

PART I

INTRODUCTION AND TEXT

SECTION I

INTRODUCTION

CHAPTER I

INTRODUCTORY REMARKS

(NECESSITY AND IMPORTANCE OF RECONSTRUCTION OF THE TEXT OF DEVALASMRTI)

DEVALA - AN ANCIENT AUTHORITY ON DHARMA :

Devala is one of the most prominent and ancient authorities on Dharma. Śaṅkarācārya mentions him as a Dharmasūtrakāra in his celebrated commentary on the Brahmasūtras¹. He is also mentioned as a Smṛtikāra (law-giver) in the several lists², those of eighteen, twenty-one & thirty-six Smṛtikāras. The commentators & digest-writers on Dharmasāstra, have unequivocally accepted Devala, as one of the greatest authorities on Dharmasāstra.

A MISFORTUNE - LOSS OF DEVALASMṚTI IN ITS ORIGINAL FORM :

Unfortunately, the genuine original & complete work on Dharmasāstra of such a great Smṛtikāra, has become extinct, in the course of time.

There is a metrical smṛti ascribed to Devala, in the printed collections of smṛtis³. It contains merely ninety verses that treat the subject of purification of persons, associated with mlecchas. Mm.P.V.Kane remarks, "This appears to be a late compilation"⁴. Hence it is evident that it is a fragmentary & a later work, ascribed to Devala.

SOURCES OF RECONSTRUCTION :

But his genuine smṛti has been unconsciously preserved & is still surviving through the multifarious quotations in the Dharmasāstra-works. The works on Dharmasāstra i.e. the digests & commentaries abound in quotations from very ancient smṛtis of

numerous sages, like Manu, Yājñavalkya, Kātyāyana, Brhaspati etc. Among them, Devala is one of the most profusely & every now & then quoted ancient Smṛtikāras whose views have been given great prominence & importance by almost all the famous writers on Dharmaśāstra. They also try to reconcile his views, with those of other Smṛtikāras. He is most exhaustively quoted by Lakṣmīdhara, Vijñāneśvara, Hemādri, Mādhava and all the other great & small authors of digests & commentaries, whose authority regarding authenticity of quotations is evidently unquestionable.

NATURE AND PECULIARITY OF DEVALA'S VIEWS :

The quotations, ascribed to Devala, found in the digests & commentaries on Dharmaśāstra, are not only numerous, but are also varied. They cover almost all the topics, dealt with in other smṛtis, such as ācāra, vyavahāra, prāyaścitta and their various sub-divisions. Though Devala deals with these subjects, similar to those, found in other smṛtis, he has many a distinct and novel view, about various smṛti-topics, which display his originality & accord him an independent & prominent status as a Smṛtikāra (law-giver).

HIGH WEIGHTAGE GIVEN TO DEVALA BY EMINENT MODERN SCHOLARS :

The importance and value of the numerous & varied quotations of Devala, have been well-understood & recognized by the eminent modern scholars, in the field of Dharmaśāstra.

Mm.P.V.Kane exhorts some scholar to undertake the work of collecting the quotations of Devala at two places in the first.

volume of his H.D.S. He writes, "It would be a great service, if some scholar puts together in one volume all the passages of Devala, occurring in Kalpataru, Aparārka & other early Nibandhas with notes about parallel passages etc."⁵

Similarly he also remarks, "His quotations from Devala and Hārīta (both in prose & verse) are very extensive. If some scholar undertook the work of collecting together even all the prose passages of Devala, Śaṅkha-Likhita & Hārīta, drawn from the several commentaries & Nibandhas, it would be a large and valuable work. For example, if one collects only the prose passages of Devala, cited in Aparārka, they will cover about five closely printed pages of the same work...."⁶

Dr.K.P.Jayaswal in his book, entitled "Manu & Yājñavalkya" also opines, "Some scholars should collect the fragments of Devala & Vyāsa"⁷

Dr.Bhabatosh Bhattacharya has written a long article on "the Devalasmṛti"⁸ in which he refers to numerous passages, in the various works on Dharmaśāstra & he finishes his article with the conclusion", so it is now possible to collect, arrange & reconstruct the text of the lost but highly important Devalasmṛti both prose & verse, from the profuse quotations in the above eighteen & other digests & commentaries, viz. the Dāyabhāga, Mitākṣarā, Hāratalā, Tīrthacintāmaṇi, Dānakāṇḍa, Dānasāgara etc., on the lines of the reconstruction of the three other lost Dharmaśāstra texts, viz. Śaṅkhalikhita, Kātyāyana & Brhaspati"⁹.

ATTEMPTS TO RECONSTRUCT THE LOST TEXT OF DEVALA :

(1) Pandita Udayavira Shastri was also very much attracted by the interesting quotations of Devala, dealing with the Sāṅkhya & Yoga philosophy & collected & published some such passages in his book, namely - "Sāṅkhyadarsanākā Itihāsa". He wished to collect & publish all such quotations of Devala in a separate book¹⁰.

(2) Dr.S.C.Banerji has tried to reconstruct the lost Dharmasūtra of Devala. (1) He collected together only prose quotations (about 77) from some digests & commentaries. (2) He has arranged them in the Sanskrit alphabetical order & published in English transliterated form in the Journal of the Oriental Institute of Baroda¹¹ and in his book¹². (3) He has given only the beginning & end of the lengthy passages (about 37 out of 77), instead of giving the complete text. (4) There is no attempt for arrangement or topic-wise classification of the passages. (5) Some half-lines of verses (about 8) one misunderstood as prose quotations. (6) There is also repetition of some passages (about 3) in the collection. (7) The works on Dharmasāstra, also sometimes quote verses, that explain the prose-passages. Hence such verses are inseparable from the prose. But the verse-passages have been completely neglected. (8) His attempt of reconstruction is thus unsystematic, incomplete & inexhaustive. (9) Mm.P.V.Kane has criticized him in the first vol. of H.D.S.¹³ He remarks, "He is more a collector than a scholar doing original & thorough research on his own account.....He often writes rather pompously & does little arduous or valuable research himself¹⁴."

Thus the attempts of the above scholars to represent the lost text of Devala have been quite incomplete, uncomprehensive & hence almost futile. It is surprising & noteworthy that the work of reconstruction of such an invaluable text of Devala, in its entirety, has remained a dream, eventhough hundreds of quotations ascribed to Devala are available & the fact of its being "highly important" & "valuable" was well-known to the learned scholars, who explicitly emphasized the importance of its reconstruction.

REASONS FOR NEGLIGENCE :

The negligence for the reconstruction & non-publication of the lost text might be due to the following causes :

(1) The reconstruction of a lost text smṛti is a laborious & arduous task that requires a considerable time, leisure & energy. One has to go through almost all the published & unpublished works on Dharmaśāstra, read each and every page & collect the scattered quotations from the lost text, available in them.

(2) The provision of an extensive library is also another necessary requirement, because the work of reconstruction can be fully carried out only, if there is a good provision of a library, rich in printed books and manuscript material, so that the works, pertaining to the subject concerned, can be exhaustively consulted for the purpose of reconstruction.

(3) The task of arranging the available quotations, in a systematic order & of editing the reconstructed text, along with

variants - is also not easy and simple. The work of editing of the reconstructed text is comparatively more difficult than editing of a text, on the basis of the available manuscripts.

Fortunately, the present research scholar had no laxity of any of the above factors. The Junior Research Fellowship for the period of four years, was awarded to work on the above topic, which was his subject for the Ph.D.thesis. So on account of the ample time to work upon the topic, he could go through numerous published & unpublished works on Dharmasāstra; which were available in the extensive library of the Oriental Institute of Baroda. This Institute has carefully preserved a large treasure of both published & unpublished works on almost all subjects in the Printed & Manuscript sections. With the help of numerous Dharmasāstra works, available there, the researcher could complete his work of reconstructing & bringing to the light the lost text of Devala for the benefit of oriental scholars.

Though painstaking, the present work of reconstruction was a long-felt desideratum, in respect of retrieval & preservation of an authentic ancient text of Dharmasāstra.

CONCLUSION :

The profuseness of Devala-quotations; the distinctive treatment of a variety of topics in them & the value & importance, attached to the reconstruction of them by the well-known scholars - all these important factors impelled the researcher to undertake this work of reconstructing the lost Devala-smṛti. It is an effort to salvage our ancient important work on Dharmasāstra, from going

into complete oblivion. Thus the present thesis is an attempt to present a valuable contribution to the Sanskrit literature in general & to the Dharmasāstra literature in particular.

REFERENCES

1. Devalaprabhrtibhisca kaiscid dharmasūtrakāraih svagranthesvā-
sritah - Bh.S.S., I.4.28.
2. Cf.Pt.I, Sect.I, Ch. II.C.
3. Smrtisandarbhā - Pt.III, pp.1655-1663, Smṛtīnām samuccayah,
pp.85-88, Aṣṭādaśasmṛtayah, pp.64-67.
4. H.D.S.-Vol.I, Pt.I, p.282.
5. Ibid., p.284
6. Ibid., Vol.I, Pt.II, p.723.
7. 'Manu and Yājñavalkya', p.300, n.2.
8. 'Studies in Dharmasāstra', pp.8-10.
9. Ibid., p.10.
10. Anya sthaloṃmebhi devalake prasaṅga va sandarbha upalabdha
hote haiṃ, hama inakā pūrṇa saṅgraha karaneke prāyatnameṃ hai/
Avasara ānepara yathāśakya upalabdha devala sandarbhoṃko
pustakarūpameṃ prakāśita karanekā yatna kiya jāyegā/
-Sāṅkhya darsanakā Itihāsa, p.504
11. JOI, Vol.VI, Nos.2/3, pp.160-168.
12. Dharmasūtras, a study in their origin & development, pp.244-344.
13. H.D.S.-Vol.I, Pt.I, pp.84-89.
14. Ibid., p.84.