā tu yat dattam tadāhurmadhyaman budhāḥ //
Avaiñaya diyate yat tathaivśraddhayāpi vā /
 tamāhuradhamam dānam munayah satyavādinaḥ //

- Mbh.Śanti.293/18-19(Cr.ed.12/282/19)

43) Trīnī devāḥ pavitrāni brāhmanānāmāmakalpayan /
adṛstamābhirnirnīktam yacca vaca praśasyate //

- Manu.S.V/127.

44) Vaśasukramasrimajja mūtravit ghrānakarnavīt /
 slesmaśru dūsikā svedo dvādaṁnite nrṇam malāḥ //


45) Sammarjana-pānjanema sekanollekhanena ca /
gavam ca parivāsena bhūmiḥ sudhyati paścatoḥ //

- Manu.S.V.124.

46) Bhūsuddhirīmañcaddahat kalād gokramanāttathā /
 sekadullekhanāllepād graham marjana-lepanāt //

- Yāj.S.I/188.

47) Āpah suddhā bhūmigata vaitṛṣṇyam yasu gorbhavet /
avyāptācśedamedhyena gandhavārṇarāsānvītāḥ //

- Manu.S.V/128.
Suci gortrptikrttoyam prakrtistham mahīgatam //

- Yāj.S.I/192.

48) Kauseyāvikayorūkhaiḥ kutapanāmaristakaiḥ /
Śrīphalairamsupattanām ksauśānām gaura-sarasapaiḥ //

- Manu.S.V/120.
Sokhairudaka gomūtraiḥ suddhatyāvikākṣikām / 
saṣṭrīphalairamsupatām sāristaiḥ kutapantathā //
sagorasārasapaśaiḥ kṣānumaṃ............... 
- Yāj.Ś. I/186.

49) .......Dāravānāṁ ca taksanām //
- Manu.Ś. V/115d.

50) .......Dāravam mrnamayam ca jahyāt /
      .......Taksanena dāravānāṁ /
- VSN.Ś. 23/5.
(G) THE DISTINCTIVE LEGAL FEATURES

I. GENERAL REMARKS :

1) MODERATE TREATMENT OF VYAVAHĀRA :

There are only 83 verses, dealing with vyavahāra in the present text. Only four topics namely (1) Rājadharma, (2) Ātataīyaṇī, (3) Strīpuṃḍhārma & (4) Dayavibhāga are treated in them. The exposition of the other topics of vyavahāra is not found in the available verses. The verses of Devala, on the different topics of acāra & prayāścitta are available, in the various digests & commentaries. But those, dealing with the varied topics of vyavahāra are not available. It is evident that Devala's verses, on the other topics of vyavahāra, were not available even from the period of 11th & 12th century A.D. The extensive works like the Mitākṣara, Aparārka, the Kṛtyakalpataru etc. do not quote such verses. This may suggest that those verses might not be available, even to those early writers of the said works, eventhough Devala's smṛti was possibly available to them. These writers, would not have missed to incorporate them in their comprehensive works. This suggests that Devala might not have dealt with the other topics of vyavahāra.

2) ABSENCE OF ROYAL RECOGNITION :

The smṛtis, those of Manu, Yājñavalkya, Kātyāyana, Nārada, Brhaspati etc. deal exhaustively with various titles of vyavahāra.
But Devala does not treat them elaborately like other smrtis. This may reflect upon the following facts.

There might be a state of anarchy & chaos in the society, with the loss of kingdom, due to foreign invasion. In fact, the precepts, dealing with vyavahāra, are meant for the guidance of king, who would follow them, in the legal matters. Some smrtis, like those of Manu, Yājñavalkya etc. must have had such a royal recognition. Moreover, such smrtis were circulated among the friendly states, for the guidance & adherence. But in the absence of royal recognition & prevalence of the state of anarchy or foreign rule, there would be no significance & necessity of the directives regarding vyavahāra. This might be the reason for the omission of the other topics of vyavahāra by Devala. He has dealt with only such topics, that are of general interest & application.

II. STRIPUNDHARMA :

1) REMARRIAGE OF LADIES ALLOWED:

A lady can supersede her husband in the following circumstances (1549). When the husband is (1) lost (nasta) - not seen & unheard of, (2) has become an ascetic, (3) is impotent, (4) has become patita (outcaste), (5) has committed a great sin or is a traitor to the king, (6) has gone to other world. Narada (stripūṇaḥ) v.97) is quite similar to Devala, but 'raja-kilbiśi' mentioned by Devala is absent to Narada, who thus refers only to five circumstances.
The three circumstances (3, 4 & 5 mentioned above) are common with those mentioned in Kautilya's *Arthasastra*² (3/2/59).

Devala (1550) further strictly ordains that for the propagation of race only and not through freedom a lady can approach another husband, even when her earlier husband is alive or dead.

Devala (1551 to 1555) also points out the period, after the lapse of which, a lady, belonging to a particular caste can be entitled for remarriage. Narada (Strīpuṇā.98-101) has similarly dealt with this point.

(1) The ladies of the four castes having progeny should wait for 8, 6, 4 & one year respectively for their husband, who has gone abroad & after this period, they may approach another person. (2) When the ladies of the four castes are without any progeny or issue, the period of waiting is further relaxed 4, 3, 2 years respectively, for the woman of the first three castes. No period of waiting is prescribed for a Śūdra lady, having no progeny. (3) The husband can be set aside even when he is living & is heard of. But in such cases, the lady has to wait for double the period, ordinarily prescribed.

Above statements would reflect upon the fact that Devala (like Narada) favoured the view of 'the remarriage of ladies'. Manu³ is opposed to the 'remarriage' but practically allows the same in some cases, in accordance with the popular usage & sentiment. Moreover, Manu (IX.76) does not clearly state, what the woman should do after the period of waiting, when the husband has gone abroad, while vasiśṭha⁵ (17.67) prescribes that woman
should approach her husband, after the lapse of certain period of waiting (i.e. return to her own husband only). Kautilya\(^6\) (3.4.45-47) allows her to marry with brother, or a sapinda or the nearest family member of her husband.

This comparison can indicate the peculiarity of Devala, regarding the problem of 'remarriage of ladies'. Both Devala & Narada seem to agree with Kautilya, in allowing remarriage in certain cases, under certain conditions.

2) **SUPERSESSION OF WIFE (DIVORCE):**

The circumstances & the period, when a person can supersede his wife, for another (adhivedana) are mentioned in the text. (1556 & 1557). The person can abandon his wife (1) who is beyond the limit of procreation (who is rendered unfit for procreation, on account of age), (2) who is barren & censurable & (3) who gives birth to female issues, after 8, 10 & 12 years respectively. After this period, he may obtain another wife, for getting son. But while marrying another wife, he should satisfy his previous wife with wealth. Manu's rule is slightly different. He mentions\(^7\) (IX.81) 8 years for the barren & 11 years for the lady, giving birth to female progeny, as a period for waiting before supersession. But Manu also refers to other two circumstances (1) 10 years for one who gives birth to the stillborn, (2) immediately a woman not having agreeable to speech (i.e. of harsh tongue) Baudhayana\(^8\) (II.2/4/6) also prescribes, 10 years for the barren woman, & 12 years in case of woman giving birth to female issues, while he mentions 15 years for one giving birth to still-
born & allows immediate abandonment of one who has unagreeable speech.

Thus Devala is identical with Baudhāyana in two respects, while quite different from Manu, in all respects, in this topic of period & circumstances of supersession of wife. But it is remarkable that Devala is much closer to Kautilya\(^9\) (3.2.47/48) in this respect. Kautilya mentions eight years for a barren woman & a lady, who is beyond procreation, 10 years for lady giving birth to stillborn child & 12 years for one, having female progeny only. The difference between Kautilya & Devala is with regard to the barren woman. Devala mentions 10 years, while Kautilya prescribes 8 years in such a case. Moreover, Devala does not refer to the lady, giving birth to the stillborn child.

3) **NUMBER OF WIVES**

The number of wives that a person can marry are mentioned in the text (1560). The persons, belonging to the four varṇas, can marry four, three, two & one wife respectively. While a king can marry any number of them, at his sweet will. This rule reflects upon the prevalence of polygamy in the society.

The above rule of Devala is similar to the view of Manu, as expressed in the verse (3.13)\(^{10}\). But later on, (3.14)\(^{11}\) Manu, clearly expresses his disapproval for marrying śūdra lady by brāhmaṇa & ksatriya. Yājñavalkya\(^{12}\) (1.56-57) & Pāraskara (1/4/8-11) do not allow marrying of śūdra lady by the three higher varṇas. It is only referred to as a view of some, not approved of by them.
The king could marry any number of wives, according to Devala. "This only reflected the prevailing practice of kings."  

III. DāYAVIBHĀGA:

1) TIME FOR THE PARTITION OF PROPERTY:

Devala declares like Manu\(^{14}\) (IX.104) that the sons should divide the property of his father, only after his death. They have no right on his wealth, as long as he is alive & is free from defect.\(^{(1563)}\). In other words, the sons have right on the father's estate only after his death, but even when he is alive, the sons make partition of property in some exceptional cases, of his having some defect, such as his being an outcaste, an ascetic etc.). This view is known as Uparamasattvavāda. Manu (IX.104), Devala (1563), Narada\(^{15}\) (Dayā.2) & Kautilya (3.5.1) hold this view. While there is also another view, known as Jammasattvavāda, represented by \(^{16}\) Yājñavalkya (II.124), Katyāyana (839), Visnu (17.2) etc. According to this second view, the ownership of sons, in the ancenstral property, arises from the very birth of them in the family. Sons are also owners of the ancenstral estate from their birth along with father.

The partition could be done even during the life-time of mother, when her monthly illness is suspended (1564).

2) ORDER OF SUCCESSION OF PROPERTY OF THE SONLESS:

The order of succession of property, in case of a sonless person, laid down in the text (1570-1571) is as follows - the full brothers (unmarried) daughters, father, half-brothers,
mother & wife. The place of wife, coming at the end of this order of succession is noteworthy.

The widow of the sonless person is not admitted as an heir in some sūtris (cf. Manu IX.185, Ap. D.S. II.6.14.2, Nārada (Dāya 50-51 etc.). While some sūtris like Yājñavalkya (II.139-139), Visnu (17-4) etc. give the first & the foremost place to the widow, as the heir for the property of the sonless. Devala, like Gautama (III/10/19), Saṅkha (Mītā. on Vāj.S. II.135) does not give her the foremost place, but only as the last member to inherit, if the earlier heirs are not there.

The order of succession, mentioned by Devala, in case of the sonless person, does not agree with most of the sūtris (Manu, Yājñavalkya, Nārada, Visnu, Gautama, Saṅkha, etc.). But it is remarkable that Devala here also agrees much with Kautilya (3.5.8 to 11). But the difference is that Devala admits mother & wife as heirs, while Kautilya does not.

3) NO SHARE TO PATITA AND HIS SON:

The patīta (outcaste) & his son are not considered fit for getting any share in the ancestral property. Patīta is not entitled for maintenance & raiment. While other disqualified persons like important etc. are given food & raiment. (1573-1574). Baudhāyana (II/2/3/41) & Kautilya (3.5.19/32) mention a similar rule. Manu (IX.10) & Nārada (21.22) do not seem to exclude the son of patīta from share; while Yājñavalkya (II.143) like Devala excludes patīta & his son from inheritance, but seems to allow maintenance & raiment to be given to patīta also.
4) Enumeration of 12 kinds of sons:

The number and status of sons are differently mentioned in the various smrtis. Devala also enumerates 12 kinds of sons. The names and status of sons, mentioned in the text are compared below, with those in other smrtis. The highest number of kinds of sons is 13; Devala enumerates only 12 types of sons & omits 'saudra', in the list. The order of sons, given by the author is not identical with any of other smrti. But Devala is quite closer to Kautilya in respect of number & order of sons. The only difference between Devala & Kautilya is with regard to the position of Kanina, to whom Kautilya has given a lower place.
<table>
<thead>
<tr>
<th>Devala</th>
<th>Gautama</th>
<th>Baudhayana</th>
<th>Kautalya</th>
<th>Vasishtha</th>
<th>Harita</th>
<th>Sakhita</th>
<th>Manu</th>
<th>Vajnara</th>
<th>Brhaspati</th>
<th>Visnudhara</th>
<th>Adiparvam</th>
<th>Yamapuranam</th>
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<td>1. Aurasa</td>
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<td>3. Ksetraj</td>
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<td>4. Kanina</td>
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<td>9. Dattaka</td>
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<td>10. Swayamupagata</td>
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<td>11. Krtrima</td>
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<td>12. Krita</td>
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TABLE NO. 6

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The above table is prepared, on the basis of a similar chart, given by Mr. P. V. Kane in H. D. S., Vol. III, p. 645.

The text also contains verses (1576-1577), enumerating 15 kinds of sons. No smrti, mentioned in the above table refers to so many sons. The three additional sons, mentioned here are bijin, putrikasuta & vatrakvacotpadita. The last one is mentioned in the Visnu Smr. (15/27). The earlier two can be explained by understanding (1) ksetra as a son of the begetter & also of the husband of the lady & (2) putrika as the daughter appointed as a son & the son of the appointed daughter.

5) CLASSIFICATIONS OF SONS:

The text refers to three kinds of classifications of the twelve kinds of sons. (1578-1583).

UTTAMA, MADHYAMA & GARHITA:

The aurasa & the putrika are considered as the best (uttama) as heir for the ancestral property. While the dattaka, abaviddha, krita, krtrima & saudra are sons, that are of middle (madhyama) kind. The ksetra, paunarbhava, kānīna, sahodha & gūdhotpanna are considered as unworthy (garhita). But it is noteworthy that here there is reference to saudra son, not mentioned in the prose and verse enumerations, found in the text (1575-1577). This classification into uttama, madhyama & garhita sons, would be in conflict with the following classification of sons as bandhudaya-da & pitrdaṇḍa. The verses, containing similar classification of sons are found in the reconstructed text of the Brhaspatismrti (V y a v . 26-70 & 72, 73 & S a m . 270 & 271).
Devala (1582) also indicates the classification of sons into four kinds, namely (1) ātmaja (born of oneself), (2) paraja (born of others), (3) labdha (obtained), (4) Yadrcchika (accidental). "The aurasa, putrika, paunarbhava & saudra would be ātmaja. The ksetraja would be paraja. The dattaka, krtrima, krita, svayamādatta & apaviddha would be labdha (& also paraja) & gudhaja, kānina, sahodha may be called Yadrcchika".

Devala (1583) has also suggested the classification of the twelve sons into two groups namely - bandhudāyāda & pitrdayāda. Among the first group of bandhudāyādas (that get share not only in the father's property, but also in the ancestral property of his kinsmen) - the six sons, the aurasa, putrika, ksetraja, kānina, gudhotpanna, apaviddha are included. While the remaining six namely - sahodha, paunarbhava, dattaka, svayamupagata, krtrima, krita are included in the latter group of pitrdayādas (that inherit the property of father only & not his kinsmen). Manu (IX.159-160) also divides the sons in the similar manner as bandhudāyāda & adayādabāndhavas, but the sons, mentioned by him in these groups are different. "Vas. (17/5/25), Sahkhalikhita (quot. in V.R.P.247), Narada (Dāyabhāga 47), & Harīta include in the first group - Auraṣa, kṣetraja, putrikaputra, paunarbhava, kānina, gudhaja & the rest in the 2nd group."
6) **SAVARNA SONS GET ONE THIRD SHARE:**

Devala (1585) completely agrees with Kautilya (3/7/19-20), when he states that the sons that are *savarna* (belonging to the same caste), obtain 1/3 share, when the *aurasa* son is existing. While those of lower caste should be given only food & raiment. *Kātyāyana* (857) mentions ¼th share to be given to the *savarnas*. But there is also reading 'trtiyamsaharāḥ' for 'caturthamsaharāḥ' in the verse of *Kātyāyana*.

7) **STATUS OF PUTRIKĀPUTRA:**

The status of *putrika* or *putrikāputra* is the next to the *aurasa* son, according to Devala & is considered equal to *aurasa* as in *Manu (IX.130)*, *Kautilya (3/7/5)*, *Yājñavalkya (II.131)* etc. But some *śmartis* (like *Vasistha*, *Śaṅkhālikhitā, Narada, Visnu, Yama* - cf. previous table) consider *Ksetraja* to be superior to the *putrika* or *putrikāputra*. *Gautama* gives tenth place, & *Harīta* mentions the *putrika* at the fifth place, in the order of sons. This reflects upon the status of *putrika* according to the different *śmartis*. In this respect of the position of *putrikāputra* also, Devala agrees with *Kāutilya's Arthaśāstra*.

8) **POSITION OF DATTAKA:**

It would be clear from the table of sons, given previously, that Devala gives ninth place to the *dattaka* son, like Kautilya *Śaṅkhālikhitā, Narada & Yama*. While some *śmartikāras* like Gautama, *Baudhāyana, Manu, Brhaspati* etc. place him at a higher position. It is also noteworthy that Devala has indicated the inclusion of
the dattaka among sons, that are not \textit{bandhudayādas} (that are not eligible to inherit the property of the Kinsmen), but are heir only to the property of the father. But Manu (IX.159) includes dattaka among sons that inherit collatorally (i.e. are \textit{bandhudayādas}).

Thus Devala does not agree with Manu in this respect. But Devala's enumeration of dattaka, at the nineth place, among 12 sons & not allowing collateral succession to dattaka - both these dictums are quite in conformity with the \textit{Arthasastra} of Kautilya.

9) **PLACE OF KĀṆĪNA**:

KāṆīna is given higher place (4th) by Devala, Harīta & Narada, but he is given a very lower place, viz. tenth by Brhaspati & Brahmapurāṇa, & eighth by Manu & Baudhāyana \textit{smṛtis}.

10) **SHARE OF UNMARRIED DAUGHTERS**:

Devala (1598) lays down that the 'unmarried daughters' should be given nuptial wealth from the estate of the father. But if the father has no male issue, the legitimate or lawful daughter gets the entire property of the father like the son. This indicates that the 'unmarried daughters' actually do not get any share in the property, but only the wealth, needed for their marriage is to be kept apart. This is similar to the opinion of Kautilya (III.5.21) & Visnu (15/31)\textsuperscript{23}. But some law-givers like Manu (9/118), Yājñavalkya (II.124), Katyāyana (858)\textsuperscript{24} etc. state that \textfrac{1}{4}th share of the entire property should devolve upon the 'unmarried daughters'. Sahkha\textsuperscript{25} (qut.in S.C.II.p.269) maintains that nuptial wealth \textit{(vaivahikam strīdhanam)} & maiden ornaments should devolve upon her.
Thus there is great disagreement between Devala & Manu etc. (as noted above). But here also Devala seems to follow Kautilya, more closely than even Katyāyana & Brhaspati.

III. STRĪDHANA - ITS NATURE & DEVOLUTION:

According to Devala (1604), the strīdhana (woman's peculiar property) consists of maintenance (vṛtti), ornaments, bride's gratuity (sulka) & profits of money-lending (labha). Kautilya (3/12/16) explains strīdhana to be consisting of means of subsistence (vṛtti) & ornaments. Thus there is much verbal & doctrinal parity between the two. While Manu (IX.194), Yajñavalkya (2/143-144) enumerate & explain strīdhana in a different way. Devala does not verbally agree with them.

The author (1611) maintains that strīdhana is to be equally shared by her sons & unmarried daughters, when she is not alive. But if she has no progeny, it should devolve upon her husband, mother, brothers or father. Thus the order of succession or devolution of strīdhana is also pointed out.

It is remarkable that Devala like Kautilya (3/2/42-45) & some smṛtis like Manu, Brhaspati, Sahkhalikhita, Katyāyana etc. maintains that both, daughters & sons, possess equal right of inheritance for strīdhana. While others (e.g. Gautama, Yajñavalkya, Visnu, Nārada, Paraskara etc. opine that it devolves upon daughters only as immediate successors.
6) Tatāh patisodāryam gacchet / Bahuṣu pratyāsannam dhārmikam
bharmasamartham kanisthamabhāryam vā / Tadabhāve 'pyasodāryam
sapindam kulyam vāsannam //

7) Vāndhyāstame 'dhivedyābde da'same tu mrtaprajā /
ekādase strijananī sadyastvapiyavadinī //
   - Manu. S. IX/31.

8) Aprajām dasame varse striprajām dvādase tyajet /
mrtaprajām paṇcaddase sadyastvapiyavadinīm //
   - B. D. S. II/2/4/6.

9) Varsānyastāvaprajāyamanamaputraṁ vandhyām cakākṣeta /
   Dāsa bindum dvādasā kanyāprasavinīm //

10) Sudreva bhāryā 'sūdrasya sa ca svā ca visah smṛte /
   te ca svā caiva rajnasca tascā svā cāgrajammanah //

11) Na brāhmaṇaks atriyayorāpadyaṁ hi tisthatoh /
   kasmīmscidapi vṛtante śūdrā bhāryopadisyate //

12) Yaducyate dvijatīnām 'sūdraddāropasaṅgrahah /
   Na tanmama matam yasmāttatratma jāyate svayam //
   Tisro varṇanupūrvyena dve tathaika yathākramam / brāhmaṇaksatriyavisam bhāryā svā 'sūdrajamanah //
REFERENCES

1) Naśte mrte pravrajite klībe ca patite patau / 
   paṅcasvāpatsu nāṁpatiranyo vidhiyate //
   - Narada S. (Strīpuh.V.97)

2) Nicatvam paradesam vā prasthito rājakilbīsī / 
   prāṇabhīhantā patitastyājyah klībo'pi vā patiḥ //
   - Arth.S.3/2/59.

3) Na dvitiyāsca sādhvinām kvacid bhartopadisyate / 
   - Manu.S.V.162.
   Paṇigrahanikā mantrāḥ kanyāśveva pratisthitāḥ / 
   - Manu.S.VIII.226.
   Sakrīt kanyā pradiyate //
   - Manu.S.IX.47.
   Na vivāhavidhāvuktam vidhavāvedanam punah / 
   - Manu.S.IX.65.

4) Sa cedaksatayoniḥ syādgatapratyāgatā'pi vā / 
   paunarbhavena bhartā sa punah saṁskāramarhati //

5) Prositapatnī paṅca varśānypāsita/Urḍhvam paṅcabhīyo 
   varṣebhīyo bhartṛsakāsam gacchet //
   - V.D.S.17/75-76.
Tisro brahmasya varñanupürvyena /Dve rajanyasya //
Eka vaisyasya / Sarvesam sudramapyeke mantravarjyam //

- Paraskara G.S.I.4/8-11.


14) Urdhvam pitusca mātusca sametya bhṛṭararḥ samam /
bhajeran paitrkam rikthamaniṣaste hi jīvatoh //

- Manu.S. IX/104.

15) Pitaryurdhvam gate putra vibhajeran dhanam kramat /
matruduḥitaram bhāve duhitram tadanvayah //

- Narada S. (Daya.2)

16) Bhūrya pitamahopattā nibandho dravyameva ca /
tatra syāt sadṛṣam svāmyam pitraḥ putrasya caiva hi //

--Yāj.S.II/124.

17) Dravyamaputrasya sodarṣa bhṛṭararḥ sahajīvino va hareyuh
kanyāsa riktham / putravataḥ ptraḥ duhitāro va dharmisthesu
vivahesu jātāḥ / Tadbhāve pita dharamānāḥ / Pitrābhāve
bhṛṭararo bhṛṭraputraḥ //


19) Aurasah kṣetrajascaiva dattah krtrima eva ca /
gūdhotpanno 'paviddhasca dāyāda bandhavaśca sat //
kānīnasca sahodhasca krītah paunarbhavasthathā //
svayamattasca saudrasca sadāyādābandhavāh //
   - Manu. S. IX/159-160.


21) Aurasa tuṁpanne savarnāstrīyaṁsahah /
asavarnā grāśacchādanabhāginah //
   - Arth. S. III/7/19-20.

22) Utpanne tvaurase putre caturthāṁsahah sutāh /
savarnā asavarnastu grāśacchādanabhajanāh //
   - Kat. S. Sa. 857.

23) Kanyābhyasca prādānīkam //
   Anudhānam svavittanurūpena saṁskāram kuryāt //
   - Vśn. S. 15/31.

24) Svābhyaḥ svābhyaṁ kanyābhyaḥ pradadyurbhrātarah prthak /
svatvadāṁsaccaturbhāgam patitāḥ syuradītsavah //
   - Manu. S. 9/118.

   Asaṁskṛtāstu saṁskāryā bhrātrbhīḥ pūrvasamāhrtaih /
bhaginyasca nijādaṁsadattvāṁsam tu turiyakam //
   - Vai. S. II/127.
Kanyakanam tvadattanam caturtho bhaga isyate /
putранам tu trayo bhagah svamyam tvalpadhane smrtam //
- Kat.S.S.856.

25) Vibhajyamane dayadye kanyalahkaram vaivahikan stridhanam ca
kanya labheta //
- Saâkha quot.in S.C.II,p.269.

26) Vrttirabadhyam vâ stridhanam //
- Arth.S.III/2/16.

27) Adhyagnyadhyavabhanikam dattam ca pritikaramani /
bhratmâtrtpitrpraptam sadvidham stridhanam smrtam //
- Manu.S.IX.194.

Pitrmatrpatibhratrdatammadhyagnupagatam /
adhivedanikadyam ca stridhanam parikirtitam //
bandhudattam tatha sulkananvadheyakameva vâ //
- Yâj.S.II/146-147.

28) Jivati bhartari mrtayâh putrâ duhitaraśca stridhanam vîhajeran/
aputrâ duhitarâh / Tadabhâve bharta / sulkananvadheyamanyad
vâ bandhubhirdattam bandhavâ hareyuh //

29) Jananyäm saṁsthitaśyam tu samam sarve sahodaraḥ /
bhajeran mātrkam riktham bhaginyaśca sanabhayaḥ //
- Manu.S.IX.192.

Stridhanam syâdapattyânam duhitâ ca tadaṁśini /
aprattâ cet saṁûdhâ tu labhate mañamâtrkam //
Samam sarve sahodara mātrkamūkthamārthanti kumārayasca
- Sāṅkhaliṅkhita quot. in F. M. III, p. 551.

Bhaginyo bandhavaih sārdham viha jeran sabhārtkā
strīdhanaṣyeti dharmo'yaḥ vihāgastu prakalpitah
- Kāt. S. Sa. 917.

30) Strīdhanaṃ duhitṛṇaṃ aprattānāma pratiṣṭhitaṇām ca
- G. D. S. 29.

Māturduhitaraḥ sesamṛttabhya rte'nvayah
- Vaij. S. II/117.

Sarvesveva prasūtāyam yad dhanam tad duhitṛgami
- Vsnd. S. 17/21.

Māturduhitaro'bhāve duhitṛṇam tadanvayah
- Narada. S. Dayā. 2.

Aprattāyastu huhituh strīdhanaṃ parikṛtitam
putrastu naiva labhate prattāyam tu sāmaṃsabhāk
- Paraskara (quot. F. M. III, p. 552).
I. PRAYASCIITTA:

1) INTERPRETATION OF THE PHRASE 'GURUTALPAGAMANAM':

Generally, the term 'guru' in the phrase 'gurutalpagamana' is interpreted as referring only to the father. But the author has mentioned eleven gurus like Upādhyāya etc. in the verse (10). Hence gurvalpanamana or gurutalpagamana would mean in that case as, cohabitation with the wife of any of these eleven gurus (elderly persons). This must be understood to be the interpretation, suggested by Devala, because he states that in the offence of gurutalpagamana, the cohabitation, especially with the wives of Upādhyāya (teacher), rāja (king) & pita (father) to be the most severe heinous offence (1619). This clearly indicates that Devala not only understands, the teacher, king and father by the word guru in gurutalpagamana, but also other gurus, enumerated by him (verse 10). Thus the author seems to give a very wide interpretation of the above term. This is not a generally accepted meaning of it.

The Prayāviveka (p.134) also points out that though Devala has enumerated eleven gurus, the father only is to be understood here as guru & not ācārya etc., as the cohabitation with his wife would not be equal to gurutalpagamana & is understood as 'anupātaka'.

The above agreement between the import of sutra in the prayāscitta section (1613) & the verse in the ācāra section (verse 10), about eleven guru's suggests that this sutra portion of Devala-text & the verses in the first chapter, may be probably of the
same period of composition. This reflects upon the antiquity of the
verse-content of text like the *sūtra* portion of it.

2) **EXPIATION FOR DRINKING SURA:**

The expiation for drinking *sura* is death only for a *brahmana.*
But the method by which the death is to be effected, is differently
mentioned in various *smrтиs.* Manu¹ (IX.91), Brhaspati (*Prāya* 45),
Apastamba (I.9.25.3), Gautama (24) suggest: that the wine, shining
like fire, heated upto high temperature, should be drunk by the
person drinking *sura.* Manu² (XI.92) Yājñavalkya (3.253), Brhaspati
(*prāya* 46) also point out other alternatives of drinking boiling
hot urine of cow, water, milk, ghee, or liquid cowdung, until he
dies by drinking it.

But Devala has not referred to any of the above articles
for effecting death. He ordains that the *brahmana,* drinking *sura,*
can be purified by destroying his body by drinking red-hot liquid
of any such metal like silver, copper, tin or lead (1633). This
drinking of liquid metal, as an expiation, is not met with in the
*smrтиs,* mentioned previously.

3) **WINE ALLOWED EVEN FOR BRAHMANA DURING SACRIFICES:**

The wine is completely prohibited for a *brahmana* & even
an expiation of ending life is suggested for him who drinks it.
Yet there is one option (1634). It is prescribed that the wine,
that comes, unasked (in the sacrifice) does not spoil the *brahmana*
belonging to the *vājasaneyi* recension of *sukla Yajurveda.* These
*brahmans,* can drink the wine offered them when unasked for, during
the sacrifice & no sin accrues from it. (cf. V.D.S. 23/13).

The express reference to the vajasanevins & their peculiar custom of partaking sura in the sacrifice, reflect upon the prevailing custom of the society. It may be noted that even "Meghaṭhanes (p.69) & Strabo (XV.1.53) note that Indians did not drink wine except at sacrifices (in the 4th century B.C.) 3". It can be maintained that the drinking of sura in the sacrifices, was practised only by the vajasanevi brahmanas, during the period of the present text.

4) DIFFERENCE BETWEEN DEVALA & MANU REGARDING CONTACT WITH PATITA:

Manu (XI.181) 4 maintains that the person, associated with patita also becomes patita, only after one year. This first part of the verse of Manu is clear, but the second half is somewhat ambiguous & is differently interpreted by Kulluka & Govinda-raja. Govinda-raja interprets that he becomes patita, after one year, if he has relations of officiating at his sacrifice, teaching him & having marriage relations with him. But he does not become patita, by merely having such relations as sitting at the same conveyance or seat or eating with him. Kulluka, however, on the authority of some smritis like Devala, Baudhāyana etc., interprets that the person becomes patita, after one year, on having such relations, as sitting on the same conveyance; or seat or eating along with him; but by such relations as becoming his priest, teacher, or having matrimonial relations, he immediately falls from his status & becomes a patita.

Thus the verse of Manu is differently interpreted by the two commentators. The verses of Devala (1648 & 1649) treat the above
subject of degradation by the contact with *patita*, more clearly. 

Even *kullūka* had to take recourse to the verse of *Devala* to explain & clarify the view of *Manu*. *Devala* prescribes that the person becomes *patita*, after one year by having constant & continuous (*sārvakālika*) contact with him, by performing such acts like dining, being with him on the same seat or bed. He further adds that by officiating at sacrifice, having marriage relations, teaching *veda* to him & taking food along with him, the person, no doubt, immediately becomes *patita*. This sense of 'instanteneity' or 'promptness' in degradation is not clearly seen in the *Manusmṛti*.

5) **SIN IN STEALING BOOKS ETC.**: 

Sins, associated with stealing the various objects are mentioned in the text. The stealing of books and various materials, is also referred to. The stealer of books or manuscripts, the cover, the thread, holder, wrapper etc. becomes very sinful. He becomes completely *āumb* on this earth.

This reflects upon the condition of the society. Not only the manuscripts, but also various materials of it, were stolen. This indicates that there was much scarcity of both of these.

II. **ANUGRAHA**: 

1) **RELAXATION OR CONDONATION IN THE PRESCRIBED EXPIATION**: 

Several expiations are prescribed for eliminating sins, but the weak may not be able to stand them. Hence for the sake of protection of masses, the host of learned *Brahmins*, the knowers of *Dharma*, are required to suggest concession or
relaxation in the prescribed penance (1885-1889). This concession should not be awarded by one person, though proficient in vedas, but assembly or group of knowers of Dharma are authorised to prescribe it. This is opposed to Yajñavalkya (I.9), who alternatively allows to accept the verdict, even of one person, expert in spiritual knowledge.

The concession, varies in accordance with severity or otherwise of the offence. It has not to be declared through the force of any such element like love, greed, fear or ignorance. The rule of relaxation in the prescribed penance is to be resorted to only, when, it amounts to danger to the life of the person, undergoing it & not at all, in case of a healthy person.

2) CIRCUMSTANCES TO BE CONSIDERED FOR THE PRESCRIPTION OF A PARTICULAR TYPE OF Penance:

Many circumstances are to be considered for imposing the expiation on the sinful. (1890-1907). The caste, capacity, strength, wealth, qualities, age & sex of the performer, the number of times, the sin committed; whether the act has been done with intention or without it; whether it is committed secretly or publicly; the time & place of the sin perpetrated—these & several other conditions are to be taken into consideration.

The following rules are recommended for prescribing the penance.

(1) The half of the penance, prescribed to brāhmaṇa should be enjoined for ksatriya, half of that of ksatriya to the vaiśya
& half of that of vaisya to the sudra. Thus the hierarchical, caste-wise distinction is made in respect of prescription of penance.

(2) Whatever expiation has been ordained for a sinful act in public, the twentieth part of it, has been prescribed for performing it in secret, & the thirtieth or sixtieth part thereof according to his caste.

(3) The expiation, prescribed for committing a sin without intention, was doubled, when it was perpetrated with intention.

(4) The penance could be efficacious provided, it is prescribed in case of a sin, perpetrated only once, without intention, but no penance whatsoever is deemed fit to wash away the sin when it is committed repeatedly with intention. The author however refers to the view of others, who prescribe an expiation, even in such cases of intentional commitment of sin.

(5) The author also points out that when sin is committed repeatedly, the expiation at the second time, should be double. It should be three times more, if committed thrice, but there is no expiation to purify him, if it is perpetrated for four times.

(6) If the penance is not performed at proper time & much time has elapsed after the commitment of sin, the author ordains that the penance is to be the double of what is ordinarily prescribed & punishment by the king is also double. This shows that expiation was to be undergone within the prescribed limit.
of period. In case of some sins, punishment & penance, both were prescribed for the sinner.

(7) It may be added that even the monetary or financial condition of a person is to be taken into consideration, while prescribing certain expiations. For example, while prescribing the svarnakrčchra (2151) it is mentioned that the king or a wealthy person (mahāprabhu) should give gold of the amount of a vārāha (a coin, equal to five rūpakas. One rūpaka = one māsa of five gūṇjas), half of it, should be donated by a middle class person, & half of that of the latter, should be prescribed for other ordinary people.

(8) The decision of the assembly about prescription of expiation should be unanimous as far as possible.

3) DUTY OF A KING AS AN IMPOSER OF KRČCHRA:

The king declares some punishment & penalty for the guilty person. Similarly, it is also his duty to impose a particular expiation upon the criminal. According Devala (1893), the king is the imposer of krčchras, the dharma-pathaka (the religious adviser) is the indicator or adviser of it, while the sinner is the subject of expiation & king's officers are the protectors i.e. executive authorities of the prescribed expiation. This verse suggests that like punishments, even expiations also were given great importance by the king & he had even officers that carefully supervised the proper performance of it, by the sinner.
Moreover, the brāhmanas could even prescribe prayascitta, with the consent of the king. In respect of minor lapses, the brāhmins alone could prescribe it, without consultation with the king. Only in case of great sins, the king & the learned brāhmanas, could declare the penal penance, after due consideration of circumstances (1891).

III. DESCRIPTION OF KRCCHRAS :

There is enumeration of 15 kinds of penances (1908-1910). Even though the candrayana is not mentioned in it, it is also dealt with in detail. The following peculiarities are generally found in the description of these krccharas.

1. The procedure of most of them is described in detail.
2. The importance of several krccharas is emphasized by enumerating numerous sins, that they can dispel.
3. Even the episodes, connected with some krccharas are also narrated to extol them.
4. One or more substitutes or pratyamanavas are also suggested.
5. But the verses, seem to be of a very late origin & display a great influence of puranic style of narration. There is explicit reference to the Visnusahasranama & the Gajendramoksa (1929).

Most of these verses are from the pravascitta section of Hemadri. Mr. P.V. Kane remarks, "the fourth volume, which deals with pravascitta does not appear to be the work of Hemadri........"

It seems that Hemadri might have entrusted the work of compilation
of that volume to some learned scholars, who prepared & composed it in his name. Hence there is the beginning - Athedānīṁ hemaḍrī- kārena lokopakārārtham....." It was previously noted that even Renukaśārya (1266 A.D.) seems to be familiar with the verse, quoted in the present section of Hemādri. As regards the authenticity of the present verses, it can be definitely maintained that the later digest-writers of 17th & 18th century A.D. like Kamalākara, Vaidyanātha etc. have regarded the above section of Hemādri & the verses, therein, as most authentic and reproduced them in their works. Even M.M. P.V. Kane also had made use of the said section of Hemādri & the verses of Devala therein, in his fourth volume of H.D.S. Hence, it could safely be concluded that these verses, belong to Devala, & their authenticity is unquestionable.

IV. TIRTHAYATRA :

1) TIRTHAYATRA AS A MEANS OF EXPIATION :

Pilgrimage is also admitted as one of the means of extrication of sin. Even after unknowingly committing sin like bhrūnāhātva, the person can be free from it by great sacrifices or by visiting sacred places (2155). Visnu S. (35/6) also points out that the person, committing great sin can be purified by Asvamedha sacrifice or by visiting all the sacred places on the earth. The difference between Devala & Visnu is evident. When the person visits the various sacred places, like rivers, mountains, & other places of pilgrimage, he becomes absolved of sins & obtains happiness. The various sacred places, namely rivers, mountains,
tīrthas, āyatana etc. throughout India are enumerated.
(2156-62). It is thus significant that the topic of pilgrimage is explicated in the text. The visnu smṛti (36/6) & the parāśara smṛti (XII.58) etc. merely refer to the visiting of sacred places to be a means of purification from sin. The visnu smṛti (1/16-17) includes the tīrthanusarana among the Dharmas common to all.

"In the sutras & ancient smṛtis, like those of Manu & Yajñavalkya, Tīrthas do not occupy a very prominent position. But in the Mahābhārata & the Purāṇas, they are highly lauded & placed even above sacrifices. This would reflect upon the date of the present portion of the text, which may be later than the ancient sutras & smṛtis, but may belong to the period of the Mahābhārata & the Purāṇas, the period, when such ideas were current in the society. This does not affect the theory of placing Devala in the early centuries of the Christian era (if not earlier still).

2) MUNDANA ON TĪRTHAS:

It is remarkable that the author does not refer to mundana in the sutra, where he mentions the rites, generally to be followed on tīrthas (2164). He clearly states the religious acts, like the practice of certain vows, restrictive rules, fasting, bathing in the sacred water for three days, by residing there for days. The omission of mundana in the sutra portion of the text,
may indicate that it was introduced in a later period. The verses (2181-2187) that refer to mundana are comparatively of a later period than the sutra portion of the present text.

3) PRACTICAL RULES ABOUT WORSHIPPING & CIRCUMAMBULATING:

Some rules about worshipping & circumambulating the deity are interesting and are of practical necessity for a religious person. The devotee performs various auspicious religious acts on tirtha like - beholding the deity (i.e. darsana), touching it, worshipping & bathing it with water mixed with ghee. Among these acts, the performance of each later is superior mode of worship to each earlier (2290).

The devotee would also wish to circumambulate the deity. Hence the practical information about the number of times, the pradaksina is to be made for each deity, is also dealt with in verses (2192 & 2193). The pradaksina is to be performed for one, seven, three & four times, respectively for the deities, namely - goddess, the sun, vinayaka & visnu, while it should be half only in case of siva, as the somasutra (the channel through which the sacred water flows), is not to be crossed over.

The places, where japa (repeating of mantra), homa (offering of oblation), & namaskara (prostrating the deity) are not to be performed in the temple are mentioned (2194 & 2195). They should not be practised by sitting (1) in front of the deity, (2) at the back side, (3) at the left side, (4) in its proximity, (5) within the garbhamandira (inner part of the temple). If the above acts are performed in a place in front, back or left side of the deity,
the person secures death, decay or destruction respectively. They are only to be practised in the sabhamandapa (the open hall), of the temple, sitting to the right side of the deity & not to the left. These rules are quite natural, because, if a person performs the acts in the above prohibited manner, the other persons would be deprived of their right of worshipping etc. of the deity, as that would obstruct their perfect vision of the deity. Thus by sitting in the open hall, one & all can at ease, practise the various acts, as long as they wish, without obstructing others, performing those acts.

V. PAñÇAGAVYA:

1) MEANS OF PURIFICATION:

The pañçagavya is the most important purifying or sactifying article, indispensible in all forms of expiations. It can purify the sinner from the minor lapses. The author has given great importance to it, while prescribing the expiations, for the purification of a person, troubled by the mleccha.

2) ALLOWED EVEN FOR SUDRAS AND PATITAS:

The smrtis like Atri (297) & visnu (54/7) mention that the sudra, drinking pañçagavya & the brähmana, drinking sura are equally sinful & both reside in hell for ever. While Devala maintains that pañçagavya is prohibited to be given to the ladies, sudras & patitas, but optionally allows it to be given, without the recitation of Mantras. (1870).
The five deities, namely Varuna, Agni, Soma, Vayu & Surya, reside respectively in the five ingredients namely - cow's urine, dung, milk, curds & ghee. These ingredients should be taken of cows of different colours. The urine, dung, milk, curd & ghee, should be used of cows of red, white, yellow, blue, & black colours respectively. The colours of cows, whose above ingredients are to be used, are differently mentioned in the Parasaramārti (11.28-29). They should be of cows of black, white, dark red (tāmra), red (rakta), brown (kapila) respectively or all the ingredients may be taken of kapila cow.

The quantity of each ingredients of pañcagavya, is also mentioned differently in the smṛtis. The cow's urine, dung & kusa-water of six Matras (a standard measure), ghee & milk of three Matras, the curd of ten Matras - this is the proportion of each ingredient, according to Devala. (1874). While Parasara (11.29 & 30) states that the cow's urine of one pala, curd of three palas, ghee of one pala, cow-dung of half of the thumb, the milk of 7 palas & kusa-water of one pala should be taken for it. Atri (296) maintains that cow's urine, ghee, milk & curds should be two, four, eight and eight times more than the proportion of cow-dung in the pañcagavya.
VI. MLECHITASUDDHI: PURIFICATION OF PERSONS, CONVERTED:

1) A NOVEL CONTRIBUTION:

Devala deals with the problem of purification of persons, kidnapped & ill-treated by the mlecchas. This is an important & novel contribution of the author to the extant literature on Dharmasastra. This is an attempt to solve, one of the most important & irritating social problems.

The Mlecchas (i.e. Muslims, in the present context) invaded India in the 8th century through the province of Sindh & troubled the Hindus, living there in various ways. The Hindus were forcibly carried away and harassed by compelling them to eat or drink forbidden articles. People were required to talk, dine & live for several periods along with them. Ladies were also similarly oppressed by forcing them to perform the undesirable acts. The rape or seduction of Hindu ladies by Mlecchas was also rampant.

Hence the problem of purification of all such oppressed persons was one of pertinent problems of the society. Devala tries to solve this problem, by suggesting very simple & liberal rules of purification. There is no other smrtikara, that deals with this problem with so much detail as Devala has done. The various expiations are prescribed for the persons, belonging to all the four varnas. The expiation also varies in accordance with duration of time, spent along with the Mleccha & the intensity or seriousness of the sin perpetrated. Similarly, the question of purification of ladies, the children & aged
people is also considered. The specific penances & alternative rules are mentioned for the same. Above all, it is noteworthy that all expiations are also very simple, practical & easy. It is most remarkable & categorical opinion of the author that all people can be purified, even though they might be associated with the Mlecchas, for about 20 years.

TEXTUAL - ARRANGEMENT OF THIS CHAPTER, IN ITS RECONSTRUCTED FORM:

The printed text of Devalasmrți contains verses dealing with the problem of purification of the mlecchas & a few other verses, dealing with miscellaneous topics like āsauca, kṛcchra etc. In the Mlecchitasuddhiprakarana of the present reconstructed text, the verses, dealing with the Mlecchitasuddhi topic only are incorporated, while the other verses, of the printed text are accommodated in those respective chapters of the present reconstructed text, at proper places, suiting the context & relevancy. All these are really the verses of Devala & have been so handed down through the manuscripts of the Devala-smṛti. Only a few of these verses of Devala are found quoted in some works on Dharma-sastra. The variant readings of some of these verses, found in those works are noted in the portion of sources and variants (part II).

However, it is a curious fact that the printed Devalasmrți is a collection of unconnected verses, dealing with the important subject of purification of the persons, troubled by Mlecchas. But the entire topic is not dealt with in it, in a systematic & well-arranged manner. There seems to be no logical & sequential link among the various groups of verses in it. Hence an attempt is made in the present text, to put forth the text of the printed Devalasmrți, in the most orderly manner, by re-arranging the various groups of verses in it. The duration of time of association with the Mlecchas, is mentioned in the printed text. That is taken as the important thread to link together & rearrange the text. The verses, in the present text are arranged as representing the expiation for the period, starting from the smallest unit
of one day, up to the highest limit of 20 years, in a gradually increasing manner. In the printed text, there is no such plan in the order of verses.

3) CONTENTS:

The sages approached Devala, the best among sages, sitting at ease on the bank of river Sindhu and asked him as to how the persons, belonging to the four castes, carried away by the Mlecchas can be purified & what kind of expiations are to be performed by them, (1813-1815), in order to bring them back to their original fold.

Then Devala speaks out various expiations to be undergone by the four varṇas, on their association with the Mlecchas for just one day right up to the period of 20 years.

EXPIATION FOR ASSOCIATION OF VARYING DURATION: 1 TO 20 DAYS:

The pāñcagavya & gift are the expiations, for having association for five days, by way of conversation & taking food with him. (1) The cow's urine, (2) cow-dung, (3) cow's vine, cow-dung & milk, (4) cow's urine, cow-dung, milk & curd, (5) pāñcagavya with all ingredients (including ghee) are the expiations for one to five days respectively. (1818-1820). Later on, the author also enjoins the nādakrecha, the parāka & the atikrechra for staying along with the Mleccha, for 10, 15 & 20 days respectively. (1820-1822). The brahmana kidnapped by the Mlecchas for 5 to 20 days can be purified by the pāñcagavya (1823).
ONE MONTH TO ONE YEAR:

The person may be forcibly carried away by a Mleccha & thus may be compelled to live with him for the period of one month to one year. For purification, a śudra should undergo the ānāyana for the residence of one year, the parāka for six months, the half of a parāka for three months & the padakrechra for one month. The 3/4th of the above expiation is prescribed for ksatriya, the 1/2 of it for the vaisya & 1/3 of it for the brahmana (1824-1827).

PERFORMING THE PROHIBITED ACTS FOR ONE YEAR:

The Mlecchas also compelled the Hindus to drink or eat that was prohibited, after kidnapping them. The Hindu person may even cohabit with the lady, not fit to be cohabitted. On performing such acts for one year, the brahmana is purified by undergoing the penance called ānāyana with parāka, the ksatriya by parāka and padakrechra the vaisya by half of a parāka and the śudra by parāka for five days (1829-1831).

ENSLAVEMENT BY MLECCHAS FOR ONE MONTH OR ONE YEAR:

The Mlecchas, Āndalas, thieves (dasyas) would enslave the people & compel them to perform such unauspicious or ghastly acts like (1) killing of animals like cows etc., (2) cleansing of the left out food & even eating of the same, (3) partaking the flesh of donkey, camel, village pig etc, (4) the contact with their ladies & taking food along with them.
The twice-born person (i.e. brahmana, ksatriya & vaisya), who lives in the above circumstances, along with the mleccha, for one month, is sanctified by the penance of prajapatyā & the ahitāgni by a candrayana or a parāka. If the stay is for one year, the candrayana & parāka both these penances are enjoined. A sudra, living for one year in the above condition, should practise the Yavaka for 15 days & the Kṛcchra pada (i.e. padakṛcchra) on his association for one month (1837-1841).

ASSOCIATION & RESIDENCE - FOR ONE TO FOUR YEARS:

If a person partakes the food of the mleccha, is in contact or association with him & resides with him for one year or more, he can be pure, after three days. For contact for period above one year, he has to take ablutions in the Ganga, even after undergoing the prescribed expiation. Here the author remarks that the expiation can be prescribed for a person, associated with the mleccha for about 4 years, & after the lapse of this time-limit of four years, there is no valid penance or expiation for his purification. The person becomes the mleccha only by nature & there is no restoration of such a person to the original status (1842-1846).

FROM FIVE TO TWENTY YEARS:

But the above view of Devala is in conflict with the another set of verses (1849-1851), that prescribe expiation also for persons, forcibly seized by the mlecchas & residing with them for the period of 5 to 20 years.
The expiation, in the form of two prajapatyā or candraśayana penances is laid down for such persons. For mere residence with the mleccha (without any contamination), one expiation (kṛcchra) only is to be undergone. But it is strictly proclaimed that there is no purification of person, having association with the mleccha, for the period, more than 20 years (1849-1851).

ON KIDNAPPING BY MLECCHAS, DURING JOURNEY THROUGH FOREST:

The mlecchas also kidnapped the persons, on their journey through forest. Due to fear or hunger, they were compelled to eat, what was forbidden. In such cases, they can be purified by undergoing a penance, after returning to the country of their origin. The brahmana should undergo one penance (kṛcchra), while the remaining three varnas should undergo respectively \(\frac{1}{4}, \frac{3}{4}, \& \frac{1}{4}\) of the expiation, prescribed for the brahmana. (1854 & 1855).

FOR TOUCHING & SITTING WITH MLECCHA IN ASSEMBLY:

For touching & sitting along with the Mleccha in an assembly, the expiation of bath with clothes on a fast for one day is prescribed (1856).

PURIFICATION OF LADIES:

ON PARTAKING FOOD:

The lady of brahmana caste, serving food to the Mleccha & eating forbidden food, can be pure by the penance of parāka, while the ladies of the other castes are purified by gift. The ladies, that are not raped & have not eaten the prohibited food,
are purified by three days, for having merely partaken the food of the mleccha (1861 & 1862).

COHABITATION WITH MLECCHA:

A lady forcibly raped by the mleccha can not be purified, if she becomes pregnant by him. But the lady, who is not impregnated by that act of cohabitation, attains purity after three days (of immediate menstruation). However, later on, the penance, called santapana is enjoined for purification of a lady, who is pregnant by the mleccha, through force or will & partakes food that is prohibited. The lady, raped by an asavarna is not pure, as long as she does not give up the taint (i.e. till she menstruates). But after her period of monthly flow, she becomes pure like the stainless gold. A woman, in her monthly course, touched by a mleccha or other person can be pure, after three days by bath & drinking of panchagavya (1863-1869).

4) THE PITIABLE SOCIAL CONDITION:

Thus the entire chapter reflects upon a very pitiable social condition. The Hindus had to suffer a lot, due to the ill-treatment by the mlecchas. (1) The kidnapping of ordinary people whether male or female, (2) looting them on their way of journey through forest, (3) forcible seduction of ladies, (4) compulsion to eat the forbidden food & flesh even of donkey, camel, village pig etc., (5) killing of cows etc. - these are some of the dark pictures of society, hinted at by the present text. The religious and social life was entirely
at stake, during the above period. A state of anarchy or chaos seems to have been prevalent, due to the invasion & oppression by the mlecchas.

5) DEFINITE HISTORICAL BACKGROUND:

The present chapter of the text has a definite historical background. It is not merely a fictional narration by the author. Events, narrated in the text had actually taken place, in History of ancient India. The line 'śindhu-tīre sukhāśīnam...' throws much light upon it. It was previously noted that the scholars like Mr. P.V. Kane, Mr. S.V. Ketakar, Dr. A.S. Altekar, found here a reference to the situation in Sindh, during 8th century A.D. Mr. S.V. Ketakar supplies the historical information about vanquishing of Hindu king Dāhira by Mūhmmada Kassam, the Muslim king & the subsequent enslavement & forcible conversion of the Hindus. Ultimately in about 732 A.D., the Rajaputas were successful in defeating and driving away the Muslims.

6) CONCLUDING REMARKS:

Thus Devala, the social reformer of Sindh tried to solve the pertinent, irritating social & religious problem, for the re-establishment & stability of society of Hindu fold. Even during the orthodox ancient period, Devala has exhibited a very pragmatic outlook, by his attempt of restoration of the polluted Hindu society. In short, this portion of the text has great historical, social & religious significance & is an ancient authority in the matter of paravartana or suddhi (re-admittance of persons,
converted to other religions). It sets forth an ideal example for the Modern social reformers, who advocate readmittance of persons, converted to Islam & other religions, through force or will and subsequently wish to return to the Hindu Religion.

To conclude, the above discussion definitely extends a helping hand to those unfortunate ones, who are the victims of forcible conversion.
REFERENCES

1) Surām pītva dvījo mohadagnivarnām surām pibet /
   Tayā sa kāye nirdagdhe mucyate kilbisāttatah //
   - Manu S. (XI. 91).

   Surāpāne kāmakṛte jvalantīm tāṃ viniksipet /
   Mukhe tayā ca nirdagdhe mrtah suddhimavapnuyat //
   - B.S. (Recon. Prāy. 45)

   Surapō'gnisparsām surām pibet //

   Surāpasya brahmanasyo'snānāsinīcēyuh surāmasye mrtah
   suddhyet //
   - G.D.S. (3/5/1).

   Gomūtramagnivarnam vā pibedudakameva vā /
   payo ghrtam vā' maranād yo'sakṛdrasameva vā //
   - Manu S. XI/92.

   Surāmbughṛtagomūtrapayāsamagnisamnibham /
   surāpo'nyatumām pītvā maranācchuddhimrochati //

   Gomūtramagnivārnam vā pibet salilame-vā vā /
   kuryād vānasānam tāvadyāvatprānairviyujuyate //
   - B.S. (Recon. Prāy. 46).

2) Gomūtramagnivarnam vā pibedudakameva vā /
   "payo ghrtam vā' maranād yo'sakṛdrasameva vā //
   - Manu S. XI/92.

   Surāmbughṛtagomūtrapayāsamagnisamnibham /
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   Gomūtramagnivārnam vā pibet salilame-vā vā /
   kuryād vānasānam tāvadyāvatprānairviyujuyate //
   - B.S. (Recon. Prāy. 46).

4) Samvatsarena patati patitena sahaścaraṇaḥ /
Yajanādhyāpanādyunānanna tu yānasamaśanāt //

5) Caturvaro vedadharmajñāḥ parśat traividyameva vā /
Sā brūte yam sa dharmah syadeko vādhyatmavittamah //
- Yaj.S. (I/9).


7) Asvamedhena suddhyeyurmahāpatakanastvime /
prthivyām sarvatīrthānāṁ tathānusaraṇena ca //
- Vsa.S.35/6.

8) Caturvedyopapannastu vidhivadbrhamagāhātaye /
samudrasetugamanaprāyaścittam vinirdiset //
- Parasara.S. (XII/58).

9) Kṣama satyam damah śaucam dānaminḍriyasāhyamah /
Ahiṁsā gurususruṣa tīrthānusaraṇam dayā //
- Vsa.S.II/16.


11) Paṃcagavyam pibeechudro brāhmaṇastu surāṃ pibet /
Ubbau tau tulyadosau ca vasato narake ciraṃ //
- Atri.S. (297).
12) Gomūtram krṣṇavrṇāyaḥ svetāya gomayam haret /
    payāsca tāmravrṇāya raktāya dadhi cocyate //
    kapilāyā ghṛtam grahyam sarvam kapilameva vā //
    - Parasara S. (11/28-29).

13) Gomūtrasya palam dadyad dadhnastripalamucyate /
    ajyasyaikapalam dadyaṁgusthārdham tu gomayam //
    ksīram saptapalam dadyāt palamekam kusodakam //
    - Parasara S. (11/29-30).

14) Sakṛddvigunagomūtram sarpirdadyācaturgurxam /
    ksīramastaṅgunam deyam pañcagavye tathā dadhi //
    - Atri S. (296).

15) Cf. Pt. III, Ch. III, for details.