

the law is based on the Veda, the usage of virtuous men, etc.; and it plainly mentions (at iii.232) Dharma-āstras, which must be either contemporaneous, or else earlier than itself.

§ 58. Secondly, then, What was the real origin of the work? The first half of the answer is as follows. The Vedic works, as explained below, fall into the three classes of Sainhitā, Brāhmaṇa, and Sūtra. Chief among the works of the last class is the Kalpa-sūtra, or 'Ceremony-rules.' No Kalpa work had catholic validity among all Brahman families. On the contrary, many of the most important old families had each its own Kalpa-sūtra. In these clannish differences, doubtless, originated the Carakas or 'Schools,' in which Brahman science was cultivated and sacred tradition handed down from generation to generation. Thus among the adherents of the Black Yajur-veda, we find the family of Āpastamba; and, bearing his name, we find not only a Brāhmaṇa, but also a complete Kalpa-sūtra in its three subdivisions of Āraṇta-sūtra or 'Rules for the fire-sacrifices,' Gṛhya-sūtra or 'Domestic usages,' and Dharma-sūtra or 'Sacred law.' The Kalpa-sūtra of Baudhāyana doubtless had a similar make-up. Good editions of various Gṛhya- and Dharma-sūtras are now accessible in text and translation. They treat¹ of the sacraments, of the duties of a Brahman in the various stages of his life, as student, householder, hermit, beggar, of the duties of a king, of the law of inheritance, and so on.

Now these are the very subjects treated also in the Dharma-āstras. But there is one great difference, the difference of form. The Sūtras are in mingled prose and verse, the latter including both triṣṭubh and anuṣṭubh stanzas; while the Āstras are in the ordinary epic śloka. To a mind acquainted with the veriest rudiments of criticism it is quite clear from their form and language alone that the Āstras are later than the Sūtras—a view which is in entire accord with the stanza ii.6=58⁴, cited above. The conclusion, then, that the Dharma-āstras, in general, as shown by their contents and form, are the outgrowth, by a very natural process of evolution, from the Dharma-sūtras, is unimpeached.

§ 59. The other half of our answer is that the Mānava-dharma-āstra, in particular, is a later metrical recast of a lost Mānava-dharma-sūtra: in other words, that it is the 'Law-book of the Mānavans.' This is a particular thesis, quite different from the general conclusion just stated; and, although very widely accepted, it is not universally so. The theory² of this connection proceeds as follows. Among the schools of the Black Yajur-veda, especially among those of the Māitrāyaṇīya branch thereof, we find the school of the Mānavans.³ According to the investigations of Dr. von Schröder,⁴ the Māitrāyaṇīya seems to have been one of the oldest and most important of all the schools of the Yajus-period.⁵ Of these Māitrāyaṇīyas there are still some representatives surviving in Western India; and their Sūtras are entitled Mānava-sūtras. Manuscripts of the Mānava-āraṇta-sūtra and the Mānava-gṛhya-sūtra are still extant.⁶

§ 60. Unfortunately, the Mānava-dharma-sūtra, the link most important to connect our Bhṛgu-sainhitā with the Vedic schools, is still missing. The researches

¹ Compare p. 358, § 96f, below.

² This theory was broached by Weber (IST. i.69) and Müller (see SBE. ii. p. xi) in 1849. It was confirmed or elaborated by Jöhantgen in 1863, *Das Gesetzbuch des Manu*, p. 100f; by West and Bühler in 1867, see *Digest*², p. 27; by Schröder in 1879, *Monatsberichte der Berliner Akad.* for 1879, p. 700, and

in 1881, ed. of *Māitrāyaṇī-sainhitā*, i. p. XVIII; and finally by Bühler in 1887, in his *Manu*, p. xviii-xlv.

³ See Caraka-vyūha, IST. iii.258.

⁴ In the places just cited.

⁵ Compare p. 356, § 90, below.

⁶ See ZDMG. xxxvi.442-48, where von Bradke describes some of them, and states their contents.