Exchange, gifting, and sacrificing - Premodern Indian perspectives

Harald Wiese

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Preface

In the Indian social-religious space, the Vedic period roughly dates from the second half of the second millennium BCE up to the year zero, while the classical period might be considered to span from the beginnning of the common era until the 12th c., give or take one or several hundred years. In both periods, a special elite class of people existed that were called Brahmins. Ideally, they neither tilled the fields nor worked as cattle herders, artisans, or the like. In a rough manner, one might say that their material wellbeing depended on *dakṣiṇā* in the Vedic period and on *dāna* in the classical one.

Broadening the perspective beyond *dakṣiṇā* and *dāna*, this book is on all sorts of giving in the context of premodern India, using Vedic, Sanskrit, Buddhist and, to a much lesser extent, Roman and Christian sources. The Brahmanical theory of the gift (i.e., the theory of dutiful gifting, *dharmadāna*) is a major focus of—and has provided a major motivation for—this study. I hope that it proves to be a highlight of this book. While writing this book, the author has observed the ways in which the seemingly diverse givings and takings covered therein are interrelated, and the readers will hopefully be convinced of this as well. Such a project cannot take the form of articles, treating this or that aspect in isolation. The form of a book instead seems best suited to this endeavour as Trautmann (1981, p. 278) has already observed:

The analysis of exchange [...] holds out the promise of synthesizing large and seemingly disparate sectors of the social order by means of a small number of formal principles that run through the economy, the polity, religion, social organization, and the system of kingship. To expound properly the ancient Indian theory of exchange in the full range of its manifestations would require a book in itself [...].

In attacking the quite diverse topics of Indian givings and takings, I am inspired by this challenge thrown down by Trautmann. Unsurprisingly, structuring the vast field of giving and taking is very demanding. Even with respect to the smaller field of dharmic giving, I am sceptical towards the often-found approach of carving up gifting along the headings of "donor", "recipient", "ritual", and "gift". All too often, it is simply unclear in which of these categories a particular discussion should be placed. For example, the merit to be earned by the donor depends on the properties of the recipient. Furthermore, I do not think that premodern Indian giving can be fruitfully subsumed under the Maussian concept of gifts. Finally, while the taxonomy proposed by Trautmann is certainly very helpful, it is far from a catch-all in the Indian field of giving and taking.

The book is meant to be a "dialogue" in a twofold direction. Firstly, the book is written with the conviction that non-contextual generalisations can make sense, over and above the particulars that deserve mention. Here I am in in general agreement with the

"Defense of the Comparative Method" by Segal (2001). Part Two of the book presents important "emic" perspectives on givings in Vedic, classical Indian, Buddhist, Christian, and Roman literatures. Thus, I discuss non-contextual and imaginary dialogues between these diverse cultures.

Secondly, I aim at dialogues between these emic perspectives on the one hand and "etic" ones on the other hand. Here, I have applications of modern economic, sociological, ethnological, and marketing theories in mind. In particular, rational-choice approaches are sometimes used. While I am aware that many social scientists may not particularly like these approaches, I find them to be insightful and hope to convince readers that they can contribute valuable insights over and above those following from non-rational-choice perspectives. Dialogues between the emic and etic points of view need not be one-directional, i.e., monologues where the modern perspectives may shed light on premodern viewpoints.

Of course, a book of this size (or even a book ten times as large) could not do justice to the different reasons for or circumstances of the various manners of giving and taking. Any reader looking for a broad description of any particular instance of giving might well be disappointed by what he finds in my book. Indeed, where Kane's "History of Dharmaśāstra" has dozens of pages on any given subtopic, I may have reduced my coverage to only a few pages. The reason for doing so does not relate to the "importance" of a topic. Instead, I try to explain what I find interesting on the basis of the above-mentioned methodological decisions. Thus, this book suffers from a highly subjective selection process. Inversely, the reader may be surprised to find topics that he would not expect to see in a book with this title. Let me mention judicial wagers, the Varuṇa rule, or female hypergamy. While indologists may be surprised about some of the topics covered in the current book, they will notice the often-missing philological depth. Indeed, my current effort does not match the philologically fine-grained analyses of Pali and Vedic sources undertaken by Candotti & Pontillo (2019) and Candotti et al. (2020, 2021).

I have the pleasure to thank many colleages. I am endebted to David Brick for indepth discussions of translational difficulties. While being skeptical of the rational-choice perspective, Thomas Trautmann gave some very useful hints. Alexander Singer checked the mathematical formulae. Johannes Bronkhorst and Walter Slaje provided clarifying remarks and helpful literature. Tim Lubin offered helpful suggestions. Many thanks go to Valerie Tschiersich from the Bibliothek Orientwissenschaften of Universitätsbibliothek Leipzig. Jan Warzok checked most of my sources and pointed out many mistakes. Several mistakes were discovered by Maximilian Föhl. Big thanks go to David Onofrei, who improved the English wording tremendously. Finally, le-tex publishing services provided the professional typesetting.

Harald Wiese Leipzig, February 2023

Part One:
Preliminaries

The first part of the book contains three chapters. The first one is only for reference. The second chapter is a short introduction to the book, providing a few basic definitions and defending the methodological choices. Non-indologists may find chapter III helpful: some background information on premodern Indian concepts (social, theological, and juridical) is provided there.

I Abbreviations, symbols, figures, and tables

A Texts

AP	Atharvavedapariśiṣṭa (Sanderson 2004)
ĀpDh	Āpastamba Dharmasūtra (Olivelle 2000)
ĀUJA	Upāsakajanālaṅkāra by Ānanda (Saddhatissa 1965)
BauDh	Baudhāyana Dharmasūtra (Olivelle 2000)
BĀU	Bṛhadāraṇyaka Upaniṣad (Olivelle 1998)
BĀU_Ś	Commentary on Bṛhadāraṇyaka Upaniṣad by Śaṅkara (Shastri 1986)
BB	Buddha's birth-stories (Meiland 2009a, 2009b)
BhoB	Bhogasakti Grant B (Vats & Diskalkar 1939–1940)
BNMS	Nāradīya Manusaṃhitā by Bhavasvāmin (Lariviere 2003), cited by page number and line
BṛSm	Bṛhaspati Smṛti (Aiyangar 1941)
ChU	Chāndogya Upaniṣad (Olivelle 1998)
ChU_Ś	Commentary on Chāndogya Upaniṣad by Śaṅkara (Shastri 1982)
DSmCV	Smṛticandrikā by Devaṇabhaṭṭa, Vyavahāra section (Srinivasacharya 1988), cited by page number and line
GDh	Gautama Dharmasūtra (Olivelle 2000)
HDKh	Dānakhaṇḍa of Hemādri (Śiromaṇi 1871), cited by page number and line
HU	Hitopadeśa (Törzsök 2007)
KAŚ	Kauṭilya Arthaśāstra (Kangle 1969a)
KātSm	Kātyāyana Smṛti (Kane 1933)
KauU	Kauṣītaki Upaniṣad (Bodewitz 2002)
KNS	Kāmandakīya Nītisāra (Knutson 2021)
KRT	Kalhaṇa's Rājataraṅgiṇī (Stein 1892–1900)
KS	Kāṭhaka Saṃhitā (Schroeder 1971)
LaS	A Sanskrit Dictionary of Law and Statecraft (Olivelle 2015)
LDK	Dānakāṇḍa of Lakṣmīdhara (Brick 2015)
MBh	Mahābhārata (Sukthankar 1927–1959)
MDh	Mānava Dharmaśāstra (Olivelle 2005)

MDhC	Mānava Dharmaśāstra with commentaries (Mandlik 1886)
Mk_E	Gospel according to Mark (United Bible Societies 1976)
MNS	Mīmāṃsānyāyasaṃgraha by Mahādevavedāntin (Benson 2010)
Mt_L	Evangelium secundum Mattheum (Weber 1994)
Mt_E	Gospel according to Matthew (United Bible Societies 1976)
MU	Muṇḍaka Upaniṣad (Olivelle 1998)
NSmV	Nārada Smṛti, Vyavahārapadāni section (Lariviere 2003)
PT	Pañcatantra (Olivelle 2006b)
RPTN	Raghunātha Śiromaṇi's Padārthatattva Nirūpaṇa (Vindhyeśvariprasād Dvivedin 1903–1905 or Potter1957), cited by page number and line
ṚgV	Ṛgveda (Müller 1890–1892)
SB	De beneficiis (Seneca 2011)
SV	Svatva Vicāra (Derrett 1976c)
ŚB	Śatapatha Brāhmaṇa (Sāmaśrāmi 1903–1906)
ŚRT	Śrīvara Rājataraṅgiṇī (Kaul 1966)
TS	Taittirīya Saṃhitā (Cowell 1866)
TU	Taittirīya Upaniṣad (Olivelle 1998)
UNBV	Nyāyabhāṣyavārttika by Bhāradvāja Uddyotakara (Thakur 1997), cited by page number and line
VaDh	Vasiṣṭha Dharmasūtra (Olivelle 2000)
VCh	Charter of Viṣṇuṣeṇa (Wiese & Das 2019), cited by *sthiti*
ViDh	Vaiṣṇava Dharmaśāstra (Olivelle 2009)
YSm	Yājñavalkya Smṛti (Olivelle 2019b)
YSmM	Yājñavalkya Smṛti with Mitākṣarā commentary by Vijñāneśvara (Olivelle & Davis, Jr. 2020)

B Mathematical Symbols

a	number of apprentices (in a partnership of artisans)
A	agent
b	number of sons from a Brahmin wife
B	Brahmin
B	buyer, also B1, B2, etc.
b	benefit
β	probability
c	cost
c_{k}	class of potential bride k
c_{v}	class of potential groom v
C_{i}	private consumption by individual i (for example "corn")

d	cost to the king of providing *daṇḍa* (army and punishment)
δ	discount factor
D	gift (*dāna* in one-giver models)
D	sum of gifts by all the donors together, $D = \sum_{j=1}^{n} D_j$
D_G	the donor's loss from gifting
$D_G^{śakti}$	the donor's gift threshold
D^{Seneca}	gift in Seneca's sense (*beneficium*)
D^{Sh}	gift derived from the Shapley value
D_R	the receiver's gain from gifting
D_i	gift given by individual i in models with several donors
D_{-i}	sum of gifts by agents other than individual i
D_i^N	gift given by individual i in a Nash equilibrium
D^{n-sw}	gift under no-switching condition
D^{opt}	gift under no-switching and Pareto-optimality conditions
D_R^{opt}	receiver's gain from gifting under no-switching and Pareto-optimality conditions
DS	equality of demand and supply
e	number of experts (in a partnership of artisans)
f	a robber's fear of prosecution, a king's fear of revolt
F	father
g	number of givers
g^{opt}	number of givers under no-switching and Pareto-optimality conditions
G	donor, giver
i	payoff of victim fearing injury
IR	individual rationality
k	*kanyā* (potential bride)
k	number of sons from a *kṣatriya* wife
K	*kṣatriya*
L	loan
m	income (for supporting wives)
$\hat{m}$	income minimum (necessary for supporting wives)
M	man, also M1, M2, etc.
μ	merit technology factor
n	number of agents
p_a	initially announced price
p	price
P	sin (*pāpa*)
P	principal
π	probability
π_i	repayment probability for individual i or class i individual
Ph	fruit, result (*phala*)

r	number of receivers
$r^{\text{n-sw}}$	number of receivers under no-switching condition
r^{opt}	number of receivers under no-switching and Pareto-optimality conditions
r_m	monthly interest rate
r_y	yearly interest rate
R	receiver
s	supportability parameter
s	number of (advanced) students (in a partnership of artisans)
s	number of sons
S	seller
S	subject
S	son
$ś$	number of sons from a *śūdra* wife
Ś	*śūdra*
σ	degree of conviction (*śraddhā*)
sh	shame parameter (for begging)
Sh	Shapley value
t	tax payment
t	transference factor for sin
t	number of teachers (in a partnership of artisans)
tx	tax rate
τ	probability of trustworthiness
U	utility function
v	coalition function
v	number of sons from a *vaiśya* wife
v	*vara* (potential groom)
V	*vaiśya*
V	utility function
V	felicity
w	quantity of marriageable women
W	woman, also W1, W2, etc.
W	wealth, income
W_{i}	wealth or income owned by individual i

C Other abbreviations

c.	century
CE	common era
BCE	before the common era
fn.	footnote

HW	current author
l.	line
p.	page
pp.	pages
s.v.	sub verbo
viz.	videre licet (“namely”, “that is to say”)
vol.	volume
←	stemming from, going back to
¬	“not” (used in the context of actions)

D List of Figures

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II Introduction

This introduction sketches some rough ideas about the contents of the book, provides central definitions, and talks about the methodologies employed. The latter aspect mainly refers to modern economics on the one hand and to the comparative method on the other.

A What this book is (not) about

This book focuses on the Indian literature that is concerned with all sorts of giving and taking, in particular

- economically-motivated giving in the form of
  - buying and selling
  - auction
  - rescission
  - intertemporal buying and selling (debt)
- giving to the king in the form of
  - taxation
  - *bali* (tribute payment)
  - judicial wagers
  - property fines
- endowments granted by the patron king
- gifting in order to earn merit through
  - *śraddhā* (belief, spirit of generosity)
  - *śakti* (means available to the donor)
- gifting after death (inheritance)
- sacrificing
- etc. etc.

Following this introductory chapter, chapter III is primarily meant for people who are not indologists. It introduces basic Old Indian conceptions of religion, law, society, and economics.

The second part of the book provides the Indian viewpoints on giving and taking in different contexts without—as far as possible—letting modern ideas guide the presentation. It is certainly instructive to contrast Indian perspectives with premodern Western ideas or theories. In particular, the *beneficium* theory of the Roman philosopher Seneca can be fruitfully set against the Brahmanical *dharmadāna* theory. Some selected Christian quotations are also provided for comparative purposes.

While all these collections have some interest in and of themselves, they can also be considered as "data" to be interpreted from modern points of view. These modern perspectives are developed in part Three. Lastly, part Four discusses similarities, differences, and interconnections between the givings and takings analysed in this book.

While this book tries to address giving and taking in many ways, several topics are left out or dealt with only in passing:

- First of all, charitable giving and social solidarity[1] are only mentioned in passing. This also holds for institutions such as *sattra*, with the meanings "rest house, place for distribution of alms" as per the LaS.[2]
- Hospitality towards strangers seems to have been one way of gifting. MDh 4.30 warns against honouring unsuitable guests "even with a word of welcome"[3]. Gifting in the form of hospitality is disregarded in this book.
- The patterns of givings (who gives, who receives, what is given or obtained, etc.) are stressed in this book. In contrast, ritual details such as *sarvāṇy udakapūrvāṇi dānāni* ("He should pour water before giving any gift.")[4] are ignored. Rituals are similarly disregarded when carried out in connection to sacrificing.
- The gift givers in this book are mainly householders or kings. This should not blind us to the fact that Brahmins were also expected to donate (see ⟨15⟩ on p. 27) and that Buddhist monks, i.e., "ascetic, celibate men who were supposed to have renounced all wealth and social ties, left such largess in the archaeological record".[5]
- Kauṭilya teaches that *dāna* is a method which a *vijigīṣu* might successfully employ: "Those are the four kinds of strategy. Among them, each preceding one is simpler. Conciliation is singular. Giving gifts is twofold, being preceded by conciliation. Sowing dissension is threefold, being preceded by conciliation and giving gifts.

1 See Filliozat (1991) on "charity in Indian though". Of course, the general literature on gifts would put considerable focus on charity, see Komter (2005).

2 See KAŚ 2.35.3 and also KAŚ 7.15.22. More details are provided by the 12th century Rājataraṅgiṇī. In KRT 1.347, a king founds "a permanent endowment" (*akṣayiṇī*) which is glossed by *avicchinnam annadānam* (continual food giving). In KRT 2.58, a *cārucāritrā* ("charitable [queen]") establishes a *sattra* where "indigent people coming from all parts receive food" (translation by Stein (1892–1900)). A similar institution of a public kitchen is dealt with in the 15th century Jaina-Rājataraṅgiṇī (ŚRT 1.5.15–23). This footnote borrows heavily from Wiese & Das (2019, pp. 77–80).

3 Olivelle (2005)

4 ĀpDh 2.9.8, Olivelle (2000)

5 Schopen (2004, p. 19)

Military force is fourfold, being preceded by conciliation, giving gifts, and sowing dissension."[6] I address this specific sort of *dāna* only in passing.

- While judicial wagers and property fines are dealt with, I do not analyse the reasons and circumstances under which monetary and other fines were levied for diverse wrongdoings.[7]
- Furthermore, the following "givings" in the context of lawsuits are not covered:
  - court fees (payable by both the unsuccessful and the successful party),[8]
  - pledges (*ādhi*, valuable objects that serve to fulfil the other party's claim if that other party is successful),[9]
  - surety (*pratibhū*, where a person guarantees that the party which has nominated him fulfils its own obligations,[10] in particular: appearance[11] (*upasthāna*), payment (*dāna*), and honesty (*pratyaya*).[12]
- Deposits prevalent in the private sphere are not covered either. In the *dharma* texts, there are three near-synonyms for deposits: *nikṣepa* ("open" or "unsealed"), *upanidhi* ("sealed"), and *nyāsa* ("secret"), but the usage of these and similar words is quite inconsistent.[13]
- The manners of acquiring wealth are not treated in detail, neither for private agents through trade, husbandry, etc. nor for the ruling class through violence. The latter is Trautmann's "noble exchange". See section XII.A.
- The usual sort of sacrificers have a god or gods in their mind. They are sometimes called *devayājin*s. The opposing concept of *ātmayājin* (that occurs in some texts, in particular the Śatapatha Brāhmaṇa) is unclear and disregarded in this book.[14]
- The evolution leading up to modern anonymous markets has at least two rival explanations. While economists tend to think that markets have evolved from barter, ethnologists claim that gifts or sacrifices may (also or alternatively?) belong to markets' prehistory.[15] The current author has nothing to contribute to this debate.

6 KAŚ 9.6.56–61, Olivelle (2013)
7 See Kane (1973, pp. 382–408) for an overview.
8 ViDh 6.20–21, Olivelle (2009)
9 NSmV 1.108–111, KātSm 516–529
10 MDh 8.158, NSmV 1.104–107, KātSm 530–540
11 Lariviere (2003) for this and the following two terms
12 BṛSm 1.10.73ab produces a similar list, with four elements.
13 See Sternbach (1945).
14 For a short discussion with references, see Bodewitz (1973, pp. 303–305).
15 See Trautmann (2017, p. 6) and Parry (1986, p. 457).

B Definitions: Reciprocity, gifts, and altruism

(1) Reciprocity and gifts

Dānagrahaṇa means giving and taking. In this realm, the reasons for giving are "economic" and based on "reciprocity". I propose the following definition:

⟨1⟩ Economic or social exchange is that manner of bilateral giving that fulfils the giver's (more or less binding) obligation to reciprocate or that aims at creating the receiver's (more or less binding) obligation to reciprocate. Gifting is a manner of unilateral giving without the receiver's (more or less binding) obligation to reciprocate.

This definition of how to distinguish between economically-motivated forms of giving on the one hand and gifts on the other hand has benefitted from Alain Testart's contributions.[16] This author rightly stresses the legal differences between exchanging and gifting. The use of "more or less" in the above definition implies that the distinction between gifting and other forms of giving is fuzzy.

The famous anthropologist Malinowski (1922, p. 176) assumes a continuum between a "pure gift" (unilateral gifting as in the definition above) and "real barter" (bilateral, economically-motivated giving in the definition above):

⟨2⟩ […] there will be at one end the extreme case of pure gift, that is an offering for which nothing is given in return. Then, through many customary forms of gift or payment, partially or conditionally returned, which shade into each other, there come forms of exchange, where more or less strict equivalence is observed, arriving finally at real barter.

In contrast to the Malinowski of 1922, the Malinowski of 1926 has taken a "reciprocal turn": "most if not all economic acts are found to belong to some chain of reciprocal gifts and counter-gifts, which in the long run balance, benefiting both sides equally".[17] Indeed, reciprocation seems a somewhat "natural" expectation. Planitz (1949, p. 152) notes that Old German Law did not regulate donations. In fact, as long as the receiver had not reciprocated in one way or other, the donor was allowed to take back the "gift" at any time. Planitz argues that reciprocity is fundamental to moral and legal reasoning,[18] while Gouldner (1960, p. 171) thinks that "a norm of reciprocity is […] no less universal and important an element of culture than the incest taboo".

The uneasy relationship between gifts and reciprocation is the subject-matter of the famous "Essai sur le don" by Marcel Mauss. He observed that in quite a few civilisations

16 See, for example, Testart (2007).

17 Malinowski (1926, p. 40).

18 According to Planitz (1949, p. 2), "[j]ede Annahme einer Leistung bewirkt die Gebundenheit zur Gegenleistung; denn sittliche wie Rechtsbegriffe können nur reziprok gedacht warden."

⟨3⟩ les échanges et les contrats se font sous la forme de cadeux, en théorie volontaires, en réalité obligatoirement faits et rendus[19]

exchanges and contracts are made in the form of a gift, in theory voluntary, in reality obligatorily given and received[20]

Or, in Heim's words, a Maussian gift (or a gift in the sense of sociology's later paradigm of "social exchange"[21]) is "curiously free yet obligated, appearing to be unilateral while yet forging ties of exchange and mutuality".[22]

Importantly, Mauss devoted several pages to Vedic and Brahmanical gifting.[23] Thus, Mauss wrote about the case of a moral, but not legal obligation to reciprocate. To my mind, Mauss seemed too eager to discover "potlatch"—the competitive manner of extravagant giving—in all the societies he looked at.[24] Of course, there is that famous (among indologists) footnote where Mauss acknowledged that Brahmins would not reciprocate.[25]

(2) Simultaneous exchange and specified exchange

Within the realm of definition ⟨1⟩, one may distinguish between simultaneous versus deferred exchange on the one hand and specified versus unspecified exchange on the other hand. In a simultaneous exchange, giving and taking occur at practically the same point in time, while there is a considerable time lag in deferred exchange. In the case of specified exchange, the goods or favours exchanged are agreed upon in more or less detail. In contrast, unspecified exchange refers to reciprocity where the terms are left open to future needs and possibilities.

Consider Table 1. The case of simultaneous and specified exchange (upper left matrix entry) occurs when one buys a newspaper in a shop and pays immdiately. Simultaneous, but unspecified exchange (upper right matrix entry) is rare.[26] One Indian example of deferred and specified social exchange (lower left matrix entry) is

19 Mauss (1923–1924, p. 32) or Mauss (2012, pp. 63–64)
20 Mauss & Maurer (2016, p. 57)
21 See Homans (1958) or Gouldner (1960).
22 Heim (2004, p. xviii)
23 Mauss (2012, pp. 189–202) or Mauss & Maurer (2016, pp. 158–169). See Trautmann (2017) on Mauss as an indologist and for an insightful critique of Mauss in relation to "the gift in India". In particular, Trautmann (2017, p. 6) stresses the evolutionary point of view that gift institutions might be precursors of modern markets, rather than barter. This is one of the starting points for Parry (1986), an article famous among anthropologists.
24 In particular, there is no good reason to subscribe to "The *Mahābhārata* is the story of a gigantic potlatch …" (see Mauss (2012, pp. 192–193) or Mauss & Maurer (2016, p. 161)). Trautmann (2017, pp. 8–9) summarises his criticism by noting that "every element of the potlatch ethos is present, except for the potlatch itself."
25 Mauss (2012, p. 193: fn. 3) or Mauss & Maurer (2016, pp. 161–162: fn. 61)
26 Perhaps, the bottle of wine or book given to the dinner host provides an example.

Table 1: Simultaneous and specified exchange

	specified exchange	unspecified exchange
simultaneous exchange	"payment on delivery" example: transaction of buying with money in a shop	
deferred exchange	"payment later" or "delivery later" examples: loan of money (section VII.E), recompense alliance (⟨4⟩)	"return favour later" according to circumstances examples: Seneca *beneficium* (chapter IX), united alliance (⟨117⟩)

described by Kāmandaki as one of the 16 kinds of alliance, namely the recompense alliance (*pratīkāra*):

⟨4⟩ *mayāsyopakṛtaṃ pūrvam ayaṃ pratikariṣyati |*
iti yaḥ kriyate sandhiḥ pratīkāraḥ sa ucyate ||
upakāraṃ karomy asya mamāpy eṣa kariṣyati |
ayaṃ cāpi pratīkāro rāmasugrīvayor iva ||[27]

The recompense alliance is formed based on the thought: "I did him a favor before, and he will do the same for me." Thinking, "I will do him a favor and he will do the same for me," Rama made the recompense alliance with Sugriva.[28]

Kāmandaki refers to the deal between Rāma and Sugrīva: Rāma presently kills Sugrīva's brother and Sugrīva offers Rāma his help in liberating Sītā.[29] An even clearer example of deferred and specified exchange is loan-giving, where repayment together with interest payment occurs at a later time.

Finally, turn to the case of deferred and unspecified exchange (lower right matrix entry). If somebody gives to a friend or relative with the hope of receiving something later (when the need or opportunity arises), he may well suffer a disappointment:

⟨5⟩ *suhṛd ayam iti durjane 'sti kāśā*
bahu kṛtam asya mayeti luptam etat |
svajana iti purāṇa eṣa śabdo
dhanalavamātranibandhano hi lokaḥ ||[30]

'He is my friend!' – is that any reason to trust a scoundrel?
'I have done him a great many favors!' – that counts for nothing!

27 KNS 9.10–11
28 Knutson (2021)
29 See, for example, MBh 3.264.14–15.
30 PT 2.52

> 'This man is my very own relative!' – that's an old folk tale!
> People are driven by money alone, no matter how small.[31]

(3) Altruism

I now present definitions of altruism and pure altruism:

⟨6⟩ Altruism of a person A towards a person B is defined as A's inclination to, or actual behaviour in, sharing wealth, food, or the like, with B, without the expectation on A's part to benefit from B's future reciprocity, or without A's having necessarily benefitted from B in the past. Pure altruism of a person A towards a person B is defined as A's interest in B's wellbeing in terms of wealth, food, or the like, irrespective of whether this wellbeing comes about by A giving to B or by a third party C giving to B.

Altruistic giving does not mean giving without any reasons. The altruistic inclination or behaviour may have diverse motivations that need to be spelled out. For example, chapter X quotes the Christian Church Fathers' manners of convincing believers to donate part of their inheritance to the church. Another motivation is merit earned through dharmic giving:

⟨7⟩ *pātrebhyo dīyate nityam anapekṣya prayojanam |*
kevalaṃ tyāgabuddhyā yad dharmadānaṃ tad ucyate ||[32]

When a person gives as a matter of routine obligation to worthy recipients independent of any specific purpose, but simply with the thought of relinquishing his possessions, it is called a Gift Based on Duty.[33]

The concept of pure versus impure altruism is taken from Andreoni (1990). Pure altruism means that the agent does not care about the specific amount donated by himself. He is only interested in the private consumption for himself and in the overall donation benefitting other (needy) people.

In contrast, impure altruism means that the agent himself derives some satisfaction from donating, over and above his interest in realising a large donation to other people. For example, many people give for the "warm glow"[34] that they feel from gifting. Similarly, the motivation for impure altruism may stem from the merit earned from *dharmadāna*. Appendix A spells out these definitions in a more formal manner and presents a simple model of pure altruism. The use of the word "altruism" in this book nearly always refers to "impure altruism".

31 Olivelle (2006b)
32 LDK 1.5
33 Brick (2015)
34 The extensive literature on warm-glow giving comprises the above-mentioned paper by Andreoni and many others such as Harbaugh (1998).

C Modern perspectives

One of the central topics of this book is dharmic giving. It is the subject-matter of the extensive chapters VI and XIX. Gifting is an interesting phenomenon not only for "historians, sociologists, political scientists, anthropologists, art historians, ethno-musicologists, psychologists"[35], but can also be analysed from the marketing, sociological, and economic points of view. Being an economist myself, I may be excused for concentrating on modern economic perspectives on premodern Indian gifting. In doing so, I follow the two editors of the "Handbook of the Economics of Giving, Altruism and Reciprocity", who argue that "the general concepts and methods of economic analysis can be very helpful for the study of altruism, giving, and reciprocity, provided that the relevant motives, sentiments, and types of relations are adequately considered."[36]

While gifting is of central importance to this book and provided the main initial impetus, the book goes far beyond in also looking at economically-motivated givings and takings, the king's involvement, and sacrifices. Summarily, the main idea of this book is to present and analyse premodern Indian theories of giving and gifting both in the context of the time they were conceived (this is the so-called emic perspective) and from the point of view of modern economics and other fields such as ethnology or marketing (etic perspective). The task of bringing Indian thought on giving and taking to the attention of people in the "West" is all the more important because Western economic thought has largely and unpardonably neglected Indian economic thought. Consider the famous Arthaśāstra, a 2000-year-old treatise on economics and politics.[37] It is conspicuously absent from major books on the history of economic thought.[38] It is also a pity that Western economic thought has disregarded the premodern Indian theories on gifting that are described and prescribed in detail in *dharma* texts. This is also the case for the Handbook just mentioned.

35 This list is from the series editors' foreword in Heim (2004, p. xi) with the addition "and others".

36 Kolm (2006, p. 5)

37 Aiyangar (1949) fruitfully compares Kauṭilya's thinking with that of the German cameralists of the 17th and 18th centuries CE. While I think that Aiyangar has made a valuable observation, I do not go into his idea any further. In any case, modern microeconomics, let alone cooperative game theory, were certainly not methods applied by Veit Ludwig von Seckendorff, Johann Joachim Becher, or Johann Heinrich Gottlob von Justi.

38 Sandmo (2011) has a chapter 2 entitled "Before Adam Smith". There, he mentions the Old Testament (Joseph in Egypt with the seven fat and the seven lean years) and makes a few remarks on Aristotle before skipping to the scholastics and to mercantilism. Similarly, Rothbard (1995) deals with "The first philosopher-economists: the Greeks" in chapter 1 and then turns to "The Christian Middle Ages" in chapter 2. Again, in his monumental collection of articles written on "economists" from Aristotle (vol. 2) and St Thomas Aquinas (vol. 3) up to Keynes (vol. 46/47), Blaug (1991) sees no need to deal with, or did not find serious articles on, Kauṭilya. (Vol. 1 is concerned with the how and the why of the history of economic thought as a subject.) Note, however, Sihag (2014) who tries to highlight Kauṭilya's achievements as an economist and a report on that book by Wiese (2016c).

With respect to dharmic gifts, this book is an engagement with the important works done by Heim (2004) and Brick (2015). The book by Nath (1987) might be described as an effort in *dāna*-related economic (and social) history. In contrast, Heim, Brick, and myself come closer to a history of economic and moral thought on *dāna*. It seems that we have picked an easier task than the one undertaken by Nath.[39] This is due to a common feature of indological studies: "Where little is known about historical personalities and events, the history of ideas can surreptitiously become history itself. This is a constant tendency in the historiography of ancient India, especially in cases when Brāhmaṇical theology or another ideational system gives a more or less coherent, if decidedly idealized, account of a topic on which reliable historical information is scarce."[40]

Ethnologists may expect a detailed discussion of, and comparison with, the results of ethnological field work and ethnological theorising on the topics of gifts and exchange. While ethnology is not the central focus of this book, I occasionally discuss the work done by Marcel Mauss, Jonathan Parry, and others[41].

D Comparison as a method

(1) Comparisons all over

I have already mentioned this book's main aim: it endeavours to shed new light on all sorts of giving, gifting, sacrificing, reciprocity, etc. in the context (but see below) of premodern India. A minor purpose is the application and "testing" of the comparative methodology recently put forward by Oliver Freiberger. When discussing gifts, fees, or other social exchanges, comparisons come about in different guises.

Firstly, one cannot help but resort to comparisons, which seem to lie at the very heart of human understanding of all sorts.[42] Comparisons are already implicit in seemingly-innocuous designations. See, for example, the German term, and misnomer, "Walfisch" (whale). Similarly, one may ask the question of whether a *kanyādāna* (the gifting of a bride to a groom by the bride's father) is a specific *dharmadāna*.

Secondly, some specific words may become a matter of (heated) debate. Consider these examples:

- All sorts of connotations are evoked by the word "gift" in Mauss' work. The author claims that in many societies "exchanges and contracts are made in the form of

39 In a history of economic and moral thought, one can refer to textual evidence in a more direct manner. Inferring economic history from textual sources is much more demanding and surely a much bolder exercise.

40 McClish (2019, p. 12)

41 "Others" referring to Lina Fruzzetti, Maurice Godelier, Henri Hubert, Claude Lévi-Strauss, Bronisław Malinowski, Gloria Goodwin Raheja, and Alain Testart.

42 See, for example, the sweeping and still true observation by Griffiths (2017, p. 473): "As humanist scholars, we use comparison all the time."

a gift (*cadeau*), in theory voluntary, in reality obligatorily given and received"[43]. What does this imply for dharmic gifts?

- Heesterman (1959, p. 242) considers the Vedic *dakṣiṇā* a gift rather than a salary, while others disagree.

Thirdly, comparisons are made for ideological reasons:

⟨8⟩ *śraddhayeṣṭaṃ ca pūrtaṃ ca nityaṃ kuryāt prayatnataḥ |*
śraddhākṛte hy akṣaye te bhavataḥ svāgatair dhanaiḥ ||[44]

One should as a matter of routine obligation painstakingly offer sacrifices and donate gifts with a spirit of generosity, for these two things, when performed with a spirit of generosity and with well-acquired wealth, become imperishable.[45]

Here, Manu tries to invoke Vedic credibility for gifts received by Brahmins in a much later period and given for quite "unvedic" reasons. A modern example is provided by Bloomfield (1908, p. 69) who irreverently translates Vedic *dakṣiṇā* as "baksheesh". Thus, both Manu and Bloomfield have an "agenda".

Fourthly, comparisons are involved when applying modern perspectives from sociology or economics to various givings and takings. Sociological and economic concepts may be applied across a broad range of topics and may in this manner produce a common thread between these topcics. If done carefully, one may discover differences and commonalities not obvious to the unsuspecting consumer of words, ill-fitting comparisons, or ideologies. However, this approach always carries the risk of allowing modern viewpoints and modern techniques to misconstrue premodern Indian thinking.

(2) Freiberger's twofold classifications

Elaborating on some of the comparisons mentioned above, it is helpful to discuss comparative methodology. Freiberger (2018) has recently proposed manners of classifying (i) the configuration of comparative studies and (ii) the comparative process.[46] It turns out that twofold classifications are fruitful for creating some methodological awareness of what is "going on" in comparative studies such as the present one.

Turning to Freiberger's first item in his configuration, the author insists that "responsible scholars"[47] should explain the "goals of comparison"[48], i.e., the discipline it originates from, the scholarly discourse it is embedded in, the intended audience, and

43 Mauss & Maurer (2016, p. 57). Hénaff (2010, part II) provides a sympathetic philosophical discussion of Mauss' insights. More critical is Godelier (1999).
44 LDK 1.39. MDh 4.226 differs slightly.
45 Brick (2015)
46 See also the book-length treatment Freiberger (2019), in particular chapter 4. For the purpose of this article, Freiberger's concise paper is sufficient.
47 Freiberger (2018, p. 3)
48 Freiberger (2018, pp. 3–4)

the like. The current study originates from (at least) the five disciplines of indology, economics, sociology, ethnology, and marketing, and should be of interest to scholars in these fields. Since the author is an economist (who tries to be an indologist at the same time), he is particularly interested in advancing his main thesis: Premodern Indian theories of giving and gifting can be fruitfully described, classified, and analysed[49] from the point of view of modern economics.

Freiberger calls his second item of configuration "modes of comparison". He contrasts the "illuminative mode" with the "taxonomic mode". The former is asymmetric in that it uses the illuminating item mainly for that purpose, but without describing in as much detail as the illuminated one. In contrast, the taxonomic mode is symmetric in describing two or more items that shed light on one another in similar detail. This book is basically written in the taxonomic mode, with a few exceptions.[50]

Third come the "scales of comparison". Here one is concerned with how a comparative study "zooms in on the comparands".[51] The comparants in this book are Vedic texts, classical Sanskrit texts, Buddhist texts, a (Roman) text by Seneca, and, to a much lesser extent, Christian sources on giving and taking. It seems that I cover them on a "meso" level (an inbetween level, above a micro and below a macro one). That is, very detailed studies of particular giftings (micro level) are rare, as are very sweeping generalisations about the character or essence of Brahmanical versus Buddhist versus Christian giving (that might be an endeavour on the macro level).

Finally come Freiberger's "scopes of comparisons". My study is cross-cultural with respect to the comparison of dharmic giving with Christian charity. Here we have an example of analogical comparison (without any historical link). The main part of this study seems contextual in focusing on premodern India. However, it should be a matter of dispute whether the comparison of Vedic sacrifices with dharmic giving is contextual. Do allusions in the *dānadharma* literature to Vedic sacrifices amount to more than lip service?[52]

Leaving the configuration of a comparative study, I turn to some items of the comparative process sketched by Freiberger (2018, pp. 8–11). A central term in that process concerns the "tertium comparationis", i.e., the common (the third) characteristic between two (or several) objects to be compared. In the general field of giving and taking (and with a view to Mauss), one obvious "tertium comparationis" might be "reciprocity". That is, different manners of giving, donating, or sacrificing might exhibit the common feature of involving reciprocity. However, in a complex study, there is no need to select a single *tertium comparationis*. It turns out that other candidates also prove useful: "thisworldly or otherworldly motives for giving", "altruism" and the like. Additionally, patterns of giving may also provide *tertia comparationis*.

49 Freiberger (2018, p. 4) stresses description and classification as (modest) goals and has "theory formation" as one (the final) step in the comparative process.

50 Christian sources are added mainly for illuminating purposes, but do not benefit from a detailed discussion.

51 Freiberger (2018, pp. 5–6)

52 See Halbfass (1991).

Following this "selection" step of the comparative process, Freiberger (2018, p. 9) addresses the "description" step which concerns the difference between emic and etic. "Emic" is concerned with "local significance"[53]. Indeed, the premodern Indian evidence reflects the emic conceptualisation, while the modern perspectives on the premodern ones are "etic". I take up the emic perspective in part Two while trying my hand at the etic one in part Three.

The third step is called "redescription". It is hoped that the current study approaches the ideal that Freiberger (2018, p. 10) describes in these words: "Studying an item through the lens of a different one, observing previously unnoticed features, discovering blind spots, etc. may result in a new description of the item that is more comprehensive or more refined." In that manner, the comparison of economic exchange, sacrifices, and dharmic giving may amount to a process of "reciprocal illumination", citing the subtitle of a book by Sharma (2005a).

53 Here, Freiberger (2018, p. 9) cites Smith (2000, p. 239).

III Setting the stage

For the purpose of future reference and for putting up some orientation marks, this chapter gathers some important aspects of premodern Indian cosmology, social organisation, and law. I finally provide some premodern Indian definitions for "property", "gifts", and "sacrifices".

A *Trivarga* and *mokṣa*

It is quite common to refer to *artha*, *dharma*, *kāma*, and *mokṣa* as "aims of human life". *Artha* is concerned with the achievement of wealth and power. From a modern perspective, the *artha* realm is economics and politics. It is characterised by cold-blooded calculations.[54] *Kāma* means pleasure or love. The best-known part of the literature on *kāma* deals with courting and love-making. Related are treatises on poetics and acting. *Dharma* is concerned with religious duties or moral obligations. A peculiarity of the Indian thought on *dharma* is the insistence on class-related duties. *Mokṣa* lies at the center of Hindu theology. *Mokṣa* means release from the cycle of births. The idea is that souls reside in humans (or animals or gods). The acts (*karman*) undertaken during a lifetime influence this human's (or animal's or god's) rebirth and, should that occur, the concrete form in the next life. The major aim (*paramārtha*) is to be released, i.e., not be born again. *Mokṣa* is a soteriological concept, i.e., it leads to "salvation". Besides the release from the cycle of births, other non-worldly purposes are also characterized as soteriological (see section C).

Olivelle (2019a) criticises the common translation of *artha*, *kāma*, and *dharma* (the *trivarga*) as "aims of human life". Instead, he argues that "[t]hey represent three major domains of human activities and pursuits that are beneficial to persons who perform them. A balanced and wholesome human life requires that an individual pursue all three of these in a balanced manner. [...] the doctrine of *trivarga* constitutes—or at least contains the germs of—a moral philosophy or a philosophy of life."[55]

54 See Wiese (2012).
55 Olivelle (2019a, p. 395)

B Old Indian Texts

(1) Vedic texts, up to the Upaniṣads

By way of a very brief survey, we mention the major strands of literature to be encountered in this book. The oldest texts are the Vedic texts, the Ṛgveda Saṃhitā (second half of second millennium BCE) and the Taittirīya Saṃhitā from the black Yajurveda (somewhat later, but before 1000 BCE).[56] As indicated in Table 2, four Vedas exist, from Ṛgveda (1st column) to Atharvaveda (4th column). Within each of these Vedas, four different genres can be distinguished. The Saṃhitās (1st row) are the foundational texts of the respective Vedic branches. The other genres belong to the late-Vedic, pre-classic literature and comprise the Brāhmaṇas, the Āraṇyakas, and the Upaniṣads. Among the latter, we count the Bṛhadāraṇyaka Upaniṣad, the Chāndogya Upaniṣad (both 7^{th} to 6^{th} century BCE), the Taittirīya Upaniṣad (6^{th} to 5^{th} c. BCE), and the Muṇḍaka Upaniṣad (3^{rd} to 1^{st} c. BCE).[57] Table 2 is adapted in a simplified form from Olivelle (1998, p. 9), and shows how these literatures "fit" together.

Table 2: The Vedic Branches

	Ṛgveda	Yajurveda black and white		Sāmaveda	Atharvaveda
Saṃhitā	Ṛgveda S.	Taittirīya S.	Vājasaneyi S.	Sāmaveda S.	Atharvaveda S.
Brāhmaṇa	Aitareya Br.	Taittirīya Br.	Śatapatha Br.		
Āraṇyaka	Aitareya Ā.	Taittirīya Ā.			
Upaniṣad	Kauṣītaki U.	Taittirīya U.	Bṛhadāraṇyaka U.	Chāndogya U.	Muṇḍaka U., Praśna U.

(2) *Dharma* and *artha* texts

The four "aims" (see previous section) are relatively unimportant for the Vedic period. In contrast, many classical texts can be placed into one of the four "aim" categories.

56 See Jamison & Brereton (2014, p. 5) and Witzel (2003).

57 This Upaniṣad chronology is provided by Olivelle (1998, pp. 12–13). Bronkhorst (2007, pp. 173–262) disputes it and argues that the present form of Bṛhadāraṇyaka Upaniṣad and Chāndogya Upaniṣad was reached only a few centuries later.

Dharma texts are of particular importance for this book. Within the *dharma* literature, we consider the texts[58] ascribed to

- Āpastamba (late 3rd c. BCE, abbreviation: ĀpDh),
- Gautama (late 2nd c. BCE, GDh),
- Baudhāyana (early 1st c. BCE, BauDh),
- Vasiṣṭha (late 1st c. BCE, VaDh),
- Manu (mid 2nd c. CE, MDh),
- Yājñavalkya (early 5th c. CE, YSm),
- Nārada (5th to 6th c. CE, NSmV),
- Viṣṇu (7th c. CE, ViDh),
- Lakṣmīdhara (12th c. CE, LDK),
- Mitākṣarā commentary (12th c. CE, YSmM), and
- Devaṇabhaṭṭa (late 12th c. or early 13th c. CE, DSmCV)

One might classify *dharma* topics in this manner:

- *ācāra* (proper conduct)/*saṃskāra* (sacraments, mainly for twice-born, concerning birth, schooling, marriage, reverence to manes and others)
- *rājadharma* (laws for kings)/*vyavahāra* (laws for settling disputes)
- *prāyaścitta* (penance, expiation, purification)

One should note that these texts would build on predecessors, most of which are no longer extant. Thus, we need to be careful not to draw far-reaching conclusions as to when a specific rule has been applied or proposed for the first time. Lariviere (1997, p. 109) summarises his thoughtful discussion of the *dharmaśāstra*'s status by saying that "*dharmaśāstra* does represent 'law' in a very real sense; that the practices recorded in dharmaśāstra did represent the law of the land and are of very real value in constructing the history of Indian society since these texts tell us how – alas, not where and when – people actually lived."

Related to the *rājadharma* texts, an author with the name Kauṭilya has written a manual on kingship. This textbook is known as the Arthaśāstra, i.e., teaching (*śāstra*) on *artha* ("purpose, wealth, power"). *Arthaśāstra* can be translated as "teachings on political economy". Putting dates and authors on Sanskrit texts is notoriously difficult. In the case of the Arthaśāstra, these aspects are historically relevant because the (mostly) Indian viewpoint has been the following: Kauṭilya was a chief minister, serving and helping the first Mauryan king Candragupta to gain power in the 4th c. BCE, presumably in Punjab. If that were so, the Arthaśāstra might constitute a major source of information on the political life of this important royal family. After all, Candragupta's grandson was Aśoka, the famous king who conquered most of the subcontinent (exluding the southernmost parts) and who supported Buddhism during its

58 I use *dharma* texts where one may differentiate between *dharmasūtra*s (typically with short aphorisms) and *dharmaśāstra*s (which tend to be more explicit). The dating follows Olivelle (2000, 2005, 2017, 2019b), Olivelle & Davis, Jr. (2020), Brick (2015, p. 8), and Davis, Jr. & Brick (2018, p. 42).

early stages.[59] Note, however, the ongoing debate on whether Kauṭilya's Arthaśāstra should be seen as a historical document (telling us a lot about actual diplomacy, spying, taxing, etc.), or rather as a teaching manual on statecraft. Relying on Olivelle (2013, pp. 25–38) and McClish (2019, pp. 39–47, 150–152), the current author assumes that the Mauryan connection is spurious and that the Arthaśāstra was written sometime between 100 BCE and 125 CE.

The king and his ways of ruling a kingdom are covered in many Old Indian texts. In this book, the focus is on *rājadharma* texts and on the Arthaśāstra. A few times, the Nītisāra by Kāmandaki (5th to 8th c. CE, KNS)[60] is cited. There is, however, no reason to belittle other sources on Old Indian statecraft, such as the epic Mahābhārata, Buddhist or Jain literature, or even the Vedas. See Sharma (2005b, pp. 15–30) for a discussion of the relevant literature. For an in-depth treatment of state and society according to post-Vedic and preclassical texts, see also Rau (1957).

The achievement of worldly aims (*artha*) was also the content matter of the fable collections Pañcatantra (around 300 CE)[61] and Hitopadeśa (end of 1st c. CE)[62]. Among other matters, readers are told how to win friends, how to sow mistrust between friends, how to cheat others, and how to avoid being cheated.

(3) *Dānadharma* texts

A particular focus of this book concerns the "Brahmanical Theories of the Gift", citing the title of Brick's (2015) critical edition and translation of the Dānakāṇḍa (LDK) of Lakṣmīdhara's *nibandha* ("anthology") Kṛtyakalpataru[63]. Buddhist theories take a back seat, but are still covered extensively. I make heavy use of the Upāsakajanālaṅkāra by Ānanda, who seems to have lived in the 12th c. CE.[64]

C *Mīmāṃsā* concepts

This section is concerned with relevant *mīmāṃsā* concepts. Mīmāṃsā is one of the six traditional philosophical systems. It is mainly concerned with (but surely goes beyond) explaining the meaning of words and sentences used in Vedic rituals. While *dharma* is not a central Vedic term,[65] the Mīmāṃsā triad of *nitya-naimittika-kāmya* and the

59 See Singh (2009, pp. 322–333), who counts the Arthaśāstra among the major sources for the Mauryan period with some hesitation.
60 See Knutson (2021, p. vii).
61 See Olivelle (2006b, p. 21).
62 See Törzsök (2007, p. 27).
63 See Brick (2015, pp. 3–21) for more information on the 12th century Dānakāṇḍa.
64 See Saddhatissa (1965, pp. 28–45, in particular p. 43).
65 See Olivelle (2006a).

Mīmāṃsā concept of *adṛṣṭārtha* are most relevant for the purposes of this book. With respect to the triad, Brick (2015, p. 36) explains:

⟨9⟩ The fundamental goal of all Mīmāṃsā, much like Dharmaśāstra, is the analysis of *dharma*, which essentially means the analysis of those scriptural injunctions and prohibitions regulating human behavior, through obeying which one secures merit and desirable rebirth. Within Mīmāṃsā, therefore, *dharma* is inherently soteriological. Moreover, Mīmāṃsā classifies every dharmic action as *nitya* ("routine"), *naimittika* ("occasionally"), or *kāmya* ("optional"). A *nitya* action is obligatory and must be performed routinely, independent of any irregular events. […] A *naimittika* action, by contrast, is obligatory, but must be performed only on special occasions or in response to certain irregular events. […] A *kāmya* action is entirely optional and needs only be performed if a person desires its specific outcome, such as the birth of a son.

See the above quotations ⟨7⟩ and ⟨8⟩ where offering sacrifices or donating gifts should be seen as *nityam*, i.e., "as a matter of routine obligation".

Dharmic givings should be performed without a visible purpose, as again explained by Brick (2015, p. 36):

⟨10⟩ Mīmāṃsā […] stipulates that in order to qualify as *dharma*, an action must be *adṛṣṭārtha*, […] "without visible purpose." This important term and concept essentially indicates that acts to which one can ascribe apparent or worldly motives—even if scripture enjoins them—do not constitute *dharma* or result in soteriological benefits. In other words, for the Mīmāṃsā and Dharmaśāstra traditions, worldly and otherworldly rewards are—at least in theory—mutually exclusive.

Inversely, *artha* refers to visible purposes in the sense of wealth and power.[66] There exists a second, important difference between *arthaśāstra* and *dharmaśāstra*: the former gives advice (to be followed by the wise), the latter sets down obligatory rules (to be obeyed by the dutiful).[67]

In most premodern philosophical texts, otherworldly benefits rank high above thisworldly ones. This would certainly be true for the six standard (or orthodox) philosophical systems (which are traditionally arranged in three groups, with two systems in each of them): Nyāya and Vaiśeṣika, Sāṅkhya and Yoga, Mīmāṃsā and Vedānta. Among the non-orthodox systems, one counts Buddhism, Jainism, and Lokāyata[68] (also named Cārvāka philosophy). While neither Buddhism nor Jainism are focused on this-worldly benefits, Lokāyata is described as

66 See Aiyangar (1943, pp. ix–x). A second, unrelated *dṛṣṭa-adṛṣṭa* opposition is explained by the Nyāyabhāṣya commentator Uddyotakara (UNBV 2.3): *dṛṣṭaṃ sukham adṛṣṭam ahitanivṛttiḥ* ("advantageous matters are seen, the cessation of unadvantageous ones are unseen").

67 See Aiyangar (1943, pp. ix–x).

68 Gokhale (2015, p. 12) suggest that Lokāyata might mean "limited by the belief that this is the only world" or "limited by this-worldly approach".

- atheistic (*nāstika*, i.e. (god) does not exist),
- non-Vedic (the authority of the Vedas is called into question),
- materialist (the existence of *ātman* (“soul”) or *paraloka* (“afterworld”) is denied), and
- hedonistic.

Consider the third and fourth bullet points. It is quite clear that Lokāyata rejects the unseen fruit important for *dharmic* acts. The specific kind of hedonism which might be involved has been discussed in quite some detail by Gokhale (2015, pp. 158–169).

D The four ages

Old Indian cosmology (here according to Manu) is based on the idea of an eternal cycle of what are called “Ages of the gods” (*devānāṃ yugam*).[69] Within each of these, four ages (*yuga*s) occur in turn:

⟨11⟩ The Kṛta Age is said to last 4,000 years. It is preceded by a twilight lasting 400 years and followed by a twilight of the same length. For each of the three subsequent Ages, as also for the twilights that precede and follow them, the first number of the thousands and the hundreds is progressively diminished by one. These four Ages, computed at the very beginning as lasting 12,000 years, are said to constitute a single Age of the gods. The sum total of 1,000 divine Ages should be regarded as a single day of Brahmā, and his night as having the very same duration.[70]

Thus, the 12.000 years[71] are the sum of

$$
\begin{aligned}
&4.000 + 2 \cdot 400 \quad \text{(Kṛta Age)}\\
+&3.000 + 2 \cdot 300 \quad \text{(Tretā Age)}\\
+&2.000 + 2 \cdot 200 \quad \text{(Dvāpara Age)}\\
+&1.000 + 2 \cdot 100 \quad \text{(Kali Age)}
\end{aligned}
$$

The names of the Ages are drawn from the following Manu citation where, apparently, the moral and other states of affairs gradually deteriorate:

⟨12⟩ *catuṣpāt sakalo dharmaḥ satyaṃ caiva kṛte yuge |*
nādharmeṇāgamaḥ kaścin manuṣyān upavartate ||
itareṣv āgamād dharmaḥ pādaśas tv avaropitaḥ |
caurikānṛtamāyābhir dharmaś cāpaiti pādaśaḥ ||

69 MDh 1.71, translation by Olivelle (2005)
70 MDh 1.69–72, translation by Olivelle (2005)
71 There is no need to address the question of whether these numbers are human years or divine years. In the latter case, the numbers would have to be multiplied by 360 in order to arrive at human years. See the discussion by Bronkhorst (2016, pp. 10–17).

arogāḥ sarvasiddhārthāś caturvarṣaśatāyuṣaḥ |
kṛte tretādiṣu tveṣāṃ vayo hrasati pādaśaḥ ||
[…]
anye kṛtayuge dharmās tretāyāṃ dvāpare 'pare |
anye kaliyuge nṝṇāṃ yugahrāsānurūpataḥ ||
tapaḥ paraṃ kṛtayuge tretāyāṃ jñānam ucyate |
dvāpare yajñam evāhur dānam ekaṃ kalau yuge ||[72]

In the Kṛta Age, the Law is whole, possessing all four feet; and so is truth. People never acquire any property through unlawful means. By acquiring such property, however, the Law is stripped of one foot in each of the subsequent Ages; through theft, falsehood, and fraud, the Law disappears a foot at a time. In the Kṛta Age, people are free from sickness, succeed in all their pursuits, and have a life span of 400 years. In the Tretā and each of the subsequent Ages, however, their life span is shortened by a quarter. […] There is one set of Laws for men in the Kṛta Age, another in the Tretā, still another in the Dvāpara, and a different set in the Kali, in keeping with the progressive shortening taking place in each Age. Ascetic toil, they say, is supreme in the Kṛta Age; knowledge in the Tretā; sacrifice in Dvāpara; and gift-giving alone in Kali.[73]

Interestingly, gift-giving is a characteristic of the worst *yuga*, the present Age from the writers' point of view.

E The four classes

(1) Origin and hierarchy

In premodern India, priests were recruited from the first class or first *varṇa*. The *puruṣa* hymn from the Ṛgveda (second half of second millennium BCE)[74] is especially famous:

〈13〉 *yát púruṣaṃ vyádadhuḥ katidhā́ vyàkalpayan |*
múkhaṃ kím asya kaú bāhū́ kā́ ūrū́ pā́dā ucyete ||
brāhmaṇò 'sya múkham āsīd bāhū́ rājanyàḥ kṛtáḥ |
ūrū́ tád asya yád vaíśyaḥ padbhyā́ṃ śūdró ajāyata ||[75]

When they apportioned the Man, into how many parts did they arrange him? What was his mouth? What his two arms? What are said to be his two thighs, his two feet?

72 MDh 1.81–83, 85–86
73 Olivelle (2005)
74 Jamison & Brereton (2014, p. 5)
75 ṚgV 10.90.11–12

> The brahmin was his mouth. The ruler was made his two arms. As to his thighs—that is what the freeman was. From his two feet the servant was born.[76]

In Sanskrit, these four classes are called *brāhmaṇa* (Brahmin), *rājanya* (ruler), *vaiśya* (freeman), and *śūdra* (servant) in the Ṛgveda. Within a passage on creation, the Mānava Dharmaśāstra (mid-second century CE) echoes the Ṛgveda, but employs the word *kṣatriya* for the second class.[77] In classical times, the three higher classes came under the heading of *dvija* (twice-born).

The rank order[78] hinted at in the Ṛgveda is elaborated in a different manner by Manu:

⟨14⟩ *bhūtānāṃ prāṇinaḥ śreṣṭhāḥ prāṇināṃ buddhijīvinaḥ |*
buddhimatsu narāḥ śreṣṭhā nareṣu brāhmaṇāḥ smṛtāḥ ||
brāhmaṇeṣu ca vidvāṃso vidvatsu kṛtabuddhayaḥ |
kṛtabuddhiṣu kartāraḥ kartṛṣu brahmavādinaḥ ||[79]

> Among creatures, living beings are the best; among living beings, those who subsist by intelligence[80]; among those who subsist by intelligence, human beings; and among human beings, Brahmins—so the tradition declares. Among Brahmins, the learned are the best; among the learned, those who have made the resolve[81]; among those who have made the resolve, the doers; and among doers, the Vedic savants.[82]

Apparently, the conflict between spiritual and worldly power, between Brahmins and the king as the foremost *kṣatriya*, goes back to Vedic times. As Trautmann (1981, p. 285) famously observes: "The conundrum may be formulated thus: in respect to the king, is the brahmin his superior or his dependent? The question is addressed in every age […]."

(2) Occupations

In order to get some concrete ideas as to how the four classes differ in society, see, for example, Āpastamba's assignment of classes to occupations:

⟨15⟩ *svakarma brāhmaṇasyādhyayanam adhyāpanaṃ yajño yājanaṃ dānaṃ pratigrahaṇaṃ dāyādyaṁ śiloñchaḥ | anyac cāparigṛhītam | etāny eva kṣatriyasyā-*

76 Jamison & Brereton (2014)
77 MDh 1.31
78 Taking the Indian case as a starting point, Dumont (1980) analyses hierarchy and considers man as "homo hierarchicus". See, in particular, Dumont (1980, pp. 65–91).
79 MDh 1.96–97
80 According to Olivelle (2005, p. 242), "higher animals, such as dogs and jackals, who know to take shelter when it rains and to go after food and water" are meant.
81 See Olivelle (2005, p. 242).
82 Olivelle (2005)

dhyāpanayājanapratigrahaṇānīti parihāpya daṇḍayuddhādhikāni | kṣatriyavad vaiśyasya daṇḍayuddhavarjaṃ kṛṣigorakṣyavāṇijyādhikam |[83]

The occupations specific to a Brahmin are

<a> studying,
<b> teaching [the Vedas, HW],
<c> sacrificing,
<d> officiating at sacrifices,
<e> giving gifts,
<f> receiving gifts,
<g> inheriting, and gleaning, as well as
<h> appropriating things that do not belong to anybody.

The occupations specific to a Kṣatriya are the same, with the exception of

<i> teaching,
<j> officiating at sacrifices, and
<k> receiving gifts,

and the addition of

<l> meting out punishment and warfare.

The occupations specific to a Vaiśya are the same as those of a Kṣatriya, with the exception of

<m> meting out punishment and warfare,

and the addition of

<n> agriculture, cattle herding, and trade.[84]

A Brahmin's occupation listed as <a> through <f> is also mentioned by Manu (MDh 10.75). Rocher (1975, p. 142) observes that they form three pairs (in Manu's words):

- *adhyayana* versus *adhyāpana*
- *yajana* versus *yājana*
- *dāna* versus *pratigraha*

The former items in these three pairs are activities that Brahmins might engage in for themselves, whereas the latter items are causatives ("make someone else perform the activity"). Formally, *pratigraha* is not a causative, but basically means the same as the causative *dāpana* (Rocher (1975, p. 143)).

Since MDh 10.76 reckons these latter items as *jīvikā* ("means of living"), one can even understand them in an exhortative manner: The three highest social classes are expected to

- study the Vedas with the help of Brahmins who obtain a *dakṣiṇā* in return,

83 ĀpDh 2.10.4–7. Similarly elsewhere, for example KAŚ 1.3.5–7.
84 Olivelle (2000), where the markers <a> etc. are added by the current author

- perform sacrifices, again against a *dakṣiṇā* payable to the officiating Brahmin priest, and
- present gifts to Brahmins.

Apparently, the Brahmins are the only social class with this particular livelihood triad. *Kṣatriya*s are not expected to teach (<i> = <b>), to officiate at sacrifices (<j> = <d>), or to receive gifts (<k> = <f>). Nor are the *vaiśya*s, for whom some texts mention *kusīda* ("lending money on interest")[85] as a fourth occupation beyond agriculture, cattle herding, and trade.

For *śūdra*s, Manu prescribes:[86]

⟨16⟩ *ekam eva tu śūdrasya prabhuḥ karma samādiśat |*
eteṣām eva varṇāṇāṃ śuśrūṣām anasūyayā ||[87]

A single activity did the Lord allot to the Śudra, however: the ungruding service of those very social classes [i.e., those three highest classes mentioned in MDh 1.88–90, HW].[88]

As Rocher (1975, p. 142) points out, *śūdra*s are excluded from the obligations <a>, <c>, and <e>, but also from the corresponding invisible benefits (see ⟨10⟩).

(3) Obtaining and disposing of wealth

The kinds of wealth that different classes can acquire according to Nārada are (somewhat) in line with the aforementioned occupations:

⟨17⟩ *vaiśeṣikaṃ dhanaṃ jñeyaṃ brāhmaṇasya trilakṣaṇam |*
pratigraheṇa yal labdhaṃ yājyataḥ śiṣyatas tathā ||
trividhaṃ kṣatriyasyāpi prāhur vaiśeṣikaṃ dhanaṃ |
yuddhopalabdhaṃ kāraś ca daṇḍaś ca vyavahārataḥ ||
vaiśeṣikaṃ dhanaṃ jñeyaṃ vaiśyasyāpi trilakṣaṇam |
kṛṣigorakṣavāṇijyaiḥ śūdrasyaibhyas tv anugrahāt ||[89]

There are three kinds of wealth particular to a brāhmaṇa: that which is obtained by acceptance of gifts, from sacrificers, and from students. There are three kinds of wealth particular to a kṣatriya: that acquired in wars, royal revenues, and fines from court cases. There are three kinds of wealth particular to a vaiśya: agriculture, animal husbandry, and commerce. A śūdra's wealth comes from whatever the three higher classes are willing to give him.[90]

85 Similar in GDh 10.49, VaDh 2.19, MDh 1.90, ViDh 2.13, and YSm 1.118.
86 Similar quotations are easily found. For example, without *anasūyayā śuśrūṣā* in ViDh 2.8 or *paricaryā* ("service") rather than *śuśrūṣā* in GDh 10.56, BauDh 1.18.5, or VaDh 2.20.
87 MDh 1.91
88 Olivelle (2005)
89 NSmV 1.48–50
90 Lariviere (2003)

Earnings and wealth for the four social classes are described in ⟨15⟩–⟨17⟩. Importantly, what is earned by normal economic means should ultimately be given to deserving agents:

⟨18⟩ *alabdham arthaṃ lipseta labdhaṃ rakṣed avekṣayā |*
rakṣitaṃ vardhayen nityaṃ vṛddhaṃ pātreṣu nikṣipet ||[91]

Money—
If you don't have it, try hard to earn it! When you have earned it, you should guard it well! And as you guard it, always make it grow! When it has grown, give it to worthy men.[92]

Only the *kṣatriya* class may use violence. See Manu:

⟨19⟩ *alabdhaṃ caiva lipseta labdhaṃ rakṣet prayatnataḥ |*
rakṣitaṃ vardhayec caiva vṛddhaṃ pātreṣu nikṣipet ||
etac caturvidhaṃ vidyāt puruṣārthaprayojanam |
asya nityam anuṣṭhānaṃ samyak kuryād atandritaḥ ||
alabdham icched daṇḍena labdhaṃ rakṣed avekṣayā |
rakṣitaṃ vardhayed vṛddhyā vṛddhaṃ dānena nikṣipet ||[93]

The king should seek to acquire what he has not acquired, preserve diligently what he has acquired, augment what he has preserved, and distribute what he has augmented on worthy recipients. These he should recognize as the four means of securing the goals of man; and he should execute them properly and tirelessly every day. What he has not acquired, he should seek to acquire with military force; what he has acquired, he should preserve with vigilance; what he has preserved, he should augment through profitable investments; and what he has augmented, he should distribute through gifts.[94]

The "means of securing the goals of man" are covered in section A. KAŚ 1.4.3 is somewhat similar. There, the "worthy recipient"[95] is called a *tīrtha*. Importantly, this concept of worthy recipients is central to the Brahmanical theory of the gift. Noting the rather similar verses present in the Pañcatantra (⟨18⟩), Olivelle (2005, p. 297) remarks that MDh 7.99 has "the hallmarks of a proverbial saying".

91 PT 1.6
92 Olivelle (2006b)
93 MDh 7.99–101
94 Olivelle (2005)
95 Olivelle (2013)

F The *āśrama* system

(1) The early period

Olivelle (1993) is a ground-breaking book on the *āśrama* system. He summarises the original meaning of *āśrama* in the following way:[96]

(1) It referred to the place and by extension the life of exceptional Brahmins.
(2) The life of these Brahmins centered around the maintenance of and the offering of oblations in the sacred fire. They are also depicted as performing *tapas* ("austerities") [...].
(3) Brahmins were married and had children. The presence of a wife [...] is absolutely necessary for the performance of the fire sacrifice.
(4) They lived apart from normal society, even though it is not altogether certain whether the *āśrama*s were always located in the wilderness.

Olivelle distinguishes between the "early period" and the classical one. In both *āśrama* theories, a male Brahmin would typically study the *Veda*s in a *guru*'s house.[97] In the early period, he would then have the choice of taking up one and only one *āśrama* for the rest of his life: householder, forest hermit, or renouncer. Gautama hints at this theory with the following words:

⟨20⟩ *tasyāśramavikalpam eke bruvate |*
brahmacārī gṛhastho bhikṣur vaikhānasaḥ |
teṣāṃ gṛhastho yonir aprajanatvād itareṣām |[98]

He has a choice, some assert, among the orders of life: student, householder, mendicant, or anchorite. The householder is their source, because the others do not produce offspring.[99]

As shown by Olivelle (1993, pp. 83–86), Gautama ultimately comes out against the option (*vikalpa*) theory by pointing to the authority of the Vedas in this matter. In fact, Gautama states that "a householder's state alone is prescribed".[100]

(2) The classical period

In the classical period, the *āśrama* system envisions the following four life stages: studying, acting as a householder with wife and children, becoming a hermit and then

96 Taken verbatim from Olivelle (1993, p. 24)
97 From a variety of Vedic and post-Vedic sources, Lubin (2018b) looks at the requirements for living a student's life, while Lubin (2018c) is concerned with the student/householder after graduation.
98 GDh 3.1–3
99 Olivelle (2000)
100 GDh 3.36, Olivelle (2000)

a renouncer, in that order. The following quote by Yājñavalkya clearly refers to the classical formulation:

⟨21⟩ *gṛhād vanād vā kṛtveṣṭiṃ sarvavedasadakṣiṇām |*
prājāpatyāṃ tadante tān agnīn āropya cātmani ||
adhītavedo japakṛt putravān annado 'gnimān |
śaktyā ca yajñakṛn mokṣe manaḥ kuryāt tu nānyathā ||[101]

From either home or forest—after making a sacrifice to Prajapati at which all his possessions are given as sacrificial gifts and at its conclusion depositing the fires in his self;
after studying the Veda, engaging in soft recitation, begetting sons, donating food, maintaining the sacred fires, and performing sacrifices according to his ability—he should set his mind on renunciation, not otherwise.[102]

Or consider Manu:

⟨22⟩ *vedān adhītya vedau vā vedaṃ vāpi yathākramam |*
aviplutabrahmacaryo gṛhasthāśramam āvaset ||[103]

After he has learnt in the proper order the three Vedas or two of them, or at least one, without violating his chastity, he should undertake the householder's order of life.[104]

The ethics of the triple debts supplies an argument for fulfilling the obligations of studentship and marriage before a man might consider becoming a renouncer:

⟨23⟩ *ṛṇāni trīṇy apākṛtya mano mokṣe niveśayet |*
anapākṛtya mokṣaṃ tu sevamāno vrajaty adhaḥ ||
adhītya vidhivad vedān putrāṃś cotpādya dharmataḥ |
iṣṭvā ca śaktito yajñair mano mokṣe niveśayet ||
anadhītya dvijo vedān anutpādya tathātmajān |
aniṣṭvā caiva yajñaiś ca mokṣam icchan vrajaty adhaḥ ||[105]

Only after he has paid his three debts, should a man set his mind on renunciation; if he devotes himself to renunciation without paying them, he will proceed downward. Only after he has studied the Vedas according to rule, fathered sons in keeping with the Law, and offered sacrifices according to his ability, should a man set his mind on renunciation; if a twice-born seeks renunciation without studying the Vedas, without fathering sons, and without offering sacrifices, he will proceed downward.[106]

101 YSm 3.56–57
102 Olivelle (2019b)
103 MDh 3.2
104 Olivelle (2005)
105 MDh 6.35–37
106 Olivelle (2005)

Here, the ethics of the three debts to the seers (studying the Vedas), to one's forefathers (fathering a son), and to the gods (offering sacrifices) is clearly visible.

G Grounds for litigation

Classical India could boast of an extensive and sophisticated legal literature. Manu enumerates 18 grounds for litigation:

〈24〉 *teṣām ādyam ṛṇādānaṃ nikṣepo 'svāmivikrayaḥ |*
saṃbhūya ca samutthānaṃ dattasyānapakarma ca ||
vetanasyaiva cādānaṃ saṃvidaś ca vyatikramaḥ |
krayavikrayānuśayo vivādaḥ svāmipālayoḥ ||
sīmāvivādadharmaś ca pāruṣye daṇḍavācike |
steyaṃ ca sāhasaṃ caiva strīsaṃgrahaṇam eva ca ||
strīpuṃdharmo vibhāgaś ca dyūtam āhvaya eva ca |
padāny aṣṭādaśaitāni vyavahārasthitāv iha ||[107]

Of these,

<a> the first is non-payment of debts;
<b> deposits;
<c> sale without ownership;
<d> partnerships;
<e> non-delivery of gifts;
<f> non-payment of wages;
<g> breach of contract;
<h> cancellation of a sale or purchase;
<i> disputes between owners and herdsmen;
<j> the Law on boundary disputes;
<k> verbal assault;
<l> physical assault;
<m> theft;
<n> violence;
<o> sexual crimes against women;
<p> Law concerning husband and wife;
<q> partition of inheritance; and
<r> gambling and betting.

These are the eighteen grounds on which litigation may be instituted in this world.[108]

107 MDh 8.4–7
108 Olivelle (2005), where the markers <a> etc. replace the (i) etc. markers set by the translator

Generally speaking, contracts had to be fulfilled. In case of norm conflicts, the following rule (from Nārada) is evoked:

⟨25⟩ *kriyarṇādiṣu sarveṣu balavaty uttarottarā |*
pratigrahādhikrīteṣu pūrvā pūrvā garīyasī ||[109]

In all matters such as debt, etc. the last action is more binding than any preceding one. In the case of gifts, deposits, or purchases, the first action is more binding than any later one.[110]

Lariviere (2003, p. 301) explains: "The point of this verse is that the status of transactions which fall under the eighteen titles of law is determined by the last event in the sequence of the transaction. That is, the repayment of a loan (which, obviously, comes after the making of the loan in the first place) is the binding act since it eliminates the original debt. Exceptions to this are matters such as gifts, deposits, or purchases, where the first person to have accepted a gift, or to have accepted a deposit, or to have made a purchase is the one who has the claim to that item."

H Property, giving, sacrificing, and gifting

This last section is concerned with basic definitions from *dharma*, *mīmāṃsā*, and *navyanyāya* literatures. "Giving" means the "transferal of ownership" of some "property" or "ownership" (*svatva*) by a "giver" to some "receiver".[111] This is in line with the Mitākṣarā commentary (YSmM) on the Yājñavalkya Smṛti (YSm), where *dāna* is glossed as

⟨26⟩ *svasvatvanivṛttiḥ parasvatvāpādanaṃ ca dānaṃ*[112]

giving is the cessation of one's own ownership and the production of another's ownership.[113]

Immediately following is the explanation of *parasvatvāpādana*:

⟨27⟩ *parasvatvāpādanaṃ ca paro yadi svīkaroti tadā saṃpadyate nānyathā | svīkāraś ca trividhaḥ | mānaso vācikaḥ kāyikaś ceti | tatra mānaso mamedam iti saṃkalparūpaḥ |*[114]

And the production of another's ownership occurs if that other person appropriates [the object in question], not otherwise. Appropriation comes in three forms: mental, verbal, or bodily. There "mental" has the form of intention expressed by "this is mine".

109 NSmV 1.85. A similar verse is YSm 2.23.
110 Lariviere (2003)
111 See, for a broad discussion, Davis, Jr. (2010, chapter 4).
112 YSmM 2.27
113 After Brick (2015, p. 32), who has "gifting", not "giving"
114 YSmM 2.27

In late Navyanyāya one finds similar quotations with immediate legal and economic relevance. For example, a 17th century anonymous logician/jurist[115] explains:

⟨28⟩ *tatra svatvaṃ prati kvacit krayaṇasya kvacit pratigrahasya kvacit pūrvādhikāriṇaḥ maraṇasannyāsagrahaṇapātityānāṃ kvacit tyaktavastūpādānasya ca hetutvam*[116]

The causes of Property are (i) purchase, (ii) acceptance, (iii) the predecessor's death, his embracing the order of ascetics, or his 'fall', and (iv) finding an abandoned object.[117]

These quotations clearly mention some of the most relevant forms of giving and taking addressed in this book.

Property is here explained or justified by the rightful acquisition of property that belongs to a prepossessor.[118] The above quotation seems to build on the eminent navyanaiyāyika Raghunātha Śiromaṇi, who lived around the period 1475–1550 CE[119]. In his Padārthatattva Nirūpaṇa, he suggests to do away with most of the traditional Nyāya-Vaiśeṣika categories (*padārtha*) and proposes new ones, among them *svatva* (property).[120] Thus, Raghunātha stands for a legal/social turn within the traditionally metaphysical Nyāya-Vaiśeṣika philosophy. Raghunātha writes:

⟨29⟩ *tac ca pratigrahopādānakrayaṇapitrādimaraṇair janyate dānādibhiś ca nāśyate |*[121]

And that [*svatva*, HW] is produced by receiving, by taking, by buying, by [inheriting] when [one's] father or others [other relatives] die, while it is destroyed by gifting and so forth.[122]

Receiving (*pratigraha*) and gifting (*dāna*) are correlates. Consequently, "and so forth" refers to the correlates of taking, buying, and inheriting.

Remember the concept of an "unseen effect" or "unseen purpose" explained in section III.C. With this in mind, we can look at two quotations drawn from the *mīmāṃsā* text Mīmāṃsānyāyasaṃgraha[123]. The first one provides three definitions:

115 See Derrett (1976a, pp. 336–337) who provisionally dates the Svatva Vicāra (SV) "about 1600-10". See also Derrett (1976c, pp. 358–359).

116 SV 2

117 Derrett (1976a, p. 345)

118 The question of whether theft might bring about possession is also discussed, for example in SV 3. In any case, the term of "rightful acquisition" should lead to a problem of infinite regress, which need not concern us here.

119 See Ingalls (1951, pp. 9–20).

120 Abolishing most of the old categories is the subject-matter of RPTN 1.3–60.4, the arguments in favour of the new category *svatva* is found in RPTN 62.1–64.2, and the other new categories are defended in RPTN 64.2–78.1.

121 RPTN 63.4–64.2

122 After Potter (1957)

123 This *mīmāṃsā* compendium has been edited and translated by Benson (2010). It dates from the end of the 17th century (see Benson (2010, p. 16)).

⟨30⟩ *yāgahomadānavidhibhir devatoddeśapūrvakadravyatyāgatatpūrvakaprakṣepaparasvatvaphalakadravyatyāgā anuṣṭhāpyante*[124]

Injunctions which teach the actions of sacrifice (*yāga*), offering (*homa*), and giving (*dāna*) bring about (respectively) the action of giving up a substance preceded by a reference to a deity, the action of casting (the substance into the fire etc.), preceded by this, and the action of giving up a substance which results in another's ownership.[125]

Thus, *yāga* means "referring to a deity" and "giving up a substance", *homa* is "referring to a deity", "giving up a substance", and "casting into fire", while *dāna* is defined as "giving up a substance" so that "another's ownership" comes about. One might surmise that *dāna* is meant as *dharmadāna* here, but the immediate context does not provide a clue. See, however, the following quotation ⟨31⟩ in the same compendium, where only *dharmadāna* can be meant.

Here, the question of whether a *dakṣiṇā* for officiating priests is to be considered a wage or a dharmic gift is discussed (and will be reconsidered later in section XVII.D):

⟨31⟩ *ṛtvigbhyo dakṣiṇāṃ dadātīti śrutaṃ dakṣiṇādānam adṛṣṭārtham, adṛṣṭārtha eva hiraṇyādidāne dānavyavahārāt, bhṛtitve karmānurūpyeṇa dānāpattyā 'lpe traidhātavīye sahasradānasya, mahaty ṛtapeye somacamasadānasya cānupapatteḥ, dvādaśaśatādiniyamāt, mantravattvāc ca.*
na.
dṛṣṭārthatvāyānater eva prayojanatvāt, bhṛtir deyeti bhṛtāv api dānavyavahārāt, parimāṇamantrāder niyamādṛṣṭārthatvāt [...].[126]

The gift of the sacrificial fee (*dakṣiṇā*), which is taught in the statement, "He (i.e., the sacrificer) gives (*dadāti*) the fee to the priests", is for the sake of an unseen effect, because the word "*dāna*" (gift, the action of giving) is used for the gift of gold etc., which is just for the sake of an unseen effect; because if it were wages, the gift should be in conformity with the task, and therefore the gift of a thousand (cows) for the small *traidhātavīya* rite and the gift of the *soma* cup for the large *ṛtapeya* rite would be inappropriate; because it (i.e., the fee) is restricted to one hundred and twelve (cows) etc.; and because it is accompanied by *mantras*. No;
because only the action of hiring (the priests) is a purpose which leads to the condition of (the fee) having a visible effect; because the word "*dāna*" is also used for giving wages, as in the statement, "The wages should be given (*deya*)"; because the size (of the fee) and the *mantras* etc. are for the sake of the unseen effect produced by a restriction; [...].[127]

124 MNS 4.2.10
125 Benson (2010)
126 MNS 10.2.8
127 Benson (2010)

Before commenting on this passage, the terms *pūrvapakṣa* and *uttarapakṣa* need to be explained. The former refers to an opponent's view, while the latter is the author's own view. The author would typically contradict the opponent, often with the word *na* (no). In the present passage, the *pūrvapakṣa* (up to *na*) argues that a *dakṣiṇā* has an "unseen effect", by analogy with dharmic gifts that also produce unseen effects. One of the arguments for this analogy rests on the idea that tasks and payments should be somewhat in line. The *uttarapakṣa* (following *na*) contradicts this and sees the *dakṣiṇā* as just a *bhṛti* (wage). Presumably, the visible effect consists of the priests doing their ritual work. The unseen effect that might be brought about by dharmic giving depends on "restrictions", among them *śraddhā* and *śakti* being properly employed.

I now turn to the similarities between sacrificing and dharmic giving. The locus classicus is the Śatapatha Brāhmaṇa:

⟨32⟩ *dvayā vvaí devā́ devāḥ | áhaivá devā átha yé brāhmaṇā́ḥ śuśruvā́ṁso 'nūcānās té manuṣyadevās téṣāṃ dvedhā vvibhaktá evá yajña ā́hutaya evá devā́nāṃ dákṣiṇā manuṣyadevā́nāṃ brāhmaṇā́nāṁ śuśruvúṣām anūcānā́nām ā́hutibhir evá devā́n prīṇā́ti dákṣiṇābhir manuṣyadevā́n brāhmaṇā́ñ chuśruvúṣo 'nūcānāṃs tá enam ubháye devā́ḥ prītā́ḥ sudhā́yāṃ dadhati* ||[128]

Verily, there are two kinds of gods: for, indeed, the gods are the gods; and the Brāhmans who have studied and teach sacred lore are the human gods. The sacrifice of these is divided into two kinds: oblations constitute the sacrifice to the gods; and gifts to the priests that to the human gods, to the Brāhmans who have studied and teach sacred lore. With oblations one gratifies the gods, and with gifts to the priests the human gods, the Brāhmans who have studied and teach sacred lore. Both these kinds of gods, when gratified, place him in a state of bliss.[129]

Sometimes, offering and gifting are considered to lie on an equal plane, as in Manu:

⟨33⟩ *śraddhayeṣṭaṃ ca pūrtaṃ ca nityaṃ kuryāt prayatnataḥ |*
śraddhākṛte hy akṣaye te bhavataḥ svāgatair dhanaiḥ ||[130]

One should as a matter of routine obligation painstakingly offer sacrifices and donate gifts with a spirit of generosity, for these two things, when performed with a spirit of generosity and with well-acquired wealth, become imperishable.[131]

When sacrifices are given to gods, the natural question arises of whether these gods obtain "property". With respect to temples, Slaje (2019, pp. 25–26) observes that deities were considered "owners of the temple and its property in a legal sense". He points to *surārtha* ("property of the deity") in KRT 7.1089.

128 ŚB 2.2.2.6
129 Eggeling (1882–1890)
130 LDK 1.39
131 Brick (2015)

Part Two:

Indian (and other emic) perspectives on giving and taking

Imaginary dialogues between premodern Indian, Roman, and Christian points of view on giving and taking are presented. That is, we focus on the "emic" concepts and present some comparisons between giving to Brahmins, giving motivated by Christian ideas, *beneficium* in Seneca's understanding, and giving to Buddhist monks. The quotations from this part also serve to provide future reference. The next part will turn to the "etic" perspectives on these emic concepts.

IV Vedic perspectives

The Vedic texts on giving and taking concentrate on sacrifices and on the *dakṣiṇā* (fee?) obtained by officiating priests.[132] We will also mention teaching and rituals, both Vedic and post-Vedic.[133]

A Reciprocity in Vedic sacrifices

The Vedic sacrifice was grounded on reciprocity—as the locus classicus, found in the Taittirīya Saṃhitā, shows:

⟨34⟩ *pūrṇā́ darvi párāpata*
súpūrṇā púnar ā́pata |
vasnéva víkrīṇāvahā
íṣam ū́rjaṁ śatakrato |
dehí me dádāmi te
ní me dhehi ní te dadhe |
nihā́ram ín ní me harā
nihā́raṃ níharāmi te ||[134]

O ladle, fly away filled,
And well filled do thou fly back;
Like wares, O Śatakratu,
Let us barter food and strength.
Give thou to me; I shall give to thee;
Bestow upon me; I shall bestow upon thee;

132 Candotti et al. (2021) present a very nuanced and complex analysis of this term from early Vedic to Pali sources. From the perspective of their work, the conception of *dakṣiṇā* in this book is only the late Vedic one. A subset of these authors (Candotti & Pontillo 2019) analyses the dangerous action of *pratigraha* (accepting) in Vedic sources.

133 A careful study on " 'Gifts' and 'Giving' in the Ṛgveda" is presented by Gonda (1975).

134 TS 1.8.4.1–2 where I have placed *níharāmi te* before the daṇḍa.

Accept my offering;
I shall accept thy offering.[135]

The relationship between sacrifice-performing humans and the gods was perceived as durable:

⟨35⟩ *asmā́ṁ avantu te śatám asmā́nt sahásram ūtáyaḥ |asmā́n víśvā abhíṣṭayaḥ ||*
asmā́ṁ ihā́ vṛṇīṣva sakhyā́ya svastáye |mahó rāyé divítmate ||[136]

Let your hundred means of help help us, us your thousand, us all your superior powers. Choose us here for comradeship, for well-being, for great, heavenly wealth.[137]

Humans hoped for diverse gifts from the gods: women wanted a husband (*pati*)[138], men sought good cows (*sugavaḥ*) or a long life (*dīrgham āyuḥ*)[139], among other things. One might think that the humans depend on gods, but do not have much to offer themselves. However, this is not quite true. The dependence goes both ways, as is seen from the following hymn to Indra:

⟨36⟩ *ná sóma índram ásuto mamāda nā́brahmāṇo maghávānaṃ sutā́saḥ |*
tásmā ukthā́ṃ janaye yáj jújoṣan nṛ́vān návīyaḥ śṛṇávad yáthā naḥ ||[140]

Soma, unpressed, does not exhilarate Indra, nor do pressings unaccompanied by sacred formulations (exhilarate) the bounteous one. For him I beget a hymn that he will enjoy, a newer manly one, so that he will listen to us.[141]

Oberlies (1998, p. 273) argues that the necessary pressing alleviates the asymmetric relationship between Indra and the humans.

The natural cycle of water going up from the earth and coming down upon the earth is a metaphor for how humans and gods give to one another in turn. Thus, one expression of Vedic reciprocity is the water cycle analysed by Wilden (2000) and hinted at in the Ṛgveda:

⟨37⟩ *samānám etád udakám úc caíty áva cā́habhiḥ |*
bhū́miṃ parjányā jínvanti dívaṃ jinvanty agnáyaḥ ||[142]

This water remains the same: it goes up and down throughout the days. Thunderstorms vivify the earth, and fires vivify heaven.[143]

135 Keith (1967)
136 ṚgV 4.31.10–11
137 Jamison & Brereton (2014)
138 ṚgV 1.117.7
139 ṚgV 1.116.25
140 ṚgV 7.26.1
141 Jamison & Brereton (2014)
142 ṚgV 1.164.51
143 Jamison & Brereton (2014)

A somewhat different twist on the water cycle is seen in the middle Vedic Kāṭhaka Saṃhitā. The sacrifice (presumably the smoke from the sacrificial fire) goes up and rain pours down as a consequence:

⟨38⟩ *yā vā ita āhutir udayate sāmuto vṛṣṭiṃ cyāvayati svayaivāhutyā divo vṛṣṭiṃ ninayati*[144]

The libation that goes up from here makes the rain move from there. With his own libation, he leads rain down from heaven.[145]

In the classical period, Kṛṣṇa clearly expresses the concept of such sacrificial reciprocity in the Bhagavad Gītā (⟨120⟩).

B Singing and sacrificing for a fee

The Vedic hymns were addressed to gods such as *Agni*:

⟨39⟩ *evā́ no agne amṛ́teṣu pūrvya dhīṣ pīpāya bṛháddiveṣu mā́nuṣā |*
dúhānā dhenúr vṛjáneṣu kāráve tmánā śatínaṃ pururū́pam iṣáṇi ||[146]

In this way, o foremost Agni, (*hymnic*) vision swells for us among the immortals dwelling in lofty heaven through the human (lifespans)—(a vision like) a cow giving milk to the bard in the (ritual) enclosures, (bringing) by herself multiform (prizes) in hundreds at her impulsion.[147]

Patel (1929, pp. 3–4) offers this interpretation: Family clans earned their living with hymns. This transpires from the "cow giving milk to the bard". If the lord commissioning the sacrifices was satisfied with the bards' performance, the latter could expect a *dakṣiṇā*. This hybrid form of payment is the subject-matter of section XVII.D. See also Jamison and Brereton (2014, p. 1571) on a hymn praising the *dakṣiṇā*: "[A] dakṣiṇā, once given, brings untold benefits to the giver, both material and spiritual, far exceeding the value of the original gift."

Importantly, *dakṣiṇā* had a close cousin in Vedic sacrifice, *vā́ja*. The latter may mean "reward" or "contest". The contest in question is one between poets or priests, vying to be commissioned with composing praise or conducting ritual, respectively. Having stressed the role of Indra as the warrior god,[148] Oguibénine (1998, pp. 105–119) points out that *vā́ja*, more so than *dakṣiṇā*, has war-like undertones:

⟨40⟩ [W]on by the officiant poets and coming from and through the patrons of the sacrifice, the *dakṣiṇā* and the *vā́ja* are given to the officiants as a reward which crowns their para-warrior efforts and ensures the solidarity of the two groups

144 KS 25.5
145 After Wilden (2000, p. 132).
146 ṚgV 2.2.9
147 Jamison & Brereton (2014)
148 Oguibénine (1998, pp. 59–70)

> involved in the sacrificial ritual. […] [*vā́ja*] tends to be associated with the outside rich in war references, whereas [*dakṣiṇā*] does not step out of its zone of origin and is associated with war only in a relative way by virtue of the competition between the officiant poets.[149]

Thus, a *dakṣiṇā* is something like a fee for priests who perform sacrifices. Consider a few verses from the following *dakṣiṇā* hymn. The first one (compare ⟨32⟩) hints at an identification of the sacrifice (to gods) with the *dakṣiṇā* (to priests):

⟨41⟩ *daívī pūrtír dákṣiṇā devayajyā́ ná kavāríbhyo nahí té pṛṇámti* |
[…] || (3)
dákṣiṇāśvaṃ dákṣiṇā gā́ṃ dadāti dákṣiṇā candrám utá yád dhíraṇyaṃ |
dákṣiṇānnaṃ vanute yó na ātmā́ dákṣiṇāṃ várma kṛṇute vijānán || (7)
ná bhojā́ mamrur ná nyarthám īyur ná riṣyaṃti ná vyathaṃte ha bhojā́ḥ |
idáṃ yád víśvaṃ bhúvanaṃ svàś caitát sárvaṃ dákṣiṇaibhyo dadāti || (8)[150]

> The priestly gift (*dakṣiṇā*) is the divine bestowal, a sacrificial offering to the gods (*devayajyā*); it is not for the stingy, for they do not bestow.[…] (3) The priestly gift gives the horse; the priestly gift the cow; the priestly gift the lustrous and what is golden. The priestly gift wins the food that is our very lifebreath. He who understands makes the priestly gift his armor. (7) The benefactors (*bhoja*) have not died, nor have they gone to a failed end; the benefactors are not harmed, nor do they falter. What is this whole world and the sun, all this does the priestly gift give to them. (8)[151]

Turning to etymology, the Sanskrit *dakṣa* means "suitable, fit", etc., from which *dakṣiṇā* may carry the meaning "able to calve and give milk, a good dairy cow". And then, since a cow seems to have been the primary fee or present given to the officiating priest in Vedic times, *dakṣiṇā* came to carry the meaning of fee or present. A second meaning transpires from the Śatapatha Brāhmaṇa:

⟨42⟩ *ghnánti vā́ etádyajñam* | *yádenaṃ tanváte yánnv eva rā́jānam abhiṣuṇvánti tattáṃ ghnanti yát paśúm̐ sañjñapáyanti vviśā́sati tattáṃ ghnanty ulūkhalamusalā́bhyāṃ dṛṣadupalā́bhyām̐ haviryajñáṃ ghnanti* ||
sá eṣá yajñó hato ná dadakṣe | *táṃ devā dákṣiṇābhir adakṣayaṃs tadyádenaṃ dákṣiṇābhir ádakṣayaṃs tásmād dákṣiṇā nā́ma tadyád evā́tra yájñasya hatásya vyáthate tád évāsyaitad dákṣiṇābhir dakṣayaty átha sámṛddha evá yajñó bhavati tásmād dákṣiṇā dadāti* ||[152]

> Now, in performing that sacrifice, they slay it; and in pressing out the king (Soma), they slay him; and in quieting and immolating the victim, they slay it. The haviryajña they slay with the mortar and pestle, and with the two

149 Oguibénine (1998, pp. 111–112, 118)
150 ṚgV 10.107.3ab, 7–8
151 Jamison & Brereton (2014)
152 ŚB 2.2.2.1–2 and, identically, ŚB 4.3.4.1–2

> mill-stones. When slain, that sacrifice was no longer vigorous. By means of dakṣiṇās (gifts to the priests) the gods again invigorated it: hence the name dakṣiṇā, because thereby they invigorated (dakṣay) that (sacrifice). Whatever, therefore, fails in this sacrifice when slain, that he now again invigorates by means of gifts to the priests; whereupon the sacrifice becomes successful: for this reason he makes gifts to the priests.[153]

It seems that *dakṣiṇā* comes under three different forms: Firstly, in Vedic times, singers presented hymns to the Vedic goods and obtained a *dakṣiṇā* from the king or other noble persons. Secondly, a priest performed a sacrifice for noble or not so noble people and, again, expected a *dakṣiṇā* in return. This is a complex case because the *yajamāna* gave in a twofold manner, for the sacrifice itself and for the *dakṣiṇā*. Very similarly, a classical *mahādāna* was typically accompanied by lavish gifts to officiating priests (see subsection VI.H(2)). In that respect, a *mahādāna* is closer to a Vedic sacrifice than to a *dharmadāna*. Lastly, the graduating student is to present a gift to his *ācārya*.

It is not quite clear how the roles of poets and priests were differentiated. Jamison and Brereton (2014, pp. 9–10) write:

⟨43⟩ Who is the poet, and why is he composing poetry? The poets participate in an elaborate patronage system. They are hirelings, but of a very superior sort. As craftsmen of the word, their contribution to the success of the sacrifice that establishes and maintains the mutually beneficial relationship between men and gods is critical, and they serve the patrons, often royal patrons (whatever 'royal' meant at this period), who arrange for and underwrite the sacrifice. The poet provides the praise poetry that the patron needs to put the gods in his debt, and he speaks on behalf of his patron, in making specific requests of the gods for goods and services. The poet's reward comes as a second-hand or indirect benefit of the success of his verbal labors: the patron should receive from the gods what he asked for, and he provides some portion of that bounty to the poet in recompense. This payment from his patron is sometimes celebrated by the poet at the end of his hymn, in a genre known as the *dānastuti*, literally 'praise of the gift,' in which the largess of the patron—cows, horses, gold, women—is catalogued and glorified. Or, if it is less than expected or desired, scorned. The tone of the dānastuti is often teasing and jokey, and the language colloquial.
But the making of poetry is not simply a business proposition. Poets take great pride in their work and often reflect on their part in the poetic tradition and also on their ability to use the tools of the tradition in innovative and creative ways.

From the Buddhist tradition, compare the 12th c. Upāsakajanālaṅkāra (⟨180⟩), where the relationship between the gift to teachers is related to the southern direction.

153 Eggeling (1882–1890)

Somewhat irreverently, in the following "charming little hymn",[154] the wish to obtain the *dakṣiṇā* seems similar to the hope for good business of carpenters and the like:

⟨44⟩ *nānānáṃ vā́ u no dhíyo ví vratā́ni jánānām |*
tákṣā riṣṭáṃ rutáṃ bhiṣág brahmā́ sunváṃtam icchatī́ṃdrāyeṃdo pári srava ||[155]

Truly our thoughts are various, and the business matters of peoples are different: a carpenter seeks the damage, a healer the break, a priest a man who presses soma. – O drop, flow around for Indra.[156]

It is not difficult to find verses that highlight the importance of *dakṣiṇā*:

⟨45⟩ *ucchā́ṃtīr adyá citayaṃta bhojā́n rādhodéyāyoṣáso maghónīḥ |*
acitré aṃtáḥ paṇáyaḥ sasaṃtv ábudhyamānās támaso vímadhye ||[157]

Dawning today, the bounteous Dawns brighten the benefactors for the giving of largesse. In (a place) without brightness let the niggards sleep, unawakening in the middle of darkness.[158]

or:

⟨46⟩ *tébhyo dyumnáṃ bṛhád yáśa úṣo maghony ā́ vaha |*
yé no rā́dhāṃsy áśvyā gavyā́ bhájaṃta sūráyaḥ sújāte áśvasūnṛte ||[159]

To them bring lofty brilliance and glory, O bounteous Dawn,
to the patrons who apportion to us benefits consisting of horses and cows –
O well-born lady, liberal with horses.[160]

C Teaching sons in Vedic and post-Vedic times

In the Vedic and post-Vedic periods, teaching was primarily done within families. It seems that the idea of keeping traditions alive was well on the families' minds, as the Bṛhadāraṇyaka Upaniṣad seems to convey:

⟨47⟩ *athātaḥ saṃprattiḥ | yadā praiṣyan manyate 'tha putram āha tvaṃ brahma tvaṃ yajñas tvaṃ loka iti | sa putraḥ praty āhāhaṃ brahmāhaṃ yajño 'haṃ loka iti | yad vai kiṃ cānūktaṃ tasya sarvasya brahmety ekatā | ye vai ke ca yajñās teṣā́ṁ sarveṣāṃ yajña ity ekatā | ye vai ke ca lokās teṣā́ṁ sarveṣāṃ loka ity ekatā | etāvad vā idaṁ́ sarvaṃ | etan mā sarvaṁ́ sann ayam ito bhunajad iti | tasmāt putram anuśiṣṭaṃ lokyam āhuḥ | tasmād enam anuśāsati |*[161]

154 Jamison & Brereton (2014, p. 1363)
155 ṚgV 9.112.1
156 After Jamison & Brereton (2014).
157 ṚgV 4.51.3
158 Jamison & Brereton (2014)
159 ṚgV 5.79.7
160 Jamison & Brereton (2014)
161 BĀU 1.5.17

> Next, the rite of transfer. When a man thinks that he is about to die, he tells his son: "You are the *brahman*! You are the sacrifice! You are the world!" The son replies: "I am the *brahman*! I am the sacrifice! I am the world!" All the vedic learning that has been acquired is subsumed under "*brahman*"; all the sacrifices are subsumed under "sacrifice"; and all the worlds are subsumed under "world". That is the full extent of this whole universe—"By becoming the Whole, may he assist me from here." Therefore, they say that an educated son opens up the world, and for this reason people educate their sons.[162]

As time went on, teaching seems to have been professionalised. See section XV.B. The details of knowledge and ritual transmission lie well beyond the scope of my book. For the Vedic time, see Houben (2016).

D Rituals, Vedic and post-Vedic[163]

Rituals intended to bring about worldly effects were performed long after the Vedic period. For example, Brahmins could have served as ritual protectors of state. With respect to Śaiva officiants, Sanderson tells about an inscription from the 12th c. where "an army from Sri Lanka had invaded the mainland, removed the door of the Rāmeśvaram temple, obstructed the worship, and carried away all the temple's treasures" whereupon a Śaiva officiant "was engaged by the emperor to perform a ritual that would bring destruction on those responsible for this desecration. According to the inscription, the ceremony was continued for twenty-eight days and at its end the invading army was indeed defeated."[164]

It is clear that success in these ways would ensure "close links with the institution of kingship and thereby with the principal source of patronage".[165] See, for example, the Atharvavedapariśiṣṭa:

> ⟨48⟩ The kingdom of that king in whose realm dwells an Atharvavedic master of the rites for warding off ills will prosper, free of all calamities. The kingdom of that king in whose realm he is not present is oppressed by diverse dangers. It sinks like a cow in the mud. Therefore to that Atharvan [chaplain] whose senses are controlled the king should show exceptional honour at all times, by means of gifts, marks of distinction, and demonstrations of respect.[166]

In some traditions, the Atharvavedic knowledge of a *purohita* was a requirement for serving as a chaplain.[167]

162 Olivelle (1998)
163 This section borrows freely from Wiese (2023a).
164 Sanderson (2004, pp. 233–234)
165 Sanderson (2004, p. 232)
166 AP 4.6.1–3, translation by Sanderson (2004, p. 269)
167 Sanderson (2004, p. 233)

E Contract-keeping and truth-telling

According to Thieme (1957), Varuṇa and Mitra are Vedic gods involved in contract-keeping and truth-telling. In classical Sanskrit, *mitra* is a neuter (!) noun, meaning friend. Thieme (1957, p. 18) clearly sides with Antoine Meillet, who claims that, in Vedic times, the meaning of *mitra* was "contract", from which the meaning of friendship and then friend subsequently developed. Thieme cites the Ṛgveda to support Meillet's and his own claim:

⟨49⟩ *mitró jánān yātayati bruvāṇó* […] |[168]

Contract, when named, makes peoples array (arrange) themselves [with regard to each other] (='causes them to make mutual arrangements').[169]

He adds that "[a]lso other gods may receive this qualification: God Fire (Agni), the fire being invoked as a witness at the conclusion of certain contracts […] or God Varuṇa, that is the personified Oath […] or, as I should prefer, the personified True Speech."[170]

Mitra and Varuṇa are often mentioned together:

⟨50⟩ *vraténa stho dhruvákṣemā dhármaṇā yātayájjanā* |[171]

You two (Mitra and Varuṇa, i.e., Contract and True-Speech) are of firm peace through vow (= you secure peace by seeing to it that vows are kept), you cause people to make mutual agreements through firmness (= you make contractual agreements desirable as establishing firm relations).[172]

These two gods produce very beneficial results:

⟨51⟩ *ádhārayataṃ pṛthivī́m utá dyā́ṃ mítrarājānā varuṇā máhobhiḥ* |
vardháyatam óṣadhīḥ pínvataṃ gā́ áva vṛṣṭíṃ sṛjataṃ jīradānū ||[173]

You two, king Contract and king True-Speech, made firm earth and heaven by your greatness. Cause plants to grow, cause cows to swell [with milk], send down rain, you of live wetness![174]

Thieme (1957, p. 43) comments: "The original motivation for their creating prosperity is, of course, that Contract and True-Speech secure peace." Of course, there must be some sanctions if somebody does not keep a contract:

⟨52⟩ *tā́ bhū́ripāśāv ánṛtasya sétū duratyétū ripáve mártyāya* |[175]

168 ṚgV 3.59.1a
169 Thieme (1957, p. 39)
170 Thieme (1957, pp. 40–41)
171 ṚgV 5.72.2ab
172 Thieme (1957, p. 41)
173 ṚgV 5.62.3
174 Thieme (1957, p. 43)
175 ṚgV 7.65.3ab

> These two (Contract and True-Speech) have many slings (in which to catch a cunning transgressor), they are fetterers of untruth, difficult for the deceitful mortal to circumvent.[176]

F Hospitality

Dealing with Vedic *ari* in "Der Fremdling im Ṛgveda", Thieme (1938) claims "stranger" as the original underlying meaning of both enemy and, in the Ṛgveda, guest. According to Thieme, "the figure of God Aryaman [...] is the personified and deified hospitality. He is the god who rewards the host, protects the guest, punishes those who act disgracefully (against guests) and watches over truth."[177]

176 Thieme (1957, p. 52)

177 Thieme (1938, p. 82). Note, however, Oberlies (1998, pp. 342–343: fn. 44), who argues that "function" (and not "personification") provides the suitable perspective.

V The king

A *Rājadharma* and five monarchical theories of state

The king plays a special role in various givings and takings. Yājñavalkya summarises *rājadharma* in the following manner:

⟨53⟩ *nātaḥ parataro dharmo nṛpāṇāṃ yad raṇārjitam |*
viprebhyo dīyate dravyaṃ prajābhyaś cābhayaṃ sadā ||[178]

For kings there is no dharma greater than this—always giving the wealth won in battle to Brahmans and granting safety to his subjects.[179]

Beyond this injunction, the king gives and takes in reciprocal exchange relationships, but also by threat. With respect to reciprocity, the king may be a receiver in the sense of being praised by a poet or being taught by a philosopher-*guru*, but also by enjoying a competition between *paṇḍita*s (scholar, philosopher), or, of course, as a tax collector. Before going into some details of the king's givings and takings, a few monarchical theories of state need to be explained. While some of them may also be relevant to republican states,[180] the focus here is on king-ruled states, i.e., monarchies.[181]

First, the premodern Indian texts tend to project a rather idealised picture of the king and his characteristics. For example, GDh 11.2–6 demands: "[The king] should be correct in his actions and speech and trained in the triple Veda and logic. Let him be upright, keep his senses under control, surround himself with men of quality, and adopt sound policies. He should be impartial towards his subjects and work for their

178 YSm 1.319
179 Olivelle (2019b)
180 See Majumdar (1980, chapter VII, pp. 131–144).
181 I will not go into the question of how pre-modern Indian states could be understood from modern points of view. In this vein, Chattopadhyaya (1997) discusses how a central authority like the king interacted with local authorities that he refers to as "autonomous spaces". Somewhat similarly, Stein (1997) discusses how and when "communities" and "states" shaped the political landscape in India up to the present time.

welfare."[182] This idealised approach can also be found in many other places.[183] Thus, some sort of "benevolent dictator"[184] is supposed to rule the Old Indian state.

Second, the "seven-member theory" is central to the Arthaśāstra's practical manner of political thought:

⟨54⟩ *svāmyamātyajanapadadurgakośadaṇḍamitrāṇi prakṛtayaḥ*[185]

Lord, minister, countryside, fort, treasury, army, and ally are the constituent elements.[186]

Sharma (2005b, p. 31) dubs this list a "complete definition of the state" and Sharma (2005b, p. 33) goes on to remark that the usual translation of *amātya*s as "minister" is misleading: "In the Arthaśāstra the *amātya*s constitute a regular cadre of service from which all high officers such as the chief priest, ministers, collectors, treasurers, officers engaged in civil and criminal administration, officers in charge of harem, envoys and the superintendents of various departments are to be recruited".[187] Summarising, Sharma (2005b, p. 34) considers the *amātya*s "the governmental machinery".

Third, it was clear to Old Indian theoreticians of state that the king should strive to be reckoned a just king and enjoy the loyalty of his ministers and subjects. The importance of loyalty is clearly spelled out in the Arthaśāstra:

⟨55⟩ *avakṣepeṇa hi satām asatāṃ pragraheṇa ca* |
abhūtānāṃ ca hiṃsānām adharmyāṇāṃ pravartanaiḥ || (19)
ucitānāṃ caritrāṇāṃ dharmiṣṭhānāṃ nivartanaiḥ |
adharmasya prasaṅgena dharmasyāvagraheṇa ca || (20)
[…]
rājñaḥ pramādālasyābhyāṃ yogakṣemavadhena vā |
prakṛtīnāṃ kṣayo lobho vairāgyaṃ copajāyate || (26)
kṣīṇāḥ prakṛtayo lobhaṃ lubdhā yānti virāgatām |
viraktā yānty amitraṃ vā bhartāraṃ ghnanti vā svayam || (27) [188]

For, by casting away good people and embracing evil people,
by initiating unprecedented and unrighteous acts of violence; (19)
by discontinuing customary and righteous practices,
by addiction to what is unrighteous,
and by severing himself from what is righteous; (20)
[…]

182 Olivelle (2000)
183 For example, VaDh 19.1 or KNS 1.9–24
184 For this fictitious character from economic theory, see Buchanan (1975, 1987).
185 KAŚ 6.1.1
186 Olivelle (2013)
187 Sharma (2005b, p. 33). See, for example, KAŚ 1.9–10, 1.16, 2.6–36, or 3.1.1. Kauṭilya often uses the term *amātyasaṃpad*, which is translated as "exemplary qualities of a minister" by Olivelle (2013), in particular in KAŚ 1.9.1, 1.16.2, or 2.9.1. Referring to KAŚ 3.1.1 on "justices of ministerial rank", Olivelle (2013, p. 582) supports Sharma's assessment by noting that "a large number of officials carried this rank".
188 KAŚ 7.5.19–27

through the negligence and laziness of the king or the destruction of enterprise and security,
there arise the impoverishment, greed, and disloyalty of the subjects. (26)
When impoverished, subjects become greedy; when they are greedy, they become disloyal;
and when they are disloyal, they either go over to the enemy or kill their lord themselves. (27) [189]

Thus, the king might often act out of fear. See *bhayadāna* as a basis of giving (section VI.D).

Fourth, the "protection-through-punishment theory of state" can be found in the Mānava Dharmaśāstra:

⟨56⟩ *yadi na praṇayed rājā daṇḍaṃ daṇḍyeṣv atandritaḥ |*
śūle matsyān ivāpakṣyan durbalān balavattarāḥ ||
[…]
svāmyaṃ ca na syāt kasmiṃścit pravartetādharottaram ||
sarvo daṇḍajito loko durlabho hi śucir naraḥ |
daṇḍasya hi bhayāt sarvaṃ jagad bhogāya kalpate ||[190]

If the king fails to administer Punishment tirelessly on those who ought to be punished, the stronger would grill the weak like fish on a spit; […] no one would have any right of ownership; and everything would turn topsy-turvy.[191]
The whole world is subdued through Punishment, for an honest man is hard to find; clearly, it is the fear of Punishment that makes the whole creation accede to being used.[192]

The difficulty of "finding an honest man" is discussed in subsection XVIII.D(2).

Fifth, and closely related to the fourth theory of state, comes the "contract theory of state".[193] Consider the Arthaśāstra:

⟨57⟩ *mātsyanyāyābhibhūtāḥ prajā manuṃ vaivasvataṃ rājānaṃ cakrire |*
dhānyaṣaḍbhāgaṃ paṇyadaśabhāgaṃ hiraṇyaṃ cāsya bhāgadheyaṃ prakalpayāmāsuḥ | tena bhṛtā rājānaḥ prajānāṃ yogakṣemāvahāḥ |[194]

Oppressed by the law of the fish, people made Manu[195], the son of Vivasvat, king. They allocated to him as his share one-sixth of the grain and one-tenth

189 Olivelle (2013)
190 MDh 7.20–22
191 According to Old Indian commentators of Manu, "the lower castes would usurp the roles and privileges of upper castes", see Olivelle (2005, p. 294).
192 Olivelle (2005)
193 Sharma (2005b, pp. 63–76) summarises Old Indian ideas and sources (that comprise the Aitareya Āraṇyaka and Buddhist texts) of the contract theory of state.
194 KAŚ 1.13.5–7
195 As Olivelle (2013, p. 481) explains, "[i]n several accounts of the origin of the human race, Manu is presented both as the first man and as the first king."

of the merchandise, as also money. Subsisting on that, kings provide security to the subjects.[196]

There is no evidence that Kauṭilya himself supported the contract theory of state. The above passage is ideological. Its purpose is to reconcile the people to their tax-collecting ruler, who may often seem oppressive.[197]

Relatedly, Yājñavalkya has the king collect both taxes and merit (which may be negative):

⟨58⟩ *brāhmaṇeṣu kṣamī snigdheṣv ajihmaḥ krodhano 'riṣu* |
syād rājā bhṛtyavargeṣu prajābhyaś ca yathā pitā ||
puṇyāt ṣaḍbhāgam ādatte nyāyena paripālayan |
sarvadānādhikaṃ yasmān nyāyena paripālanam ||
cāṭataskaradurvṛttamahāsāhasikādibhiḥ |
pīḍyamānāḥ prajā rakṣyāḥ kāyasthaiś ca viśeṣataḥ ||
arakṣyamāṇāḥ kurvanti yat kiṃcit kilbiṣaṃ prajāḥ |
tasmāt tu nṛpater ardhaṃ yasmād gṛhṇāty asau karān ||[198]

The king should act with forbearance toward Brahmans, without guile toward loved ones, with anger toward enemies, and like a father toward his various dependents and his subjects. He takes a sixth portion of the merits by providing protection justly, because providing protection justly is greater than all gifts. He should protect his subjects when they are being harassed by rogues, thieves, evildoers, extremely violent men, and the like, and especially by scribes. Whatever evil his subjects commit when they are not being protected, half of that falls on the king, because he collects taxes.[199]

The king had to offer protection of his realm in different dimensions. For example, Manu devotes one out of 12 chapters to the four classes or castes (*varṇa*) and, in particular, to the problems resulting from any mixing between them (MDh 10).

B Praising the king

The king is involved in various *dānagrahaṇa* relationships. Beginning with praise, kings and poets often form a mutually beneficial relationship:

⟨59⟩ *khyātā narādhipatayaḥ kavisaṃśrayeṇa* |
rājāśrayeṇa ca gatāḥ kavayah prasiddhim ||

196 Olivelle (2013)
197 See KAŚ 1.13.1–13.
198 YSm 1.330–333
199 Olivelle (2019b)

rājño samo 'sti na kaveḥ paramopakārī |
rājñe na cāsti kavinā sadṛśaḥ sahāyaḥ ||[200]

Due to their association with poets, the kings are well-known, and by resting on kings, the poets become accomplished. As an emminent supporter, the poet has none who is like the king, and there is no companion like the poet for the king.[201]

C Teaching the king

With respect to teaching, consider BĀU 4.1,[202] where we learn about Yājñavalkya visiting king Janaka, the king of Videha. Yājñavalkya manages to amaze the king with his wisdom. Several times, the king exclaims: "I'll give you a thousand cows together with bulls and elephants!" Perhaps out of modesty, Yājñavalkya declines this easy opportunity for wealth: "My father believed that one should never accept a gift before giving instruction. Let's hear what else they have told you." The wise Yājñavalkya again and again disproves assertions such as "*Brahman* is breath" or "*Brahman* is sight".

It seems that Yājñavalkya's initial modesty pays off immensely. In the end, Janaka is so impressed by the teaching that he exclaims:

⟨60⟩ *namas te 'stu | ime videhā ayam aham asmi |*[203]

Homage to you! These people of Videha and I myself–here we are at your service.[204]

D Engaging in competition in front of the king

A philosophical debate was another method to gain income. We read in the Bṛhadāraṇyaka Upaniṣad: "Janaka, the king of Videha, once set out to perform a sacrifice at which he intended to give lavish gifts to the officiating priests. Brahmins from the Kuru and Pañcāla regions had flocked there for the occasion, and Janaka of Videha wanted to find out which of those Brahmins was the most learned in the Vedas. So he corralled a thousand cows; to the horns of each cow were tied ten pieces of gold. He then addressed those Brahmins: 'Distinguished Brahmins! Let the most learned man among you drive away these cows.' "[205] Yājñavalkya is bold enough to have the cows driven away by his pupil. Consequently, he is challenged by eight Brahmins and manages to silence each of them.[206]

200 Kāvyamīmāṃsā by Rājasekhara, cited from Angot (2017, p. 22), who notes the intimate alliance between politics and poetry.
201 Translation after Angot (2017, p. 22).
202 Olivelle (1998, pp. 102–109)
203 BĀU 4.2.4
204 Olivelle (1998)
205 BĀU 3.1.1–2, Olivelle (1998)
206 BĀU 3.1.2–3.9.26, Olivelle (1998)

Bronkhorst (2006, pp. 303–305) discusses the importance of king-sponsored debates for the development of systematic philosophy. The need to engage with proponents of other (religious) schools seems to have been a factor underlying the debating manuals composed in the context of quite different subject-matters (p. 303).

E The patron king

The generosity of the king is stipulated in *dharma* texts, see for example:

⟨61⟩ *devabrāhmaṇān satatam eva pūjayet | vṛddhasevī bhavet | yajñayājī ca | na cāsya viṣaye brāhmaṇaḥ kṣudhārto 'vasīdet | na cānyo 'pi satkarmanirataḥ | brāhmaṇebhyaś ca bhuvaṃ pratipādayet | yeṣāṃ ca pratipādayet teṣāṃ svavaṃśyān bhuvaḥ parimāṇaṃ dānacchedopavarṇanaṃ ca paṭe tāmrapaṭṭe vā likhitaṃ svamudrāṅkaṃ cāgāminṛpativijñānārthaṃ dadyāt |*[207]

He [the king, HW] should always honor gods and Brāhmaṇas, render service to the elderly, and offer sacrifices. In his realm a Brāhmaṇa must never suffer from hunger, nor anyone else devoted to good deeds. He should, moreover, donate land to Brāhmaṇas. To whomever he donates land, he should also give a deed written on a piece of cloth or on a copper plate and marked with his seal intended to inform future kings, a deed that contains the names of his predecessors, the extent of the land, and an imprecation against anyone who would annul the gift.[208]

Thus, generous giving by the king was part of his *rājadharma*. There is hard epigraphical evidence that kings occasionally gave significant donations to individuals or groups with Brahmanical (groups under the headings of *parṣad*[209] or *mahājana*[210]), Buddhist, or Jain affiliations.[211] In one such record from the 8th c. CE,[212] king Dhruva gave a Brahmin a village, together with a long list of benefits:

⟨62⟩ The village (*grāma*) is granted

1. *sodraṃga* ("with main taxes"),
2. *sapar[i]kara* ("with auxiliary taxes"), and
3. *sadaṇḍadaśāparādha* ("with [the right to collect] fines and [the right to punish] the ten offences")[213]

207 ViDh 3.76–82
208 Olivelle (2009)
209 See Slaje (2017, pp. 403–404).
210 See Schmiedchen (2014, pp. 176–184).
211 See Schmiedchen (2013, 2014).
212 See Schmiedchen (2014, pp. 143, 464).
213 Sanskrit words from Schmiedchen (2014, p. 143) and translation following the same.

to name but the first three privileges. Thus, the Brahmins, other religious men or groups of men or women would benefit from a constant stream of income. Sometimes, the Brahmin was invited to work the land himself or have others do so. Some Keśava Dīkṣita from the 10th c. CE[214] is not to be bothered when

- he ploughs or has somebody else plough (genitive singular of present participle *kṛṣant* and *karṣayant*, respectively) or
- he makes use of or has somebody else make use of (genitive singular of present participle of *bhuṃjant* and *bhojayant*, respectively)[215]

the property donated to him.

Unsurprisingly, the famous eternity clause (1. below) is not missing:

⟨63⟩ the village is stipulated to be granted

1. *ācaṃdrārkkārṇṇavakṣitisaritparvvatasamakālīna* ("for as long as moon and sun, oceans and earth, rivers and mountains [exist]") and
2. *p[u]trapautrānvayakramopabhogya* ("to be enjoyed sequentially by sons, grandsons, and [their] descendants")[216]

That these assurances were necessary is clear from Slaje (2017, p. 410), who presents Kashmiri examples of kings who confiscate or reassign endowments.

F The king's duties

(1) Just punishment

The Vaiṣṇava Dharmaśāstra (ViDh 5) lists the punishments to be administered by the king in some detail for: "crimes deserving capital punishments", "offenses against upper classes by lower classes", "verbal abuse and assault", "sexual crimes", and so on. A king's responsibility for punishment is clear from many texts. For example, Manu demands:

⟨64⟩ *yathārhataḥ saṃpraṇayen nareṣv anyāyavartiṣu* ||[217]

The king should administer appropriate Punishment on men who behave improperly.[218]

One good reason for punishment is given by the above Manu citation ⟨56⟩. The Indian texts now start to concern themselves with the king's incentives to administer justice in the correct manner.

214 See Schmiedchen (2014, pp. 153, 483).
215 Sanskrit words from Schmiedchen (2014, p. 153) and translation following the same.
216 Sanskrit words from Schmiedchen (2014, p. 143) and translation following the same.
217 MDh 7.16cd
218 Olivelle (2005)

(2) Problematic property fines

As is clear from NSmV 1.49 (⟨17⟩), a king might obtain fines from court cases. Similarly, Manu mentions the king's option to confiscate property. However, this confiscated property is not fit for increasing the king's wealth:

⟨65⟩ *itare kṛtavantas tu pāpāny etāny akāmataḥ |*
sarvasvahāram arhanti kāmatas tu pravāsanam ||
nādadīta nṛpaḥ sādhur mahāpātakino dhanam |
ādadānas tu tal lobhāt tena doṣena lipyate ||
apsu praveśya taṃ daṇḍaṃ varuṇāyopapādayet |
śrutavṛttopapanne vā brāhmaṇe pratipādayet ||
īśo daṇḍasya varuṇo rājñāṃ daṇḍadharo hi saḥ |
īśaḥ sarvasya jagato brāhmaṇo vedapāragaḥ ||
yatra varjayate rājā pāpakṛdbhyo dhanāgamam |
tatra kālena jāyante mānavā dīrghajīvinaḥ ||
niṣpadyante ca sasyāni yathoptāni viśāṃ pṛthak |
bālāś ca na pramīyante vikṛtaṃ ca na jāyate ||[219]

When others [i.e., non-Brahmins, HW] commit these sins [causing loss of caste, HW], however, they deserve to have all their property confiscated, if they did them thoughtlessly, or to be executed[220], if they did them wilfully.
A good king must never take the property of someone guilty of a grievous sin causing loss of caste; if he takes it out of greed, he becomes tainted with the same sin.
He should offer that fine to Varuṇa by casting it into water, or present it to a Brahmin endowed with learning and virtue.
Varuṇa is the lord of punishment, for he holds the rod of punishment over kings; and a Brahmin who has mastered the Veda is the lord of the entire world.
When a king refrains from taking the fines of evildoers, in that land are born in due course men with long lives;
the farmers' crops ripen, each as it was sown; children do not die; and no deformed child is born.[221]

Similar rules are known from the Arthaśāstra and from the Yājñavalkya Smṛti.[222] These passages do not present any translational difficulties. In Manu, the king is strongly advised not to keep any confiscated property for himself or his treasury. Instead, he

219 MDh 9.242–247
220 Olivelle (2005, p. 332) can point to some commentaries supporting his understanding (MDhC, vol. II, pp. 1237–1238).
221 Olivelle (2005)
222 KAŚ 4.13.42–43, YSm 2.310

should throw it into the water or give it to the Brahmins. Manu expounds the negative consequences of the king's confiscating for himself and the positive consequences of not doing so. We call the prescription to give the fine "to Varuṇa by casting it into water" the "Varuṇa clause".[223] One may ask why it is Varuṇa who is mentioned in relation to throwing confiscated property into water. Simply because, in post-Vedic times, Varuṇa is the God of Water.[224] See also section IV.E. Section XVI.F analyses the rationale behind the Varuṇa rule.

(3) Protection and insurance against theft

According to Kauṭilya, the king should compensate the victim for items stolen by a thief if the latter cannot be apprehended:

⟨66⟩ *paracakrāṭavīhṛtaṃ tu pratyānīya rājā yathāsvaṃ prayacchet | corahṛtam avidyamānaṃ svadravyebhyaḥ prayacchet, pratyānetum aśakto vā |*[225]

Things robbed by an enemy king or a tribal chief, however, the king should recover and restore to their respective owners. Anything stolen by thieves that cannot be found—or that he is powerless to recover—the king should restore from his own property.[226]

In another Arthaśāstra passage, the compensation is not to be payed by the king himself, but by his functionaries:

⟨67⟩ *grāmeṣv antaḥ sārthikā jñātasārā vaseyuḥ |muṣitaṃ pravāsitaṃ caiṣām anirgataṃ rātrau grāmasvāmī dadyāt | grāmāntareṣu vā muṣitaṃ pravāsitaṃ vivītādhyakṣo dadyāt | avivītānāṃ corarajjukaḥ |*[227]

Traders in a caravan may lodge within village perimeters after declaring the value of their goods. From among these, anything stolen or killed—unless it has gone out at night—should be compensated by the village headman. What is stolen or killed between villages, on the other hand, should be compensated by the Superintendent of Pasture Lands; in areas beyond the pasture lands, by the officer in charge of catching thieves.[228]

223 Strictly speaking, "casting into water" and confiscation are contradictory terms. Latin *fiscus* means treasury, and confiscation thus means "adjoining the treasury". From this perspective, one might say that Manu 9.242–247 forbids confiscation. However, we will understand confiscation as asset forfeiture or asset seizure, irrespective of how the property taken is dealt with.

224 See Hopkins (1915, 166–122) and Lüders (1951).

225 KAŚ 3.16.25–26

226 Olivelle (2013)

227 KAŚ 4.13.7–10

228 Olivelle (2013)

In the Indian context, these kinds of rules are not restricted to the Arthaśāstra.[229] Interestingly, the old Egyptian narrative "The voyage of Unamūn", dating from the second half of the second millennium BCE, tells of a similar rule.[230]

Despite the king's duty to punish thieves, he may himself sometimes be implicated in theft. Some kings apparently ordered bands of thieves to go on robbing expeditions in other countries (see subsection VII.B(5)). Kings might also plunder temple property, even in their own kingdom, in the manner described by Slaje (2019).

G *Bali* for the king and the contest between the vital functions[231]

The tribute (*bali*) offered to the best (*śreyas*)—and in particular to the king—is a familiar topic:

⟨68⟩ […] *śreyase pāpīyān baliṃ hared vaiśyo vā rājñe baliṃ haret* […][232]

[…] an inferior should bring tribute to his superior, or a merchant should bring tribute to the king […]

The Upaniṣads and related literature allow for a specific perspective on the *bali* given to the king. This perspective is developed within the contest for superiority among the "vital functions": breath, speech, and the like. Olivelle (1998) translates *prāṇa* or *karman* as "vital function".[233] In contrast, breath as one particular member among the other vital forces is called "breath" or "central breath" (*prāṇa* or *madhyamaḥ prāṇaḥ*). I follow Olivelle in this respect.

Indologists have, of course, noted the "Rangstreitfabel" (Ruben (1947)) and the importance of breath (Frauwallner (1997, pp. 41–45)). For the purposes of this book, I concentrate on the Bṛhadāraṇyaka Upaniṣad:

⟨69⟩ *te heme prāṇā ahaṁśreyase vivadamānā brahma jagmuḥ |*
tad dhocuḥ ko no vasiṣṭha iti |
tad dhovāca yasmin va utkrānta idaṁ śarīraṃ pāpīyo manyate sa vo vasiṣṭha iti ||
vāg ghoccakrāma | sā saṃvatsaraṃ proṣyāgatyovāca katham aśakata madṛte jīvitum iti |
te hocuḥ yathā kalā avadanto vācā prāṇantaḥ prāṇena paśyantaś cakṣuṣā śṛṇvantaḥ śrotreṇa vidvāṁso manasā prajāyamānā retasaivam ajīviṣmeti |
praviveśa ha vāk ||[234]

229 Kane (1973, pp. 166–168) reports the numerous other texts with similar provisions.
230 See Erman (1927).
231 This section borrows freely from Wiese (2022b).
232 ŚB 11.2.6.14 (p. 842)
233 This translational choice also seems sensible in view of Preisendanz (2005, p. 125).
234 BĀU 6.1.7–8

> Once these vital functions were arguing about who among them was the greatest. So they went to *brahman* and asked: "Who is the most excellent of us?" He replied: "The one, after whose departure you consider the body to be the worst off, is the most excellent among you."
> So speech departed. After spending a year away, it came back and asked: "How did you manage to live without me?" They replied: "We lived as the dumb would, without speaking with speech, but breathing with the breath, seeing with the eye, hearing with the ear, thinking with the mind, and fathering with semen." So speech reentered.[235]

After speech has left and reentered, the very same procedure is followed by sight, hearing, mind, and semen. When breath is about to leave, the other vital functions realise the serious consequences:

⟨70⟩ *atha ha prāṇa utkramiṣyan yathā mahāsuhayaḥ saindhavaḥ paḍvīśaśaṅkūn saṃvṛhed evaṁ haivemān prāṇān saṃvavarha | te hocur mā bhagava utkramīḥ | na vai śakṣyāmas tvadṛte jīvitum iti | tasyo me baliṃ kuruteti | tatheti ||*
sā ha vāg uvāca yad vā ahaṃ vasiṣṭhāsmi tvaṃ tad vasiṣṭho 'sīti | […][236]

> Then, as the breath was about to depart, it strongly pulled on those vital functions, as a mighty Indus horse would strongly pull on the stakes to which it is tethered.[237] They implored: "Lord, please do not depart! We will not be able to live without you." He told them: "If that's so, offer a tribute to me." "We will," they replied.
> So speech declared: "As I am the most excellent, so you will be the most excellent." […][238]

Apparently, breath's threat of withdrawal is more damaging to speech than the corresponding threat of speech is to breath. This very fact is the basis of breath's demand for a tribute.

This version of the story in the BĀU is very close to one found in ChU 5.1. While breath does not explicitly demand a tribute, the other vital functions offer their tributes in ChU 5.1.13–14 in a similar fashion to BĀU 6.1.14. Śaṅkara comments:

235 Olivelle (1998, p. 143). The compound *ahaṁśreyase* in BĀU 6.1.7 could be in dative (consonantal stem *ahaṁśreyas*) or in locative (thematic stem *ahaṁśreyasa*). Note that *vivad* is employed with locative of "the thing disputed about". Dative is understood by Śaṅkara who glosses *ahaṁśreyase* with *ahaṃ śreyān ity etasmai prayojanāya* (BĀU_Ś, p. 416, l. 13). He uses the similar expression *ahaṃśreṣṭhatāyai vivadantaḥ* in the commentary on the Chāndogya Upaniṣad (ChU_Ś, p. 265, l. 16).

236 BĀU 6.1.13–14

237 This first sentence is taken from Olivelle (1998, p. 145) with the important exceptions that "uprooted" (Olivelle) has been replaced by "strongly pulled on", and similarly, "would uproot" (Olivelle) by "would strongly pull on". Wezler (1982/1983) has examined *saṃvṛh* in BĀU 6.1.13 and the parallel *saṃkhid* in ChU 5.1.12 in astounding detail. While Olivelle's translation closely follows most previous translations, Wezler's arguments against "uproot" are convincing. Among other arguments, Wezler discusses the meanings of the prefix *sam*. Importantly, breath does not leave the body or "uproot" the other vital functions, but just threatens to do so.

238 Olivelle (1998, p. 145)

⟨71⟩ *atha hainaṃ vāgādayaḥ prāṇasya śreṣṭhatvaṃ kāryeṇāpādayanta āhur balim iva haranto rājñe viśaḥ […]*[239]

Speech and the rest, establishing, by their action, the *superiority* of Breath, said to him—making offerings like the people to their King […][240]

Thus, the reason behind the tribute may lie in the fact that the competition between the vital functions serves as a "political allegory where the superiority of *prāṇa* in relation to the other vital functions is likened to the supremacy of the king among his rivals and ministers" (Black (2007, p. 122)). See sections XI.E and XVI.D for an etic approach.

H Taxes

(1) Introductory remarks

The Gift Based On Fear (*bhayadāna*, see ⟨94⟩6) is one of the six bases of gifting (*adhiṣṭhāna*). It is not quite clear whether the authors on *dharmaśāstra* would consider giving taxes to be an example of *bhayadāna*. Presumably not, because raising taxes belongs to a king's duties, as is clear from the Mahābhārata:

⟨72⟩ *tān sarvān dhārmiko rājā baliṃ viṣṭiṃ ca kārayet* ‖[241]

The virtuous king should make them all [pay] taxes and perform obligatory labour.

Importantly, Brahmins were often exempt from the payment of taxes:

⟨73⟩ *brāhmaṇebhyaḥ karādānaṃ na kuryāt | te hi rājño dharmakaradāḥ* |[242]

He [the king, HW] should not collect taxes from Brāhmaṇas, for they pay taxes to the king in the form of merit.[243]

If Olivelle's translation of *dharma* as merit is correct, tax exemption would be considered a form of *dharmadāna*. This topic is covered in the next chapter.

In most texts, the king seems to be the benefactor of tax collection. In contrast, epigraphic records point to town councils or merchant groups as tax collectors. For example, the fees mentioned in the Anjaneri plates of king Bhogaśakti were to be collected by the "town council".[244]

239 Śaṅkara (ChU_Ś, p. 165, l. 8)
240 Jha (2005, p. 225)
241 MBh 12.77.7cd
242 ViDh 3.26–27
243 Olivelle (2009)
244 Vats & Diskalkar (1939–1940, p. 238)

(2) Tax bases and tax rates

The king's arsenal of taxes is quite impressive. One finds revenue sources such as

⟨74⟩ *śulkaṃ daṇḍaḥ pautavaṃ nāgariko lakṣaṇādhyakṣo mudrādhyakṣaḥ* […] *sītā bhāgo baliḥ karo vaṇik*[245]

duties, fines, standardization of weights and measures, city manager, director of the mint, director of passports […] agriculture, share, tribute, tax, trader[246]

or revenue categories such as

⟨75⟩ *mūlyaṃ bhāgo vyājī parighaḥ*[247]

price, share, surcharge, monopoly tax[248]

Manu describes concrete tax rates:

⟨76⟩ *krayavikrayam adhvānaṃ bhaktaṃ ca saparivyayam |*
yogakṣemaṃ ca saṃprekṣya vaṇijo dāpayet karān ||
[…]
pañcāśadbhāga ādeyo rājñā paśuhiraṇyayoḥ |
dhānyānām aṣṭamo bhāgaḥ ṣaṣṭho dvādaśa eva vā ||
ādadītātha ṣaḍbhāgaṃ drumāṃsamadhusarpiṣām |[249]

The king should levy taxes on traders after taking into consideration the price of purchase and sale, the distance of transport, maintenance and other expenses, and the cost of security. […] Of livestock and gold, the king shall take a one-fiftieth share; and of grains, an eighth share, or a sixth or twelfth. He shall also take a sixth share of trees, meat, honey, ghee[250]

Of the above taxes, many are in kind, but monetary taxes are also commonplace. A particular kind of tax is the reduction in the price payable by the royal household, as witnessed in the charter of Viṣṇuṣeṇa:

⟨77⟩ *chimpakakolikapadakārāṇāṃ yathānurūpakarmmaṇaḥ janapadamūlyād rājakule [']rdhādānam |*[251]

For the royal household, takings from dyers, weavers, and travelling salesmen, each according to the nature of their work [are set] at half the prices prevalent throughout the countryside.[252]

245 KAŚ 2.6.2–3
246 Olivelle (2013)
247 KAŚ 2.6.10
248 Olivelle (2013). It is not known how and in which manner a "surcharge" or a "monopoly tax" might have been imposed. More generally, the Arthaśāstra's book-keeping terms need to be revisited.
249 MDh 7.127–131ab
250 Olivelle (2005)
251 VCh 71
252 Wiese & Das (2019)

(3) Auctions and Kauṭilya's market tax[253]

Consider book 2 of the Arthaśāstra, which deals with the activities of superintendents. In particular, chapters 21 and 22 cover the superintendent of customs and the operation of customs. Custom authorities collect both "customs duty" (*śulka*) and the "increase in price" (*mūlyavṛddhi*)[254] which might be called "market tax". According to Kauṭilya, this tax should work as follows:

⟨78⟩ *śulkādhyakṣaḥ śulkaśālāṃ dhvajaṃ ca prāṅmukham udaṅmukhaṃ vā mahādvārābhyāśe niveśayet* […] (1) *dhvajamūlopasthitasya pramāṇam arghaṃ ca vaidehakāḥ paṇyasya brūyuḥ etat pramāṇenārgheṇa paṇyam idaṃ kaḥ kretā iti* (7) *trir udghoṣitam arthibhyo dadyāt* (8) *kretṛsaṃgharṣe mūlyavṛddhiḥ saśulkā kośaṃ gacchet* (9)[255]

The Superintendent of Customs should set up the customs house along with the flag facing the east or the north near the main gate. […] (1) The traders should announce the quantity and price of a commodity that has reached the foot of the flag: "Who will buy this commodity at this price for this quantity?" (7) After it has been proclaimed aloud three times, he should give it to the bidders. (8) If there is competition among buyers, the increase in price along with the customs duty goes to the treasury. (9)[256]

Clearly, Kauṭilya has an auction in mind. See section XIII.B. Somewhat similarly, immovable property can also change hands by way of an auction.[257] There, Kauṭilya again employs the expression *mūlyavṛddhi*[258]:

⟨79⟩ *jñātisāmantadhanikāḥ krameṇa bhūmiparigrahān kretum abhyābhaveyuḥ | tato 'nye bāhyāḥ | sāmantacatvāriṃśatkulyeṣu gṛhapratimukhe veśma śrāvayeyuḥ sāmantagrāmavṛddheṣu kṣetram ārāmaṃ setubandhaṃ taṭākam ādhāraṃ vā maryādāsu yathāsetubhogam 'anenārgheṇa kaḥ kretā' iti | trir āghuṣitam avyāhataṃ kretā kretuṃ labheta | spardhayā vā mūlyavardhane mūlyavṛddhiḥ saśulkā kośaṃ gacchet*[259]

Relatives, neighbors, and creditors, in that order, should have the first right to purchase landed property; after that outsiders. They should auction a residence in front of the house and in the presence of 40 neighboring families; a field,

253 This subsection borrows freely from Wiese (2014).

254 The translation of *mūlyavṛddhi* as "increase in price" has become standard. It is probably best to undertand this term as an ablative tatpuruṣa compound ("increase starting from the *mūlya*").

255 KAŚ 2.21.1, 7–9

256 Olivelle (2013)

257 I like to sideline the often-discussed question of private ownership of land. See Sharma (1980, chapter IV) and Lubin (2018a).

258 KAŚ 3.9.5 is similar to KAŚ 2.21.9. KAŚ 3.9.3 has *śrāvayeyuḥ*. This causative literally means "they should make hear" and Olivelle (2013) sensibly translates as "they should auction".

259 KAŚ 3.9.1–5

> a park, an embankment, a reservoir, or a pond, at its borders and in the presence of elders from neighboring villages, saying: "In conformity with its boundary lines, who will buy this at this price?" When it has been announced three times without being countered, the man who wished to buy gets to purchase it. If the price increases because of competition, on the other hand, the increase in price together with the duty goes to the treasury.[260]

A difficult question concerns the starting price for the auctions. It seems likely that the government fixed these prices or had in mind some manner of how these prices were to be determined. In case of imported goods (see ⟨78⟩), a fixed price might not have been available and hence the traders were asked for an assessment. That price fixing and profit limits were employed is clear from the Yājñavalkya Smṛti:

⟨80⟩ *rājani sthāpyate yo 'rghaḥ pratyahaṃ tena vikrayaḥ |*
krayo vā nisravas tasmād vaṇijāṃ lābhataḥ smṛtaḥ ||
svadeśapaṇye tu śataṃ vaṇig gṛhṇīta pañcakam |
daśakaṃ pāradeśye tu yaḥ sadyaḥ krayavikrayī ||[261]

> Sale or purchase is done every day at the price fixed in front of the king. The proceeds from that, it is stated, go to the traders as revenue. In the case of local commodities, however, a trader should realize a profit of 5 percent, and in the case of foreign commodities, 10 percent, so long as he buys and sells them immediately.[262]

(4) Restrictions on taxation and confiscation

It has been noted by authors on *dharma* and *artha* that kings are well-advised not to overtax their subjects.[263] Consider Manu:

⟨81⟩ *yathā phalena yujyeta rājā kartā ca karmaṇām |*
tathāvekṣya nṛpo rāṣṭre kalpayet satataṃ karān ||
yathālpālpam adanty ādyaṃ vāryokovatsaṣaṭpadāḥ |
tathālpālpo grahītavyo rāṣṭrād rājñābdikaḥ karaḥ ||[264]

> The king should always assess taxes in his realm after careful consideration so that both he and those who do the work get their fair reward. As leeches, calves, and bees eat their food a little at a time, so a king should gather annual taxes from his realm a little at a time.[265]

260 Olivelle (2013)
261 YSm 2.256-7
262 After Olivelle (2019b). The only change concerns *lābhataḥ*. I substituted Olivelle's "as profit" by "as revenue".
263 Kane (1973, pp. 185–186) provides an overview.
264 MDh 7.128–129
265 Olivelle (2005)

This is sound advice, even for a king who endeavours to maximise his tax income. In economics, the so-called Laffer curve shows how a government's tax income is an increasing function of the tax rate initially, for relatively small tax rates, but a decreasing function of that tax rate beyond some level.[266] Furthermore, the king might have reason to be afraid of overtaxed and hence illoyal subjects (see section A above).

An instance of restricting confiscation is given in the charter of Viṣṇuṣeṇa:

⟨82⟩ *gośakaṭaṃ na grāhyaṃ sāmantāmātyadūtānām. anyeṣāṃ cābhyupāgame śayanīyāsanasiddhānnaṃ na dāpayet sarvvaśreṇīnām ekā.*[267]

> A bullock cart is not to be confiscated by vassals, king's legates, or royal envoys. And, should others show up, no single guild need give beds, seats or cooked food.[268]

Presumably, a bullock cart is vital for the livelihood of farmers and artisans. Compare NSmV 18.11–12 where "tools by which artisans make their livings are not to be taken by the king even when he confiscates a man's entire property".[269] The "others" are probably minor officers, below the ranks of vassals, legates, or envoys (=*sāmanta*s, *amātya*s, *dūta*s).

Similarly, we have *rājapuruṣāṇām āvāsakī jemakaś*[270] *ca* […] *nāsti* ("none from the king's bailiffs should dwell or eat [in private houses due to their official function]")[271] from the Anjaneri plates[272].

(5) Obligatory labour

Apart from taxes, the king could order obligatory labour, which may have been quite oppressive. Conscription (*viṣṭi*) is mentioned in many *dharma* texts, for example:

⟨83⟩ *śilpino māsi māsy ekaikaṃ karma kuryuḥ |*
etenātmopajīvino vyākhyātāḥ |
naucakrīvantaś ca |
bhaktaṃ tebhyo dadyāt |
paṇyaṃ vaṇigbhir arghāpacayena deyam |[273]

266 The reader is asked to forgive these etic remarks, otherwise out of place in part Two of this book.
267 VCh 10–12
268 Wiese & Das (2019)
269 Lariviere (2003)
270 Based on the root *jim* ("to eat")
271 BhoB: p. 237, lines 33–34, translation by Vats & Diskalkar (1939–1940)
272 According to Sircar (1984, p. 11), these plates are attributed to "king Bhogaśakti, who ruled over the Konkana region and parts of Maharashtra including the Nasik District during the early years of the 8th century A.D." They have been transliterated and translated by Vats & Diskalkar (1939–1940).
273 GDh 10.31–35

> Every month each artisan shall work one day for the king. This applies also to people who live by manual labor and to those who operate boats and carriages. The king should give them food when they work for him. Every month traders should give the king a piece of merchandise below its market value.[274]

Understandably, powerful groups tried to curb the king's *viṣṭi*. For example, the charter of Viṣṇuṣeṇa stipulates:

⟨84⟩ *lohakārarathakāranāpitakumbhakāraprabhṛtīnāṃ vārikeṇa viṣṭiḫ*[275] *karaṇīyā* |[276]

> For blacksmiths, carpenters, barbers, potters, and others, obligatory labour may [only] be determined by the [respective] *vārika*.[277]

In the context of the charter, a *vārika* is a guild's headman. This *sthiti* disallows the direct ordering of obligatory labour by the king. Other inscriptions ask for full dispensation, as seen in *muktibrahmakaraviṣṭiḥ* (someone "dispensed from religious taxes and from unpaid labor").[278]

(6) Taking at the time of death

The charter of Viṣṇuṣeṇa restricts the confiscating power of the king's officials:

⟨85⟩ *āputrakaṃ na grāhyam* |[279]

> The sonless man's property is not to be taken.[280]

This *sthiti* is similar to *aputtradhanaṃ nāsti*[281] which is to be understood as a no-escheat rule. Compare *dravyam aputrasya* in KAŚ 3.5.9. There, "his uterine brothers or those living together with him, as also [...] his unmarried daughters"[282] are rightful heirs according to Kauṭilya. Finally, per KAŚ 3.5.28, "[t]he king should take a property that has no heir, excluding what is required for the maintenance of the wife and for funeral expenses".[283]

Kane (1973) narrates the discussions surrounding the question of who should be entitled to the property of an *aputra*: possibly his widow (pp. 702–713) or even his daughters (pp. 713–719). See ⟨143⟩. ViDh 17.4–14 mentions this order of inheritance for a man without a son: wife, daughter, father, mother, brother, brother's son, *bandhu*

274 Olivelle (2000)
275 *ḫ* (before *k*) stands for the *jihvāmūlīya*.
276 VCh 72
277 Wiese & Das (2019)
278 See Hall (1858–1860, pp. 539, 541) for the text and the translation.
279 VCh 1
280 Wiese & Das (2019)
281 BhoB: 237, line 33, emendated from *aputtradhanaṃ nnāsti*
282 Olivelle (2013)
283 Olivelle (2013)

members, *sakulya* members, fellow student, and, finally, the king.[284] Interestingly, the king is not the final recipient if the deceased is a Brahmin; the property would instead go to other Brahmins (ViDh 17.14). Thus, ⟨85⟩ may stipulate that the guild obtains privileges normally reserved for Brahmins.

(7) Import and export duties[285]

The charter of king *Viṣṇuṣeṇa* and several *rājadharma* texts give preferential treatment to incoming goods over outgoing goods. The Arthaśāstra's superintendent of customs had to collect outgoing and incoming duties (KAŚ 2.21–22). However, the superintendent of commodities "should facilitate the import of commodities from other lands by granting favors"[286] (KAŚ 2.16.11). Similarly, a rule favouring *paradeśapaṇya* ("[incoming] goods from other countries") over *svadeśapaṇya* ("goods from [the king's] own country") is found in ViDh 3.29–30. The duty on incoming goods is half the duty on locally produced ones.

The charter of king *Viṣṇuṣeṇa* is even more extreme:

⟨86⟩ *varṣaparyyuṣitā vaṇijaḥ prāveśyaṃ śulkātiyātrikaṃ na dāpanīyāḥ, nairggamikaṃ deyaṃ* |[287]

> Merchants, who have resided [abroad] for a year, are not to be charged an incoming border-crossing fee, [only] an outgoing [border-crossing fee] should be paid.[288]

Kauṭilya advises that a range of ritually relevant articles not be burdened with customs duty:

⟨87⟩ *vaivāhikam anvāyanam aupāyanikaṃ yajñakṛtyaprasavanaimittikaṃ devejyācaulopanayanagodānavratadīkṣaṇādiṣu kriyāviśeṣeṣu bhāṇḍam ucchulkaṃ gacchet | anyathāvādinaḥ steyadaṇḍaḥ*[289]

> The following should pass without customs duty: articles for use in a marriage; wedding gifts accompanying a bride; articles meant for gifts; what is received on the occasion of a sacrifice, a religious ceremony, or a birth; and articles for use in special rituals such as divine worship, tonsure, Vedic initiation, first

284 After Olivelle (2009). A similar provision is noted in BṛSm 1.26.119:
ye 'putrāḥ kṣatraviṭcchūdrāḥ patnībhrātṛvivarjitāḥ |
teṣāṃ dhanaharo rājā sarvasyādhipatir hi saḥ ||

285 This subsection borrows freely from Wiese & Das (2019).

286 Olivelle (2013)

287 VCh 52

288 Wiese & Das (2019)

289 KAŚ 2.21.18–19

> shave, and consecration for a religious observance. A person who makes a false statement incurs the fine for theft.[290]

In the list above, note *aupāyanika* ("articles meant for gifts"). People familiar with modern taxation might be reminded of income tax exemption for charitable givings, whereby income tax would be applied to one's income only after making deductions for charitable givings.

290 Olivelle (2013)

VI *Dharmadāna* (Brahmanical theories of the gift)

A main topic of this book is dharmic giving. The Indian perspectives are presented here quite extensively. Chapter XIX is the corresponding etic chapter.

A Causes, bases, components, etc. of giving

Generally, giving gifts was high on Old India's moral agenda. For example, the law text ascribed to Yājñavalkya stipulates:

⟨88⟩ *ahiṃsā satyam asteyaṃ śaucam indriyasaṃyamaḥ |*
damaḥ kṣamārjavaṃ dānaṃ sarveṣāṃ dharmasādhanam ||[291]

Abstention from injuring, truthfulness, refraining from theft, purification, restraining the organs, self-control, forbearance, honesty, and giving gifts—these are the means of fulfilling dharma for everybody.[292]

In contrast to other rules, this one is very general in not referring to specific classes (*varṇa*), life-stages (*āśraya*), statuses (like *rājadharma*), or occasions (like penance, *prāyaścitta*).[293]

Hyperbolically,[294] *dāna* is deemed to be the very essence of *dharma*:

⟨89⟩ *deśe kāla upāyena dravyaṃ śraddhāsamanvitaiḥ |*
pātre pradīyate yat tat sakalaṃ dharmalakṣaṇam ||[295]

When an article is given by individuals imbued with the spirit of generosity, at a proper place and time, to a worthy recipient, and following the proper procedure—that constitutes the complete distinguishing mark of dharma.[296]

291 YSm 1.121
292 Olivelle (2019b)
293 Davis, Jr. (2010, p. 18)
294 Consult Davis, Jr. (2010, pp. 18–19) on how the commentator *Vijñāneśvara* downplays this verse's putative meaning.
295 YSm 1.6
296 Olivelle (2019b)

Indian *dharmaśāstra*s organise the material of dutiful giving in different manners. In this chapter, I basically follow the structure given by Lakṣmīdhara. His Dānakāṇḍa structures the subject-matter as follows[297]:

- the nature of gifting (*dānasvarūpa*), with the seven items: 1. causes (*hetu*), 2. bases (*adhiṣṭhāna*), 3. components (*aṅga*), 4. effects (*vipāka*), 5. kinds (*prakāra*), 6. types (*vidha*), and 7. means of destruction (*nāśa*)[298]
- things that should and should not be given (*deyādeya*)[299]
- the definition of proper and improper recipients (*pātrāpātralakṣaṇa*)[300]
- different types of gift rituals[301], in particular
  - the great gifts (*mahādāna*) and
  - the mountain gifts (*parvatadāna*)

This structure offered in the *Dānakāṇḍa* is not fully transparent. I will follow the *dānasvarūpa* items (see the first bullet point above) with some modifications.

B The first cause: *śraddhā*

Consider the first item (cause) in the above *dānasvarūpa* enumeration. First, with respect to the two causes, consider

⟨90⟩ *nālpatvaṃ vā bahutvaṃ vā dānasyābhyudayāvaham |*
śraddhā śaktiś ca dānānāṃ vṛddhikṣayakare hi te ||[302]

> Whether small or large, the size of a gift does not bring about its benefits, but rather the spirit of generosity and the means available to the donor associated with a gift—indeed, only these two things cause prosperity or ruin.[303]

Śraddhā is also addressed as a component (*aṅga*), the third item. In the above translation, *śraddhā* is understood as "spirit of generosity" in the realm of dutiful giving. However, this is but one of two possible meanings. The basic meaning is "faith", also supported by Hemādri's gloss *āstikyabuddhi*[304]. However, see Madanasiṃha's gloss *phalāvaśyambhāvaniścayaḥ śraddhā* ("*śraddhā* means conviction about the certainty of rewards")[305].

Building on Köhler (1973), Brick (2015, pp. 56–57) explains the semantic shift from "conviction about the certainty of rewards" to "spirit of generosity" as follows: "[*Ś*]*raddhā* initially denotes trust, confidence, or even faith in general, but early on

297 Brick (2015, pp. vii–viii)
298 LDK 1.2, translations by Brick (2015)
299 LDK 2, translations by Brick (2015)
300 LDK 3, translations by Brick (2015)
301 LDK 4, translations by Brick (2015)
302 LDK 1.3
303 After Brick (2015), who translates *śakti* as capability here. We follow Brick's translation of LDK 1.38.
304 HDKh 13, fifth line from bottom
305 Brick (2015, p. 55) for this translation.

comes to denote specifically trust or faith in the efficacy of prescribed ritual acts—the first meaning of the term in the *dānanibandhas*. Significantly, a person would express this specific form of trust through munificent gifts to priests and other persons. Thus, *śraddhā* soon begins to refer to a spirit of generosity or 'joy in gifting' (Spendefreudigkeit)—the word's second meaning in the *dāna* literature. These two significations of the term, therefore, have the relationship of cause and effect, for trust in the efficacy of prescribed ritual acts results in a spirit of generosity. As a consequence, it is often difficult to discern in which of these two meanings the term is being used. Perhaps, in many cases *śraddhā* has both meanings, so that discerning between these two senses of the word is fundamentally misguided."

Śraddhā in the second sense is explained as follows:

⟨91⟩ *saumukhyādyabhisaṃprītir arthināṃ darśane sadā |*
satkṛtiś cānasūyā ca tadā śraddheti kīrtyate ||[306]

> When there is excessive joy, a happy face, and the like whenever one sees petitioners, as well as hospitality and a lack of envy, then there is said to be a spirit of generosity.[307]

Brick (2015, p. 57) comments: "[…] a recipient would want a donor to be as generous as possible and not to begrudge him for accepting his offerings. Hence, he would naturally want donors to possess not only trust in the efficacy of their gifts, but also a spirit of generosity." It seems that a quite natural way to look at *dāna* ideology is to suppose that Brahmins, as receivers, try to influence donors in specific manners, beneficial to the Brahmins themselves. This question is taken up again in section XX.C.

C The second cause: *śakti*

Śakti (covered extensively under the heading of *deyādeya*, the second bullet point) refers to the relationship between the gift given by a donor and his means:

⟨92⟩ *svakuṭumbāvirodhena deyaṃ dārasutād ṛte |*
nānvaye sati sarvasvaṃ yac cānyasmai pratiśrutam ||[308]

> So long as it does not hurt his family, a man can give away any of his property except for his wife and his sons, [but] not the entirety of his wealth if he has descendants, nor anything he has promised to another.[309]

Thus, a donor is not allowed to give if it implies hardship for his family.

Nārada gives examples of *adeyatva* even in a "very serious calamity" (*āpatsu kaṣṭāsu*):

306 LDK 1.14
307 Brick (2015)
308 LDK 2.5
309 After Brick (2015)

⟨93⟩ *anvāhitaṃ yācitakam ādhiḥ sādhāraṇaṃ ca yat |*
nikṣepaḥ putradāraṃ ca sarvasvaṃ cānvaye sati ||
āpatsv api hi kaṣṭāsu vartamānena dehinā |
adeyāny āhur ācāryā yac cānyasmai pratiśrutam ||[310]

The teachers say that the following should not be given away even by one who is suffering a very serious calamity: a deposit entrusted to an intermediary, a deposit for a particular purpose, a pledge, property held in common, a deposit, a son, a wife, all of one's property if there are heirs, and what has been promised to someone else.[311]

With respect to giving everything away despite the existence of heirs, see ⟨144⟩. In order to stick somewhat closely to the *dānasvarūpa* list, we will deal with non-*śakti* reasons for prohibiting gifts in the later section VII.F.

D Six bases (motivations) of giving

As the second item in the above *dānasvarūpa* list of section A, Devala enumerates six different bases or motivations (*adhiṣṭhāna*) for giving:

⟨94⟩ *dharmam arthaṃ ca kāmaṃ ca vrīḍāharṣabhayāni ca |*
adhiṣṭhānāni dānānāṃ ṣaḍ etāni pracakṣate ||
pātrebhyo dīyate nityam anapekṣya prayojanam |
kevalaṃ tyāgabuddhyā yad dharmadānaṃ tad ucyate ||
prayojanam apekṣyaiva prasaṅgād yat pradīyate |
tad arthadānam ity āhur aihikaṃ phalahetukam ||
strīyānamṛgayākṣāṇāṃ prasaṅgād yat pradīyate |
anarheṣū ca rāgeṇa kāmadānaṃ tad ucyate ||
saṃsadi vrīḍayā śrutya cārtho 'rthibhyaḥ prayācitaḥ |
pradīyate cet tad dānaṃ vrīḍādānam iti smṛtam ||
dṛṣṭvā priyāṇi śrutvā vā harṣavad yat pradīyate |
harṣadānam iti prāhur dānaṃ tad dharmacintakāḥ ||
ākrośānarthahiṃsrāṇāṃ pratīkārāya yad bhayāt |
dīyate apakartṛbhyo bhayadānaṃ tad ucyate ||[312]

1. Duty (*dharma*),
2. worldly gain (*artha*),
3. passion (*kāma*),
4. shame (*vrīḍā*),
5. joy (*harṣa*), and
6. fear (*bhaya*)—

310 NSmV 4.4–5
311 Lariviere (2003)
312 LDK 1.4–10

these, they say, are the six bases of gifting.

1. When a person gives as a matter of routine obligation to worthy recipients independently of any specific purpose, but simply with the thought of relinquishing his possessions, it is called a Gift Based On Duty (*dharmadāna*).
2. When a person gives a gift as the occasion presents itself only dependent upon some particular purpose and motivated by worldly reward, they call it a Gift Based On Worldly Gain.
3. When a man gives a gift that is occasioned by women, racing, hunting, or playing dice or when he gives a gift to some unworthy individual out of affection, it is called a Gift Based On Passion.
4. If a person is asked for wealth in the middle of an assembly, promises it to the petitioners out of shame, and gives it to them, tradition calls that a Gift Based On Shame.
5. When a person joyfully gives a gift after seeing or hearing pleasant things, those who understand the Law (*dharma*) call that a Gift Based On Joy.
6. When a person gives a gift out of fear to those who wrong him or as a remedy for censure, misfortune, or violent men, that is called a Gift Based On Fear.[313]

Giving to a student who begs for alms might be an example of *bhayadāna* (Gift Based On Fear), as is clear from Āpastamba:

⟨95⟩ *strīṇāṃ pratyācakṣāṇānāṁ samāhito brahmacārīṣṭaṃ dattaṁ hutaṃ prajāṃ paśūn brahmavarcasam annādyaṃ vṛṅkte | tasmād u ha vai brahmacārisaṅghaṃ carantaṃ na pratyācakṣītāpi haiṣv evaṃvidha evaṃvrataḥ syād iti hi brāhmaṇam ||*[314]

For a Brāhmaṇa declares: "When women refuse a steadfast student, he robs them of their sacrifices, gifts, oblations, offspring, cattle, sacred learning, and food supply. One should never refuse a group of students come to beg, therefore, for among them there may be one who is like that and who keeps that vow."[315]

E The components of giving

(1) A list of six components

Turning to the third item in the *dānasvarūpa* list of section A, the six components (*dānānām aṅgāni*) mentioned by Devala (LDK 1.11) are

- the giver (*dātṛ*)
- the receiver (*pratigrahītṛ*), see section F

313 Brick (2015), where the markers 1. etc. and some Sanskrit words are added by the current author
314 ĀpDh 1.3.26
315 Olivelle (2000)

- the spirit of generosity (*śraddhā*), see section B
- the lawful gift (*deyaṃ dharmayuk*)
- the right place (*deśa*), and
- the right time (*kāla*)[316]

(2) The first component: the donor

Concerning the donor, one can point to the following quote:

⟨96⟩ *apāparogī dharmātmā ditsur avyasanaḥ śuciḥ |*
anindyājīvakarmā ca ṣaḍbhir dātā praśasyate ||[317]

> A donor who is without sinful diseases, righteous, desirous to give, free from calamities, pure, and engaged in an irreproachable livelihood is praised due to these six qualities.[318]

As observed by Brick (2015, p. 50), "the *dānanibandhas* do not place especially stringent requirements upon donors, as they leave the vast majority of people eligible to bestow gifts". It is easy to misinterpret Brick's remark that "the only outward characteristic of a prospective donor that seems to matter much at all is his/her financial ability" (p. 53). See sections XIX.C and XIX.F.

(3) The second component: the receiver

Turning to receivers, three quotations seem in order. First of all, some sorts of people are unfit to be receivers of gifts:

⟨97⟩ *pratigrahe sūnicakridhvajiveśyānarādhipāḥ |*
duṣṭā daśaguṇaṃ pūrvāt pūrvād ete yathottaram ||[319]

> Butcher, oil-presser, tavern keeper, prostitute, and king—with regard to accepting gifts, each succeeding one of these is ten times worse than each preceding.[320]

Concerning the fact that kings should not receive gifts, remember that a king as a member of the *kṣatriya* class may obtain earnings in a violenct manner (⟨19⟩).

Secondly, the advice of accepting gifts (in YSm 1.213) stands side by side with the high praise of refusal:

⟨98⟩ *pratigrahasamartho 'pi nādatte yaḥ pratigraham |*
ye lokā dānaśīlānāṃ sa tān āpnoti puṣkalān ||[321]

316 All of these translations are from Brick (2015)
317 LDK 1.12
318 Brick (2015)
319 YSm 1.140
320 Olivelle (2019b)
321 YSm 1.211

> When a man, although eligible to receive donations, does not accept them, he obtains the opulent worlds reserved for those who are devoted to giving gifts.[322]

Thirdly, accepting gifts is fraught with danger:

⟨99⟩ *pratigrahasamartho 'pi prasaṅgaṃ tatra varjayet* |
pratigraheṇa hy asyāśu brāhmaṃ tejaḥ praśāmyati ||
na dravyāṇām avijñāya vidhiṃ dharmyaṃ pratigrahe |
prājñaḥ pratigrahaṃ kuryād avasīdann api kṣudhā ||
hiraṇyaṃ bhūmim aśvaṃ gām annaṃ vāsas tilān ghṛtam |
avidvān pratigṛhṇāno bhasmībhavati dāruvat ||
hiraṇyam āyur annaṃ ca bhūr gauś cāpy oṣatas tanum |
aśvaś cakṣus tvacaṃ vāso ghṛtaṃ tejas tilāḥ prajāḥ ||
atapās tv anadhīyānaḥ pratigraharucir dvijaḥ |
ambhasy aśmaplaveneva saha tenaiva majjati ||
tasmād avidvān bibhiyād yasmāttasmāt pratigrahāt |
svalpakenāpy avidvān hi paṅke gaur iva sīdati ||[323]

> Even if he is qualified to accept gifts, he should avoid becoming addicted to that practice, for by accepting gifts his vedic energy is quickly extinguished. Without knowing the procedure prescribed by Law for accepting things, a wise man should never accept a gift even if he is racked by hunger. When an ignorant man accepts gold, land, a horse, a cow, food, clothes, sesame seeds, or ghee, he is reduced to ashes like a piece of wood. Gold and food burn up his life-force; a cow and land, his body; a horse, his sight; clothes, his skin; ghee, his energy; and sesame seeds, his offspring. When a twice-born neither engages in ascetic toil nor recites the Veda and yet loves to receive gifts, he will sink along with the donor, as a man would sink in water along with his stone float. An ignorant man, therefore, should fear any kind of gift; for by accepting even a trifling gift, an ignorant man sinks like a cow in the mud.[324]

A particular expression of the risk incurred by a receiver is the transference of sin. Brick (2015, pp. 25–32) claims that the Brahmanical theory of the gift had the sin-transference theory as its *pūrvapakṣa* (opinion of an opponent). According to that theory, "when a person gives a gift, he also gives his sin; and when a person receives a gift, he also receives the donor's sin. In this way, a donor benefits by ridding himself of sin, although strictly speaking merit is not created nor sin destroyed. However, he benefits only at the expense of the recipient, who must take on his sin and, therefore, suffer both socially and soteriologically."[325] It seems that Old Indian texts attesting to this

322 Olivelle (2019b)
323 MDh 4.186–191.
324 Olivelle (2005)
325 Brick (2015, p. 26)

theory are not easily found. Brick refers to the work done by modern ethnologists.[326] Using rational choice, a brief etic discussion is found in section XIX.D.

F The effects of giving (in particular the worthy recipient) and the means of destruction

The fourth *dānasvarūpa* item concerns the "effect" (*vipāka*)[327] of gifting:

〈100〉 *duṣphalaṃ niṣphalaṃ hīnaṃ tulyaṃ vipulam akṣayam |*
ṣaḍvipākayug uddiṣṭaṃ [...] ||[328]

It is taught that a gift can yield six kinds of effects: negative effects, no effects, reduced effects, proportionate effects, increased effects, and imperishable effects. [...][329]

Typically, these effects are thought of as being otherworldly and unseen (*adṛṣṭa*). Importantly, the effect depends on the quality of the receiver:

〈101〉 *samam abrāhmaṇe dānaṃ dviguṇaṃ brāhmaṇabruve |*
prādhīte śatasāhasram anantaṃ vedapārage ||[330]

A gift to a non-Brahmin yields an equal reward; a gift to one who is a Brahmin in name only yields twice that; a gift to one who is learned yields one-hundred-thousand-times that; and a gift to one who has mastered the Vedas is infinite.[331]

Whether or not a given Brahmin is worthy of receiving a gift can be (i) examined according to the following criteria:

〈102〉 *yogas tapo damo dānaṃ satyaṃ śaucaṃ śrutaṃ ghṛṇā |*
vidyā vijñānam āstikyam etad brāhmaṇalakṣaṇam ||[332]

Discipline, austerity, self-control, liberality, truthfulness, purity, vedic learning, compassion, erudition, intelligence, and religious faith—these are the characteristics of a Brahmin.[333]

and (ii) tested by the following means:

〈103〉 *śīlaṃ saṃvasatā jñeyaṃ śaucaṃ saṃvyavahārataḥ |*
prajñā saṃkathanāj jñeyā tribhiḥ pātraṃ parīkṣyate ||[334]

326 Parry (1994), Raheja (1988)
327 LDK 1.2, 18, Brick (2015)
328 LDK 1.18
329 Brick (2015)
330 LDK 3.59
331 Brick (2015)
332 VaDh 6.23
333 Olivelle (2000)
334 LDK 3.1

> One can know a person's virtue by living with him, his purity by interacting with him, and his wisdom by talking with him. A recipient should be tested in these three things.[335]

However, the texts warn against undignified manners of testing:

⟨104⟩ *praśnapūrvaṃ tu yo dadyād brāhmaṇāya pratigraham |*
sa pūrvaṃ narakaṃ yāti brāhmaṇas tadanantaram ||[336]
praśnapūrvam amuṃ khaṇḍaṃ bahu vā askhalitaṃ yadi paṭhasi tadā tava etāvad dadāmīti praśnapūrvam

> When a man gives a gift to a Brahmin after interrogating him, he goes to hell first, the Brahmin right after him.
> "After interrogating him" means "after interrogating him as follows: 'If you recite such and such a chapter or more without faltering, then I will give you this much.' "[337]

Thus, the worthier the recipient, the more meritorious the gift. The topic of merit is also dealt with in the seventh and final item in the *dānasvarūpa* list. I group it here, together with the fourth item. Both items deal with merit, the fourth one (effects, *vipāka*) in a positive frame, the seventh one (means of destruction, *nāśa*) in a negative frame. Devala enumerates three means of destruction, namely recounting, bragging, or regretting:

⟨105⟩ *iṣṭaṃ dattam adhītaṃ vā vinaśyaty anukīrtanāt |*
ślāghānuśocanābhyāṃ ca bhagnatejo vipadyate ||
tasmād ātmakṛtaṃ puṇyaṃ na vṛthā parikīrtayet |
bhuktavān iti taṃ prāhus tam eva kṛtavādinaḥ ||[338]

> What is sacrificed, gifted, or learned perishes by recounting it; and through bragging about or regretting it, its power is destroyed so that it comes to naught. Therefore, a person should not announce in vain a meritorious deed he has done. Indeed, of a man who declares what he has done, they say that he has already enjoyed it.[339]

Compare "already enjoyed it" in the above citation with Jesus' "already been paid in full" in ⟨199⟩.

335 Brick (2015)
336 LDK 2.46
337 Brick (2015)
338 LDK 1.32–33
339 Brick (2015) who comments on the unclear syntax in a footnote.

G The kinds of gifts and the types of gifts

(1) The four kinds

The fifth item in the *dānasvarūpa* list of section A concerns four kinds (*prakāra*) of gifts:

⟨106⟩ *dhruvam ājasrikaṃ kāmyaṃ naimittikam iti kramāt |*
vaidiko dānamārgo 'yaṃ caturdhā varṇyate dvijaiḥ ||
prapārāmataḍāgādi sarvakālaphalaṃ dhruvam |
tad ājasrikam ity āhur dīyate yad dine dine ||
apatyavijayaiśvaryastrībālārthaṃ yad ijyate |
ijyāsaṃjñaṃ tu tad dānaṃ kāmyam ity abhidhīyate ||
kālāpekṣaṃ kriyāpekṣam arthāpekṣam iti smṛtau |
tridhā naimittikaṃ proktaṃ sahomaṃ homavarjitam ||[340]

The Lasting Gift, the Continual Gift, the Optional Gift, and the Occasional Gift—Brahmins describe these, in this order, as the fourfold Vedic path of gifting. Lasting Gifts are things, such as cisterns, parks, and water-tanks, that bear fruit all of the time. When something is given each day, they call it a Continual Gift. When a person performs a sacrifice for the sake of offspring, victory, lordship, women, or sons, that—although bearing the name sacrifice—is said to be an Optional Gift. And it is proclaimed within the tradition that Occasional Gifts are of three kinds: those dependent upon time, those dependent upon action, and those dependent upon wealth. Such gifts may or may not be accompanied by oblations.[341]

For the *prakāra* called *kāmyadāna* (the third verse above), see ⟨9⟩. Understandably, it is of a lower type because it concerns "seen effects" (see ⟨10⟩).

(2) The three types of gifts

A second classification, still related to the kinds-of-gifts taxonomy, is provided by the sixth item from the *dānasvarūpa* list of section A. According to the material value of the gifted objects, three types of gifts are distinguished: *uttama* (high), *madhyama* (middle), and *adhama* (low).[342] For example, the highest type is defined as follows:

⟨107⟩ *annaṃ dadhi madhu trāṇaṃ gobhūrukmāśvahastinaḥ |*
dānāny uttamadānāni uttamadravyadānataḥ ||[343]

340 LDK 1.23–26
341 Brick (2015)
342 LDK 1.27–31, Brick (2015)
343 LDK 1.28

> Gifts of food, curd, honey, protection, cows, land, gold, horses, and elephants are the High Gifts, because these are gifts of high substances.[344]

Middle Gifts (*dānāni madhyamāni*) comprise *ācchādanāvāsaparibhogauṣadhāni* (clothes, housing, enjoyment, and medicine).[345]

Items of bad quality lie outside this classification. See the admonishment against giving defective cows (MBh 13.65.51).

H Special cases of gifts

Somewhat or totally outside the *dānadharma* sphere lie special cases of gifts such as brides, great gifts, knowledge, and alliances that are based on friendship or on the attempt to let the partner do one's work.

(1) Marriages

According to the Mānava Dharmaśāstra 3.20–35, eight types of marriage exist. They are ordered in terms of praiseworthiness:

⟨108⟩ *ācchādya cārhayitvā ca śrutaśīlavate svayam* |
āhūya dānaṃ kanyāyā brāhmo dharmaḥ prakīrtitaḥ || (27)
yajñe tu vitate samyag ṛtvije karma kurvate |
alaṃkṛtya sutādānaṃ daivaṃ dharmaṃ pracakṣate || (28)
ekaṃ gomithunaṃ dve vā varād ādāya dharmataḥ |
kanyāpradānaṃ vidhivad ārṣo dharmaḥ sa ucyate || (29)
sahobhau caratāṃ dharmam iti vācānubhāṣya tu |
kanyāpradānam abhyarcya prājāpatyo vidhiḥ smṛtaḥ || (30)
jñātibhyo draviṇaṃ dattvā kanyāyai caiva śaktitaḥ |
kanyāpradānaṃ svācchandyād āsuro dharma ucyate || (31)
icchayānyonyasaṃyogaḥ kanyāyāś ca varasya ca |
gāndharvaḥ sa tu vijñeyo maithunyaḥ kāmasaṃbhavaḥ || (32)
hatvā chittvā ca bhittvā ca krośantīṃ rudatīṃ gṛhāt |
prasahya kanyāharaṇaṃ rākṣaso vidhir ucyate || (33)
suptāṃ mattāṃ pramattāṃ vā raho yatropagacchati |
sa pāpiṣṭho vivāhānāṃ paiśācaḥ prathito 'ṣṭamaḥ || (34)[346]

> When a man dresses a girl up, honors her, invites on his own a man of learning and virtue, and gives her to him, it is said to be the "Brāhma" Law. (27) When a man, while a sacrifice is being carried out properly, adorns his daughter and

344 Brick (2015)
345 LDK 1.29, Brick (2015)
346 MDh 3.27–34

> gives her to the officiating priest as he is performing the rite, it is called the "Divine" Law. (28) When a man accepts a bull and a cow, or two pairs of them, from the bridegroom in accordance with the Law and gives a girl to him according to rule, it is called the "Seer's" Law. (29) When a man honors the girl and gives her after exhorting them with the words: "May you jointly fulfill the Law," tradition calls it the "Prājāpatya" procedure. (30) When a girl is given after the payment of money to the girl's relatives and to the girl herself according to the man's ability and out of his own free will, it is called the "Demonic" Law. (31) When the girl and groom have sex with each other voluntarily, that is the "Gāndharva" marriage based on sexual union and originating from love. (32) When someone violently abducts a girl from her house as she is shrieking and weeping by causing death, mayhem, and destruction, it is called the "Fiendish" procedure. (33) When someone secretly rapes a woman who is asleep, drunk, or mentally deranged, it is the eighth known as "Ghoulish," the most evil of marriages. (34)[347]

The first four marriages, from (27) to (30), might come under the heading of *kanyādāna* (giving or gifting of a girl to the groom's family),[348], while the remaining four do not. According to (28), *sutādāna* (or *kanyādāna*) can take the form of the fee-gift *dakṣiṇā* (section IV.B).

Some texts clearly spell out the rule of hypergamy, according to which a man cannot take a wife from a class higher than his own:

⟨109⟩ *yad ucyate dvijātīnāṃ śūdrād dāropasaṃgrahaḥ |*
na tan mama mataṃ yasmāt tatrāyaṃ jāyate svayam ||
tisro varṇānupūrvyeṇa dve tathaikā yathākramam |
brāhmaṇakṣatriyaviśāṃ bhāryā svā śūdrajanmanaḥ ||[349]

> With respect to what has been stated about twice-born men taking wives from the Shudras—I do not approve of it, because that man is himself born in her. A Brahman, Kshatriya, and Vaishya, in due order, may take three, two, and one wife in the direct order of class; a man of Shudra birth takes a wife of his own class.[350]

Thus, twice-borns are not allowed to take a *śūdra* wife, which stands in contrast to the inheritance rules of YSm 2.129 (⟨143⟩).

Note that giving a girl in marriage is deemed very important:

⟨110⟩ *aprayacchan samāpnoti bhrūṇahatyām ṛtāv ṛtau |*
gamyaṃ tv abhāve dātṝṇāṃ kanyā kuryāt svayaṃvaram ||[351]

347 Olivelle (2005)
348 Trautmann (1981, pp. 288–293)
349 YSm 1.56–1.57
350 Olivelle (2019b)
351 YSm 1.64

> A person who does not give her away incurs the sin of killing a fetus at every menstrual period of hers. In the absence of persons who may give her away, however, a virgin girl may select on her own a groom with whom marriage is permissible.[352]

Finally, a bride or a groom may prove defective and be given back for that reason (compare subsection VII.C(1)). Rescission is generally frowned upon, but may be permissible (under certain circumstances?):

⟨111⟩ *sakṛt pradīyate kanyā haraṃs tām coradaṇḍabhāk |*
dattām api haret pūrvaṃ śreyāṃś ced vara āvrajet ||[353]

> A virgin girl is given in marriage just once. When someone takes her back, he is subject to the same punishment as a thief. Even though she has been given previously, he should take her back if a superior groom comes along.[354]

Annulment of a marriage contract is complex because the ritual process of marriage consists of several steps. In particular, if the groom dies, his bride may belong to her father or to the groom's family. Complex rules are involved and need not concern us here.[355]

(2) *Mahādāna* and *parvatadāna*

Similar to *dharmadāna*s, *mahādāna*s are also meritorious:

⟨112⟩ *athātaḥ saṃpravakṣyāmi mahādānānukīrtanam |*
dānadharme 'pi yan noktaṃ viṣṇunā prabhaviṣṇunā ||
sarvapāpakṣayakaraṃ nṛṇāṃ duḥsvapnanāśanam |
yat tat ṣoḍaśadhā proktaṃ vāsudevena bhūtale ||
puṇyaṃ pavitram āyuṣyaṃ sarvapāpaharaṃ śubham |
pūjitaṃ devatābhiś ca brahmaviṣṇuśivādibhiḥ ||[356]

> I will now give an account of the Great Gifts, which mighty Viṣṇu has not even stated under the Law of Gifting; which destroys all sins and eradicates men's nightmares; which, as Vāsudeva says, comprises sixteen parts on earth; which is meritorious and purifying and leads to a long life; which is auspicious and removes all sin; and which is revered even by gods such as Brahmā, Viṣṇu, and Śiva.[357]

352 Olivelle (2019b)
353 YSm 1.65
354 Olivelle (2019b)
355 Brick (2023) analyses the *dharma* rules for widows in detail. For the question at hand, see chapter 1 on remarriage and *niyoga*.
356 LDK 4.1.1–3
357 Brick (2015)

Table 3: Four examples of Great Gifts

Name	Objects given to non-officiating receivers	Objects given to *guru*/ *dvija*/ *ṛtvij* and their *dakṣiṇā*
Gift of the Man on the Balance	unspecified gifts to downtrodden, destitute, distinghuished people[358]	gold and villages to the preceptor and officiating priests[359]
Gift of the Golden Womb	honour many more people wholeheartedly[360]	gold to exemplary Brahmin priests[361]
Gift of the Brahma-Egg		gold and jewels to Brahmins officiating the rite[362]
Gift of the Wish-Granting Tree		gold to the preceptor and officiating priests[363]

The "sixteen parts" refer to sixteen different Great Gifts, from the "Gift of the Man on the Balance" to the "Pot of the Elements". The first four gifts are listed in Table 3.

Consider the following part of the description for the Gift of the Wish-Granting Tree:

⟨113⟩ *kalpapādapadānākhyam ataḥ param anuttamam |*
mahādānaṃ pravakṣyāmi sarvapātakanāśanam ||
puṇyaṃ dinam athāsādya tulāpuruṣadānavat |
puṇyāhavācanaṃ kuryāl lokeśāvāhanaṃ tathā |
ṛtviṅmaṇḍapasaṃbhārabhūṣaṇācchādanādikam ||
kāñcanaṃ kārayed vṛkṣaṃ nānāphalasamanvitam |
nānāvihagavastrāṇi bhūṣaṇācchādanāni ca ||
śaktitas tripalād ūrdhvam ā sahasrāt prakalpayet |
ardhaklṛptasuvarṇasya kārayet kalpapādapam ||
[…]
anena vidhinā yas tu mahādānaṃ nivedayet |
sarvapāpavinirmuktaḥ so'śvamedhaphalaṃ labhet ||[364]

Next, I will explain the unsurpassable Great Gift called the Gift of the Wish-Granting Tree, which destroys all sins. When an auspicious day arrives, as in the Gift of the Man on the Balance, a man should have Brahmins declare the day auspicious, summon the World-Protectors, appoint officiating priests,

358 LDK 4.1.66. Translations of *dīna*, *anātha*, and *viśiṣṭa*, respectively, from Brick (2015).
359 LDK 4.1.65. Translations of *guru* and *ṛtvij*, respectively, from Brick (2015).
360 LDK 4.2.22. Translation of *te pūjyāḥ sarvabhāvena bahavaḥ* from Brick (2015).
361 LDK 4.2.19. Translation of *dvijapuṃgava* from Brick (2015).
362 LDK 4.3.14. Translation of *dvija* from Brick (2015).
363 LDK 4.4.14. Translation of *guru* and *ṛtvij*, respectively, from Brick (2015).
364 LDK 4.4.1–4, 16

> have a pavilion constructed, and procure equipment, ornaments, clothes, etc. He should have a golden tree made that is adorned with various fruits; and on it he should place assorted birds, clothing, ornaments, and garments. He should acquire between three and one thousand *palas* of gold according to his means and have the Wish-Granting Tree constructed with half of the acquired gold. […] When a man gives the Great Gift in accordance with the rules here prescribed, he is freed from all sins and obtains the reward of a Horse-Sacrifice.[365]

Tellingly, the great gifts are compared to Vedic rituals, as is clear from the last verse above.

This section finishes by acknowledging the descriptions of mountain gifts in the literature:

⟨114⟩ *meroḥ pradānaṃ vakṣyāmi daśadhā munisattama |*
yatpradānān naro lokān āpnoti surapūjitān ||
purāṇeṣu ca vedeṣu yajñeṣv āyataneṣu ca |
na tat phalam adhīteṣu kṛteṣv iha yad aśnute ||
tasmād vidhānaṃ vakṣyāmi parvatānām anuttamam |
prathamo dhānyaśailaḥ syād dvitīyo lavaṇācalaḥ ||
guḍācalas tṛtīyas tu caturtho hemaparvataḥ |
pañcamas tilaśailaḥ syāt ṣaṣṭhaḥ kārpāsaparvataḥ ||
saptamo ghṛtaśailaś ca ratnaśailas tathāṣṭamaḥ |
rājato navamas tadvad daśamaḥ śarkarācalaḥ ||
vakṣye vidhānam eteṣāṃ yathāvad anupūrvaśaḥ ||[366]

> I will now explain the ten-fold Gift of Mount Meru, O best of sages, through giving which a man attains worlds venerated by the gods. Even if a man recites the Vedas and the Purāṇas at sacrifices and temples, he still does not obtain the reward that one acquires by offering these ten gifts here on earth. Therefore, I will explain the unsurpassable rules for the Mountain Gifts. The first such gift is the Grain-Mountain; the second is the Salt-Mountain; the third is the Jaggery-Mountain; the fourth is the Gold-Mountain; the fifth is the Sesame-Mountain; the sixth is the Cotton-Mountain; the seventh is the Ghee-Mountain; the eighth is the Jewel-Mountain; the ninth is the Silver-Mountain; and the tenth is the Sugar-Mountain. I will properly explain the rules for these gifts in this order.[367]

(3) Knowledge

The gift of knowledge, i.e., teaching, is supreme:

365 Brick (2015)
366 LDK 5.1.1–6
367 Brick (2015)

⟨115⟩ *sarvadharmamayaṃ brahma pradānebhyo 'dhikaṃ tataḥ |*
pradadat tat samāpnoti brahmalokam avicyutaḥ ||[368]

Brahma, that is, the Veda, which consists of all the dharmas, is greater than those gifts. Therefore, by gifting it a man obtains the world of Brahma, himself remaining imperishable.[369]

Reconsider ⟨26⟩. The commentator Vijñāneśvara explains this verse by the peculiarity that we have, here, the creation of ownership (*parasvatvāpādana*) without cessation of ownership by the giver (*svatvanivṛtti*):

⟨116⟩ *atra ca brahmadāne parasvatvāpādanamātraṃ dānāṃ, svatvanivṛtteḥ kartum aśakyatvāt*[370]

And here, in the case of the gift of the Veda, 'gifting' denotes merely the production of another's ownership, since ownership here cannot be made to cease[371]

On "non-rivalry in consumption", see section XIX.J in the etic part of this book.

(4) United alliance (*saṅgatasandhi*)

Kāmandaki lists 16 kinds of alliances in his Nītisāra, among them the united alliance (*saṅgatasandhi*):

⟨117⟩ *sadbhiḥ saṅgatasandhis tu maitrīpūrva udāhṛtaḥ ||*
yāvadāyuḥpramāṇas tu samānārthaprayojanaḥ |
sampattau ca vipattau ca kāraṇair yo na bhidyate ||
saṅgataḥ sandhir eveha prakṛṣṭatvāt suvarṇavat |
aparaiḥ sandhikuśalaiḥ kāñcanaḥ sa udāhṛtaḥ ||[372]

The united alliance is preceded by a friendship formed among good men; it lasts for life, involves the sharing of common goals, and is never broken for any reason, whether in prosperity or calamity. Because of its superiority, the united alliance is like gold, and therefore other scholars call it the golden alliance.[373]

Kāmandaki's *saṅgatasandhi* has a Roman cousin, Seneca's *societas,* to which we turn in chapter IX.

(5) Alliance of the "unseen man" (*adṛṣṭapuruṣa*)

One of 16 kinds of alliance listed in the Nītisāra is called *adṛṣṭanara* (KNS 9.3) or *adṛṣṭapuruṣa* (KNS 9.14):

368 YSmM 1.210
369 Olivelle (2019b)
370 YSmM 1.212
371 Brick (2015, p. 33)
372 KNS 9.6cd-8
373 Knutson (2021)

⟨118⟩ *tvayaikena madīyārthaḥ samprasādhyas tv asāv iti |*
yatra śatruḥ paṇaṃ kuryāt so 'dṛṣṭapuruṣaḥ smṛtaḥ ||[374]

The unseen man alliance is based on the enemy's wager that: "You alone will end up having to accomplish my objective."[375]

This alliance seems to refer to one party letting another party do all the work.

I A difficult passage on reciprocity

Reciprocity was also discussed by the *dānadharma* authors:

⟨119⟩ *mṛtavatsā yathā gaur vai tṛṣṇālubdhā tu duhyate |*
aparasparadānāni lokayātrā na dharmavat ||
adṛṣṭam aśnute dānaṃ bhuktvā caiva na dṛśyate |
punarāgamanaṃ nāsti tasya dānam anantakam ||[376]

Non-reciprocal gifts are like milking a cow whose calf has died and which is consumed with thirst. [As] a worldly matter, they do not pertain to the Law. A [dharmic] giver obtains an unseen gift and is not seen enjoying that gift, since he does not return to this world and his gift is endless.[377]

The understanding underlying the above translation is as follows: A cow can be milked because its calf is dead and does not need the milk. If the cow is not given water, reciprocity is not obeyed. Imagine a comma after *aparasparadānāni*. This translation is in line with the standard position taken in the *dharmadāna* literature. Dharmic gifts are *aparaspara* gifts, as are some *lokayātrā* gifts.

In contrast, Brick (2015) translates "[n]on-reciprocal gifts are [...] a worldly matter". Reading LDK 0.22 and LDK 0.23 closely together, Brick finds this "puzzling" because it "clearly implies that dharmic gifts are reciprocal"[378] and that the reciprocity is seen in *adṛṣṭam aśnute dānam* (LDK 0.23a). Brick then explains the sense in which dharmic gifts might be reciprocal in LDK 0.22–23: "[D]harmic gifts are reciprocal, but the reciprocity takes place between giver and cosmos, not between giver and receiver. Importantly, this conforms to the general Brahmanical theory of gifting and a karmic worldview."[379] When confronted with the interpretation given by me, David Brick

374 KNS 9.14
375 Knutson (2021)
376 LDK 0.22–23
377 After Brick (2015), who translates: "Non-reciprocal gifts are like milking a cow whose calf has died and which is consumed with thirst. They are a worldly matter and do not pertain to the Law. For a giver obtains an unseen gift and is not seen enjoying that gift, since he does not return to this world and his gift is endless."
378 Brick (2015, p. 63: fn. 4)
379 Brick (2015, p. 63: fn. 4)

reluctantly upheld his translation.[380] Thus, according to Brick's interpretation, a reciprocal gift (*parasparadāna*) involves three (!) parties, which, I submit, is difficult to justify in English or in Sanskrit.[381] In any case, the use of "bilateral" in definition ⟨1⟩ (p. 11) makes clear the current author's stance against this understanding. Furthermore, beautiful verses from the Bhagavad Gītā clearly point to a bilateral unterstanding of *paraspara* and stress the reciprocal nature of sacrifices:

⟨120⟩ *sahayajñāḥ prajāḥ sṛṣṭvā purovāca prajāpatiḥ |*
anena prasaviṣyadhvam eṣa vo 'stv iṣṭakāmadhuk ||
devān bhāvayatānena te devā bhāvayantu vaḥ
parasparaṃ bhāvayantaḥ śreyaḥ param avāpsyatha ||
iṣṭān bhogān hi vo devā dāsyante yajñabhāvitāḥ |
tair dattān apradāyaibhyo yo bhuṅkte stena eva saḥ ||[382]

In the beginning Prajapati created mankind and the sacrifice, and said: "Through this may you prosper; may it be your wish-fulfilling cow. Nourish the gods with it and the gods may nourish you. Nourishing each other, you will attain the highest good; for nourished by sacrifice, the gods will supply the enjoyments you desire. Whoever enjoys these gifts but gives nothing in return is just a thief."[383]

Against this reciprocal understanding of sacrifices, one needs to highlight Kṛṣṇa's philosophy of performing one's dharma without coveting the fruit (see subsection XVII.B(2)).

380 In a personal communication, David Brick calls this passage "extremely opaque". While later *dānanibandha*s borrowed abundantly from the Dānakāṇḍa, they seem to have disregarded this particular passage according to his recollection. He then goes on to argue: "In any case, I have carefully thought about the matter again and am still going to stick with my old interpretation, tortured as it is. Your idea of understanding there effectively to be commas around *lokayātrā* is quite clever. Thus, LDK 0.22 would be talking about a subset of *aparaspara* gifts, namely, those that are *lokayātrā* (a "worldly matter"). Dharmic gifts would be *aparaspara* gifts of the non-*lokayātra* type. This certainly would better conform to the standard Dharmaśāstra position that dharmic gifts are non-reciprocal. Nevertheless, there are two reasons I'm unconvinced by this reading, one minor and one more significant. My minor reason for doubting your interpretation is simply that reading commas around *lokayātrā* strikes me as highly unusual and unnatural in Sanskrit texts, at least ones of this genre. I would have liked to see a participle of some type to make this explicit. This is just a gut feeling for me. My more significant reason is LDK 0.23. I think we both agree that this verse should be read in connection with LDK 0.22 and that its understood subject is a giver of a dharmic gift, because otherwise it is just baffling. And if we make these assumptions, it sure seems to me that LDK 0.23 is intentionally describing a dharmic gift as *paraspara* ("reciprocal"), for it says that one obtains an unseen gift */dāna*. Nowhere else in the literature the giver of a dharmic gift was to receive a *dāna*. I don't believe this is a coincidence. So, in short, I think that the unnaturalness of your interpretation of 0.22d from a grammatical point of view combined with the explicit mention of receiving an unseen *dāna* in 0.23a makes your interpretation rather unlikely. But I could well be wrong."

381 However, this usage of the word "reciprocity" is not uncommon among indologists. See, for example, the "*dāna-puṇya* reciprocity" mentioned by Thapar (2010, p. 104) or the more careful wording "transcendentally bestowed countergift" in Trautmann (1981, p. 281).

382 MBh 6.25.10–12

383 Cherniak (2008, pp. 195–197)

VII Diverse transactions

In this chapter, I collect diverse sorts and aspects of relationships between private agents that have a bearing on wealth and the redistribution thereof:

- women's entitlement to own or acquire wealth
- services
- problematic exchanges
- inheritance
- debts
- void and voidable givings

A Women as economic actors

If one were to take Manu at face value, one might arrive at the conclusion that women were not allowed to deal independently of male family members or to keep their own earnings:

⟨121⟩ *bālye pitur vaśe tiṣṭhet pāṇigrāhasya yauvane |*
putrāṇāṃ bhartari prete na bhajeta svatantratām ||[384]

[…]

bhāryā putraś ca dāsaś ca traya evādhanāḥ smṛtāḥ |
yat te samadhigacchanti yasya te tasya tad dhanam ||[385]

As a child, she must remain under her father's control; as a young woman, under her husband's; and when her husband is dead, under her sons'. She must never seek to live independently.

[…]

Wife, son, and slave—all these three, tradition tells us, are without property. Whatever they may earn becomes the property of the man to whom they belong.[386]

384 MDh 5.148
385 MDh 8.416 and, similarly, NSmV 5.39
386 Olivelle (2005)

Apparently, however, reality often did not conform to these quotations. Olivelle (2011, pp. 249–254) convincingly argues that women

- were holders of six kinds of property (*strīdhana*), even according to Manu,[387]
- often made donations to temples[388] or to Buddhist monasteries[389],
- might have had to pay fines,[390]
- owned property separate from that of a husband,[391]
- could make a repayable loan to a husband,[392] and
- could be the recipient of property after her husband's death.[393]

B Services (*śuśrūṣā*)

The connection between the services listed in this section and the "ungruding service" to be performed by *śūdra*s (section III.E, ⟨16⟩) is not clear.

(1) Five kinds of *karmakara*s

Services are performed by five different kinds of people according to Nārada:

⟨122⟩ *śiṣyāntevāsibhṛtakāś caturthas tv adhikarmakṛt* |
ete karmakarāḥ proktā dāsās tu gṛhajādayaḥ ||[394]

The laborers are: a student, an apprentice, a hired man, and an overseer. The slaves are those born in the house, and the like.[395]

Excepting the *adhikarmakṛt* (overseer)[396] and the *śiṣya* (pupil) the other three kinds of labourer are dealt with in the following subsections. Against Nārada's list, one might add partnerships, especially those of officiating priests, and the remuneration of officials (subsections VII.B(5) and (6)). NSmV 5.5 explains that pure (*śubha*) work (*karman*) is done by labourers (*karmakṛt*) and impure work by slaves (*dāsa*).

387 MDh 9.194 and, somewhat similarly, YSm 2.147
388 Orr (2000)
389 Schopen (1997)
390 YSm 2.289–290, KātSm 487
391 NSmV 13.7
392 YSm 2.151
393 YSm 2.139–140; KātSm 921, 927
394 NSmV 5.3
395 Lariviere (2003)
396 *artheṣv adhikṛto yaḥ syāt kuṭumbasya tathopari* ("one who has been charged with responsibilities pertaining to family matters") in NSmV 5.22, translation by Lariviere (2003).

(2) Hired man

The hired man (*bhṛtaka*) is a legal institution clearly falling into the category of *dānagrahaṇa*. See Nārada:

⟨123⟩ *bhṛtakas trividho jñeya uttamo madhyamo 'dhamaḥ |*
śaktibhaktyanurūpā syād eṣāṃ karmāśrayā bhṛtiḥ ||
uttamas tv āyudhīyo 'tra madhyamas tu kṛṣīvalaḥ |
adhamo bhāravāhaḥ syād ity evaṃ trividho bhṛtaḥ ||[397]

There are three kinds of hired men: highest, middle, and lowest. Their wages depend on what they do, how well they do it, and their loyalty. This is the threefold division of hired men: soldiers are the highest, farmers are the middle, and bearers are the lowest.[398]

In return for services, the hired man can expect wages, either by agreement or by default:

⟨124⟩ *bhṛtānāṃ vetanasyokto dānādānavidhikramaḥ |*
vetanasyānapākarma tad vivādapadaṃ smṛtam ||
bhṛtāya vetanaṃ dadyāt karmasvāmī yathākramam |
ādau madhye 'vasāne vā karmaṇo yad viniścitam ||
bhṛtāv aniścitāyāṃ tu daśabhāgaṃ samāpnuyuḥ |
lābhagobījasasyānāṃ vaṇiggopakṛśībalāḥ ||[399]

There is a series of rules about payment and non-payment of wages for hired men. This title of law is called Non-payment of Wages. The employer should regularly pay the wages to the hired man as agreed: in advance of the work, during the work, or at the end. Unless there has been a special agreement with the hired man, a merchant, herdsman, or farm worker should receive one-tenth of the profit, cows, or produce respectively.[400]

Detailed rules about the mutual obligations of master and servant are given by Kauṭilya (KAŚ 3.14.1–17) and in the Buddhist Upāsakālaṅkāra (ĀUJA 4.75, 94–97).

(3) Apprentice

Consider, next, apprenticeship. An apprentice (*antevāsin*) resides in his teacher's house and learns a craft (*śilpa*) from him. The *dāna* offered by the *ācārya* is described by Nārada as follows:

397 NSmV 5.20–21
398 Lariviere (2003)
399 NSmV 6.1–3
400 Lariviere (2003)

〈125〉 *svaśilpam icchann āhartuṃ bāndhavānām anujñayā |*
ācāryasya vased ante kālaṃ kṛtvā suniścitam ||
ācāryaḥ śikṣayed enaṃ svagṛhād dattabhojanam |
na cānyat kārayet karma putravac cainam ācaret ||[401]

One who wishes to learn his own craft should, with the permission of his relatives, reside with a master for a well-defined period of time. The master should instruct him and feed him from his own household; he should not make him do any other work, and he should treat him like a son.[402]

The *ācārya*'s *grahaṇa* is described in these two verses:

〈126〉 *śikṣito 'pi kṛtaṃ kālam antevāsī samāpnuyāt |*
tatra karma ca yat kuryād ācāryasyaiva tatphalam ||
gṛhītaśilpaḥ samaye kṛtvācāryaṃ pradakṣiṇam |
śaktitaś cānumānyainam antevāsī[403] *nivartayet ||*[404]

Even if he has been fully instructed, the apprentice must stay for the entire duration, and the profit from the work he does during this time belongs to his master. When the time comes, the apprentice who has learned his craft should pay every respect to his master, take his leave, and go home.[405]

It is instructive to compare an apprentice (*antevāsin*) with a student (*śiṣya*). Both reside in the teacher's house and both learn from the teacher: the former a craft (*śilpa*), the latter the *Veda*s.

(4) Slaves

Slavery could come about by different avenues, some of which belong to the *dānagrahaṇa* category:

〈127〉 *gṛhajātas tathā krīto labdho dāyād upāgataḥ |*
anākālabhṛtas tadvad ādhattaḥ svāminā ca yaḥ ||
mokṣito mahataś carṇāt prāpto yuddhāt[406] *paṇe jitaḥ |*
tavāham ity upagataḥ pravrajyāvasitaḥ kṛtaḥ ||
bhaktadāsaś ca vijñeyas tathaiva vaḍavābhṛtaḥ |
vikretā cātmanaḥ śāstre dāsāḥ pañcadaśā smṛtāḥ ||[407]

401 NSmV 5.15–16
402 Lariviere (2003)
403 For typo *antevāsi*
404 NSmV 5.18–19
405 Lariviere (2003)
406 *yaddh*° in NSmV 5.25b is a typo.
407 NSmV 5.24–26

<a> One born into a household,
<b> one who was purchased,
<c> one who was acquired,
<d> one who was inherited,
<e> one who was supported in time of famine,
<f> one who was pledged by his master,
<g> one freed from a large debt,
<h> one who was obtained by battle,
<i> one who was won in a wager,
<j> one who came forward and said, "I am yours,"
<k> one who gave up world renunciation,
<l> a bonded laborer,
<m> one who becomes a slave for maintenance,
<n> one who takes up with a female slave, and
<o> one who sells himself

—these are the fifteen slaves mentioned in the texts.[408]

Slavery may come about by a "voluntary" decision. Probably in relation to a slave in the sense of <j>, Kātyāyana (citing Bhṛgu) compares a slave to a wife:

⟨128⟩ *svatantrasyātmano dānād dāsatvaṃ dāravad bhṛguḥ* |[409]

Bhṛgu holds that (a man) becomes a slave as he surrenders himself when free (to another's will) just as the wife (surrenders her person to the husband).[410]

The Smṛticandrikā confirms Kane's translation:

⟨129⟩ *yathā bhartus sambhogārthaṃ svaśarīradānād dāratvaṃ tathā svatantrasyātmanaḥ parārthatvena dānād dāsatvam* |[411]

As wifehood comes about by giving one's [the wife's] own body for the husband's enjoyment, in that manner slavery arises by giving one's [the future slave's] independent self as a benefit to another

Not by way of comparison, but in a direct manner, the instances <e> and <j> in ⟨127⟩ seem to come together in another section of the Nārada Smṛti, where a woman offers herself as a slave in order to escape hunger. Such a woman would be classified as a *svairiṇī* (a loose woman), here of the third type:

⟨130⟩ *prāptā deśād dhanakrītā kṣutpipāsāturā ca yā* |
tavāham ity upagatā sā tṛtīyā prakīrtitā ||[412]

408 Lariviere (2003), where the markers <a> etc. are added by the current author
409 KātSm 715ab
410 Kane (1933)
411 DSmCV 460, seventh and sixth line from bottom
412 NSmV 12.51

> A foreigner, one who was purchased as a slave, or one suffering from hunger and thirst and who comes forward, saying, "I am yours"—this is the third type.

In ⟨127⟩, this specific formula *tavāham ity upagataḥ* (for a man) is also present.

(5) Partnerships

Partnerships (*sambhūyasamutthāna*) can be undertaken by a variety of men. The Smṛticandrikā explicitly mentions six fields of collaboration: *vāṇijyakṛṣiśilpakratusaṅgītastainya*[413] ("[activity that consists of] trade, agriculture, craft, sacrifice, singing, or stealing"). With respect to stealing, it recomments to join forces with "brave people": *stainyakriyā śūraiḥ*[414]. Now, stealing here refers to *svāmyājñayā* […] *paradeśāt samāhṛtam*[415] ("something heaped up from abroad with the consent of the king"). The rules for dividing the loot are also given, with the king collecting a sixth portion (*rājñe dattvā tu ṣaḍbhāgam*)[416].

Kratukriyā ("sacrificial activity") should be performed by *kulīnaiḥ prājñaiś śucibhiḥ*[417] ("by men who are from good families, wise, and pure"). Usually, sacrifices would be performed by priests and partnerships of priests. Immediately following the chapter on slaves and labourers, Kauṭilya covers some specific rules for employees (*bhṛtaka*) and partnerships in KAŚ 3.14. The latter topic is concerned with how to divide the wage (*vetana*) among several "[e]mployees from an association or associates in a partnership" (*saṃghabhṛtāḥ saṃbhūyasamutthātāraḥ*)[418]. Both in the general case and in the special subcase of "priests officiating at a sacrifice" (*yājaka*), the payment follows the rule:

⟨131⟩ *yathāsaṃbhāṣitaṃ vetanaṃ samaṃ vā*[419]
the wages either as agreed upon or in equal shares[420]

If "capital" has been put at risk by the contracting parties, the *dharma* texts envision dividing gains and losses in a proportional fashion[421] or, again, by special agreement:

⟨132⟩ *samavāyena vaṇijāṃ lābhārthaṃ karma kurvatām |*
lābhālābhau yathādravyaṃ yathā vā saṃvidākṛtā ||[422]

413 DSmCV 429, fourth line from bottom
414 DSmCV 429, first line from bottom
415 DSmCV 440, tenth line from bottom
416 DSmCV 440, nineth line from bottom
417 DSmCV 429, first line from bottom, has *prājñaśśucibhiḥ* (in devanāgarī), which I take to be a typo.
418 KAŚ 3.14.18, Olivelle (2013)
419 KAŚ 3.14.18 and, with the very same wording, KAŚ 3.14.28
420 Olivelle (2013)
421 For example, NSmV 3.2 with a concrete example in BNMS 161.6–8
422 YSm 2.264

> When, for the sake of profits, traders carry on their work under an agreement, any gain or loss is calculated according to either the proportion of the material each has contributed or the provisions of the contract they have entered into.[423]

Apart from agreement and proportionality, a third criterion refers to the skill or importance of the agents involved. With respect to artisans, Kātyāyana determines:

⟨133⟩ *śikṣakābhijñakuśalā ācāryaś ceti śilpinaḥ |*
ekadvitricaturbhāgān hareyus te yathottaram ||[424]

> If artisans (of four grades of skill) viz. apprentices, more advanced students, experts (in that craft) and teachers (are employed together in one undertaking) they shall receive one after another in order one, two, three and four shares (of the profit of that undertaking).[425]

In subsection XX.A(3), I explain the concrete formula to be employed for calculating the respective shares.

(6) Remuneration for officials

Kauṭilya suggests generous payments for officials:

⟨134⟩ *ṛtvigācāryamantripurohitasenāpatiyuvarājarājamātṛrājamāhiṣyo 'ṣṭacatvāriṃśatsāhasrāḥ | etāvatā bharaṇenānāspadyatvam akopakaṃ caiṣāṃ bhavati | dauvārikāntarvaṃśikapraśāstṛsamāhartṛsaṃnidhātāraś caturviṃśatisāhasrāḥ | etāvatā karmaṇyā bhavanti |*[426]

> Officiating priest, teacher, Counselor-Chaplain, Chief of the Armed Forces, Crown Prince, queen mother, and chief wife of the king—these receive 48,000 Paṇas. With this level of remuneration, they would not become susceptible to instigation or liable to revolt. Chief Gate Guard, Head of the Palace Guard, Administrator, Collector, and Treasurer—these receive 24,000 Paṇas. With this level of remuneration, they become upright in their work.[427]

The king's motivation for generous payments is expounded in section XVI.E.

423 Olivelle (2019b)
424 KātSm 632
425 Kane (1933)
426 KAŚ 5.3.3–6
427 Olivelle (2013)

C Unsuccessful transactions[428]

(1) A list

It was very clear to the Indian authors on *vyavahāra* that transactions may go wrong in a number of ways:

- The seller may not be the owner.[429]
- The seller may not deliver after agreeing to a contract.[430]
- The buyer may refuse to accept the item after agreeing to a contract.[431]
- The seller may not have informed the buyer about a defect.[432]
- The item (including a bride or groom) may be defective.[433]
- The item can be returned by the buyer after a trial period if defects become apparent.[434]

(2) Rescission for merchandise

Addressing the second and third bullet points in the above list, we now turn to legal (accepted) cancellation (rescission) of buying/selling contracts irrespective of whether a defect has been observed. For the special case of revoking *kanyādāna*, see subsection VI.H(1). In Manu and in Kauṭilya, the technical term *anuśaya* means "rescission" ← "wish to rescind" ← "regret".

Turning to the specific reason for abortive transactions, see Manu on the topic of rescission:

⟨135⟩ *krītvā vikrīya vā kiṃcid yasyehānuśayo bhavet |*
so 'ntar daśāhāt tad dravyaṃ dadyāc caivādadīta ca ||[435]

After buying and selling anything, if someone here regrets his decision, he may return or take back that article within ten days.[436]

In contrast to Manu, Nārada has an asymmetric rule: If the seller cancels a contract, the buyer can claim damages, whereas the buyer can cancel it on the day of purchase:

428 The first three subsections borrow freely from Wiese (2017).
429 See ViDh 5.165–167, YSm 2.172, NSmV 7, MDh 8.197–205, or KAŚ 3.16.10–28. For additional material on *asvāmivikraya*, see Kane (1973, pp. 462–465).
430 See ViDh 5.127–128, YSm 2.259, NSmV 8, possibly MDh 8.219–221, or KAŚ 3.15.1–4. Additional material on *krayavikrayānuśaya* can be traced with Kane (1973, pp. 489–495). See Wiese (2017).
431 See ViDh 5.129, YSm 2.263, NSmV 9.3, 16, possibly MDh 8.219–221, or KAŚ 3.15.9.
432 See MDh 8.219–224 or KAŚ 3.15.14–16.
433 See KAŚ 3.15.12–18.
434 See YSm 2.181, NSmV 9.5–6, or KAŚ III.15.17–18.
435 MDh 8.222
436 Olivelle (2005)

⟨136⟩ *vikrīya paṇyaṃ mūlyena kretur yo na prayacchati |*
sthāvarasya kṣayaṃ dāpyo jaṅgamasya kriyāphalam ||[437]
[…]
krītvā mūlyena yat paṇyaṃ duṣkrītaṃ manyate krayī |
vikretuḥ pratideyaṃ tat tasminn evāhny avikṣatam ||[438]

One who sells something for a certain price and fails to deliver it to the purchaser must be made to compensate him for any loss pertaining to immovables and for the lost profits from movables. […] When someone has purchased something and paid for it, and then decides that it was wrong to have done so, he may return it, undamaged to the seller on the same day.[439]

The most intricate rules on rescission are offered by Kauṭilya:[440]

⟨137⟩ *vikrīya paṇyaṃ aprayacchato dvādaśapaṇo daṇḍaḥ, anyatra doṣopanipātāviṣahyebhyaḥ | […] vaidehakānām ekarātram anuśayaḥ, karṣakānāṃ trirātram, gorakṣakāṇāṃ pañcarātram | […] tasyātikrame caturviṃśatipaṇo daṇḍaḥ, paṇyadaśabhāgo vā | krītvā paṇyam apratigṛhṇato dvādaśapaṇo daṇḍaḥ, anyatra doṣopanipātāviṣahyebhyaḥ | samānaś cānuśayo vikretur anuśayena |*[441]

For someone who has entered into a contract as a seller of a merchandise and who does not deliver it, the fine is 12 *Paṇa*s, except in the case of unexecutable transactions due to defect [of the product] or due to force majeure. […] For traders [as sellers], [the period for] cancellation [to be granted by the buyers] is one day; for agriculturists, three days; for cattle herders, five days. […] For its (*tasya* referring to cancellation = *anuśaya*) violation, the fine [to be paid by the buyers] is 24 *Paṇa*s or one tenth of the value of the merchandise. For someone who has entered into a contract as a buyer of a merchandise and who does not accept it, the fine is 12 *Paṇa*s, except in the case of unexecutable transactions due to a defect [of the product] or due to force majeure. Cancellation [as an option to be exercised by the buyer], moreover, is identical to cancellation [as an option to be exercised] by the seller.[442]

I think that *krī* does not only have the usual meaning of "to buy", where the buying process is finalised and irrevocable.[443] Instead, it could also mean "to enter into a

437 NSmV 8.4
438 NSmV 9.2
439 Lariviere (2003)
440 Olivelle (2005), Olivelle (2013, pp. 6–25), and McClish (2019) propose the distinction between "Kauṭilya Recension" and "Śāstric Redaction", where the current Arthaśāstra version is mainly the result of the "Śāstric Redaction", carried out by a *dharmaśāstra paṇḍita*. This scholar tried to bring the Arthaśāstra into line with the standard dharmaśāstric ideology. He may also have been responsible for commentarial interventions, marginal glosses that were added to the text later on. Wiese (2017) argues for an even more reduced Kauṭilya Recension.
441 KAŚ 3.15.1, 5, 8–10
442 Wiese (2017)
443 See also Kane (1973, p. 495) on this point.

contract as a buyer", where the buying process may still meet obstacles. Similarly, *vi-krī* may also mean "to enter into a contract as a seller".

The sensible regulation for perishable goods reads:[444]

⟨138⟩ *ātipātikānāṃ paṇyānām 'anyatrāvikreyam' ity avarodhe*[445] *nānuśayo deyaḥ* |[446]

Cancellation is not to be granted [by sellers] for perishable merchandise if there is the hindrance that they could not be sold elsewhere/otherwise.[447]

Note the contrast between

- KAŚ 3.14.2 with *anuśayaṃ labhate* ("he obtains rescission") and
- KAŚ 3.15.7 with *anuśayaṃ dadāti* meaning "he grants rescission"

Closely related to these regulations on rescission are (i) those that focus on the duties of transactors to inform about defects (of a bride or a groom, of slaves or animals) and (ii) those on trial[448] periods.

(3) Rescission for immovable property

Consider now rescission for immovable property. It seems that immovable property was often auctioned off (see subsection V.H(3), pp. 62). Immediately following the corresponding rules, Kauṭilya continues:

⟨139⟩ *vikrayapratikroṣṭā śulkaṃ dadyāt* (6) *asvāmipratikrośe caturviṃśatipaṇo daṇḍaḥ* (7) *saptarātrād ūrdhvam anabhisarataḥ pratikruṣṭo vikrīṇīta* (8) *pratikruṣṭātikrame vastuni*[449] *dviśato daṇḍaḥ, anyatra caturviṃśatipaṇo daṇḍaḥ* (9) |[450]

The [successful] bidder at the sale should pay the duty. (6) For bidding by one who [after successful bidding] does not become the owner [i.e., cancels the deal], the fine is 24 Paṇas. (7) The auctioneer [identical with the owner] may sell [the house = *veśman* in KAŚ 3.9.3] of [the successful bidder] who does not turn up after seven nights. (8) If he sells in case of a transgression [perpetrated] by the auctioneer, involving immovable property, the fine is 200 Paṇas, otherwise [if no transgression is involved] 24 Paṇas. (9) [451]

According to this translation,[452] [only] the successful bidder pays the duty (KAŚ 3.9.6). This bidder is obliged to honor his part of the deal and become an owner by paying for the immobile property (7). If, however, the buyer does not turn up within a few days

444 KAŚ 3.15.7 might well have been added later on, as part of the "Śāstric Redaction".
445 Wiese (2017) discusses the less-preferred readings, in particular as an instrumental *avarodhena*.
446 KAŚ 3.15.7
447 Wiese (2017)
448 The topic of experience goods has been introduced into the economic literature by Nelson (1970).
449 In the presence of two variants, I opt for *vastu* rather than *vāstu*, unlike Kangle (1969a, p. 109).
450 KAŚ 3.9.6–9
451 Wiese (2017), with minute changes after Olivelle (2013)
452 Both Kangle (1969b) and Olivelle (2013) understand *asvāmin* (KAŚ 3.9.7) in the usual manner as "one who is not an owner".

(he may need time to collect the money needed), the auctioneer is free to look for an alternative buyer (8). However, the auctioneer should also honor his part of the deal. He is punished if he sells prematurely to an alternative buyer (9), even if the latter pays more.

(4) Contracts with "bad" people

Generally, contracts are to be kept (section III.G). Contracts with "bad" people, however, do not enjoy the protection of the legal order, as these contracts "defile the rite":

⟨140⟩ *anāhitāgniḥ śatagur ayajvā ca sahasraguḥ |*
surāpo vṛṣalībhartā brahmahā gurutalpagaḥ ||
asatpratigrahe yuktaḥ stenaḥ kutsitayājakaḥ |
adoṣas tyaktum anyonyaṃ karmasaṃkaraniścayāt ||[453]

An owner of 100 cows who has not established the three sacred fires, an owner of 1,000 cows who has not offered a sacrifice, one who drinks liquor, a husband of a Śūdra woman, a murderer of a Brāhmaṇa, a man who has sex with his elder's wife, one addicted to receiving gifts from evil persons, a thief, and someone who officiates at the sacrifices of degraded persons—in such cases it is not a fault to abandon each other, because of the certainty of defiling the rite.[454]

(5) Rescission of gifts (*dattāpradānikam*)

As well as with economic transactions, the problem of rescission may also arise for gifts. In general, gifts promised are to be delivered:

⟨141⟩ *yac ca vācā pratiśrutya karmaṇā nopapāditam |*
tad dhanam ṛṇasaṃyuktam iha loke paratra ca ||
[…]
pratiśrutāpradānena dattasya haraṇena ca |
janmaprabhṛti yat puṇyaṃ tat puṇyaṃ vipraṇaśyati ||[455]

Wealth that has been promised in words, but not delivered in action entails debt in both this world and the next. […] By not giving what has been promised or snatching away what has been given, whatever merit a person has accumulated since birth perishes.[456]

However, some gifts are *adeya* ("not to be given"), while others are *adatta* ("illegitimate"). See the discussion in section F. Hence, a tension may arise between promise-

453 KAŚ 3.14.37–38
454 Olivelle (2013)
455 LDK 1.49, 51
456 Brick (2015)

keeping on the one hand and *adeya/adatta* giving on the other. This conflict is sometimes resolved by violating the promise:

⟨142⟩ *pratiśrutyāpy adharmasaṃyuktāya na dadyāt* ||[457]

Even if one promises it, one should not give a gift to an unrighteous person.[458]

D Partition of inheritance (*dāyavibhāga*)

Generally speaking, sons are the primary heirs of a man's possessions upon death. If sons are not present, male relatives would inherit instead, this being the case in both the Dharmasūtras (excepting the Gautama Dharmasūtra, see GDh 28.21–22) and the Mānava Dharmaśāstra (MDh 9.185–188). As Brick (2023, chapter 2) expounds very carefully, Yājñavalkya 2.139–140 is one of the first to attribute far-reaching inheritance rights to the wife of a man who has died sonless. Among the many rules for the partition of inheritance, let the following four verses by Yājñavalkya suffice:

⟨143⟩ *vibhāgaṃ cet pitā kuryād icchayā vibhajet sutān* |
jyeṣṭhaṃ vā śreṣṭhabhāgena sarve vā syuḥ samāṃśinaḥ ||
[…]
catustridvyekabhāgīnā[459] *varṇaśo brāhmaṇātmajāḥ* |
kṣatrajās tridvyekabhāgā vaiśyajau dvyekabhāginau ||
[…]
patnī duhitaraś caiva pitarau bhrātaras tathā |
tatsutā gotrajo bandhuḥ śiṣyaḥ sabrahmacāriṇaḥ ||
eṣām abhāve pūrvasya dhanabhāg uttarottaraḥ |
svaryātasya hy aputrasya sarvavarṇeṣv ayaṃ vidhiḥ ||[460]

If the father carries out the partition, he may partition shares among his sons as he pleases. He may either present to the eldest son the preeminent share or make all his sons have equal shares.
[…]
Shares of sons born to a Brahman are four, three, two, and one, according to their class; to a Kshatriya, three, two, or one; and to a Vaishya, two or one.
[…]
Wife, daughters, parents, brothers, their sons, a person of the same lineage, maternal relative, pupil, and fellow student—among these, in the absence of each listed earlier, each listed later inherits the estate of someone who has died sonless. This is the rule for all social classes.[461]

457 LDK 1.55
458 Brick (2015)
459 difficult
460 YSm 2.118, 2.129, 2.139–140
461 Olivelle (2019b)

Apparently, a degree of tension exists between YSm 2.118 (“as he pleases”, “to the eldest son”) and YSm 2.129 (“according to their class”). The mathematics of the inheritance shares is addressed in subsection XX.A(2).

In contrast to the above quotation, a boy’s (surely limited) right to his father’s assets was discussed in some juridical quarters. In the beginning of the *dāyavibhāgaprakaraṇam*, the Mitākṣarā commentary (YSmM) on the Yājñavalkya Smṛti (YSm) contains this discussion:

⟨144⟩ *idānīm idaṃ saṃdihyate: kiṃ vibhāgāt svatvam uta svasya sato vibhāga iti | tatra vibhāgāt svatvam iti tāvad yuktam, jātaputrasyādhānavidhānāt | yadi janmanaiva svatvaṃ syāt tadotpannasya putrasyāpi tat svaṃ sādhāraṇam iti dravyasādhyeṣv ādhānādiṣu pitur anadhikāraḥ syāt*[462]

> Next, it is doubted whether the right to property arises from partition or the division of a proprietary interest which already was existing? Of these (positions), that of property arising from partition is right; since a man to whom a son is born, is enjoined to maintain a holy fire: for, if property were vested by birth alone, the estate would be common to the son as soon as born, and the father would not be competent to maintain a sacrificial fire and perform other religious duties which are accomplished by the use of wealth.[463]

Thus, in order to avoid the unwanted conclusion of the father not being competent of performing his religious duties, ownership cannot come about by birth, but only by the partition upon the father’s death.[464]

E Debts (*ṛṇa*)

(1) Interest rates (*vṛddhi*)

Money lending is a social exchange that is deferred and specified (see Table 1, p. 13). It is one of the occupations sometimes prescribed for the *vaiśya* class (see section III.E). The law texts by Manu[465] and Yājñavalkya prescribe differing interest rates according to class. Consider the latter:

⟨145⟩ *aśītibhāgo vṛddhiḥ syān māsi māsi sabandhake |*
varṇakramāc chataṃ dvitricatuṣpañcakam anyathā ||
[…]

462 Before YSmM 2.114 = YSm 2.118

463 Gharpure (1939, p. 988)

464 See Fleming (2020, p. 37). Fleming’s (2020) monograph traces the development of major Old Indian schools of legal thinking on ownership and inheritance, up to Anglo-Hindu law. He contrasts two competing property and inheritance concepts. In the first, “family patriarchs exercised nearly unfettered control over ancestral assets”. According to the second concept, “families held assets in joint trusts” (p. 1).

465 MDh 8.140–142. Kauṭilya (KĀŚ 3.11.1) suggests similar interest rates, but does not propose interest rates that depend on social class.

kāntāragās tu daśakaṃ sāmudrā viṃśakaṃ śatam |
dadyur vā svakṛtāṃ vṛddhiṃ sarve sarvāsu jātiṣu ||[466]

One-eightieth part per month is the interest rate for a secured loan; otherwise, it is 2, 3, 4, and 5 percent, respectively, according to the direct order of social class. […] Persons traveling through forests, on the other hand, should pay 10 percent, and those traveling by sea, 20 percent. Alternatively, all persons of all castes should pay the rate of interest they themselves have set.[467]

Four comments are in order. (i) Since 1/80 equals 1.25 percent, the interest rates for unsecured loans are higher than for secured ones, for all classes. (ii) One reason for making the interest rates dependent on social class is expounded in section XIII.D. (iii) As in ⟨124⟩ and ⟨131⟩, economic terms (here: the interest rates) are set by agreement or by default. (iv) MDh 8.151–152 stipulates that the interest payments should not exceed twice the loan. Similar provisions depend on the material nature of the loan (grains, fruit, etc.), i.e., these rules prohibit usury.[468]

(2) Non-payment of debts (*ṛṇādāna*)

Among the 18 grounds for litigation enumerated by Manu, non-payment of debts (*ṛṇādāna*) is the first. See ⟨24⟩<a>, p. 33. This primary position of non-payment of debt is also present in the lawbooks of Yājñavalkya and Nārada.[469] Judging by the importance attributed to this topic, legal disputes on this matter seem to have occurred quite often. For example, see Manu on the court proceeding:

⟨146⟩ *adhamarṇārthasiddhyartham uttamarṇena coditaḥ |*
dāpayed dhanikasyārtham adhamarṇād vibhāvitam ||
[…]
apahnave 'dhamarṇasya dehīty uktasya saṃsadi |
abhiyoktā diśed deśaṃ karaṇaṃ vānyad uddiśet ||[470]

When a creditor petitions for the recovery of money from a debtor and the facts are established, the king should compel the debtor to return the money to the creditor. […] When the debtor, told in court to pay up, denies the charge, the plaintiff should produce a document or offer some other evidence.[471]

466 YSm 2.39, 2.41
467 Olivelle (2019b)
468 The provision is difficult, see Olivelle (2005, p. 313). It seems to hold only for a given loan contract, but not for a series of such contracts. This, in any case, is my understanding of *kusīdavṛddhir dvaiguṇyaṃ nātyeti sakṛd āhitā* ("Interest on a loan shall never exceed twice the principle when fixed at one time", Olivelle (2005)).
469 See the table in Olivelle (2005, p. 14).
470 MDh 8.47, 52
471 Olivelle (2005)

The topic of witnesses is covered in the context of non-payment of debt in several *mūla* texts. This is understandable given the importance of the topic of non-payment of debts and the importance of witnesses in such a context. However, quite naturally, the *nibandha*s arrange the topic of witnesses alongside other discussions of legal procedure.[472]

NSmV 1.2–21 contains detailed rules about whether the debt incurred by a dead person is to be cleared by sons, grandsons, etc.; whether a father or husband is responsible for the debt incurred by his son or wife; whether a wife has to pay a debt made by her husband or her sons, etc.

(3) Triple-debt

The monetary topic of debts apparently had philosophical relevance beyond the economic sphere. Davis, Jr. (2010, p. 71) observes: "Debt or obligation becomes in Hindu legal texts a paradigmatic metaphor for describing all human relationships. Human life in the view of the texts is positioned between two kinds of debt or obligation: debts given by birth, the so-called triple-debt, and debts voluntarily taken on." Thus, with a view to the *āśrama* system (section III.F), a man has to fulfil his obligations of studentship and marriage before he might consider becoming a renouncer (⟨23⟩). Significantly, the three obligations are expressed in language that involves debt. "Repayment" occurs by studying the Vedas (and thus discharging the debt towards the seers), fathering a son (discharging debt towards a man's forefathers), and offering sacrifices (discharging debt towards the gods). That is, we have an ethics of debt, rather than a "theology of debt"[473]. In the Śatapatha Brāhmaṇa, a fourth obligation is added, namely hospitality as a debt owed to men.[474]

Applying the model of commercial debts to the system of three or four congenital debts is surely ingenious. In particular, it allows a discussion of why there is a "time interval between the moment at which a man's debtor state begins—immediately—and the moment at which he is allowed to divest himself of it. It is not, of course, a matter of physical or intellectual maturity, but of ritual qualification."[475]

At the same time, the model is far from perfect. First, there is no interest accruing on congenital debt. Second, the obligation structure does not seem to match. After all, if person B borrows from another person A, then B does not discharge his obligation towards A by lending to a third person C.[476] This latter pattern is what congenital debts seem to be about: Person B repays his debts to his ancestors A by fathering a son C himself. However, from a premodern Indian point of view, the analogy may be

472 See Davis, Jr. (2010, p. 75).
473 See the title of the paper in Malamoud (1996, pp. 92–108).
474 See Malamoud (1996, pp. 97–98).
475 Malamoud (1996, p. 99)
476 See Graeber (2011, p. 68).

more or less intact. B repays to his set of ancestors A by fathering a son C who will again repay to his own set of ancestors, the union of A and B so to speak. Matters are even more straightforward for the debt owed to seers or to gods. Here, studying the Vedas or offering sacrifices has to be done again and again by each new generation. The Vedas and the gods remain unchanged in the process.

From the point of view of philosophy of the law, the ethics of the triple debt is striking in that it focuses on obligations and duties, rather than rights. One might consider these two perspectives as essentially equivalent. After all, if a person A has a right against person B, then B has an obligation towards A.[477] However, it seems that these two formulations are not merely a matter of framing. Davis, Jr. (2012, pp. 86–87) offers the following observation: Legal systems based on rights tend to focus on dispute and conflict (my right against your right). In contrast, from a duty perspective, an agent may be in doubt as to how to live up to his duties (dilemma between duty x and duty y). Such contrasting duties are the subject-matter of the Bhagavad Gītā.

F Void and voidable givings (*adatta* versus *adeya*)

(1) *Datta* versus *adatta*

Consider these examples by Nārada of gifts that are "legitimate" or "illegitimate", respectively:

〈147〉 *puṇyamūlyaṃ bhṛtis tuṣṭyā snehāt pratyupakārataḥ |*
strīśulkānugrahārthaṃ ca dattaṃ dānavido viduḥ ||[478]

Those who know about gifts say that the following are legitimate gifts: proceeds of commerce, wages, something given out of gratification or out of affection or gratitude, bride price, and a gift given for a favor.[479]

〈148〉 *adattaṃ tu bhayakrodhaśokavegarujānvitaiḥ |*
tathotkocaparīhāsavyatyāsacchalayogataḥ[480] ||
bālamūḍhāsvatantrārtamattonmattāpavarjitam |
kartā mamāyaṃ karmeti pratilābhecchayā ca yat ||
apātre pātram ity ukte kārye cādharmasaṃhite |
yad dattaṃ syād avijñānād adattaṃ tad api smṛtam ||[481]

An illegitimate gift is one which is given by someone out of fear, anger, sorrow, impulse, or infatuation, as a bribe, as a joke, through a switch or deceit; one

477 Within the field of analytical jurisprudence, correlatives and opposites—such as claim, duty, privilege, power, immunity, etc.—are analysed. Twining (2009, pp. 49–54) presents a clear exposition.
478 NSmV 4.7
479 Lariviere (2003)
480 With typo *tathoktoca* corrected
481 NSmV 4.8–10

> which is given by a child or an idiot, one who is not independent, one who is distressed, one who is intoxicated or insane, or who wishes to get something in return thinking, "He will do such and such for me." So, too, is a gift illegitimate when it is given out of ignorance thinking that an unworthy recipient is worthy, or that it will be used for a worthy purpose and it turns out not to be the case.[482]

The commentator Bhavasvāmin explains the first example, the gift out of fear, in these words:

〈149〉 *duṣṭena sādhur aṭavyāṃ prāpto 'bhihitaḥ | drammāṇāṃ śataṃ dadāsi tato jīvasy anyathā mriyase | so 'pi bhayād dadāti | dāsyāmīty evaṃ bhayapratiśrutam adattam iti vijñeyam* |[483]

> A wicked man gets hold of an honourable man in a forest and says to him: "You give me 100 *dramma*s. Then you will live, otherwise you will die." And this one [the honourable man] gives out of fear. [This transaction] is understood as an illegitimate gift, assented because of fear with the words "I will give to you".[484]

Such robbery at gunpoint is an example of extortion that we will turn to in the subsection after next.

(2) *Deya* versus *datta*

Now we turn to the question of what the difference between *(a)deya* and *(a)datta* might be. NSmV 4.2 leaves no doubt that the four terms *deya*, *adeya*, *datta*, and *adatta* are *vyavahāra* terms. The question of how to distinguish *deya* (and *adeya*) from *datta* (and *adatta*) has perplexed scholars for some time. See Table 4. Apparently, Kane (1973, p. 472) understands the terms quite differently from Lariviere (2003, p. 341).

Table 4: How to understand adeya and adatta

	Kane	Lariviere
adeya	• forbidden • null and void	• gift took place • voidable
adatta	• voidable • may be set aside by the court on the application of the donor himself • HW: (ultimately) not given	• null and void • no gift ever took place • HW: not given (in the first place)

482 Lariviere (2003)
483 BNMS 167.1–2
484 Lariviere (2003)

The difference may not be vital, as "under normal circumstances, neither *datta* nor *deya* gifts are voidable once the gift has been accepted".[485] If the current author were forced to take sides, he would support Lariviere's usage against Kane's. *Adeya* would then mean "ungivable" or "without permission to give", or, in Lariviere's words, voidable. In contrast, *adatta* means "not given in the first place", i.e., "no gift ever took place". A comparison of (voidable) gifts in ⟨92⟩ and ⟨93⟩ with (void) gifts in ⟨148⟩ suggests the following difference: With respect to voidable gifts, third parties (deposit givers, family members, …) are negatively affected. The gift took place, but the donor himself or the negatively affected parties could nullify the gift in court. Void gifts occur when the givers are considered unfit (for reasons of intoxication, age, etc.).

To the current author, this still does not go all the way towards understanding the practical differences. Note that *vyavahāra* "prohibitions […] were devised in an atmosphere which assumed the King's ability to 'put things right' ", as Derrett (1976b, p. 214) points out. Thus, *adeya* (voidable) and *adatta* (void) refer to gifts that do not benefit from the support of the king or his court. One may speculate that voidable gifts are those where the third party (or perhaps the donor himself) could turn to the court to undo the gift. In contrast, void gifts may be rectified by the king on his own initiative. The king-initiative aspect is also present in *aparādha* and *chala* as "crimes with regard to which the king himself can initiate a lawsuit".[486]

Nārada suggests that both the receivers of *adatta* gifts and the givers of *adeya* ones be punished:

⟨150⟩ *gṛhṇāt yad adattaṃ yo lobhād yaś cādeyaṃ prayacchati |*
adattādāyako daṇḍyas tathādeyasya dāyakaḥ ||[487]

One who, out of greed, accepts an illegitimate gift, and one who offers something that should not be given, should be punished as the recipient of an illegitimate gift and as the giver of what should not be given.[488]

(3) Bribery or extortion (*utkoca*)

I now focus on the specific *adatta* instance of *utkoca* (⟨148⟩). This term can be translated as either bribery or extortion. *Utkoca* in the sense of bribery is obviously the concern of the following passage from the Kātyāyana Smṛti:

⟨151⟩ *niyukto yas tu kāryeṣu sa ced utkocam āpnuyāt |*
sa dāpyas tad dhanaṃ kṛtsnaṃ damas caikādaśādhikam ||[489]

485 See Lariviere (2003, p. 341).
486 See LaS and compare Wiese & Das (2019, pp. 54–55).
487 NSmV 4.11
488 Lariviere (2003)
489 KātSm 652

> If a man who is appointed to (do) certain duties (by the king) obtains a bribe, he should be made to return the whole of the money (given as bribe) and to pay a fine eleven times as much (to the king).[490]

Here, the briber gives money to an official for a task which the official is obliged to carry out even without any monetary compensation from the briber. A second type of bribe occurs when the official bestows an unwarranted favour on the briber.[491]

Extortion could be subsumed under the heading of a Gift Based On Fear (*bhayadāna*, ⟨94⟩, ⟨149⟩). Without making this connection, Kātyāyana stipulates:

⟨152⟩ *stenasāhasikodvṛttapārajāyikaśaṃsanāt |*
darśanād vṛttanaṣṭasya tathāsatyapravartanāt ||
prāptam etais tu yat kiṃcit tad utkocākhyam ucyate |
na dātā tatra daṇḍyaḥ syān madhyasthaś caiva doṣabhāk ||[492]

> That is said to be *utkoca* which is obtained by these, viz. by giving information about a thief, about a felon, about one who breaks the rules of decent conduct, about an adulterer, by pointing out those who are of bad character [the preceding examples refer to *utkoca* in the sense of bribery, HW] or by spreading false reports about a person [here *utkoca* is perhaps meant in the sense of extortion, HW]. In these cases, the person offering the bribe or extortion is not to be fined, but the intermediary deserves blame.[493]

Compare this with ⟨150⟩, where both receiver and giver might be punishable. For the difficult distinction between bribery and extortion, see subsection XII.A(5). A long explanation of what is involved in the above Kātyāyana quote is given in Devaṇabhaṭṭa's Smṛticandrikā:

⟨153⟩ (1) *yadi mahyaṃ na prayacchasi tadā tvatkṛtaṃ kathayāmīti bhītim utpādya stenādisakāśād yat kiñcid dhanam ādatte*
(2) *tathā yadi mahyaṃ na prayacchasi tadā tvāṃ vārakasya darśayāmīti bhītim utpādya palāyitasakāśād yat kiñcid ādatte*
(3) *tathā yadi mahyaṃ prayacchasi tadā satyaṃ kṛtam iti svāminaḥ purastād asatyatayā vacmīty anukūlam uktvā dāsādisakāśād yat kiñcid ādatte*
tat sarvam utkocākhyam
tad rājñā dātre dāpyaṃ, utkocāpadakagrāhakau ca daṇḍanīyau||[494]

> Any wealth or money that he [the briber] hands over [to the person requesting a bribe] is called a bribe (*utkocā*)[495] in these [three] cases:

490 Kane (1933)
491 KAŚ 4.4.6–7 seems to deal with bribery (*upadā* in KAŚ 4.4.7) of the second type. ViDh 5.181 and MDh 9.258–259 may refer to bribery, extortion, or even both forms of taking. In some texts, it is not exactly clear whether *utkoca* is meant in the sense of bribery or extortion. YSm 1.335 probably deals with bribery, on the strength of the preceding YSm 1.334.
492 KātSm 650–651
493 After Kane (1933), who exclusively uses the word "bribery"
494 DSmCV 452.12–19 with numbers added by HW
495 *utkocā* (!) is evident from DSmCV 452.7

> (1) "if you do not give me money, I shall declare what you have done," thus instilling fear in a thief and the like,
> (2) "if you do not give me money, I shall point you out to the official responsible for crime prevention," thus instilling fear in a fugitive,
> (3) "if you give me money, I will lie to [your] master with the words 'it was truly performed' [as falsely claimed by the slave]," thus favouring a slave or the like.
>
> The king should cause to give [i.e., return] that money to the giver. And he should punish the person who brings about the extortion or who takes the extortion money.

To my mind, all three examples in the commentary refer to requests for bribes from people who presumably have done ill before: from a thief, a fugitive, or a duty-neglecting slave, respectively. The prospective receiver's duty would be to tell officials or masters about these three sorts of ill-doers. However, he hopes to get money from the ill-doers by refraining from passing on this information. In the examples (1) and (2), the bribe is expressed in the form: "if you do not give me money, I shall do my duty and point you out". In contrast, the bribe in (3) is expressed as "if you give me money, I will lie about your transgression". Substantially, there is no difference between (1) and (2) on the one hand and (3) on the other hand.

Definitionally, there are two kinds of problem. First, since the prospective receiver tries to initiate the "deal", one may alternatively argue that we are dealing with extortion, rather than bribery. Second, one might lean more strongly in the direction of "bribery" if the person proposing the three offers does not have a clear legal or moral duty to point out the wrongdoer.

It seems unclear to me whether Devaṇabhaṭṭa had a correct understanding of what Kātyāyana had in mind with respect to (3). That is, "spreading false reports about a person" might refer to lying to the master in favour of a slave who did not do his duty. This is Devaṇabhaṭṭa's understanding and would be an example of *utkoca* in the sense of bribery. Alternatively, "spreading false reports about a person" could be referring to the opposite lie. Then, it would be referring to the following extortion: "only if you give me money, will I not lie to [your] master with the words 'it was not truly performed' ", although the slave actually did perform his duty.

VIII Buddhist perspectives

While this book stresses the Brahmanical theories of the gift more than the Buddhist ones, the following quotations are meant to allow the reader comparative perspectives.[496] I could have included Jain perspectives as Heim (2004) did, but decided against it.

A Orientation

Structuring Buddhist theories of the gift seems even more difficult than structuring Brahmanical *dānadharma*. I mostly rely on the Upāsakajanālaṅkāra, the "Ornament of Lay Followers"[497], whose first chapters are listed here:

I. "Explanation of the Morality of the Refuges" (*saraṇasīlaniddeso*)
II. "Explanation of Morality" (*sīlaniddeso*)
III. "Explanation of the Austere Practices" (*dhutaṅganiddeso*)
IV. "Explanation of Livelihood" (*ājīvaniddeso*)
V. "Explanation of the Ten Bases of Pure Actions" (*dasapuññakiriyavatthuniddeso*)

With respect to the first item in the above list, going to the Buddha for refuge (*saraṇāgamana*) is of central importance in Buddhist texts (see next section). Note, however, that oftentimes, three types of refuge are mentioned: refuge to the Buddha, refuge to the Doctrine, and refuge to the Order.[498] Under the heading of "morality" (*sīla*, see II), the so-called "precepts" (*sīla* or *sikkhāpada*[499]) are discussed. They refer to lists of five, eight, or ten moral prohibitions, such as not killing or not stealing.[500] They are thus negatively framed.

Omitting the third chapter, the fourth chapter, on "explanation of livelihood", contains advice, both moral and thisworldly, to householders. We will quote from that

496 Readers interested in a much closer philological analysis of early Vedic and Pali sources should turn to Candotti et al. (2020, 2021).
497 Agostini (2015). The list of chapters below is taken from that book.
498 See, for example, ĀUJA 1.11.
499 See ĀUJA 2.12.
500 See Agostini (2015, pp. 65–170).

fourth chapter extensively. Turning to the topic of the fifth chapter, the following list is of particular relevance:

〈154〉 The "ten bases of pure action" (*dasapuññakiriyavatthūni*) or the "ten [acts of] righteousness" (*dasadhammāni*)[501] that are to be fulfilled "every day" (*dine dine*)[502] are

1. *dāna* ("giving")[503],
2. *sīla* ("morality"),
3. *bhāvanā* ("mental cultivation"),
4. *apacāyana* ("reverence"),
5. *veyyāvacca* ("service"),
6. *pattidāna* ("giving of good fortune"),
7. *anumodana* ("rejoicing [in others' good fortune]"),
8. *dhammasavaṇa* ("listening to the Doctrine"),
9. *dhammadesanā* ("teaching the Doctrine"), and
10. *diṭṭhijjukamma* ("straightening one's view").

Dāna is addressed as the first basis of pure action, but is also present in later items (see section E below). The second item regards the precepts just mentioned:

〈155〉 *niccasīlādivasena pañca aṭṭha dasa vā sīlāni samādiyantassa paripūrentassa.*[504]

Morality is the intention that occurs when one undertakes [and] fulfils the five, eight, or ten precepts as one's permanent morality or as other types.[505]

B Going for refuge and gifting

Going for refuge is closely related to gifting. Indeed, refuge may be taken in the context of identifying the donor with the given object, as is apparent from the following citation:

〈156〉 *bhagavato attānaṃ pariccajāmi, dhammassa saṅghassa attānaṃ pariccajāmi, pariccatto yeva me attā, pariccattaṃ yeva me jīvitaṃ, jīvitapariyantikaṃ buddhaṃ saraṇaṃ gacchāmi, buddho me saraṇaṃ tāṇaṃ lenaṃ parāyanan.*[506]

I donate myself to the Blessed One, I donate myself to the Doctrine (*dhamma*) and to the Order. I have donated myself, I have donated my life. Until the end of my life, I go to the Buddha for refuge. The Buddha is my refuge, my protection, my shelter, my ultimate support.[507]

501 ĀUJA 5.1, Agostini (2015)
502 ĀUJA 2.1, Agostini (2015)
503 ĀUJA 5.1–2, Agostini (2015), for the whole list
504 ĀUJA 5.8
505 Agostini (2015)
506 ĀUJA 1.120.1
507 Agostini (2015)

One manner of going to the Buddha for refuge is called prostration (*paṇipāta*):

⟨157⟩ *tattha ñātibhayācariyadakkhiṇeyyavasena catubbidhesupaṇipātesu dakkhiṇeyyapaṇipāten' eva saraṇāgamanaṃ hoti, na itarehi.*[508]

Prostrations are of four types: for a relative, out of fear, for a master, and for a worthy recipient of gifts. The act of going for refuge takes place only by the prostration for a worthy recipient of gifts, not by the others.[509]

This list is somewhat similar to the bases (motivations) of giving in the Brahmanical theory of the gift (section VI.D). In particular, one can identify *bhayadāna* and *dharmadāna*.

C Stories

(1) The jātaka of the hare

In the Buddhist jātaka (birth-story) of the hare, the extremely beautiful, strong, energetic, ascetic, kind, etc. hare[510] stresses the value of giving:

⟨158⟩ Strive to increase your merit
through giving, the ornament of virtue.
For merit is the best support for creatures
who wander the perils of rebirth.[511]

However, the potential giver's wish to give may conflict with the potential receiver's desire not to accept. Indeed, this is what happens when the hare offers his own body to a travelling Brahmin:

⟨159⟩ A hare raised in the forest
has no beans, sesame seeds, or grains of rice.
But here is my body to cook on a fire.
Enjoy it today and reside in this ascetic forest.
At the joyous occasion of a beggar's arrival,
one gives a possession to cater to their needs.
I have no possessions other than my body.
Please accept it. It is everything I own.[512]

After the Brahmin utters some protest, the hare insists:

⟨160⟩ Giving is a duty and my heart wishes to give.
And it is apt when I have a guest such as you.

508 ĀUJA 1.129
509 Agostini (2015)
510 BB 6.1–2
511 BB 6.8, Meiland (2009a)
512 BB 6.29–30, Meiland (2009a, pp. 124–125)

An opportunity like this cannot easily be gained.
I rely on you to ensure my gift is not in vain.[513]

Apparently, the hare sees himself in an egoistic conflict. This concept is formalised in the etic part of this book (see section XIX.K). The hare jumps into the fire. Luckily, the travelling Brahmin was Śakra, the lord of the gods (i.e., Indra), in disguise[514], who rescues the hare from the fire and praises the hare:

⟨161⟩ Look you gods who dwell in heaven! And rejoice in the astonishing feat of this Great Being!
See how, in his love of guests,
this creature gave up his body without attachment,
while those of unsturdy nature cannot discard
even a used garland without quivering!
His noble generosity and sharp mind
seem so contradictory to his animal birth!
His deed is a clear rebuke to both gods and men
who have weak regard for merit.[515]

"To proclaim the Great Being's exceptional deed [...] Shakra then adorned an image of the hare [...] on the disc of the moon."[516]

(2) The birth-story of the elephant

In the birth-story from the previous subsection, the hare begs the traveller to ensure that his "gift is not in vain". A similar idea crops up in the birth-story of the elephant. After the former Buddha has killed himself to offer his flesh to destitute travellers, some of these have this noble idea:

⟨162⟩ Who could possibly eat the flesh of this virtuous being, who was so determined to help us that he sacrificed his very life for our benefit, showing us greater affection than a loving relative or friend? We should instead repay our debt to him by honoring him with a cremation and due rites of worship.[517]

These travellers recognize the elephant's noble offer, but decline to eat the flesh. Other travellers, obviously in consent with the narrator, argue against this rejection of the elephant's sacrifice:

⟨163⟩ For it was to save us that
this unknown kinsman

513 BB 6.22, Meiland (2009a, pp. 120–121)
514 BB 6.22, Meiland (2009a, pp. 120–121)
515 BB 6.34–35, Meiland (2009a, pp. 128–129)
516 BB 6.37, Meiland (2009a, pp. 128–129). One word for the moon in Sanskrit is *śaśin*, "the one with the hare", where "hare" in Sanskrit is *śaśa*.
517 BB 30.41, Meiland (2009b, pp. 320–321)

sacrificed his body,
his guests dearer to him still.
We should then fulfill his wishes,
or his efforts will be in vain.
Such was the affection he gave
all he had as his guest-offering.
Who would invalidate this act
of honor by not accepting it?[518]

(3) The story of king Kappina and his queen

Ānanda quotes the story of king Kappina, who became a follower of the Buddha.[519] Upon learning of her husband's and his ministers' having joined the Buddha, his queen is also intent on honouring the three jewels, i.e., the Buddha, the doctrine, and the order. She tells the ministers' wives:

⟨164⟩ *ammā, so tāva rājā hutvā magge ṭhitako va tīhi satasahassehi tīṇi ratanāni pūjetvā kheḷapiṇḍaṃ viya sampattiṃ pahāya 'pabbajissāmī' ti nikkhanto. Mayā pana tinnaṃ ratanānaṃ sāsanaṃ sutvā tīṇi ratanāni navasatasahassehi pūjitāni. Na kho pan'esā sampatti nāma rañño eva dukkhā mayham pi dukkhā yeva. Ko rañño chaḍḍitaṃ kheḷapiṇḍaṃ jannukehi patiṭṭhahitvā mukhena gaṇhissati? Na mayhaṃ sampattiyā attho, aham pi satthāraṃ uddissa gantvā pabbajissāmī*[520]

Dear ladies, just now he was the king, but he stood on the road, honoured the three jewels with three hundred thousand [coins], abandoned his fortune like a mass of saliva, and departed to receive ordination. As for me, upon hearing the news about the three jewels, I honoured the three jewels with an additional nine hundred thousand [coins]. Indeed, this [material wealth] is not what we call 'fortune': painful to the king, it is painful to me as well. Who will get down on his knees to take into his mouth a mass of saliva discarded by the king? To me, there is no use for his fortune: I too shall go to the Teacher and receive ordination.[521]

D A simile for the giving triad

In order to explain the relationship between the three fields of merit, Ānanda uses a long list of similes, among them the following:

518 BB 30.41–43, Meiland (2009b, pp. 320–323)
519 ĀUJA 1.186–208
520 ĀUJA 1.203
521 Agostini (2015)

⟨165⟩ *sunāviko viya buddho, nāvā viya dhammo, tāya pārappatto viya satthikajano saṅgho.* […] *dhanado viya buddho, dhanam iva dhammo, yathādhippāyaladdhadhano jano viya sammāladdha-ariyadhano saṅgho.*[522]

The Buddha is like a good ferryman. The Doctrine is like a boat. The Order is like caravan people who have reached the other shore on it. […] The Buddha is like a donor of wealth. The Doctrine is like wealth. The Order, which has received the noble wealth, is like people who have received wealth in accordance with their desires.[523]

E Giving in the context of the bases of pure actions

(1) *Dāna* as the first base of pure action

Turning to the "ten bases of pure action" (see section A), the importance of *dāna* is clear from its position as first on that list. Ānanda cites from Saddhammopāyana:

⟨166⟩ *annādidānavatthūnaṃ | cāgo so buddhipubbako ||*
ye taṃ dānan ti dīpenti | buddhā dānaggadāyino ||[524]

A gift is a donation of food and other objects of giving, accompanied by good understanding. So explain the Buddhas, who give the foremost gift.[525]

Ānanda then comments:

⟨167⟩ *dānavatthupariyesanavasena dinnassa somanassacittena anussaraṇavasena ca pavattā pubbabhāgapacchābhāgacetanā pi etth' eva saṅgahaṃ samodhānaṃ gacchati.*[526]

Included and classified with this very [basis of pure actions] are also the prior and subsequent intentions, which occur by way of looking for an object of giving and by way of recollecting with a happy thought what has been given.[527]

In this manner, "three intentions in all" (*tisso pi cetanā*) are important: before, during, and after the act of giving.[528] Similarly,

⟨168⟩ *pubb' eva dānā sumano | dadaṃ cittaṃ pasādaye ||*
datvā attamano hoti | esā yaññassa sampadā ||[529]

522 ĀUJA 1.101, 103
523 Agostini (2015)
524 ĀUJA 5.3
525 Agostini (2015)
526 ĀUJA 5.3
527 Agostini (2015)
528 ĀUJA 5.5, Agostini (2015)
529 ĀUJA 5.27

> Happy before giving, one should clear one's mind while giving; after giving, one is delighted: this is the accomplishment of charity.[530]

Apparently, ⟨167⟩ und ⟨168⟩ share the spirit of the Brahmanical "joy of giving" (*śraddhā*, section VI.B).

Dāna's benefits are manyfold:

⟨169⟩ *ānisaṃsesu pana, dānasaṃvibhāgānisaṃso*[531] *evaṃ veditabbo: dānaṃ nām' etaṃ dasapāramitāsu paṭhamapāramī, catusu saṅgahavatthusu paṭhamasaṅgahavatthu, dānasīlabhāvanāsaṅkhātesu paṭhamo puññakiriyavatthu, sabbabodhisattānaṃ sañcaraṇamaggo, sabbabuddhānaṃ vaṃso.*[532]

> As for their benefits, the benefit of giving and sharing should be understood as follows: this giving is the first perfection among the ten perfections, the first basis of sympathy among the four bases of sympathy, the first basis of pure actions among those called giving, morality, and mental cultivation, the path taken by all Bodhisattas, the road frequented by all Buddhas.[533]

These benefits refer the listener to other lists, among them the "ten bases of pure action", i.e., ⟨154⟩.

Depending on the manner of gifting, the giver obtains large worldly benefits:

⟨170⟩ As a matter of definition, "a good man's gifts" (*sappurisadānāni*) are given

1. *saddhāya* ("with faith" [compare to the cognate *śraddhā*, HW]),
2. *sakkaccaṃ* ("with respect"),
3. *kālena* ("in time"),
4. *anaggahitacitto* ("with an unconstrained heart"), and
5. *attānañ ca parañ ca anupahacca* ("without harming himself or anybody else").

> The good man can expect to be "rich, having much wealth and much property". And, more specifically, depending on the five manners listed above:
>
> 1) "[H]e is handsome, good-looking, fair, and possessed of the utmost beauty of complexion."
> 2) "His children, wife, slaves, servants, or employees obey him, lend ear onto him, and direct their thoughts to his orders."
> 3) "[A]t death his goods are abundant."
> 4) "[H]e directs his mind to the enjoyment of the five great sensual qualities [that please the five senses]."
> 5) "[N]or does any harm come to him from anywhere, from fire or from water, from the king or from thieves or from unaffectionate heirs."[534]

530 Agostini (2015)
531 This is the reading by Agostini (2015, p. 241: fn. 2) instead of *dāne saṃvibhāgānisaṃso*.
532 ĀUJA 5.25
533 Agostini (2015)
534 ĀUJA 5.34–36, Agostini (2015)

Ānanda glosses "with an unconstrained heart" (*anaggahitacitto*) (see 4.) as "with a heart not enveloped by stinginess" (*macchariyena apariyonaddhacitto*).[535]

Long lists of the benefits of giving are then enumerated:

⟨171⟩ *dānaṃ tāṇaṃ manussānaṃ |dānaṃ bandhuparāyanaṃ ||*
dānaṃ dukkhādhipannānaṃ | sattānaṃ paramā gati ||
[…]
pītim udāraṃ vindati dātā | gāravam asmiṃ gacchati loke ||
khyātim anantaṃ yāti ca dātā | vissasanīyo hoti ca dātā ||[536]

Giving is the protection of men. Giving is the support of friends. Giving is the best way out for sentient beings fallen into suffering.
[…]
A giver finds sublime joy, is respected in this world. A giver goes to an endless renown, and a giver is trustworthy.[537]

A theoretical answer to why a giver is trustworthy is attempted in section XVIII.E.

As in the Brahmanical theory of the gift, the effects of giving depend on the receiver. Compare section VI.F. Lots of merit is produced by giving to a "single stream-enterer"[538] (*ekassa sotāpannassa*[539]), but even more through others:

⟨172⟩ […] *tato ekassa sakadāgāmino, tato ekassa anāgāmino, tato ekassa arahato, tato ekassa paccekabuddhassa, tato sammāsambuddhassa, tato buddha pamukhassa saṅghassa dinnadānaṃ mahapphalataraṃ*[540]

[…] Greater than this is the fruit of a gift done to a single once-returner, [and progressively greater is the fruit of a gift done] to a single non-returner, to a single worthy one, to a solitary Buddha, to a Perfectly Awakened Buddha, and to the Order headed by the Buddha.[541]

(2) Service as a *dāna*-like activity

Differing from the fourth basis, reverence, the fifth basis of pure action is called service:

⟨173⟩ *cīvarādisu paccāsārahitassa asaṅkiliṭṭhena ajjhāsayena samaṇabrāhmaṇavuddhānaṃ vattapaṭivattakaraṇavasena gilānūpaṭṭhānavasena ca pavattā cetanā* veyyāvaccaṃ *nāma. veyyāvaccāpacāyanānaṃ hi ayaṃ viseso: vayasā guṇena ca jeṭṭhānaṃ gilānānañ ca taṃ taṃ kiccakaraṇaṃ* veyyāvaccaṃ, *sāmīcikiriyā* apacāyanan *ti.*[542]

535 ĀUJA 5.37, Agostini (2015)
536 ĀUJA 5.49–50
537 Agostini (2015)
538 Agostini (2015). See ĀUJA 1.184, where such a person is described as a sort of novice.
539 ĀUJA 1.183
540 ĀUJA 1.183
541 Agostini (2015)
542 ĀUJA 5.11

> Service is the intention that occurs by way of performing all kinds of duties for ascetics, brahmins, and elderly people, and by way of helping the sick, without expecting robes or something in return, with an undefiled attitude. For this is the difference between service and reverence: service is any performance of duties for one's superiors, by age or virtue, and for the sick; reverence is an act of homage.[543]

Unsurprisingly, there are also benefits from providing service to others, including to friends in times of distress:

〈174〉 *āpadāsu sahāyānaṃ lābhā naṭṭhatthasiddhiyā |*
parivārasampadā ceti veyyāvaccaphalaṃ matā ||
[…]
yo gilānaṃ upaṭṭhāti so upaṭṭhāti maṃ iti |
mahākāruṇikenā pi so bhusaṃ parivaṇṇito ||[544]

> Finding friends in times of distress, the achievement of desired goals, and an excellent retinue are thought to be the fruit of service.
> […]
> Even the very compassionate [Buddha] praised him strongly: 'Whoever nurses a sick man, nurses me.'[545]

This last injunction is reminiscent of Jesus' teaching (Mt_E 25.40): "whenever you did this for one of the least important of these brothers of mine, you did it for me".

(3) *Pattidāna* as a *dāna*-like activity

Pattidāna (the sixth basis) seems to concern the passing-on of merit to third parties:[546]

〈175〉 *dānādikaṃ yaṃ kiñci sucaritaṃ kammaṃ katvā asukassa nāma patti hotu, sabbasattānaṃ vā hotū ti evaṃ attanā katassa parehi sādhāraṇabhāvaṃ paccāsiṃsanavasena pavattā cetanā pattidānaṃ nāma. kim pan' evaṃ pattiṃ dadato puññakkhayo hotī ti? na hoti. yathā ekadīpaṃ jāletvā tato dīpasahassaṃ jālentassa paṭhamadīpo khīṇo ti na vattabbo.* […] *evam eva pattiṃ dadato parihāni nāma na hoti, vaḍḍhi yeva pana hotī ti daṭṭhabbo.*[547]

> When a good action, a gift or anything else, is done, the giving of good fortune is the intention that occurs by way of wishing that others share what has been done by oneself thus: "May such-and-such or all sentient beings have my good fortune." But does one who gives one's good fortune incur an exhaustion of one's own merit? No, just as it should not be said that when one, having lighted

543 Agostini (2015)
544 ĀUJA 5.57
545 Agostini (2015)
546 Note, however, that ĀUJA 5.14 contradicts the interpretation suggested here.
547 ĀUJA 5.12

a lamp, lights a thousand lamps from it, the first lamp is exhausted. […] Just so, for one who gives one's good fortune, there is certainly no loss, but only increase [of merits].[548]

In the Upāsakajanālaṅkāra, we find this remark on the benefit of giving good fortune:

⟨176⟩ *attattham anapekkhitvā paratthaṃ dīyate yato |*
karuṇākataññutāyogā pattidānaṃ visesitaṃ ||[549]

The giving of good fortune is outstanding because it is given for another's benefit, without expecting one's own benefit, through compassion and gratitude.[550]

From the etic point of view, merit transfer is dealt with in section XIX.I.

(4) *Dhammadesanā* as a *dāna*-like activity

Dhammadesanā, the ninth basis of pure action, is also seen as a gift:

⟨177⟩ *āmisakiñcikkhanirapekkhacittassa attano paguṇaṃ dhammaṃ* […] *desentassa, tath' eva niravajjavijjāyatanādikaṃ upadisantassa ca pavattā cetanā dhammadesanā nāma.*[551]

Teaching the Doctrine (*dhamma*) is the intention that occurs when one, without expecting any material gain whatsoever in one's mind, teaches the Doctrine (*dhamma*) with which one is well-acquainted […] and when one teaches blameless subjects of [ordinary] learning.[552]

The benefits of teaching *dhamma* are transcendental, rather than thisworldly:

⟨178⟩ *sabbadānaṃ dhammadānaṃ jinātī ti jino 'bravī |*
desayī desakavaro desetā dullabho ti ca ||
attho padīyamāno hi tato khippaṃ vigacchati |
dhammo padīyamāno hi ubhayatthābhivaḍḍhati ||
[…]
sabhāvaññāṇaṃ dhammānaṃ saṃsārādīnavaññutā |
saccānaṃ cābhisamayo sabbe te desanā bhavā ||[553]

"The gift of the Doctrine (*dhamma*) surpasses all other gifts," so said the Conqueror. And the best of teachers also taught, "A teaching is hard to find."
For when wealth is given out, it then disappears quickly. When the Doctrine (*dhamma*) is given out, it increases on both sides.
[…]

548 Agostini (2015)
549 ĀUJA 5.58
550 Agostini (2015)
551 ĀUJA 5.16
552 Agostini (2015)
553 ĀUJA 5.61

> Knowledge of the intrinsic nature of phenomena (*dhamma*), awareness of the dangers of the world of rebirth, and penetration of the truths: they all arise from teaching.[554]

The giver of *dhammadāna* does not expect any material gain. Inversely, however, the idea of the monks' reciprocating the reception of material gifts by teaching the Doctrine is well documented:

⟨179⟩ *gihīnam upakarontānaṃ niccam āmisadānato |*
karotha dhammadānena tesaṃ paccūpakārakaṃ ||[555]

> To those householders who are supporters from their constant giving of material things, render a service in return by the giving of the Doctrine (*dhamma*).[556]

While *dhammadāna* here in ⟨179⟩ etymologically corresponds with *dharmadāna* in ⟨94⟩, these two terms are not to be confounded with one another. *Dhammadāna* is a genitive tatpuruṣa compound ("giving of the doctrine"), whereas *dharmadāna* is a karmadhāraya compound ("a dharmic giving").

F Less-idealised viewpoints on householders

The previous section stresses the importance of giving from the point of view of the Ten Bases of Pure Actions. These prescriptions are put into perspective by other parts of the Buddhist lay literature, in particular by the "explanation for livelihood" (see section A).

(1) The six-quarters theory

According to the Upāsakajanālaṅkāra, "six quarters must be protected" (*cha disā parivajjitabbā*)[557]:

⟨180⟩ *mātā pitā disā pubbā ācariyā dakkhiṇā disā |*
puttadārā disā pacchā mittāmaccā ca uttarā ||
dāsakammakarā heṭṭhā uddhaṃ samaṇabrāhmaṇā |
etā disā namasseyya alam attho kule gihī ||

> […]
>
> *ācariyā dakkhiṇeyyatāya* dakkhiṇā disā *ti*

554 Agostini (2015)
555 ĀUJA 1.57
556 Agostini (2015)
557 ĀUJA 4.6, Agostini (2015)

[…]

samaṇabrāhmaṇā guṇehi upariṭṭhitabhāvena uparimā disā *ti veditabbā ti*[558]

One's mother and father are the eastern quarter,
one's teachers are the southern quarter,
one's children and wife are the western quarter,
and one's friends and companions are the northern quarter.

Servants and employees are the nadir,
ascetics and brahmins are the zenith.
These quarters should be honoured by a houseman
who is truly beneficial to his clan.
[…]
One's teachers are the southern (*dakkhiṇ-*) quarter because they are worthy recipients of gifts (*dakkhiṇ-*).
[…]
Ascetics and brahmins should be understood as the zenith (*upari-*) because they rank higher (*upari-*) in their virtues.[559]

Thus, a good householder is not an extremist when it comes to giving. In the above quotation, gifting to teachers is explicitly mentioned. Similarly, when turning to "ascetics and brahmins", the Upāsakajanālaṅkāra provides this list:

〈181〉 *mettena kāyakammena, mettena vacīkammena, mettena manokammena, anāvaṭadvāratāya, āmisānuppadānenā*[560]

[He ministers to them] by affectionate bodily action, by affectionate verbal action, by affectionate mental action, by not closing the door on them, by providing for their material needs.[561]

Here, "material needs" is explained as "meal of rice gruel for those who observe the precepts".[562] However, gifting does not belong to the five ways in which a pupil should "minister to his teachers".[563]

(2) The four-parts theory

The Upāsakajanālaṅkāra advises the continual splitting of one's riches into four parts:

558 ĀUJA 4.67–68
559 Agostini (2015)
560 ĀUJA 4.77
561 Agostini (2015)
562 ĀUJA 4.100, Agostini (2015)
563 ĀUJA 4.71, Agostini (2015). Instead, one does so by "by attending upon them, and by respectfully acquiring the training".

⟨182⟩ *tasmā catukoṭṭhāsaṃ saṃvibhajetvā ekena koṭṭhāsena bhogā bhuñjitabbā. dvīhi koṭṭhāsehi kasivaṇijjādikammaṃ payojetabbaṃ. catuttho pana koṭṭhāso āpadatthāya nidahitvā ṭhapetabbo.*[564]

Therefore, one should divide one's riches into four parts and enjoy them using one part. With two parts one should promote one's job, agriculture, commerce, and so on. But the fourth part should be stored and kept aside for emergencies.[565]

This passage prompts the question of how donations are meant to be financed. The answers are far from clear-cut:

⟨183⟩ *tasmā yathā vibhavaṃ saddhānurūpaṃ catūhi ekena vā koṭṭhāsena puññakaraṇaṃ icchanto bhagavā tad atthāya visuṃ koṭṭhāsaṃ anuddharitvā catudhā bhogaṃ vibhajī ti veditabbaṃ.*
aṭṭhakathācariyā pana bhuñjitabbakoṭṭhāsato "bhikkhūnam pi kapaṇaddhikavaṇibbakādīnam pi dānaṃ dātabban"[566] *ti vadanti. taṃ ādikammikassa dānapaṭipattiyaṃ otaraṇatthāyā ti veditabbaṃ. otiṇṇo hi kamena so viya bhagavā attano maṃsalohitam pi dātum samattho bhaveyyā ti.*[567]

Therefore, the Blessed One, in his wish that pure actions [no matter if done] with one or four parts [of one's income], be proportionate to one's wealth and reflect one's faith, did not allocate a separate part for that purpose, but divided wealth into four parts. It should be understood thus.
And yet, according to the masters of the commentaries, it is out of the part allocated for food—they say—that "one must make gifts both to monks and to poor men, travellers, wayfarers, and the like". [But] one should understand this [view] as aimed at introducing a beginner to the practice of giving. For after being [thus] introduced, he would gradually become capable of giving even his own flesh and blood as the Blessed One did [in his past lives].[568]

The householder's wife is also engaged in the giving of food and other items:

⟨184⟩ […] *sāyaṇhe ca gehe bhuñjantānaṃ sabbesaṃ bhojanaṃ dāpetvā, ye aladdhabhojanā tesam pi bhojanaṃ sampādetvā* […]. *amaccharī hutvā dānasaṃvibhāgaratā hoti.* […] *yā pana akkodhanā hoti, sā abhirūpā hoti. yā dānaṃ deti, sā mahābhogā hoti.*[569]

[…] [A]nd in the evening she has food given to all who eat in the house and prepares food also for those who have no food. […] Being unstingy, she likes

564 ĀUJA 4.102
565 Agostini (2015)
566 Quotation marks added by the current author. Agostini (2015, p. 221: fn. 4) mentions that this quotation is from the Sumaṅgalavilāsinī.
567 ĀUJA 4.105–106
568 Agostini (2015)
569 ĀUJA 4.107–110

giving and sharing. […] [I]f she does not grow angry, she becomes beautiful [in another life]. If she makes gifts, she becomes wealthy.[570]

Perhaps unsurprisingly, giving should be focused on the Buddhist order:

⟨185⟩ *pañcahi bhikkhave, dhammehi samannāgato upāsako upāsakacaṇḍālo ca hoti, upāsakamalañ ca upāsakapatikiṭṭho ca. katamehi pañcahi? asaddho hoti,* […] *bahiddhā dakkhiṇeyyaṃ pariyesati, tattha ca pubbakāraṃ karotī* [*ti* …][571]

Monks, a lay follower endowed with five qualities is the outcast of lay followers, the dirt of lay followers, the vilest of lay followers. What five? He has no faith, […] he looks for a worthy recipient of gifts outside this [Buddhist Order] and there he first offers his services.[572]

If householders are approached by alms-seekers, they may not wish to give, and instead resort to a lie:

⟨186⟩ *api ca gahaṭṭhānaṃ attano santakaṃ adātukāmatāya natthī ti ādinayappavatto appasāvajjo*[573]

Moreover, householders do not wish to give their goods, and therefore [they falsely say,] "I do not have [anything to give]." When [false speech] occurs in this and similar ways, it is little blameworthy.[574]

G Taking what is not given

The Upāsakajanālaṅkāra defines the five factors that constitute "taking what is not given":

⟨187⟩ *idāni tad anantaraṃ niddiṭṭhassa adinnādānassa*
1. parapariggahitattaṃ
2. parapariggahitasaññitā
3. theyyacittaṃ
4. upakkamo
5. tena ca haraṇan
ti pañc' eva aṅgāni veditabbāni.[575]

Now, next is explained "taking what is not given". Its five factors should be known:
1. something is someone else's property;
2. one is aware that it is someone else's property;

570 Agostini (2015)
571 ĀUJA 4.116
572 Agostini (2015)
573 ĀUJA 2.123
574 Agostini (2015)
575 ĀUJA 1.100

3. the thought to steal;
4. the onset of the action;
5. as a result of that [onset], taking away [that property].[576]

Depending on the means of taking, one is concerned with theft, robbery, and the like. The above list is noteworthy for providing a very helpful checklist to judges who have to decide whether a taking comes under one of these headings.

H Grounds for evil actions

Ānanda lists four grounds for evil actions: partiality, enmity, fear, and delusion.[577] Applied to giving, one obtains:

⟨188⟩ *tathā kiñci bhājento*

1. *"ayaṃ me sandiṭṭho vā sambhatto vā" ti pemavasena atirekaṃ deti,*
2. *"ayaṃ me verī" ti dosavasena ūnakaṃ deti,*
3. *"ayaṃ imasmiṃ adīyamāne mayhaṃ anattham pi kareyyā" ti bhīto kassaci atirekaṃ deti,*
4. *momūhattā dinnādinnaṃ ajānanto kassaci ūnakaṃ kassaci adhikaṃ deti.*[578]

Thus, while distributing something,

1. one gives more out of love, [thinking:] "This is my acquaintance" or else "my companion";
2. one gives less out of enmity, [thinking:] "This is my enemy";
3. one gives more to someone, fearing that "If I did not give it to him, he could even harm me";
4. one gives less to someone and more to someone [else], without realising what is being given or is not being given out of delusion.[579]

The third item in the above list corresponds to *bhayadharma*, listed in ⟨94⟩.

576 Agostini (2015)
577 ĀUJA 4.9, in a slightly different order
578 ĀUJA 4.13, with numbers added by the current author
579 Agostini (2015), with numbers added by the current author

IX Seneca on *beneficium* and fellowship

Dharmic giving can be put into perspective by comparing it with deferred and unspecified social exchange (see Table 1, p. 13). An example of this can be found in the theory of fellowship advocated by the Roman philosopher Seneca and by Kāmandaki's *saṅgatasandhi* (subsection VI.H(4)). Seneca stresses the importance of thankfulness, apparently absent in *dānadharma*. Section XVIII.B (in the etic part of the book) presents a small probabilistic model of *beneficium*.

A Preliminary definition of *beneficium*

Lucius Annaeus Seneca (between 4 and 1 BCE – 65 CE)[580] was a Roman philosopher belonging to the Stoic school of philosophy. He is credited with several plays and philosophical treatises. For our purpose, "*de beneficiis*" (on benefits)[581] is of particular relevance. It can be fruitfully contrasted with Brahmanical *dāna* theory. Both theories have a moral impetus, advising agents on how to give and how to receive. In contrast to the Brahmanical *dāna* theory, Seneca stresses thankfulness and the receiver's wish to reciprocate. Since this way of thinking about gifts is closer to the typical modern mentality than the Brahmanical one is, Seneca provides a useful alternative against which to look at the Indian material. The similarities and differences between these two approaches to gifting are worth stressing.

Seneca provides the following definitions of *beneficium*:

⟨189⟩ *Quod est ergo beneficium? Beniuola actio tribuens gaudium capiensque tribuendo in id, quod facit prona et sponte sua parata. Itaque non, quid fiat aut quid detur, refert, sed qua mente, quia beneficium non in eo, quod fit aut datur, consistit, sed in ipso dantis aut facientis animo.*[582]

So what is a benefit? It is a well-intentioned action that confers joy and in so doing derives joy, inclined towards and willingly prepared for doing what

580 Asmis et al. (2011, p. vii)
581 See the monograph by Griffin (2013).
582 SB 1.6.1

it does. And so it matters not what is done or what is given, but with what attitude, since the benefit consists not in what is done or given, but rather in the intention of the giver or agent.[583]

⟨190⟩ *Sic beneficium est et actio, ut diximus, benefica et ipsum, quod datur per illam actionem, ut pecunia, ut domus, ut praetexta; unum utrique nomen est, uis quidem ac potestas longe alia.*[584]

In the same way, a benefit is two things: it is, as I have said, a benevolent action; and it is also the thing that is given through such an action, such as money, a house, a magistracy. They share a name but their meaning and significance are very, very different.[585]

B Giving with a friendly face

It was clear to both the *dharmadāna* authors and to Seneca that the manner of gifting is of vital importance. Indeed, both share the concern of giving with a friendly face. Seneca explains:

⟨191⟩ *Gratus aduersus eum esse quisquam potest, qui beneficium aut superbe abiecit aut iratus inpegit aut fatigatus, ut molestia careret, dedit?*[586]

Can anyone be grateful to a person who arrogantly tosses off the benefit, angrily throws it in his face, or gives it only out of weariness, to avoid further hassle?[587]

Similarly, *śraddhā* in the sense of "spirit of generosity" (section VI.B) is explained with words such as "excessive joy, a happy face". In constrast, *śraddhā* as "conviction about the certainty of rewards" has no obvious correlate in Seneca's thinking. See, however, the advantage of fellowship as highlighted in section F.

C Giving in line with one's means

According to both Seneca and the Indian *dharmaśāstra* authors, giving should be generous, but within reasonable limits. According to the Roman philosopher,

⟨192⟩ *Respiciendae sunt cuique facultates suae uiresque, ne aut plus praestemus, quam possumus, aut minus*[588]

583 Griffin & Inwood (2011)
584 SB 2.34.5
585 Griffin & Inwood (2011)
586 SB 1.1.7
587 Griffin & Inwood (2011)
588 SB 2.15.3

> We must each pay attention to our capacities and abilities to avoid giving either more or less than we are able to give.[589]

This idea is also present in the Brahmanical concept of *śakti* (section VI.C), where the interests of the donor's family are to be respected. Buddhist texts on giving are sometimes extreme (section VIII.C), at other times balanced (section VIII.F).

D The worthy recipient

Seneca argues that the recipient should be selected carefully:

⟨193⟩ *Nec mirum est inter plurima maximaque uitia nullum esse frequentius quam ingrati animi. [...] Prima illa est, quod non eligimus dignos, quibus tribuamus. Sed nomina facturi diligenter in patrimonium et uitam debitoris inquirimus, semina in solum effetum et sterile non spargimus: beneficia sine ullo dilectu magis proicimus quam damus.*[590]

> And it is no surprise that among the large number of extremely grave vices, none is more common than those stemming from an ungrateful mind. The first is that we do not select worthy recipients for our gifts. By contrast, when we are going to lend money we make a thorough inquiry into the inherited assets and lifestyle of our debtor; we do not sow seed onto ground that is exhausted and infertile. But our benefits we cast off without any discrimination, rather than actually giving them.[591]

The reason for carefully selecting a receiver is that the donor expects thankfulness:

⟨194⟩ *Cum accipiendum iudicauerimus, hilares accipiamus profitentes gaudium, et id danti manifestum sit, ut fructum praesentem capiat [...] Qui grate beneficium accipit, primam eius pensionem soluit.*[592]

> Once we have decided to accept, we should do so with a cheerful acknowledgement of our pleasure. This should be made apparent to the giver so that he gets an immediate satisfaction; [...] Receiving a benefit with gratitude is the first installment of repayment.[593]

In Indian *dharmadāna* texts, the worthy recipient is called a *pātra*. This concept is very prominent (see ⟨94⟩ and ⟨214⟩). However, a giver of a dharmic gift does not expect gratitude.

589 Griffin & Inwood (2011)
590 SB 1.1.2
591 Griffin & Inwood (2011)
592 SB 2.22.1
593 Griffin & Inwood (2011)

E *Beneficium* without the expectation of reciprocity

For Seneca, bestowing benefits is about a donor's giving freely and voluntarily, as a token of friendship, and about the receiver's gratitude (⟨194⟩), but never about reciprocity in a narrow-minded, businesslike manner. Seneca characterises the donor's attitude in the following two quotations:

⟨195⟩ *Beneficiorum simplex ratio est: tantum erogatur; si reddet aliquid, lucrum est, si non reddet, damnum non est. Ego illut dedi, ut darem. Nemo beneficia in calendario scribit nec auarus exactor ad horam et diem appellat. Numquam illa uir bonus cogitat nisi admonitus a reddente; alioqui in formam credendi transit. Turpis feneratio est beneficium expensum ferre.*[594]

The bookkeeping for benefits is quite simple. A certain amount is disbursed; if there is any repayment at all, then it is a profit. If there is no repayment, it is not a loss. I gave it only in order to give. No one records benefits in an account book and then, like a greedy collection agent, demands payment at a set day and time. A good man never thinks about his gifts unless he is reminded by someone wishing to repay them. Otherwise the benefits are converted into loans. Treating a benefit as an expenditure is a shameful form of loan-sharking.[595]

⟨196⟩ *Quotiens, quod proposuit, quisque consequitur, capit operis sui fructum. Qui beneficium dat, quid proponit? prodesse ei, cui dat, et uoluptati esse. Si, quod uoluit, effecit peruenitque ad me animus eius ac mutuo gaudio adfecit, tulit, quod petit. Non enim in uicem aliquid sibi reddi uoluit; aut non fuit beneficium, sed negotiatio.*[596]

Whenever someone achieves his intent, he gets the fruits of his labors. What is the intention of the person who gives a benefit? To be useful to the recipient and to give him pleasure. If he achieved this objective and if his intention got through to me and we felt mutual pleasure, then he got what he was aiming at. For he did not want to be given something in exchange; otherwise it was not a benefit but a business deal.[597]

Clearly, a *dharmadāna* is even more anti-reciprocal than a *beneficium*. After all, a *dharmadāna* is not an *arthadāna* (see ⟨94⟩).

594 SB 1.2.3
595 Griffin & Inwood (2011)
596 SB 2.31.2
597 Griffin & Inwood (2011)

F Virtue and advantage in fellowship

Seneca stresses again and again that benefits should be bestowed because benefitting others is a virtue. The fact that this (beautiful) virtue is accompanied by advantages (attractions) does not preclude choosing the virtue for its own sake:

〈197〉 *Non ideo per se non est expetendum, cui aliquid extra quoque emolumenti adhaeret; fere enim pulcerrima quaeque multis et aduenticiis comitata sunt dotibus, sed illas trahunt, ipsa praecedunt.*[598]

It is not that something is not to be chosen for its own sake, just because some extraneous advantage attaches to it. The most beautiful things are in fact often accompanied by a host of added attractions, but it is the beauty that leads and the attractions follow along.[599]

The main advantage of bestowing benefits, above virtue or beauty, is fellowship (*societas*). This advantage is clear from the following long passage:

〈198〉 *Vt scias per se expetendam esse grati animi adfectionem, per se fugienda res est ingratum esse, quoniam nihil aeque concordiam humani generis dissociat ac distrahit quam hoc uitium. Nam quo alio tuto sumus, quam quod mutuis iuuamur officiis? hoc uno instructior uita contraque incursiones subitas munitior est, beneficiorum commercio. Fac nos singulos, quid sumus? praeda animalium et uictimae ac bellissimus et facillimus sanguis, quoniam ceteris animalibus in tutelam sui satis uirium est; quaecumque uaga nascebantur et actura uitam segregem, armata sunt, hominem cutis pro tegmine inbecilla cingit, non unguium uis, non dentium terribilem ceteris fecit, nudum et infirmum societas munit. Duas res deus dedit, quae illum obnoxium ualidissimum facerent, rationem et societatem; itaque, qui par esse nulli posset, si seduceretur, rerum potitur. Societas illi dominium omnium animalium dedit; societas terris genitum in alienae naturae transmisit inperium et dominari etiam in mari iussit; hoc morborum inpetus arcuit, senectuti adminicula prospexit, solacia contra dolores dedit; hoc fortes nos facit, quod licet contra fortunam aduocare.*[600]

That gratitude is an attitude to be chosen for itself follows from the fact that ingratitude is something to be avoided in itself, because nothing dissolves and disrupts the harmony of mankind as this vice. For what else keeps us safe, except helping each other by reciprocal services? Taken one by one, what are we? The prey of animals, their victims, the choicest blood, and the easiest to come by. Other animals have enough strength to protect themselves, and those that were born to wander and lead isolated lives are armed. But man is covered with a delicate skin: he has neither powerful claws nor teeth to

598 SB 4.22.4
599 Griffin & Inwood (2011)
600 SB 4.18.1–3

> instill fear in others; naked and weak as he is, it is fellowship that protects him. God has granted two things that make this vulnerable creature the strongest of all: reason and fellowship. So the being that on its own was no match for anything is now the master of all things. Fellowship has given him power over all animals; fellowship has conferred on this terrestrial creature control of another's sphere and ordered him to rule even by sea. It is this that has checked the incursions of disease, provided support for his old age, and given him comfort in his sufferings; it is this that makes us brave because we can call on it for help against Fortune.[601]

In this manner, Seneca explains why mankind rules the earth.

601 Griffin & Inwood (2011)

X Christian perspectives

In line with the illuminative mode (one of the two modes within Freiberger's fourfold configuration of a comparative study), some highly selective Christian perspectives are offered.

A Giving charity without boasting

Quite similar to ⟨105⟩ in the *dānadharma* context, in the sermon on the mount, Jesus stresses the importance of fulfilling religious duties without the purpose of gaining praise:

⟨199⟩ So when you give something to a needy person, do not make a big show of it, as the hypocrites do in the houses of worship and on the streets. They do it so that people will praise them. I assure you, they have already been paid in full.[602]

The payment that these "hypocrites" obtain is only thisworldly. Otherworldly merit will not be earned on top. Compare ⟨10⟩, where the Mīmāṃsā understanding of *dharma* similarly rests on the strict alternative of obtaining either this- or otherworldly fruit. Jesus further strengthens this idea of not making donations in a public manner, saying that "the left hand should not know what the right hand does".[603] Here, Jesus seems to favour pure altruism, without any warm glow (see subsection II.B(3)).

B Giving in line with one's means

Giving everything during one's lifetime (*sarvasva* (⟨92⟩) and *sarvavedasadakṣiṇā* (⟨21⟩)) is discussed in Indian texts. As an aside, "everything" may refer to one's very existence, as is indicated in the Buddhist context, where the *ātman* (Sanskrit) or the *attā* (Pali) is

602 Mt_E 6.2

603 Mt_L 6.3 has "nesciat sinistra tua quid faciat dextera tua", which is translated too mildly as "even your closest friend will not know about it" in Mt_E 6.3.

donated (see ⟨156⟩). Similarly, Jesus requests of his desciples: "If anyone wants to come with me, he must forget self, carry his cross, and follow me."[604] Of course, "everything" does not necessarily imply "a lot", but is dependent on the giver's means:

⟨200⟩ As Jesus sat near the temple treasury, he watched the people as they dropped in their money. Many rich men dropped in a lot of money; then a poor widow came along and dropped in two copper coins, worth about a penny. He called his disciples together and said to them, "I tell you that this poor widow put more in the offering box than all the others. For the others put in what they had to spare of their riches—she gave all she had to live on."[605]

C *Umbra excusatiunculae non excusans*

The early Church Father Saint Basil (4th c. CE) appeared very strict[606] about "giving everything to the poor". In particular, he does not accept family and children as a valid excuse:

⟨201⟩ *Numne iis qui matrimonio junguntur, scripta sunt Evangelia: Si vis perfectus esse, vende quae habes, et da pauperibus?*[607]

You do not claim that the evangelium has not been written for married couples, the evangelium that requires: If you want to be perfect, sell everything you own and give it to the poor.[608]

And, furthermore:

⟨202⟩ *Nonne cunctis liberis propinquior tibi est anima tua?*[609]

Is not your soul for you closer than all your children?[610]

This position is echoed by the ascetic Salvianus, who was born in Trier and wrote "Ad Ecclesiam" after 435 CE and "De gubernatione Dei" around 439 CE.[611] Salvianus also demanded that one give away everything during one's lifetime, or at the latest after death:

⟨203⟩ *nolite thesaurizare uobis thesauros in terra, thesaurizate autem uobis thesauros in caelo*[612]

Do not amass riches for yourself on earth, instead, amass riches for yourself in heaven.

604 Mt_E 16.24
605 Mk_E 12.41–44
606 As Bruck (1956, pp. 6–7) explains, Saint Basil nevertheless sided with the less stringent requirements of "*Fac locus Christo cum filiis tuis*" (see the next section).
607 Basilius, Homilia in divites, chapter 7, in Migne (1857, col. 298). The original is in Greek.
608 After Bruck (1956, p. 6)
609 Basilius, Homilia in divites, chapter 7, in Migne (1857, col. 299)
610 After Bruck (1956, pp. 107–108)
611 Letsch-Brunner (2001)
612 Salvianus, Ad ecclesiam, Liber I, § 21, in Pauly (1883, p. 230)

and

⟨204⟩ *non quero, ut pro peccatis tuis totum deo tradas quod habes: hoc solum redde quod debes*[613]

I do not require that, for your sins, you give God everything that you possess; return only what you owe.[614]

According to Bruck (1956, p. 108), this means to bequeath everything. This quotation mirrors the triple-debt ethics explained in subsection VII.E(3).

In a similar fashion to Basil above, Salvianus does not consider the love for one's children to be a good excuse for not "giving God everything", but is rather just

⟨205⟩ *umbra excusatiunculae non excusans*[615]

the shade of miserable excuse that does not excuse anything[616]

After all, so Salvianus explains, the lord himself has decreed:

⟨206⟩ *qui amat filium aut filiam plus quam me, non est me dignus*[617]

Whoever loves his son or daughter more than me is not fit to be my disciple.[618]

Furthermore, the effects of not giving everything are grim:

⟨207⟩ *torquearis* […] *tenebris exterioribus* […] *eneceris et ardentibus sine fine flammis non decoquaris*[619]

You are tormented, killed in utmost darkness, and boiled in flames that burn without end.

D Two-step donations

Salvianus makes use of equity reasons to explain why giving to monks is beneficial:

⟨208⟩ *dicitis, quid opus sit religiosis iusta patrimonii portione? respondeo: ut religionis fungantur officio, ut religiosorum rebus religio ditetur, ut donent ut largiantur ut illis habentibus cuncti habeant non habentes.*[620]

You say what work might be [effected] by the monks through the just portion of the inheritage? I answer: so that they are effective in the service of religion, so that religion is enriched by the monks' deeds, so that they give, so that they donate, so that, since those [monks] possess, all possess who do not possess.[621]

613 Salvianus, Ad ecclesiam, Liber I, § 61, in Pauly (1883, p. 243)
614 After Bruck (1956, pp. 107–108)
615 Salvianus, Ad ecclesiam, Liber III, § 9, in Pauly (1883, p. 271)
616 After Bruck (1956, pp. 107–108)
617 Salvianus, Epistola VIII, § 6, in Pauly (1883, p. 218), quoting Mt_L 10.37 (*qui amat filium aut filiam super me, non est me dignus*) in Weber (1994, p. 1541)
618 Mt_E 10.37
619 Salvianus, Ad ecclesiam, Liber III, § 78, in Pauly (1883, p. 295)
620 Salvianus, Ad ecclesiam, Liber III, § 23, in Pauly (1883, pp. 275–276)
621 After Bruck (1956, p. 111)

Together with Bruck (1956, p. 117), one might worry whether *iusta portio* is an appropriate term when, according to Salvianus himself, the whole of one's wealth should be donated. Importantly, giving to monks amounts to a two-step donation. A generous donor gives to monks, who then donate to poor people.

E *Fac locus Christo cum filiis tuis*

In a more moderated manner, Saint Augustine and others championed the idea of considering Jesus Christ a son, obtaining his fair share of the inheritance.[622] Augustine expresses this idea in the following manner:

⟨209⟩ *Fac locus Christo cum filiis tuis, accedat familiae tuae Dominus tuus, accedat ad prolem Creator tuus, accedat ad numerum filiorum tuorum frater tuus.* [...] *Duos filios habes, tertium illum computa: tres habes, quartus numeretur ...*[623]

Make place for Christ together with your sons; your Lord should approach your family; your creator should approach your descendants; your brother should approach to the number of your sons. [...] You have two sons, consider him the third one. You have three, he should count as the fourth one.

Thus, if a Christian (man) has a wealth of W and has s sons as heirs, he should donate $\frac{1}{s+1} W$ to the church.

622 Bruck (1956, pp. 88–100) argues for Saint Jerome (Latin Hieronymus), rather than Saint Augustine, as the inventor.

623 Augustinus, Sermo 86, caput 11, in Migne (1845, col. 529)

Part Three:

Modern (etic) perspectives on Indian (and other) perspectives

In part Two, the premodern (emic) concepts were presented while withholding (as far as possible) modern perspectives or judgements. Now, we turn from emic dialogues to emic-etic dialogues, where modern etic concepts (see subsection II.D(2)) are applied to "old" ideas. "Modern perspectives" comprise economics, ethnology, sociology, and marketing. Since economic concepts are used more extensively than others, the first chapter in this part presents economic concepts that will be applied later on.

XI The toolbox

In this chapter, I will collect some remarks on economic modelling that will be used in various instances throughout part Three of this book. First, I will offer some general remarks on how models are used to arrive at theoretical predictions. Second, I will turn to microeconomic concepts, in particular the model of person-to-person exchange (named after Edgeworth), the model of impersonal exchange (provided by Walras), and noncooperative game theory. Leaving microeconomics aside, we will then turn to cooperative game theory and, in particular, the Shapley value.

A Models and theoretical predictions

Economic theory-building procedes in three steps:

1. A model is described. It is meant to reproduce important aspects of reality. But, of course, it is only a very simplified mirror of reality "out there".
2. A theoretical prediction of "what will happen" is produced. What are the strategies chosen by the agents? What prices will prevail? What are the players' payoffs? The theoretical predictions are derived by applying so-called solution concepts, such as the "best" decision, the Nash equilibrium, the Walras equilibrium, the Shapley value, and so forth.
3. Finally, one can ask the question of how the theoretical predictions (variables, outcomes) depend on the model itself (parameters, data, input).

Readers might often object to particular modelling strategies. In particular, they may feel that a given model oversimplifies the giving or gifting situation in question. There are two possible responses to such objections. Firstly, simplifications serve the useful purpose of concentrating on the most important aspects of the modelled situation. Secondly, one may build a more detailed model if one thinks that additional details are vital in order to understand hitherto unexplored, and yet relevant, issues.

B Person-to-person (Edgeworthian) exchange

(1) Introduction

Allocation of goods takes place in two different modes—the first of these being person-to-person. The second mode is impersonal trading, expounded by General Equilibrium Theory (see the next section). A key message is that trade in both modes may benefit all parties involved. A second message, beloved by many economists, is the following: Free markets are wonderful.

(2) Pareto improvements

Exchange (of goods—in a wide sense) can be beneficial to all parties involved. This idea is closely related to the concept of "Pareto[624] improvement". Situation 1 is deemed Pareto superior in relation to another situation 2 if no individual is worse off in the first than in the second, while at least one individual is strictly better off. Then, the move from situation 2 to situation 1 is called a Pareto improvement. Situations are referred to as Pareto-efficient, Pareto-optimal, or simply efficient if Pareto improvements are not possible.

Economists often assume that bargaining leads to an efficient outcome under ideal conditions. As long as Pareto improvements are available, one could argue that there is no reason not to "cash in" on them.[625]

(3) Matching models

A particular type of Edgeworthian model are matching models. Here, the "goods" to be exchanged are the people themselves, who engage in the process of exchanging. Marriages (between prospective brides and grooms) or internships (of medical students in hospitals) provide suitable examples.[626] *Kanyādāna* is covered in chapter XIV.

624 Vilfredo Pareto, Italian sociologist, 1848–1923

625 However, the existence of Pareto improvements does not make their realisation a foregone conclusion. This is obvious from the famous prisoners' dilemma (see, for example, Gibbons (1992, pp. 2–5)). See the game-theory section in this chapter.

626 See the eminently readable book by Roth (2016). Alvin Roth is *the* pioneer in the field of matching economics. He obtained the Nobel prize in Economic Sciences in 2012.

C Impersonal (Walrasian) exchange

The impersonal-trading mode is formalised in General Equilibrium Theory (GET). Here, the agents are confronted with market prices. At these prices, they choose (what are for them) the optimal amounts of
(i) labour they wish to offer (households) or demand (firms) on the labour market
(ii) goods they wish to sell (firms) or buy (households).
None of these agents buy or sell from any particular person, but rather anonymously "on the market". At the prevailing prices, they are imagined to be free to buy or sell as many units as they like.

One may imagine that the prices are taken as given in the short run. However, at some price constellations, demand may be greater than supply for some particular goods. Then, one might expect that prices for these goods will be driven upwards. Inversely, prices may go down if supply exceeds demand. In the long run, one may expect prices that equalise demand and supply. While this dynamic perspective (short run, long run, price adaptations) is not modelled explicitly in GET, it nevertheless underlies the rationale of this model.

The aim of GET is to find (or to establish the existence of) a so-called Walras equilibrium, where

[IR] all actors behave in a utility-[627], or profit-maximising manner, and
[DS] all the buying and selling decisions can be carried out.

Here, IR stands for "individual rationality" and DS for "demand equals supply".

In general, a Walras equilibrium can be defined for many goods and many agents. Thus, one obtains a model of a decentralised market system where individual producers and consumers make their buying and selling decisions on the basis of given prices. One theoretical question is whether one can be certain that prices exist for all goods such that the two conditions of individual optimisation and equality of demand and supply are fulfilled. Under certain assumptions, this "existence" question can be answered affirmatively.[628] Under more stringent conditions, there exists exactly one such Walras equilibrium.

General Equilibrium Theory is also concerned with the relationship between the Pareto efficient outcomes in a person-to-person exchange model (see section B) and the equilibrium outcomes in a model of impersonal exchange. Under rather general conditions, equilibria in GET are found to be Pareto efficient. This is the so-called First Welfare Theorem. It can be considered a formal expresssion of Adam Smith's "invisible hand". If one thinks that Pareto efficiency is a good thing, then, indeed, free markets are wonderful.

627 I do not discuss the intricate concept of "utility" in this book. The interested reader can refer to any microeconomic textbook. I use "utility" and "payoff" interchangeably.
628 See Hildenbrand & Kirman (1988).

Leaving aside Pareto efficiency, there is a second, perhaps even more relevant argument for free markets and prices. Going beyond (basically) static General Equilibrium Theory, one may follow the Nobel-prize winner (in Economic Sciences, 1974) Friedrich-August von Hayek. One of his research interests concerns the question of how people obtain information in order to make good decisions. Since society needs to adapt to constant changes, Hayek (1945, p. 524) insists on decentral decisions "because only thus can we ensure that the knowledge of the particular circumstances of time and place will be promptly used. But the 'man on the spot' cannot decide solely on the basis of his limited but intimate knowledge of the facts of his immediate surroundings. There still remains the problem of communicating to him such further information as he needs to fit his decisions into the whole pattern of changes of the larger economic system."

According to Hayek (1945, p. 526), it is the prices that coordinate actions of people: "Assume that somewhere in the world a new opportunity for the use of some raw material, say tin, has arisen, or that one of the sources of supply of tin has been eliminated. It does not matter for our purpose—and it is very significant that it does not matter—which of these two causes has made tin more scare. All that the users of tin need to know is that some of the tin they used to consume is now more profitably employed elsewhere, and that in consequence they must economize tin."

Thus, the increase of tin prices induces people to come to terms with the scarcity of tin. For Hayek (1945, p. 527), the price system is "a kind of machinery for registering change". He goes on to say: "The marvel is that in a case like that of a scarcity of one raw material, without an order being issued, without more than perhaps a handful of people knowing the cause, tens of thousands of people whose identity could not be ascertained by months of investigation, are made to use the material or its products more sparingly, i.e., they move in the right direction."

D Noncooperative game theory

Game theory presupposes a set of players—usually at least two. Noncooperative game theory belongs to the realm of microeconomics. The players have either strategies or actions at their disposal and try to maximise their payoffs. In contrast, there are no explicit actions or strategies in cooperative game theory. Section XI.E deals with the Shapley value as arguably the most important concept from cooperative game theory.

(1) Strategic games

In strategic games, the players each simultaneously choose a strategy and obtain a payoff that depends on the strategy combination, i.e., on the tuple of strategies chosen

Table 5: A strategic game

		Player 2	
		left	right
Player 1	up	(4, 5)	(6, 0)
	down	(3, 1)	(2, 7)

by all players. This is the topic of this (first) subsection. In the next subsection, sequential games are dealt with. In these games, players choose actions in some prespecified order.

Consider the strategic game of Table 5. Player 1 has the two strategies "up" and "down", player 2 can choose between "left" and "right". If player 1 chooses up and player 2 chooses right, player 1 obtains a payoff of 6, while player 2 receives 0. That is, the first number indicates the payoff for player 1 and the second number is the payoff for player 2. Strategy tuples such as (up, right) are called strategy combinations.

Within the realm of strategic games, the two main solution concepts are "dominant strategy" and "Nash equilibrium".[629] A dominant strategy is a best strategy irrespective of the other players' strategies. In our strategic game, up dominates down because of the two inequalities $4 > 3$ and $6 > 2$. Player 2 does not avail of a dominant strategy. If a player has a dominant strategy, he can safely disregard the other players. Whatever they may choose, he himself cannot do any better than choosing the dominant strategy.

If a dominant strategy does not exist for all players, the concept of a Nash equilibrium might be employed. A Nash equilibrium is a strategy combination such that no player can profit from deviating unilaterally. Differently put, given that the other players stick to their respective strategies, each player chooses a best strategy. Thus, the Nash equilibrium imposes a specific kind of stability. The strategy combination (up, left) is a Nash equilibrium by virtue of $4 \geq 3$ and $5 \geq 0$.

(2) Sequential games

Consider the sequential game between the players 1 and 2 depicted in Figure 1. Some nodes are indexed by the player names (1 or 2). At these nodes, player 1 or 2 has to make a choice. Player 1 moves first, at the initial node (the leftmost node), choosing up or down. Next, it is player 2's turn, choosing between left and right. When both players have chosen their actions, they obtain the corresponding payoffs or "utilities". The payoff information is noted near the terminal nodes (the rightmost nodes).

Backward induction means "looking ahead" by "proceeding backwards". Before player 1 can decide on his move, he needs to know how player 2 will react to up, or

629 For example, see Gibbons (1992, pp. 1–12).

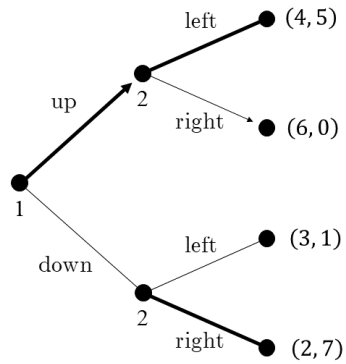

Figure 1: A game tree

down, chosen by player 1. Thus, backward induction starts with the players that move last. Consider the node where player 2 has to make a decision after player 1 chose up. Comparing the payoffs 5 and 0, player 2 chooses left. The edge that corresponds to the action left has been reinforced. In contrast, player 2 will choose right if he learns that player 1 has chosen down (this follows from 7 > 1).

Now, after knowing the choices of player 2, we can look at player 1's decision. If he chooses up, player 2 will choose left, making it so that player 1 obtains a payoff of 4. If, however, player 1 chooses down, player 2 will choose right, making it so that player 1 obtains 2. Comparing 4 and 2, it is obvious that player 1 should, or will, choose up.

Thus, player 1 choosing up and player 2 choosing left is the predicted outcome. However, this may not be the observed outcome. For example, player 1 choosing up and player 2 choosing right is indicated by the arrows. In that sequence of actions, player 2 would have made a mistake. By 5 > 0 he could have done better.[630]

E Shapley value[631]

(1) Cooperative game theory

The Shapley value belongs to the realm of cooperative game theory.[632] This theory presupposes n players that are collected in a set $N = \{1, 2, \dots, n\}$, and a so-called coalition function v. A subset K of N is also called a coalition. N itself is called the grand coalition. To each coalition K, the coalition function attributes a "worth" $v(K)$.

630 See Wiese (2012), who argues that the idea of backward induction was already present in some Old Indian fables.

631 This section borrows freely from Wiese (2009, 2021, 2022b).

632 See Shapley (1953) for the ground-breaking contribution of the Nobel-prize winner (in Economic Sciences, 2012) Lloyd Shapley. Driessen (1988) is a textbook treatment of cooperative game theory.

The worths stands for the economic, social, political, or other gain that the particular group of players can achieve. A worth can only be created if at least one player is present, i.e., the empty set $\emptyset$ creates the worth zero, $v(\emptyset) = 0$. For ease of notation, one can write $v(i)$ instead of $v(\{i\})$, $v(1,2)$ instead of $v(\{1,2\})$, and $v(K \cup i)$ instead of $v(K \cup \{i\})$.

The aim of cooperative game theory is to specify payoffs for the players. These payoffs depend on the coalition function. Assume just two players, 1 and 2. A solution function φ defines the payoffs $\varphi_1(v)$ and $\varphi_2(v)$ for each coalition function v.

Cooperative game theory uses two different approaches to arrive at payoff vectors from coalition functions. (i) The algorithmic approach applies some algebraic manipulations to the coalition functions in order to derive payoff vectors. For example, each player might obtain the worth of his one-man coalition plus 5. This solution function would be described by $\varphi_1(v) = v(1) + 5$ and $\varphi_2(v) = v(2) + 5$. (ii) The axiomatic approach suggests general rules of distribution. One axiom might stipulate that the worth of the grand coalition $\{1,2\}$ is distributed among the players: $\varphi_1(v) + \varphi_2(v) = v(1,2)$. A second axiom might demand payoff equality. These two axioms together define a specific solution function, namely the one given by $\varphi_1(v) = \varphi_2(v) = \frac{v(1,2)}{2}$.

(2) The algorithmic approach

The Shapley value's algorithm builds on the players' "marginal contributions". A player's marginal contribution is the worth of a coalition with him minus the worth of said coalition without him, i.e., the difference he makes. In the two-player case, player 1 has two marginal contributions, the first with respect to the empty set $\emptyset$ (the marginal contribution is $v(1) - v(\emptyset)$), the second with respect to $\{2\}$ (with marginal contribution $v(1,2) - v(2)$).

Player 1's Shapley value is the average of his marginal contributions, taken over all sequences (rank orders) of the two players. For two players, there are just two sequences: player 1 may be first (sequence $(1,2)$) or second (sequence $(2,1)$). Thus, the players' Shapley values are

[1] $$Sh_1 = \frac{1}{2}(v(1) - v(\emptyset)) + \frac{1}{2}(v(1,2) - v(2))$$

and

[2] $$Sh_2 = \frac{1}{2}(v(2) - v(\emptyset)) + \frac{1}{2}(v(1,2) - v(1))$$

(3) The axiomatic approach

For any number of players and any coalition function, the Shapley value fulfils these axioms:

- The sum of the Shapley values equals the worth of the grand coalition, i.e.,
  efficiency: $Sh_1 + Sh_2 = v(1,2)$
  in the case of two players. This property means that the grand coalition forms and the Shapley value distributes the worth of the grand coalition among the players.
- If a player 1 withdraws[633] from the game, another player 2's damage in terms of his Shapley payoff is equal to the damage that player 1 endures should player 2 withdraw, i.e.,
  withdrawal symmetry: $Sh_2 - v(2) = Sh_1 - v(1)$
  in the case of two players. Consider the left side of the equation. If player 1 withdraws, player 2 does not obtain the Shapley value Sh_2 anymore, but the Shapley value of the game of which he is the only player. In that game, he obtains the worth $v(2)$ of his one-man coalition. This is clear from the only rank order that exists in that game, as well as from the efficiency property.

These axioms of efficiency and withdrawal symmetry lead to the Shapley values in equations [1] and [2] above. Cooperative game theorists therefore say that these axioms axiomatise the Shapley value. This means that the Shapley value (in its algorithmic form, see subsection (2)) fulfils these axioms, and that there is no value different from the Shapley value which also obeys these axioms. This particular axiomatisation is provided by the Nobel-prize winner (in Economic Sciences, 2007) Roger Myerson (1980).

(4) Withdrawal symmetry and balancedness

Consider two examples of withdrawal symmetry. The first one originates with the sociologist Emerson (1962). Imagine two children A and B that often play together. Since they differ in their preferences, they take turns in playing their respective favourite games. In that situation, says Emerson, power-over is balanced as one might expect from withdrawal symmetry. Now, assume that child B in the A-B relationship finds another playing buddy C. Then, power-over is unbalanced. A would suffer more if B decides to no longer play with A than the other way around. After all, B can turn to her newfound alternative C. In that situation, argues Emerson, balancing operations set in that lead to B imposing her favourite game on A more often than before. From the point of view of the Shapley value (that was not known to Emerson), the effect of that balancing operation is to restore withdrawal symmetry.

The second example concerns a market where one seller S confronts four potential buyers B1 through B4. The object that S possesses has no value for him, but if any of the buyers manages to obtain this object, a worth of 1 is created. It can be shown that S obtains the Shapley value of $\frac{4}{5}$ in this game with four potential buyers, but only

633 Withdrawal means that the player set is reduced by the withdrawing player(s) and that the worths for the remaining players remain the same.

the Shapley value of $\frac{3}{4}$ in another game with only three potential buyers. Thus, the seller does not suffer a lot (only by $\frac{4}{5} - \frac{3}{4} = \frac{1}{20}$) if buyer B1 withdraws. Consider now the change in buyer B1's Shapley value should the seller withdraw. Without the seller, B1's Shapley value is zero. In the presence of the seller, B1 will obtain the object with the same probability as any buyer: $\frac{1}{4}$. The seller's payoff $\frac{4}{5}$ can be understood as the price the successful buyer has to pay to the seller. Since the worth of the object in the hand of buyer B1 is 1, that buyer's Shapley value is $\frac{1}{4} \cdot \left(1 - \frac{4}{5}\right) = \frac{1}{20}$. Thus, withdrawal symmetry holds. The balancing operations consist of the low probability of obtaining the object together with the relatively high price.

Wiese (2021, 2022b) interprets withdrawal symmetry as "balancedness". The concept of "balance" developed by Emerson has been addressed by Blau (1964, p. 118: fn. 7), who considers it "somewhat confusing inasmuch as it diverts attention from the analysis of power imbalance". The obvious way out of this confusion is a distinction between the short run and the long run. In the short run, power differentials can exist, but they are diminished in the long run by balancing operations. From that perspective, balancedness becomes a very plausible and useful working tool.

The reason for stressing withdrawal symmetry in this book will become clear in section XIV.C on a puzzle observed by Parry and in section XVI.D, where *bali* taken by kings is explained in the context of the contest between the vital functions for superiority. Furthermore, remember Trautmann 's (1981, p. 285) "conundrum" about the conflict between spiritual and worldly power. Thapar (2013, p. 134) opines: "The ranking order between *brāhmaṇa* and *kṣatriya* is ambivalent to begin with where the former is dependent on the latter for *dāna* and *dakṣiṇā* and the latter requires that his power be legitimized by the former." From the point of view of balancedness, this assessment seems reasonable.

(5) Negative sanctions

One would be mistaken in thinking that the Shapley value only works for economic and social exchanges, but not for threats or extortions. Consider a threat uttered by a player 1 intent on armed robbery, as in ⟨149⟩. Even with a gun pointing to the head of player 2 (the victim), withdrawal symmetry still holds. It is important to note that withdrawing is analysed within the given game. The question of whether a player can quit the game or opt out is a totally different one. In market games, withdrawal simply means "not buying" or "not selling". In games with negative sanctions, withdrawal means not to give in to the threat. This does not mean that the robber and his gun mysteriously disappear.

The corresponding coalition function might obey $v(1,2) = 0$. If player 2 hands over the amount of money D to player 1, the robber's gain is the victim's loss. One then finds $Sh_1 = D$ and $Sh_2 = -D$. The efficiency axiom is fulfilled.

One might be tempted to set $v(2) = 0$, as the victim (player 2) does not lose any money if the robber withdraws. However, what the victim can achieve still depends on what the robber is doing (withdrawal is not quitting). If player 2 does not hand over the money peacefully, the robber may resort to violence, causing injury to the victim. Let i stand for the pain of being injured. Thus, one finds $v(2) = -i < 0$. Similarly, if player 2 runs away, the robber may injure the victim. Then, the robber will be in fear of prosecution for causing injury. Let f stand for this fear so that one obtains $v(1) = -f < 0$.

In the present case, withdrawal symmetry means

[3] $$-D - (-i) = Sh_2 - v(2) = Sh_1 - v(1) = D - (-f)$$

This equality can be used to calculate D, the amount of money handed over to the robber. It is given by

[4] $$D = \frac{i - f}{2}$$

The smaller the robber's fear of prosecution and the larger the victim's fear of injury, the greater the robber's loot.

XII Structuring the modern perspectives

This chapter is also introductory. It discusses reciprocity, presents Trautmann's taxonomy, provides patterns of giving for the purpose of orientation, and sketches the topics to be covered.

A Patterns of giving

(1) Overview

We have provided definitions of reciprocity and altruism in section II.B. However, this book does not add to the large literature on how to define altruism, reciprocity, gifts, or the like. A bewilderingly intricate net of definitions is found in Mercier Ythier and Kolm (2006).[634] For example, Kolm (2006, p. 12) discusses the "assumption that individual *i* derives no pleasure from the pleasure that other people derive from the pleasure of other people, or that she finds this pleasure of hers or of other people to be irrelevant for her choice". Leaving aside subtleties such as these, some patterns of giving can be expressed as in Figure 2.[635] Apart from donor, object, and receiver, the motivations for giving are specified. Compare ⟨165⟩ from the Buddhist literature.

According to the upper left pattern, a human person A gives to a (human or divine) person B in order to obtain something from B now or in the future, or because A has obtained something from B in the past. This is the reciprocity defined in ⟨1⟩. This kind of exchange is clearly non-altruistic. Above (subsection II.B(1)) I have defined altruism of a person A towards a person B as A's inclination to, or actual behaviour in, sharing with B in the absence of past or future sharing the other way around. For the present purposes, we can distinguish between four different motivations for the feeling of altruism or for the act of (more or less) altruistic giving. The upper right pattern is similar to the upper left one, but B's obligation here is of a moral, rather than a legal, kind. B will be thankful for A's favours and will reciprocate if the opportunity

634 See, in particular, chapters 1–6.

635 Compare the patterns in the ethnological literature, for example in Godelier (1999, pp. 89, 98).

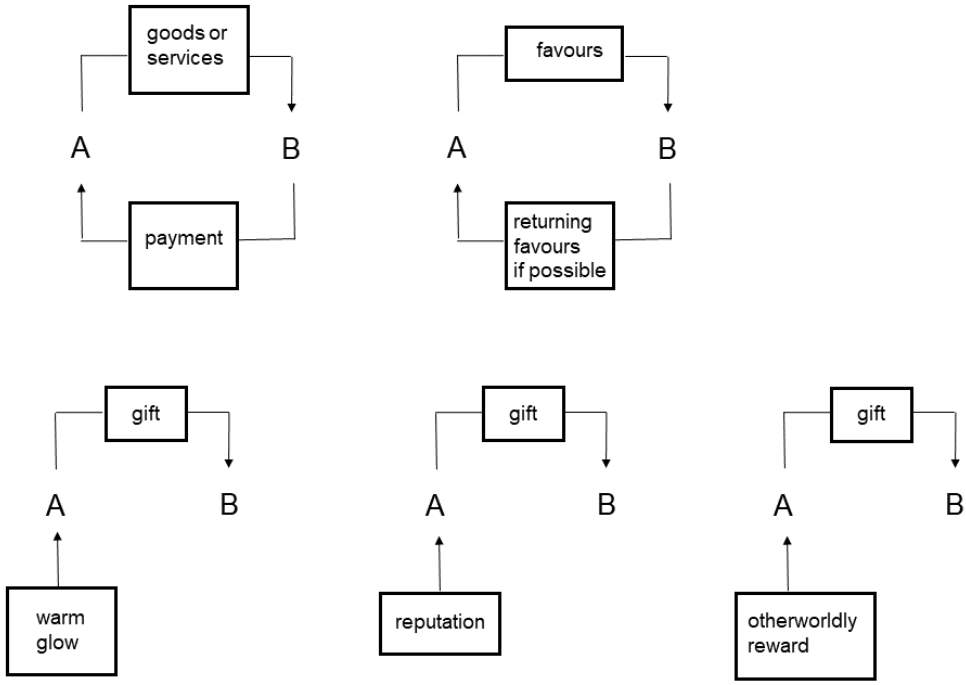

Figure 2: Five patterns of giving

arises, but not otherwise. This is Seneca's idea of benefits (see chapter IX), which is similar to Kāmandaki's "united alliance" (subsection VI.H(4)).

The three patterns depicted in the second row deal with further motivations for giving. In the lower left pattern, a person A gives to a person B in order to "feel good", i.e., in order to experience a "warm glow". A warm-glow giver is not only interested in certain receivers' obtaining gifts, but also that he himself belongs to the givers thereof (subsection II.B(3)). Andreoni (1989, 1990) has shown that warm glow is empirically relevant. The lower middle pattern acknowledges that other people might notice A's liberality. In particular, A's generosity may entail reputation effects (for example in a *mahādāna*). Finally, the lower right pattern stresses the "merit" that A may accumulate by giving, the case of *dharmadāna*. One may understand the second row as depicting motivations stemming from

- A's inner feelings,
- A's membership in society, and
- A's belief in "unseen" effects in a later life or in another world,

respectively.

I suggest the labeling of the second-row givings as gifts. The middle and right patterns in the second row refer to the case where a person A gives to a person B in

order to obtain something from a third party C. In my usage, reciprocity is not involved. Of course, there is nothing wrong with labeling this case as "reverse reciprocity", as does Kolm (2006, p. 25). See also the discussion in section VI.I. In the middle pattern, C is a human actor or "society" (see chapter XVIII). In the right pattern, C is an otherworldly actor (a "god") or a force (for example, "karma"). This is the classical case of a dharmic gift (chapter XIX).

Some people (but certainly not the current author) argue that the three gifts in the second row are not altruistic, as the giver has a "reason" for his action. To an economist, totally disinterested action in the sense of "not caring either way" is difficult to imagine. More importantly, the Indian authors (on *dānadharma* and other topics) seem to argue in a psychological manner by enquiring as to the motivations for specific actions. In line with definition ⟨6⟩ on p. 14, the altruism addressed here is clearly an impure one. Altruism is not to be equated with unselfishness. Still, one might argue that the level of altruism increases from top to bottom and from left to right. It seems to me that Kṛṣṇa's ethical *svadharma* theory should not be discussed here. It will be briefly covered in subsection XVII.B(2).

Outside of the patterns treated here, there are several cases of getting without giving:

- In the case of treasure troves, no (obvious) owner exists. We briefly comment on this case in the conclusion (subsection XX.A(1)).
- Theft[636] or robbery is described in some detail in the Buddhist literature. See ⟨187⟩ and the paper by Kieffer-Pütz (2011).
- The case of giving without giving-up is treated in section XIX.J.
- The king's violent takings are dealt with in subsection (3) below. See also subsection VII.B(5).
- Kāmandaki's "unseen man" alliance (subsection VI.H(5)) seems to describe the free-rider phenomenon. A free rider does not contribute to some common cause, but nevertheless benefits from other actors' efforts.[637]

(2) Giving motivated by worldly reward

With respect to the upper left pattern, one might distinguish between two subcases depending on B's human or divine nature. We start with B as a human actor, i.e., with the plain economic motivation of reciprocity. Here, A gives in order to oblige B to reciprocate, or because he himself is obliged to reciprocate. Oftentimes, the obligation is legal. The Indian *dharmaśāstra* authors use the term *arthadāna*, which is characterised by *prayojanam apekṣya* ("upon some particular purpose") and *aihikaṃ phalahetukam* ("motivated by worldly reward"), see ⟨94⟩ above. Thus, the upper left

636 Trautmann (1981, pp. 278, 291) refers to theft as "negation of exchange" or "null case of exchange theory".
637 Free riding has been covered by psychologists, social scientists, and moral philosophers.

pattern refers to thisworldly (economic) affairs—*aihika* matters. This word is derived from *iha* ("here, in this world"). Now consider the case where B is an otherworldly actor, a "god". We are then in the area of sacrifice, where the god benefits from the human actor's sacrifice and sees to it that the human actor obtains offspring, victory in battle, or the like (see section IV.A). Whereas both thisworldly and otherworldly rewards may be called *phala*,[638] otherworldly ones would never be characterized as being *aihika*.

According to Trautmann, *aihika* may also refer to *kāmadāna* or *bhayadāna*: "Profane"[639] is another word for *aihika* or thisworldly and is concerned with "mundane reciprocity": "any advantage tangible or intangible that a gift may be expected to incur or respond to, such as the favors of a woman [*kāmadāna*, HW, ⟨94⟩3] or immunity from one's tormentor [*bhayadāna*, HW, ⟨94⟩6], is its visible fruit, its *quid pro quo*." On *bhayadāna*, see subsections (4) and (5). In contrast to profane, "sacred" refers to "transcendental reciprocity" (see ⟨10⟩): "Only if the gift is made without this visible quid pro quo in prospect, among other things, can it be presumed that it incurs an invisible fruit, a transcendentally bestowed countergift. [...] a working out of the idea of karma—that all acts bring strict retribution according to their moral quality, if not in this life, then in another." Here, we may point to the lower right pattern.

(3) Trautmann's taxonomy

Trautmann (1981, pp. 278–285) suggests an analysis based on two pairs of contrasting modes of exchange: "sacred versus profane" (just covered) and "noble versus ignoble". The noble exchange is the one performed by the *kṣatriya* class, especially by the king. See ⟨19⟩, ⟨53⟩, and ⟨97⟩. The *kṣatriya*s take by force and distribute liberally: "Conquest (*jaya*), consisting of the open use of force to defeat and kill the previous possessor, gives the kṣatriya clear title, so to say, the title of the previous perishing with him. [...] It is ennobling violence, the heroism of the battlefield, that is the *kṣatra-dharma*. The use of deceit or trickery [...] is forbidden, much less to act in a hidden, covert way as does a thief."[640] Within the noble exchange, "[t]here is a twofold movement here. On the one hand, the king acquires wealth not by accepting gifts or by commercial transactions, but by force of arms, *jaya*; he 'eats' (*bhakṣ*) the people, the tax or tribute he enjoys is his rightful portion (*bhāga*) [...]. On the other hand, his expenditures are the uncompelled acts of a purely personal generosity."

In this manner, Trautmann (1981, p. 278) arrives at "the intersection of two oppositions", which can be translated into a two-times-two matrix (see Table 6).

638 See LDK 1.18, where *duṣphalaṃ niṣphalam* etc. clearly refer to otherworldly merit.
639 See Trautmann (1981, p. 281) for all the quotations in this paragraph
640 See Trautmann (1981, p. 283) for this and the following quotations in this paragraph.

Table 6: Trautmann's taxonomy in the form of a matrix

	ignoble acquisition of wealth	noble acquisition of wealth
profane	*arthadāna*	King takes by force for worldly purposes.
sacred	*dharmadāna*	King takes by force for invisible purposes (achievedfor example, by giving to worthy receivers).

(4) Framing

Returning to the upper left pattern of giving, one might distinguish between receiver initiative and giver initiative, which are related to demand and supply, respectively. See Table 7. This table makes it clear that the difference between economic giving versus giving for reasons of fear is largely a matter of framing:

- One can try to reframe a Gift Based On Fear as a Gift Based On Worldly Gain (see section VI.D). Instead of saying: "Give x to me, or I will hurt you" (x as *bhayadāna*), one might alternatively say: "Give x to me and I will grant you freedom from fear" (so, perhaps, x as *arthadāna*).
- Inversely, a Gift Based On Worldly Gain can be expressed as a Gift Based On Fear. After all, the *arthadāna* suggestion "Give x to me and I will give y to you" is substantially the same as the *bhayadāna* threat of "Give x to me or I will withhold y from you".

The framing option depends on the moral and legal framework within which such "trades" take place. *Arthadāna* concerns morally-acceptable and legal transactions and the first (promise) row in Table 7. *Bhayadāna* prevails in the second (threat) row and concerns transactions which go against moral or legal norms.

Table 7: Demand versus supply, promise versus threat

	initiative by receiver of object	initiative by giver of object
promise	demand: If you hand over the object to me, I will pay x to you.	supply: If you pay x, I will hand over the object to you.
threat	withholding of demand: If you do not hand over the object to me, I will keep x for myself.	withholding of supply: If you do not pay x, I will not hand over the object to you.

(5) Bribery and extortion

Arguably, bribery and extortion are instances of the upper left pattern of giving in Figure 2. While both "bribery" and "extortion" are used to translate the Sanskrit *utkoca*, they refer to different "exchanges" (see subsection VII.F(3)). In the cases of both bribery and extortion, the receiver of money (or other benefits) is blamable and punishable. To my understanding, bribery involves a civil servant (*niyukta*) or some other person who acts (or refrains from acting) so as to benefit the briber in an illegitimate manner. This is in line with Noonan, according to whom bribery is "improper reciprocation with an officeholder for an act intended by society to be gratuitous"[641] and can be characterised as "criminal and consensual"[642].[643]

Usually, a transaction would be considered a bribe because it is a transaction benefitting the agents involved, but doing harm to outsiders. In contrast, extortion refers to harming the potential donor in an illegitimate manner, a threat to be averted via payment. This understanding matches the observation by Lindgren (1993, p. 1699): "If a citizen is paying only to buy fair treatment and nothing more, he is the victim of extortion and has not committed bribery according to its general lay perception. Bribery usually is thought to consist of paying for better than fair treatment." Table 8 distinguishes between receiver initiative and giver initiative (left or right column) on the one hand and between bribery (first row) and extortion (second row) on the other. Bribery is mainly giver-initiated, while extortion is usually receiver-initiated. Indeed, one might connect bribery more closely with giver initiative and extortion with re-

Table 8: Bribery versus extortion

	initiative by *niyukta* or any other person as receiver	initiative by any giver
payment for illegitimate favours	invitation to bribery: Favouring you, I will illegitimately act/not act if you pay pay x to me.	**bribery:** You will favour me by illegitimately acting/not acting and I will pay x to you.
payment for preventing illegitimate harm	**extortion:** Against your justified interest, I will illegitimately act/not act unless you pay x to me.	extortion prevention: You will not harm my justified interests by illegitimately acting/not acting and I will pay x to you.

641 Noonan, Jr. (1984, p. 685)
642 Noonan, Jr. (1984, p. xiii)
643 Further elaboration of the definition is not necessary here, but Noonan, Jr. (1984) has a lot to contribute, both on this and on the difficulties of distinguishing between gifts that are reciprocal and bribes (pp. 687–690).

ceiver initiative. The current author's definitions place more weight on the legitimacy of the receiver's acting or non-acting.

It seems that my definitions are in line with the understanding visible in Gharpure (1950, p. 370), who translates *utkocā* (!) in DSmCV 452.7 and 452.10 as bribery. In the third example of ⟨153⟩, we have the special instance of receiver-initiated bribery, i.e., the upper left matrix entry "invitation to bribery".

B Overview of the third part

I propose to structure the etic perspectives in the following manner: Starting from the simplest exchange models, increasingly complicated issues are introduced one by one, as far as this is possible. Let our presentation of the book's contents be guided by Figure 3. Starting from the top, if a legal obligation to reciprocate exists, we are in the realm of *dānagrahaṇa*. Here, the Latin "*do ut des*"—giving in order to obtain—prevails. Compare this to ⟨34⟩, where we encounter the Vedic "*dehí me dádāmi te*". It does not really fit here, as gods cannot be taken to court for having not granted a son in response to a sacrifice. The left branch of Figure 3 finds its justification in two quotations from the lawbook of Nārada:

⟨210⟩ *tena krayo vikrayaś ca dānaṃ grahaṇam eva ca |*
vividhāś ca pravartante kriyāḥ saṃbhoga eva ca ||[644]

It is by means of wealth [*tena*, HW] that sale and purchase, giving and receiving, enjoyment, and all sorts of transactions take place.[645]

⟨211⟩ *ṛṇaṃ deyam adeyaṃ ca yena yatra yathā ca yat |*
dānagrahaṇadharmāś ca ṛṇādānam iti smṛtam ||[646]

The subject of Non-payment of Debts covers: when debts are to be paid and which are not to be paid, and by whom, when, and how, along with the *dharma*s for giving and receiving.[647]

The first quotation shows that "sale and purchase" are particular instances of "giving and receiving". In the case of a loan (*ṛṇa*), reciprocation is deferred. According to the second quotation, *ṛṇa* is seen as another particular instance of "giving and receiving".

Up to about chapter XVII, part Three thus deals with reciprocal exchange in different contexts:

- Chapter XIII revisits, from modern perspectives, the ways in which Indian texts perceive economic exchange of goods and services. We cover auctions and interest

644 NSmV 1.44
645 Lariviere (2003)
646 NSmV 1.1, but, following Davis, Jr. (2010, p. 74), with the variant *dānagrahaṇadharmāś ca* in place of *dānagrahaṇadharmāc ca* in pāda c.
647 Lariviere (2003), but Davis, Jr. (2010, p. 74) with respect to pāda c.

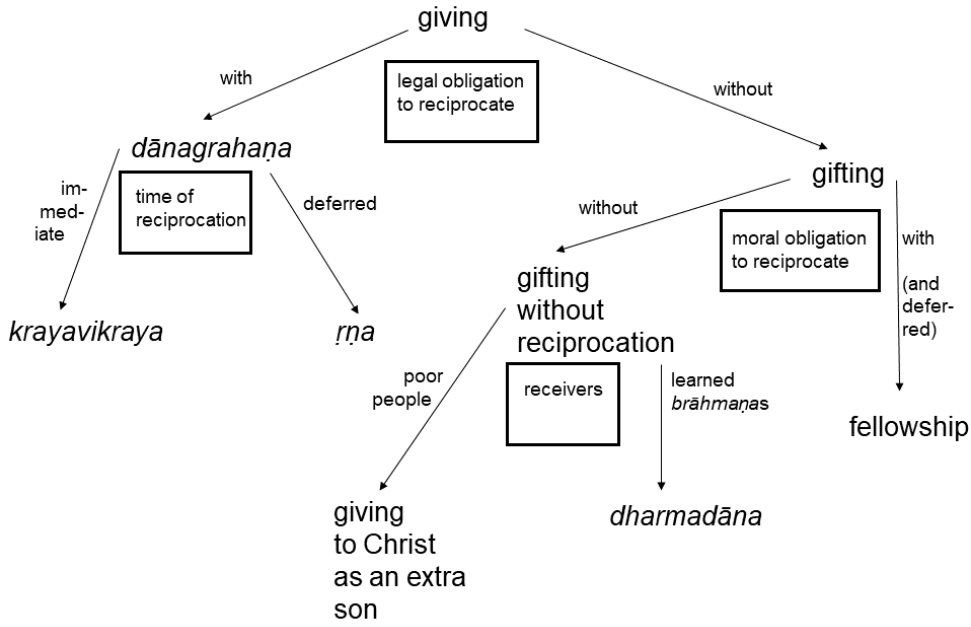

Figure 3: The main categories of giving

rates. A particular focus is on the reasons why economic exchange may be intended, but may go "wrong".

- Chapter XIV covers *kanyādāna*.
- Chapter XV revolves around marketing.
  - In the reciprocal relationship of an *ācārya* with his pupils (roughly speaking: teaching against *dakṣiṇā*), which marketing techniques do these *ācārya*s employ?
  - Can gift-receiving Brahmins also be considered from the marketing perspective? How about competition between Brahmins (or churches, or similar institutions)?
  - Finally, I turn the tables and ask whether the *dāna* theories might lead to a new manner of structuring modern marketing textbooks.
- Chapter XVI explains how the king is part of various reciprocal relationships, partly based on fear.
- The patron of a Vedic sacrifice finds himself at the intersection of two exchange relationships, one with the gods and another one with the officiating priests. This is explored in chapter XVII.

Leaving the reciprocal part of the book, other motives are explored:

- With a view to Figure 2 and to the middle pattern in the second row, chapter XVIII deals with gifts that are given to some person in order to gain advantages with

respect to other people. Thus, a rather impure form of altruism prevails. A specific example is Seneca's fellowship, i.e., *beneficium* reciprocity.

- It is only in chapter XIX that dharmic giving is treated. The aim is to provide small economic models that shed some light on this rather intricate Brahmanical theory of the gift.

XIII *Arthadāna* and *dānagrahaṇa* in the private realm

Straightforward, unimpeded exchange seems to be the norm in modern economic textbooks. That things may go wrong was obvious to many Old Indian authors and is clearly obvious to anybody who is engaged in complicated business transactions such as having a house built.

A Egoism

In the Indian context, the usual words for reciprocal exchange are *arthadāna* and *dānagrahaṇa*. Remember the two modes of exchange explained in chapter XI: the Edgeworthian person-to-person mode of exchange and the impersonal Walrasian one. The words *dāna* and *grahaṇa* are not, in general, assigned to the participating parties in a straightforward manner. This problem of who "gives" and who "takes" may be expected to crop up and be "solved" differently in various languages. Consider the somewhat unfortunate German term *Arbeitnehmer* (literally a person "taking" work), who is a worker remunerated with a wage. Thus, the *Arbeitnehmer* takes both work (Arbeit) and money. In contrast, the employer is the *Arbeitgeber*, who gives both work and money.

In the GET model, Pareto efficiency occurs under certain mathematical conditions upon which we do not elaborate here. Questions of morality do not enter the standard model. This does not mean that the GET model is based on immoral agents, but rather that problems of morality are simply assumed away. In Old Indian law texts, the difference between greed (*lobha*) and striving for profit (*lābha*)[648] is vital, a difference that GET cannot account for.

Buying/selling of small items would normally occur without any problems. Special attention would only be required for particular items (labour contracts, interest rates, giving a girl into marriage, buying/selling of immovable property), which are the subject-matter of the current and later chapters.

648 See Davis, Jr. (2017).

B Auctions[649]

(1) Auction theory

In microeconomics, several different auctions are analysed.[650] For the purpose of this book, two are relevant, the ascending and the descending auction. In ascending auctions (also called English auctions), the auctioneer raises the price, starting with some minimum price. The last bidder persisting in his wish to buy gets the object for the current price.[651] In a descending auction (Dutch auction), the auctioneer lowers the price, starting with some maximum price. As soon as one bidder is prepared to pay the price announced, he obtains the object for that price.

Economists analyse auctions in terms of the bidders' "willingness to pay". This technical term stands for the amount of money that makes a bidder indifferent between obtaining the object for that amount and not obtaining the object at all. The main theoretical differences between these two auctions are as follows: Under the English auction, the best any bidder can do is to keep on voicing his interest for the object until his willingness to pay is reached, dropping out at that moment. As a consequence, the successful bidder obtains the object for the second-highest willingness to pay. The Dutch auction is more complicated. If a bidder announces his willingness to buy, he has to pay the current price. He may hope to obtain the object for a lower price if he waits some time. Of course, he then runs the risk of seeing another bidder take the object.

(2) Market tax and increasing auction

In subsection V.H(3), Kauṭilya's market tax is cited. Apparently, a trader who came to some market place would need to inform the customs authorities as to the quantity and the starting price of the commodities he hoped to sell. Olivelle (2013, p. 555) correctly argues that Kauṭilya has an auction in mind and goes on to interpret *mūlyavṛddhi* ("increase in price") as follows: "This must refer to the increase beyond the asking price that was initially announced. Such an increase caused by the bidding process appears to go to the state rather than to the trader." By the term "increase in price", we are justified in inferring an ascending auction.

In order to understand the market tax, I assume that one unit of a good is to be sold. Let us denote the initially-announced price by p_a and the final price by p. Consider this concrete example: The trader may quote a value of $p_a = 5$ *paṇa*s. Some bidders are interested in the good at this price and start to outbid one another. Assume a highest

649 This section borrows freely from Wiese (2014).

650 See McAfee & McMillan (1987).

651 Alternatively, the bidders increase the price above the minimum price. If no further bidder can be found to outbid the previous announcement, the last bidder obtains the object for his last bid.

bid, and hence a final price, of $p = 9$ (*paṇa*s). Then, the tax inspectors will collect a market tax (*mūlyavṛddhi*) of $9 - 5 = 4$.

Our trader may hope to evade the tax by indicating a higher value. For example, $p_a = 7$ would lead to the smaller tax of $p - p_a = 9 - 7 = 2$. However, if the trader overestimates the bidders' eagerness to obtain the object, he may try $p_a = 12$ and learn that no bidder is prepared to pay that much. Assume that the trader could try different values during the same market day without additional cost. In our example, he would try to lower the announced prices and still would not find a bidder for any p_a above 9. But, finally, at $p_a = 9$, the most eager bidder would be prepared to pay 9. In that case, the trader's market tax is $p - p_a = 9 - 9 = 0$.

The clever Kauṭilya would not have proposed a tax that could be so easily avoided. It is therefore plausible that the trader who has not found a bidder—his declared value having been too high—cannot, without cost, simply try again with a lower value. In practical terms, the unsuccessful trader may have to pay duty once again, or may have to leave the market and incur transportation costs in order to try at another market place. The market tax then presents the trader with an optimisation problem: On one hand, he would like to choose a relatively high value p_a in order to evade the market tax. On the other hand, a high value carries the risk of not selling the good and incurring duty or transportation costs once again. This optimisation problem is solved in Wiese (2014). The trader will announce an initial price such that he often pays a positive market tax.

One can argue that the market tax is not very clever from a Hayekian perspective. According to section XI.C, prices have the function of informing people about the scarcity of goods. Scarce goods tend to become expensive. The high prices tell producers to extend production and consumers to reduce consumption. Now, this mechanism does not work well in the presence of a market tax. While the price is increased for consumers, the producers or sellers do not benefit (sufficiently?) and have no incentive to increase production. Of course, there is some uncertainty about how the starting price for the auctions was determined. See the argument for governmental price-fixing in subsection V.H(3).

C … but exchange may go wrong

Buying and selling seem to be straightforward activities. A buyer receives an item from a seller for a certain price, or exchanges apples for bananas. In many theoretical models, exchange (see sections XI.B and C) occurs under idealised, often utopian conditions:

- Contracts are complete, i.e., they specify all contingencies. This is not possible in real life.
- From the point of view of social exchange theory, Edgeworthian or Walrasian exchange are but a very small part of social exchange. Social exchange often takes

place over long time intervals, and the question of who owes what to whom is not always clear to the participants. Social exchange relations exist in markets, between neighbours, colleagues, etc. and also include Senecan fellowship and the united alliance found in Kāmandaki's Nītisāra.

- Economic exchange models normally depict a utopian state of affairs in many respects: no theft, no quality problems, no cancellation (rescission) of buying/selling contracts, etc.

The Indian jurists had a particular, but effective manner of dealing theoretically with norm conflicts, as can be seen in ⟨25⟩ on p. 34. They were also aware of what might go wrong in exchanges (section VII.C). The utopian approach of GET disregards all of these practical problems. Of course, economic theory has progressed, and economists are now able to model situations of asymmetric information (consider the quality problems just mentioned), reciprocity, reputation, and the like with the help of game theory.

D Differing interest rates

In quotation ⟨145⟩, specific interest rates are prescribed. They are puzzling on three counts. Firstly, fixed interest rates are astonishing from the perspective of GET. After all, there cannot be any guarantee that these specific interest rates bring demand and supply of loans into equilibrium. If not, some agents (debtors) may not be able to obtain a loan or others (creditors) may not be able to supply a loan at the prescribed rate. It is doubtful whether disequilibrium interest rates would be observed for a long time.

Secondly, the interest rates proposed in *dharma* texts seem high. If a borrower takes out a loan of L for a monthly interest rate of r_m, he has to pay back $L + r_m \cdot L = (1 + r_m)\, L$ at the end of the month. If he then keeps on borrowing for a full year, he pays back $(1 + r_m)^{12}\, L$. Thus, a monthly interest rate of r_m amounts to a yearly interest rate $r_y = (1 + r_m)^{12} - 1$. The monthly interest rates of 1.25, 2, 3, 4, 5, 10, and 20 percent (see ⟨145⟩) correspond to yearly ones of about 16, 27, 43, 60, 80, 214, and 792 percent, respectively. Apparently, loans were typically meant to overcome only short-term liquidity problems. Manu seems to rule out interest payments (from compounding, where interest on interest is paid) of more than 100 percent.[652]

A third puzzle concerns the fact that interest rates differ between the four social classes. In particular, Brahmins have to pay lower interest rates than members of the other social classes. Of course, one might simply interpret this provision as evidence of "how well the Brahmans took care of their own interests."[653] Note, however, that these differences concern only unsecured loans. Therefore, the difference may stem from the expectation on the loan-givers' part that Brahmins may be more likely to

652 See MDh 8.151 and Olivelle (2005, p. 313).
653 Garbe (1897, p. 65)

repay a loan than the other social classes. Indeed, the very high monthly interest rates payable by people (of any class!) who travel through forests (10%) or by sea (20%) seem to indicate an interest differentiation according to the riskiness of the loan.

One may try to estimate the riskiness of forest and sea travel. If a secured loan is not risky at all (i.e., repayment is certain), the repayment form a secured one-month loan is $L + 0.0125 \cdot L$ according to Manu. The expected repayment from a loan given to a forest traveller is $\pi\,(L + 0.1 \cdot L)$, where π denotes the probability of repayment. If the first term were larger than the second one, loan-givers would prefer to hand out secured loans rather than giving a loan to forest travellers. This would make obtaining loans for forest travel difficult and one might expect that interest rates for forest travel would go up. Let us proceed by the equilibrium condition that both loans are equally attractive to loan-givers, i.e., the two terms would need to be equal. One then obtains $\pi = \frac{1.0125}{1.1} \approx 0.92$ for forest travel. Similarly, the probability for repayment from sea travel might be estimated at $\frac{1.0125}{1.2} \approx 0.84$. Or, inversely, forest and sea travellers may expect to lose their property (for example by robbery or ship disaster) with a probability of 0.08 or 0.16, respectively.

Returning to the four social classes, we denote the probability that Brahmins, *kṣatriya*s, *vaiśya*s and *śūdra*s repay an unsecured loan by π_{B}, π_{K}, π_{V}, and $\pi_{\mathrm{Ś}}$, respectively. Assume that loans given to members of the four classes are equally attractive.[654] Roughly, the repayment probabilities are then related by

[5] $\quad \pi_{\mathrm{B}} \approx 1.01 \cdot \pi_{\mathrm{K}} \approx 1.02 \cdot \pi_{\mathrm{V}} \approx 1.03 \cdot \pi_{\mathrm{Ś}}$

One may conjecture that Brahmins are especially eager to repay a loan. After all, as receivers of *dāna*, they need to be considered extremely virtuous in many respects (see ⟨102⟩). However, although the monthly interest rates differ by a lot, the underlying probabilities do not. After all, all economic agents need to be careful so as to protect their reputation.

654 Similarly to repayment in the cases of forest or sea travel, let the equilibrium condition be $\pi_{\mathrm{B}} \cdot L \cdot 1.02 = \pi_{\mathrm{K}} \cdot L \cdot 1.03 = \pi_{\mathrm{V}} \cdot L \cdot 1.04 = \pi_{\mathrm{Ś}} \cdot L \cdot 1.05$.

XIV *Kanyādāna*

A Five traits of *kanyādāna*

Indian marriages have "always" been characterised by five traits. Firstly, marriage is patrilocal, i.e., a bride joins her husband's family, and not the other way around. This makes the framing of marriage in terms of *kanyādāna*—a present made to the prospective groom by the bride's father—look natural.

Secondly, men are allowed to have several wives, but not the other way around. This rule is called polygamy. Polygamy might typically mean that rich men can support several wives, while poor ones won't find any (*bhāryā* literally means the woman to be supported).

Thirdly, marriage would typically be performed in a hypergamous fashion (see ⟨109⟩), i.e., a man can take a wife from his own class or from a lower class, but not from a higher one. Therefore, *śūdra* men can only marry *śūdra* women, and Brahmin women can only marry Brahmin men. One should not be surprised to see violations of hypergamy (see YSm 1.92–93), as this system makes mating difficult for males of a relatively low class and females of a relatively high class. Under polygamy and hypergamy together, poor, low-ranking males will have tremendous difficulties in obtaining a wife. Since men may take several wives, but not the other way around, the problem of not finding a marriage partner is worse for men than it is for women.

Fourthly, with respect to modern-day Bengal, but surely extending across time and place, Fruzzetti (1982, p. 31) mentions that "daughters should be married and not kept in their father's house for too long. Since a woman has to be a mother before she can become a complete person, the foremost duty of a father is to find husbands for his daughters. The presence of unmarried women is unauspicious for the men of the house". See ⟨110⟩. Relatedly, "divorce and permanent return to the father's house is ruled out".[655]

Lastly, *kanyādāna* is often supplemented by payments of some sort that flow to either the bride's family or the groom's family. For example, Manu's third and fifth marriages (see ⟨108⟩) involve payments made to the bride's family. With respect to

655 Trautmann (1981, p. 291)

modern-day Bengal, Fruzzetti (1982, pp. 29–60) describes and discusses two kinds of "gift": the sacred form of *sampradān* (i.e., *kanyādāna*) on the one hand and the non-sacred form of *pon* (dowry) on the other. In particular, she provides interesting details on the negotiations and on their outcomes. While the third trait should theoretically lead to payments by a groom's family, the fourth one might work towards payments by a bride's family.

B Trautmann's classification of marriage

Trautmann (1981, chapter 4) covers the transaction of marriage. He points out that the transaction is not between two freely-contracting individuals, but rather between groups: the bride's relatives and the groom's relatives. Such group decisions are not unknown to economics (collective decision making) or marketing (family decisions). The transferred object is "dominion over the woman".[656]

Manu identifies eight different types of marriage (see ⟨108⟩):

1. "Brāhma": giving a girl to a man of learning and virtue
2. "Divine": giving a girl to a rite-performing priest
3. "Seer's": giving a girl to a bridegroom after accepting a bull and a cow
4. "Prājāpatya": giving a girl with the words "May you jointly fulfill the Law"
5. "Demonic": giving a girl after the payment of money
6. "Gāndharva": giving a girl after voluntary sexual union
7. "Fiendish": abducting a girl from her house in a violent fashion
8. "Ghoulish": secretly raping a sleeping, drunk, or mentally deranged woman

Trautmann thinks that the first four marriages belong to the *kanyādāna* type, i.e., they are gifts of some sort. However, both the third marriage (where the father "accepts a bull and a cow, or two pairs of them") and the fifth one (where "a girl is given after the payment of money to the girl's relatives and to the girl herself") seem to involve "sale and purchase"[657]. Trautmann (1981, p. 290) argues that, in the third marriage, (i) the price is reduced to a minimum and the transaction does not therefore come under the heading of "sale and purchase", and (ii), the price is given *dharmataḥ*. Trautmann's classification of the fifth marriage, where wealth is given *svacchandyāt* ("out of his own free will")[658], is not quite clear. One might argue that this fact of giving *svacchandyāt* sets the fifth marriage apart and involves buying (a *kanyā*). It has to be borne in mind that the giving of the girl (not the giving of cows or other items) is the focal point. In any case, I concur with Trautmann's characterisation of the last three types of marriage as "mutual choice, forcible seizure, and theft", respectively.[659]

656 Trautmann (1981, p. 277)
657 Trautmann (1981, p. 277)
658 Trautmann (1981, p. 290) translates this as "at one's own desire".
659 Trautmann (1981, pp. 277, 291)

Referring back to Trautmann's exchange taxonomy (section XII.A), we may classify marriages by way of gifting (the first four kinds) as "sacred", while marriage by sale and purchase (the fifth kind of marriage) would be called "profane". Mutual choice (i.e., "abduction of a consenting maiden"[660] according to the sixth marriage) or forcible seizure of a girl (marriage no. 7) would be termed "noble", as the proper manner employed by *kṣatriya*s. The remaining case of theft lies outside of Trautmann's taxonomy.

C Lévi-Strauss' universal form of marriage versus Parry's observation

If marriage takes the form of *kanyādāna*, one might expect that the dowry or other forms of payment flow from the groom's family to the bride's family. This would be well in line with Lévi-Strauss (1969, chapter X), who argues for "marriage by exchange" "in its general aspect as a phenomenon of reciprocity, as the *universal form* of marriage."[661] Remember that both Manu's third and fifth marriage (see ⟨108⟩) involve payments made to the bride's family.

However, at least with respect to modern India, the results of fieldwork seem to point in another direction. For example, Parry (1986, p. 463) finds that in north-Indian wife-giving, balancedness in the sense of Blau (presumably Blau (1964, pp. 118–125)) [and Emerson (1962), one might add, see subsection XI.E(4)] seems violated: "[It is not] clear that the unreciprocated gift produces the differentiation in power predicted by Blau (1967)—for in north India wife-giving affines are commonly required to put up with the most peremptory and disdainful treatment at the hands of those to whom they act as perpetual donors." That is, Parry opines that the data contradict balancedness. Parry (1986, p. 463) summarises: "With the hypergamous variant of this system it seems that Hindu ideology has even succeeded in periodically excluding segments of north Indian society from what Levi-Strauss calls 'universal form of marriage'—one based on reciprocity."[662] The tension between balancedness and data (as seen by Parry) has to be resolved in one way or another.

A priori, it is not clear who should pay whom for making a marriage possible. The direction and size of dowry payments (if any) or the direction and extent of honouring or disdainful treatment should be dependent on several factors. Firstly, the relative scarcity of suitable brides or grooms should be relevant. Here, gender-specific abortions (in modern times), infanticide, and neglect play a role. Second comes the involved persons' "quality", with class as one of its components. According to Kauṭilya, rescission might be possible for sexually-defective brides (or grooms).[663] It seems that

660 Trautmann (1981, p. 291)
661 Lévi-Strauss (1969, p. 143)
662 Lévi-Strauss (1969, p. 143)
663 See, for example, KAŚ 3.15.12.

this form of rescission is modelled more closely on rescission of merchandise (subsection VII.C(2)) than on rescission of gifts (subsection VII.C(5)). Thirdly, the relative problems of remaining unmarried should be important. Recall the inauspiciousness of unmarried women in a household, mentioned in section A.

One line of attack on Parry's problem may use the Shapley value. If one considers balancedness (see subsection XI.E(4)) as the "natural" or "expected" outcome and if one does not doubt "the most peremptory and disdainful treatment at the hands of those to whom they act as perpetual donors", one is forced to draw specific conclusions about the coalition function. Let us assume a giver G of the bride and the receiver R together with the coalition function v defined by

$$[6] \qquad v(\mathrm{G}) \ , \quad v(\mathrm{R}) \ , \text{ and } v(\mathrm{G},\mathrm{R}) > 0$$

The coalitions with just one player reflect the state where the two people in question do not marry one another, but remain unmarried or marry a third person. The positive worth of the grand coalition reflects the idea that marriage and children therefrom are highly valued.

Now, assume that G's Shapley value is negative at $-c$, where c denotes the cost of disrespect suffered by G's family or the cost of dowry. Then, applying equation [1], one finds

$$[7] \qquad -c = Sh_{\mathrm{G}} = \tfrac{1}{2}\left(v(\mathrm{G}) - v(\emptyset)\right) + \tfrac{1}{2}\left(v(\mathrm{G},\mathrm{R}) - v(\mathrm{R})\right)$$

which implies

$$[8] \qquad v(\mathrm{G}) = v(\mathrm{R}) - 2c - v(\mathrm{G},\mathrm{R}) < v(\mathrm{R})$$

Thus, $-c < 0$ implies that the bride's family is worse off outside the specific connection than the groom's family. Perhaps, the inauspiciousness of unmarried women, but not of unmarried men, in a household may provide the underlying rationale. Thus, the gift of a girl is only an apparent gift. The girl's family is worse off if she cannot be married-off, and in particular not married-off to a man of higher class.[664]

Wrapping up, the current author thinks that important aspects of *kanyādāna* should be seen as an exchange in line with the upper left pattern in Figure 2 on p. 143. Then, A stands for the groom's family, which provides the service of accepting the bride into the groom's family, against a dowry payment made by B, the bride's family. In defending this interpretation, I do not intend to deny the merit-producing aspect (see chapter XIX on dharmic giving) of *kanyādāna*.

664 Note, however, that Parry (1986, pp. 461–462) himself observes that many north Indian castes do not systematically apply hypergamy, meaning that the apparent explanation of the sort "gift given by the bride's family against the bride's elevation in rank" cannot hold water here.

D Matching grooms and brides in the cases of polygamy and hypergamy

(1) Discrete examples

With a view to subsection XI.B(3), I would like to discuss *kanyādāna* from the point of view of matching. We begin with some discrete examples. Assume 16 marriageable young people: 8 male, 8 female. In Table 9, the men and women are listed according to their social class (second and seventh column, respectively). For the men, I have indicated the number of supportable women in three different constellations.

Table 9: Discrete matching examples

men	social class	number of supportable women: const. A	const. B	const. C	women	social class
M1	B	2	0	1	W1	B
M2	B	1	1	1	W2	B
M3	K	2	0	1	W3	K
M4	K	1	1	1	W4	K
M5	V	2	1	0	W5	V
M6	V	1	2	3	W6	V
M7	Ś	2	1	0	W7	Ś
M8	Ś	1	1	1	W8	Ś
		1⚮1, 2	2⚮1	1⚮1		
		2⚮3	4⚮3	2⚮5		
		3⚮4, 5	5⚮5	3⚮3		
		4⚮6	6⚮6, 7	4⚮6		
		5⚮7, 8	7⚮8	6⚮7, 8		

In constellation A (third column), all four classes are equally well off economically and each male can support one or two wives. One possible matching outcome is given in the last row of the third column. Read "1 ⚮ 1, 2" as "M1 marries W1 and W2". By hypergamy, the *vaiśya* male M6 and the two *śūdra* males M7 and M8 do not obtain a wife. Constellation B is characterised by relatively poor Brahmins and *kṣatriya*s. M1 and M3 cannot afford to support a wife. In this matching example, *śūdra* M7 finds a wife, while M8 does not. Finally, in constellation C, Brahmin M1 marries a Brahmin wife, whereas M2 obtrains a *vaiśya* wife, even though W2 is available. Similarly, *kṣatriya* M4 weds a *vaiśya* wife. W2 and W4 do not find a husband, while M6 only gets two wives despite being able to support three.

(2) A continuous model

I now turn to a continuous model, where a man may have "one fifth" of a woman. While the interpretation seems difficult, think of "1/5 woman" as "obtaining one woman with probability 1/5". Another interpretation is given in the Mahābhārata, where Draupadi belonged to the five *Pāṇḍava* brothers. She gives a son to each of them. We start with a continuous model of male polygamy, where a man may have 5.2 women all for himself.

Assume a continuum $[0, 1]$ of potential grooms. If you wish, you may multiply this number by 1.000 in your mind. Then, instead of saying that 2/3 of all men are married, you may wish to express this ratio by saying that 667 out of 1.000 men are married. A particular man m from this interval is assumed to have an income of m that allows him to support sm wives. We address s as the supportability parameter (remember *bhāryā* in the sense of "woman to be supported"). The larger is s, the more women can be supported by a man with a given income. The inverse $1/s$ is the income per married woman.

Assume a quantity w of marriageable women or an interval $[0, w]$ of marriageable women. Again, multiply by 1.000 if you prefer. The women's identity or even their characteristics (in terms of virtue or beauty) are not important in this model.

Furthermore, assume an income minimum $\hat{m} < 1$ such that men below this threshold will not be able to find a wife. Then, appendix B shows that the demand for women equals

$$[9] \qquad \frac{s}{2}\left(1 - \hat{m}^2\right)$$

Rather than elaborating on this model of male polygamy, we add female hypergamy to our model. In order to simplify matters, we do not work with four different social classes as in the discrete section above. Instead, we assume two continua of classes. Male grooms v (*vara*) belong to class $c_{\mathrm{v}} \in [0, 1]$, where 0 stands for the highest class and 1 for the lowest. Similarly, female brides k (*kanyā*) belong to class $c_{\mathrm{k}} \in [0, 1]$.

As in the model of male polygamy considered thus far, grooms v have an income $m_{\mathrm{v}} \in [0, 1]$, which allows them to support sm_{v} wives. The two properties of belonging to a specific class on the one hand and of having an income on the other hand are independent of one another. This means that high-class males are as likely to be poor or rich as middle-class or low-class males. We assume that high-class males choose wives "first" and lower-class males choose wives "later". Female hypergamy is consistent with two matching patterns (and mixtures of these patterns). Men of class v with income m_{v} might choose sm_{v} wives from classes below their own and, with that restriction, choose wives (i) from as high a class as possible or (ii) from among all the classes. The following model works under the second assumption. It corresponds with constellation C in the discrete subsection above.

As shown in appendix B, the lowest class (with the highest index) that is just able to find a wife is given by

$$[10] \quad c_{\mathrm{V}}^{\min} = 1 - \mathrm{e}^{-\frac{2w}{s\left(1-\hat{m}^2\right)}}$$

The proportion of classes of men able to find a wife (if income permits) is $c_{\mathrm{V}}^{\min}$. Therefore, this proportion of married men is relatively large if the quantity of women w is large or sustainability s is small. In fact, these two assertions can be put together: the proportion of classes of men able to find a wife is large if the ratio $w/s = w \cdot \frac{1}{s}$ is large, i.e., if the income necessary to marry all of the women is large. Furthermore, the amount of married men (in terms of class) is large if $\hat{m}$ is large, i.e., if only the rich can afford a wife.

Importantly, in order to find a wife, a man must (i) belong to the relatively high classes and (ii) have an income above $\hat{m}$. The overall proportion of men satisfying both of these requirements is given in the appendix. Assume a relatively large $\hat{m}$, i.e., only rich men will find a wife. $c_{\mathrm{V}}^{\min}$ is then large so that men of relatively low social class, but boasting an income above $\hat{m}$, will find a wife. Inversely, a relatively small $\hat{m}$ implies that poor men may find a wife (even if only the chance of getting a wife with a positive probability), but that men of low social class will not.

XV Marketing and competition

The relationship of marketing with Old Indian texts on giving and taking deserves a special chapter. On the one hand, *guru*s and Brahmins can be considered as marketing actors. On the other hand, ideas from *dānadharma* may themselves be fruitful for modern marketing.

A Marketing

Marketing textbooks and the marketing instruments are dominated by the familiar 4Ps (introduced by McCarthy (1960)). The 4Ps are "product", "place", "price", and "promotion"—summarily addressed as the "Marketing Mix". Van Waterschoot & Van den Bulte (1992) have proposed an "Improved Classification of the Marketing Mix" (pp. 88–91), which I present here. These authors (p. 89) identify the following "instruments":

- product instruments (configuration of something valued by the prospective exchange party)
- distribution instruments (placing the offer at the disposal of the prospective exchange party)
- price instruments (determination of the compensation and sacrifices to be brought by the prospective exchange party)
- communication instruments (bringing the offer to the attention of the prospective exchange party and influencing its feelings and preferences about it)

This classification has proved useful and provides the basic structure for marketing thinking and teaching all over the world.

B Marketing for *ācāras*[665]

(1) The *ācāra* and his *dānagrahaṇa*

The *śiṣya* (student in his *guru*'s house) is enumerated among the five different kinds of labourer. See ⟨122⟩, p. 87. Scharfe (2002, p. 277) explains: "The word [*guru*] originally meant 'heavy, weighty,' and calls to mind the Latin expression of a *vir gravis*, 'a weighty man,' i.e. a man of importance and dignity."[666] The *guru* "who teaches young boys and men in his house the sacred texts of the *Veda*, is called an *ācārya* – meaning literally either the man 'who teaches the right conduct' or, more likely, 'he who must be approached' ".[667]

In this section and the next, we cover the relationship of an *ācārya* with his pupils. See Figure 4 and compare with the upper left pattern in Figure 2 (p. 143). In particular, we consider the *ācārya* as an economic agent who employs what we would nowadays call marketing techniques.

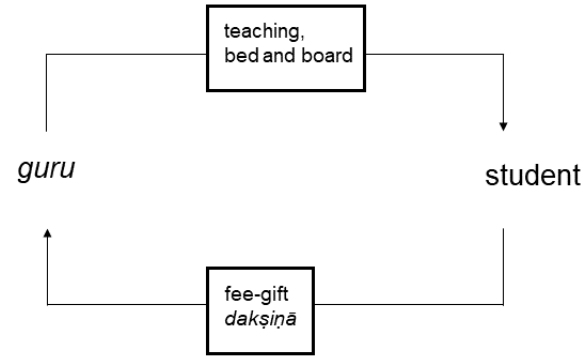

Figure 4: The dakṣiṇā in return for teaching, etc.

With respect to the giving and taking between teacher and pupil in Buddhist texts, see ⟨180⟩ and ĀUJA 4.71, 84–88. In contrast to the "material needs" of ascetics and brahmins (see ⟨181⟩), neither *dakṣiṇā* nor *dāna* for teachers are explicitly mentioned in ĀUJA. Here, we focus on the Brahmanical context. Keeping in mind the unclear attribution of *dāna* and *grahaṇa* to actors in many exchange relationships (see section XIII.A), the *dāna* offered by the *ācārya* includes three components:

(a) Teaching of the *Veda*:
According to ViDh 27.15–17 and ĀDh 1.19, the period of study begins before the pupil is 8, 11, or 12 years of age, depending on whether the pupil is a Brahmin, a Kṣatriya, or a Vaiśya, respectively. The length of study varies. If one requires 12

665 This section borrows freely from Wiese (2022a).
666 Note that Sanskrit *guru* and Latin *gravis* derive from a common Indo-European word.
667 Scharfe (2002, pp. 277–278)

years for each of the three *Veda*s, one has to study for 36 years. Manu 3.1–2 says: "He should carry out the observance relating to the three Vedas at his teacher's house, an observance lasting thirty-six years, or one-half or one-quarter of that time, or else until he has learnt them. After he has learnt in the proper order the three Vedas or two of them, or at least one, without violating his chastity, he should undertake the householder's order of life."[668]

(b) Rituals:
Veda-teaching occurs in the framework of well-established rituals.[669] In particular, the beginning of the student's stay in his teacher's house is called *upanayana* ("leading [the student] near [the teacher by his guardians]"). The end of one's studies is often marked by a ceremony called *snāna* ("bath") or *samāvartana* ("returning" [home]).

(c) Bed and board:
The students obtain lodging and food at the *guru*'s house. In return, the students had to beg for food and to provide personal services to the *guru*. These services and the humility that comes with providing them may also be considered a product given (!) to the students.

The *guru*'s *grahaṇa* as an *ācārya* has three components:

(a) Begging for alms:
One of the student's tasks is to beg for alms. For example, ĀDhS 1.3.25 enjoins: "Morning and evening he shall go out to beg with a bowl, soliciting from those who are not degraded or heinous sinners, and bringing all he receives to his teacher." It is likely that the begging efforts were successful. In any case, householders were asked to react sympathetically to students begging *gurvartham*, i.e., "for the sake of his teacher".[670] It may have even been dangerous not to give (see ⟨95⟩). Nevertheless, if the student is not successful, it is the teacher's duty to give him food. Thus, alms begged for by the student are an uncertain income for the teacher.

(b) Services in the guru's house:
According to ĀDhS 1.4.24, "he should say when he goes to sleep: 'I have taken care of the man who takes care of the Law.' " ĀDhS 1.6.1–2 goes on to stipulate: "Every night he should get his teacher ready for bed by washing and pressing his feet, and, when permitted, lie down to sleep himself".

(c) *Dakṣiṇā*:
Before a student leaves his teacher's house, he is expected to present a gift. The instructions to a departing student might have been as follows:
"After the completion of Vedic study, the teacher admonishes his resident pupil: 'Speak the truth. Follow the Law. Do not neglect your private recitation of the Veda. After you have given a valuable gift to the teacher, do not cut off your family line. [...] Treat your mother like a god. Treat your father like a god. Treat your

668 MDh 3.1–2, Olivelle (2005)
669 An overview of Hindu *saṃskāra*s, including educational ones, is given by Pandey (1969).
670 This is stipulated in Manu 11.1–2. See Olivelle (2005, pp. 215, 837).

teacher like a god. Treat your guests like gods.' »[671] Interestingly, stealing for the teacher's benefit might be allowed under certain exceptional conditions.[672]

(2) The *ācāra*s (and other Brahmins) as economic actors?

It is only realistic, I claim, to assume that learned Brahmins were competing against each other with respect to both students and the king (see sections V.C and V.D). In line with this assumption, the Upaniṣads depict learned Brahmins as economic actors. The teacher's prayer in the Taittirīya Upaniṣad contains:

⟨212⟩ *ā mā yantu brahmacāriṇaḥ svāhā* |
vi mā yantu brahmacāriṇaḥ svāhā |
[…] ||
yaśo jane 'sāni svāhā |
śreyān vasyaso 'sāni svāhā ||[673]

Students, may they come to me! Svāhā!
Students, may they flock to me! Svāhā!
[…]
May I be famous among men! Svāhā!
More affluent than the very rich! Svāhā![674]

The successful teacher might be called *yaujana-śatika*, i.e., a *guru* for whom students travel a long distance—one hundred yojanas.[675] However, a *guru*'s orientation towards marketing and business would have been frowned upon and comes at a cost. A Brahmin can profit from Vedic knowledge in either this world or the next, but not in both:

⟨213⟩ *yaś ca vidyām āsādyāsmiṃl loke tayā jiven na sā tasya paraloke phalapradā bhavet* | *yaś ca vidyayā yaśaḥ pareṣāṃ hanti* |[676]

When someone acquires vedic knowledge and thereby gains a livelihood in this world, that knowledge will give him no reward in the next world, as also when someone uses his vedic knowledge to tear down the fame of others.[677]

Refer to section III.C on the *mīmāṃsā* understanding of *dharma*.

671 TU 1.11.1–2, translation by Olivelle (1998, pp. 296–299), where "gift" is here used to translate *dhana*.
672 ĀDhS 1.7.19–21 says: "After learning as much as he can, he should present the fee for vedic study, a fee that is procured righteously and according to his ability. If his teacher has fallen into hardship, however, he may seize it from an Ugra or a Śūdra. Some maintain that it is lawful at all times to seize wealth for the teacher from an Ugra or a Śūdra." Note: An *ugra* has a *kṣatriya* father and a *śūdra* mother according to KAŚ 3.7.22.
673 TU 1.4.2–3
674 Olivelle (1998)
675 See Scharfe (2002, pp. 281–282).
676 ViDh 30.39–40
677 Olivelle (2009)

(3) The *ācāra*'s pricing policy

The concrete amount of *dakṣiṇā* is left up to the student. This arrangement may well have been to the advantage of the teacher, by some process of gift differentiation (corresponding to price differentiation in microeconomics or marketing). That is, a student from an affluent family could and typically would give more generously than a student from a poor family. Apparently, while a *dakṣiṇā* is a fee paid to the teacher, it is also a gift:

⟨214⟩ *tathā pātraviśeṣeṇa dānaṃ syād uttarottaram |*
gurumātṛpitṛbrahmavādināṃ dīyate tu yat |
tal lakṣaguṇitaṃ vidyāt puṇyaṃ vā pāpam eva vā ||[678]

Moreover, a gift becomes greater and greater in accordance with the excellence of the recipient. Thus, one should know that when a gift is given to one's teacher, one's mother, one's father, and a Vedic savant, each time the resulting merit or sin becomes increasingly a hundred-thousand times greater.[679]

Thus, there are good reasons for giving generously to one's teacher.

(4) The *ācāra*'s communication policy: attention

A *guru* may win a philosophical debate—thus attaining the king's favour, as well as attracting students and followers (see chapter V.D). A second method of winning students is presented in the Upaniṣads:

⟨215⟩ Śvetaketu, the son of Āruṇi, came one day into the assembly of the land of Pañcāla and approached Jaivali Pravāhaṇa while people were waiting upon him. Seeing Śvetaketu, he said: "Son!" Śvetaketu replied: "Sir?" Jaivali asked: "Did your father teach you?" Śvetaketu replied: "Yes."
"Do you know how people, when they die, go by different paths?"
"No," he replied.[680]

Jaivali keeps on asking questions to which the boy has no answer. Jaivali invites the boy to stay, but the latter runs off to his father Gautama and tells him about it.[681] The father goes to Jaivali and some bargaining begins:

⟨216⟩ Jaivali gave him a seat and had some water brought for him. Then he presented him with the refreshments due to an honored guest and said: "We will grant a wish to the Reverend Gautama."
Gautama said in reply: "Now that you have promised to grant me a wish, tell

678 LDK 2.30
679 Brick (2015)
680 BĀU 6.2.1–2, Olivelle (1998)
681 BĀU 6.2.2–3, Olivelle (1998)

me what you told my boy."
"But that, Gautama, is in the category of divine wishes," responded Jaivali. "Why don't you make a wish of a human sort?"
Gautama replied: "As you know, I have my share of gold, cows, horses, slave girls, blankets, and clothes. Do not be stingy, your honor, in giving me more than that–in giving me the infinite and the boundless."
"Then, Gautama, you will have to request it in the correct manner."
"I come to you, my lord, as a pupil."
With just these words did the people of old place themselves as pupils under a teacher. And Gautama lived there openly as a pupil.[682]

In the end, Jaivali does not win the boy as student, but his father instead, presumably for a generous remuneration.

(5) The *ācāra*'s communication policy: feelings and preferences

In Ancient India, the feelings and preferences of a *guru*'s customers towards him were quite positive. In particular, the value of teaching was well-accepted:

⟨217⟩ *vittaṃ bandhur vayaḥ karma vidyā bhavati pañcamī |*
etāni mānyasthānāni garīyo yad yad uttaram ||[683]

Wealth, kin, age, ritual life, and the fifth, knowledge—these are the grounds for respect; and each subsequent one carries greater weight than each preceding.[684]

Indeed, the teacher has a treasure to offer:

⟨218⟩ *vidyā ha vai brāhmaṇam ājagāma*
gopāya mā śevadhiṣ ṭe 'ham asmi |
asūyakāyānṛjave 'yatāya
na māṃ brūyā vīryavatī tathā syām ||
yam eva vidyāḥ śucim apramattaṃ
medhāvinaṃ brahmacaryopapannam |
yas te na druhyet katamac ca nāha
tasmai māṃ brūyā nidhipāya brahman ||[685]

Now, vedic knowledge came up to the Brāhmaṇa and said: "Guard me; I am your treasure. Do not disclose me to a man who is envious, crooked, or uncontrolled. Thus I shall wax strong.

682 BĀU 6.2.4–7, Olivelle (1998)
683 MDh 2.136
684 Olivelle (2005)
685 ViDh 29.9–10

> A man you know to be pure, alert, wise, and chaste, a man who will not become hostile toward you under any circumstance—only to such a man should you disclose me, O Brāhmaṇa, as to a guardian of your treasure.[686]

In this manner, the product (the teaching of Vedic knowledge) should not be given lightly to just anybody. This adds to the impression of having something very valuable on offer.

Another avenue of influencing the students' outlook on learning from a teacher is via ancestor worship. The value of *Veda*-teaching and reciting is enhanced by the following observation:

⟨219⟩ *śiṣyeṇa brahmārambhāvasānayor guroḥ pādopasaṃgrahaṇaṃ kāryam |*
praṇavaś ca vyāhartavyaḥ |
tatra ca yad ṛco 'dhīte tenāsyājyena pitṝṇāṃ tṛptir bhavati |
yad yajūṃṣi tena madhunā |
yat sāmāni tena payasā |
yac cātharvaṇaṃ tena māṃsena |
yat purāṇetihāsavedāṅgadharmaśāstrāṇy adhīte tenāsyānnena |[687]

> At the beginning and at the end of a vedic lesson, the pupil should clasp his teacher's feet and recite the sacred syllable OṂ.
> And within this context, when he recites Ṛg-verses, by that his ancestors become sated with ghee; when he recites Yajus-formulas, with honey; when he recites Sāman-chants, with milk; when he recites Atharvan-formulas, with meat; and when he recites Purāṇas, Itihāsas, Vedic Supplements, and Legal Treatises, with rice.[688]

Other aspects of winning pupils or followers are argued for by theoreticians of religion. Stark & Finke (2000, p. 112) note that "confidence in the explanations offered by a religion will be greater to the extent that its ecclesiastics display levels of commitment greater than that expected of followers." In the Indian context, the *guru* is supposed to possess the highest moral, intellectual, and spiritual qualifications. Thus, according to the Upaniṣads, the teacher should be "well versed in the Vedas, and focused on *brahman*."[689]

C Marketing for prospective *pātra*s

Within the *dharmadāna* framework, giving to worthy recipients is encouraged. On the one hand, the texts prescribe how and by whom giving is meant to be practiced. The

686 Olivelle (2009)
687 ViDh 30.32–38
688 Olivelle (2009)
689 MU 1.2.12, Olivelle (1998)

manifold advantages of giving are dealt with, or alluded to, in texts of various traditions. On the other hand, the Brahmins had to make themselves eligible as donees. They had to engage in some form of self-marketing.[690] Indications of such self-marketing activities are also evident from the texts. Self-marketing by receiving Brahmins is prevalent in the age of Kali:

⟨220⟩ *kṛte pradīyate gatvā tretāyāṃ dīyate gṛhe |*
dvāpare prārthayati ca kalau cānugamānvite ||[691]

In the Kṛta Yuga, a donor goes to the recipient and gives; in the Tretā Yuga, a donor gives a gift in his home; in the Dvāpara and Kali Yugas, a recipient begs, but in the Kali Yuga, the recipient must also pursue the donor.[692]

Consider ⟨102⟩ and ⟨103⟩. From the givers' point of view, these quotations enjoin the merit-seeker to exercise care in the receiver-selection process. From the receivers' perspective, they tell the Brahmin the qualities that he needs in order to be a worthy *pātra*.

Thus, one might apply the following textbook marketing instruments:

- product instruments
  The *dharmadāna*-receiving Brahmins obtained dharmic gifts due to their virtuousness. In a sense, they themselves were the product. They needed to engage in self-marketing in order to be considered "worthy". From another perspective, their product was the merit promised to the donors.
- distribution instruments
  Successful Brahmins obtained dharmic gifts from neighbours and passers-by. In order to attract the attention of potential donors they needed to be located appropriately.
- price instruments
  The concrete amount of a dharmic gift is to be decided by the donor and should be in line with his means. Due to the inherent gift differentiation, this arrangement would benefit the Brahmin, just as it benefits the *ācārya* (see subsection XV.B(3)).
- communication instruments
  The worth of the merit obtained by the giver was clearly a function of his belief (*śraddhā*, see section VI.B).

D Competition between Brahmins or churches

One might think that Brahmins and other potential receivers would try to ward off competitors. This seems to have already been relevant in Vedic times (see ⟨40⟩). An-

690 This has been observed by Thapar (2010, p. 103).
691 LDK 1.63
692 Brick (2015)

other indication is ⟨99⟩ from *dānadharma*. It can be understood as an endeavour to keep other, unworthy recipients at bay. The reader is also directed to chapter XVI, where one learns about the marketing activities and competition undertaken by *guru*s with respect to a king.

Zaleski and Zech (1995) summarise the theoretical and empirical work on church giving. They focus on the question of whether competition between religious churches increases or decreases giving to said churches. There are three arguments as to why a monopolistic church may result in a more religious society and hence in more giving to one's church. Firstly, note "a monopoly church's ability to penetrate all of a society's institutions, both religious and secular". Secondly, there may be grounds for "the fear that competition among churches may be destructive and harm the credibility of religion in general" and "destroy the taken-for-granted elements of religion in a society".[693] The latter is Berger's idea of a "sacred canopy".[694] Together with basic Brahmanism, it seems that the Indian *dānadharma* permeates Hindu society, with no real separation of religious and secular spheres. Of course, Brahmanical tenets have been threatened by heterodox belief systems. But, even when such a threat emerged, the theories of *dāna* were remarkably similar within Indian traditions (of Brahmanical, Buddhist, or Jain affiliation) and remarkably different from many Western traditions, as has already been observed by Heim (2004, pp. xvi–xxi). Thirdly, the opportunity to choose between different religious affiliations may be connected to search and information costs. In particular, a potential donor needs to identify worthy Brahmins (⟨103⟩).

Inversely, competition may be beneficial to church giving for another three reasons. Firstly, as with product differentiation, people differ in their religious tastes. It is not quite clear how Brahmanism fares in this respect. There is a basic general understanding of *karman*, *dharma*, and the like. However, the six orthodox *darśana*s differ to varying extents. On top of that, there are the heterodox beliefs, such as Jainism, Buddhism, and the *Cārvāka* philosophy (see section III.C). Secondly, monopolistic churches might become "lazy" as do monopolistic firms. It seems that the framework of *dānadharma* set in place a highly-competitive environment, where individual Brahmins had to prove their *pātratva*—the fact that they were worthy recipients of gifts. Thirdly, a monopolistic religion that is connected to the worldly power may prove unpopular, at least among those not benefitting from the particular policies pursued by said powers. Then, a distance between worldly power and the recipients of gifts may be helpful. Now, while Hindu kings were sometimes known to give generously to Brahmins or Buddhists, the *dānadharma* ideology mainly addresses laymen, who are supposed to give to individual Brahmins or to Buddhist *saṅgha*s.

693 For these quotations, see Zaleski & Zech (1995, pp. 351–352).
694 See Berger (1967).

E Modern marketing theory from the *dānadharma* perspective

This section tries to connect (i) Old Indian theories of gifting with (ii) a new manner of structuring marketing ideas. This particular perspective is instructive for both *dāna* theory and marketing. More concretely, in place of the traditional 4P Marketing Mix (price, product, place, promotion) introduced in section A, I suggest an alternative *dānadharma*-inspired approach. Why not structure the vast marketing knowledge according to the six bases or motivations (*adhiṣṭhāna*), as listed in ⟨94⟩?[695]

One would then take a customer's perspective and ask about his or her motivations for deciding on an object that is for sale. He may buy for either one or a combination of these six motivations: duty (*dharma*), worldly gain (*artha*), passion (*kāma*), shame (*vrīḍā*), joy (*harṣa*), and fear (*bhaya*). One way to proceed may be to use the new classification as the overarching structure and to employ the 4Ps within each of the six elements.

Consider Figure 5, which links the six motivations with the "aims of life", as mentioned in section III.A. Partly building on that figure, I now offer a few remarks on this alternative manner of structuring marketing topics along the bases (motivations) of giving spelled out in the *dānadharma* literature.

Turn first to the marketing for customers motivated by duty (*dharmadāna*). If customers act for otherworldly motives ("duty"), Old Indian concepts may be helpful

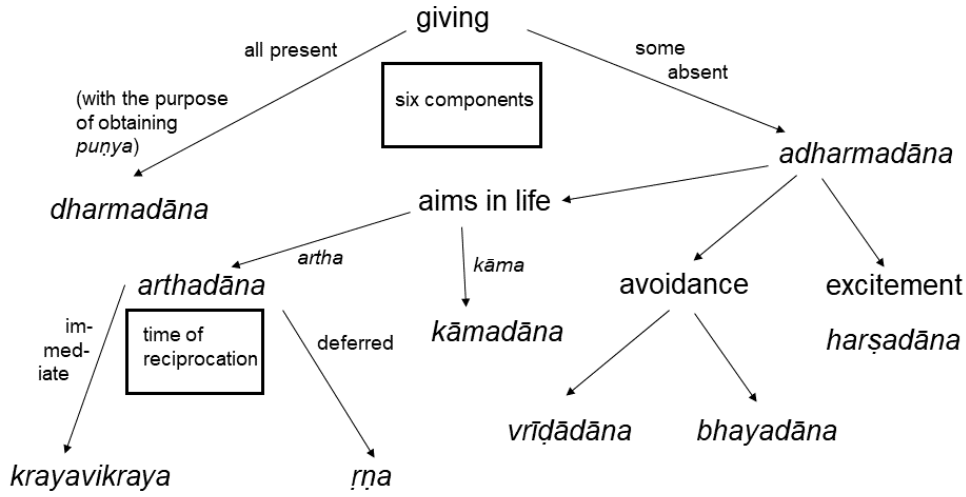

Figure 5: From dharmadāna to harṣadāna

695 It seems that the Buddhist list of four defilements of giving or gifting (as seeen in ⟨188⟩) is less relevant for this purpose.

in devising marketing strategies for charities.[696] In particular, marketing strategies could revolve around the concept of becoming or remainng a *pātra*. We are then dealing with the self-marketing strategies of youtubers, influencers, celebrities, politicians, and the like. See also section C. Furthermore, the triple-debts ethics (subsection VII.E(3)) may provide ideas as to how to make people pay for duty reasons. Of course, one needs modern arguments and modern presentations. Potentially related is charity marketing that employs shame (*vrīḍā*). However, it seems that "fear, guilt, and shame appeals" are of limited effect.[697] The avoidance motive (see Figure 5) is also present when somebody gives for reasons of fear (*bhaya*). It seems that the marketing tools expedient for extortion or blackmail have not been covered thus far, at least not under the heading of "marketing".

For customers motivated by worldly reward (*arthadāna*), Indian texts provide rather modern perspectives, as is clear from chapter VII and from section XIII.C. A particular example is the rescission management that firms such as Amazon need to engage in. Furthermore, debt payment and interest rates (see sections VII.E and XIII.D) are of lasting relevance. Finally, the problems of mistrust and asymmetric information have been very clearly foreseen by *arthaśāstra* authors (see the latter sections of chapter XVIII).

With respect to passion (*kāma*), consider ⟨94⟩. Here, the relevant marketing problem should concern the application of the 4Ps to the craving of men for "women, racing, hunting, or playing dice".[698] One may speculate as to the common denominator of these passion goods/activities. Presumably, they are about enjoyment and fun, rather than addiction. Giving for reasons of joy (*harṣa*) seems closely related to giving out of passion. Customers are motivated by joy if they buy/give "after seeing or hearing pleasant things". It seems that this particular type of marketing deals with the spontaneous giving that street artists endeavour to elicit.[699]

696 See, for example, Morris et al. (2001).
697 See Brennan & Binney (2010).
698 See Belk et al. (2003).
699 But joy might also be relevant to lots of other goods, for example groceries, as examined by Hultén & Vanyushyn (2011).

XVI The king's givings and takings

As is clear from chapter V, the king is involved in several kinds of giving and taking. Here, I would like to add a few etic viewpoints.

A Presumptive taxation[700]

Remember the contract theory of state and citation ⟨57⟩, according to which the king can collect as *bhāga* "one-sixth of the grain and one-tenth of the merchandise, as also money". This rule also holds for goods stolen from abroad (see subsection VII.B(5)). According to Trautmann (2012, pp. 142–143), the term *bhāga* implies that "the king is a co-sharer with the people of the kingdom in various wealth-making enterprises [...] The focus is not on ownership of a resource but of a share of what is produced." An example of such a tax is the market tax described by Kauṭilya (subsection XIII.B(2)).

However, co-sharing surely knows exceptions. In particular, presumptive taxes were also encountered in premodern India. Presumptive taxes are not based on actual income, but rather on the potential to create income.[701] In particular, most taxes mentioned in the charter of Viṣṇuṣeṇa are "presumptive". This clearly holds for VCh 48–51, where fees were to be paid for fields and workshops, but not for sales or profits generated from these production facilities. The outgoing duties (subsection V.H(7)) may also be considered presumptive. The outgoing merchants may have hoped to obtain good prices abroad, but the actual revenue was not relevant to the duty to be paid.

B The king's compensation for theft

According to subsection V.F(3), the king or his officials had to compensate victims of theft. In contrast, compensation for stolen items is not widespread in modern legal

700 This section borrows freely from Wiese & Das (2019, p. 149).

701 Thuronyi (2004) discusses the administrative and other merits of presumptive (or potential-income) taxation.

systems. The Old Indian rules remind us of the central obligations of governments to ensure inner and outer security. This is surely in line with the contract theory of state. From an efficiency perspective, it is unclear whether such compensation rules should be in effect. On the one hand, potential victims may take insufficient precautions if they know that the costs of theft are borne by the government (or king). After all, the compensation acts as an insurance against theft. In economic theory, these reductions in precautionary measures come under the heading of moral hazard.[702] On the other hand, (modern) governments may also need (monetary and political) incentives to prevent theft (e.g., by stricter laws against theft, by increasing the police force, by controlling borders, etc.).

C Import and export duties[703]

Subsection V.H(7) is about the preferential treatment of incoming goods over outgoing goods. Some economic remarks on these rules are in order. Note that border-crossing transport of goods in premodern times is not to be confused with modern-day imports or exports. An exporter (in the modern sense) is institutionally located in a home country and obtains gold, foreign currency, or claims (receivables) in exchange for the goods he exports. A country may benefit from exports if it values gold, foreign currency or claims higher than the exported goods. In Old and Medieval India, the goods taken out of the country by merchants were lost until (and if) the merchants returned. It is therefore understandable that Kauṭilya and Viṣṇuṣeṇa were concerned about goods flowing out of the country.

In Europe, similar policies were pursued in order to safeguard and increase the supply of goods in city or state. This approach is called "policy of provision" and is discussed in detail by Heckscher (1994). For example, "[i]n 1234 imports into Ravenna were free of duty, while tolls were imposed on exports."[704] In Europe, the policy of provision gave way to the mercantilist "protection" policy that favoured exports over imports.[705]

D *Bali* as a balancing mechanism in the contest between the vital functions[706]

The *bali* given to the king is a reflection of the king's potential to do harm to his subjects, in particular by not protecting them, i.e., by leaving them alone. Reconsider

702 See, for example, Salanié (2005).
703 This section borrows freely from Wiese & Das (2019, pp. 149–150).
704 Heckscher (1994, p. 87)
705 Heckscher (1994, pp. 112–172)
706 This section borrows freely from Wiese (2022b).

section V.G. In some accounts of the contest between the vital functions for superiority, breath's threat of withdrawal carries more weight than the threat of withdrawal by the other vital functions. Consequently, these other vital functions offer *bali* to "king *prāṇa*".[707] This tribute can be seen as serving a specific purpose, in line with the withdrawal symmetry obeyed by the Shapley value.

Apparently, the tribute is a positive entity. After the other vital forces provide *bali* to breath, the latter's Shapley value includes the *bali*. Now, after having turned over the tribute to breath within the body, i.e., in the grand coalition, speech (as one vital function) does not suffer more from breath's leaving the body than breath would suffer from speech's exit. That is, withdrawal symmetry is restored.[708]

E The king's fear of disloyal subjects or officials

While the subjects may fear the king's wrath and therefore pay the taxes that he demands, a reduction in the king's demands may stem from the king being afraid of disloyal subjects. In fact, whenever specific taxes or tax rates are reported, they will in general stem from some generalised bargaining procedure, sometimes presumably explicit, as in the charter of Viṣṇuṣeṇa, which is called an *anugrahasthitipātra* ("charter of statutes for showing favours")[709]. Implicit bargaining can be deduced from passages such as ⟨55⟩ and the loyalty theory of state.

As has been observed by Vanberg (1982, p. 59, fn. 48), both sides in any relationship do things that they would not have done without the influence (or existence) of the other party. Thus, the Old Indian king would

- provide security to his subjects against violence, from within the monarchy and from without (see section V.A),
- collect one-sixth of the grain and one-tenth of the merchandise from his subjects (⟨57⟩),
- have reason to fear his subjects' disloyalty (⟨55⟩).

The amount of taxes to be paid by the subjects can be calculated with the help of the Shapley value. The Shapley value presupposes cooperation, where the king (K) provides security in exchange for taxes and where the subjects (S) remain loyal. This mutual dependence has to be balanced.

Let us discuss the coalition function for the king-subject game. If the king and the subject cooperate, their worth is arguably given by $v(\mathrm{K},\mathrm{S}) = b - d$. The subjects enjoy the benefit b of protection against internal and external enemies. Remember that the Sanskrit word *daṇḍa* stands for both sorts of activities. Therefore, we abbreviate the cost of providing inner and outer security by d. Since the taxes t are collected by the

707 I refer to the title of a paper by Bodewitz (1992).

708 Wiese (2022b) shows that Śaṅkara considers the threat of withdrawal to be a generalisable procedure. In particular, Śaṅkara talks about a test (*parīkṣaṇa*) and a method that is teachable (*prakāropadeśa*).

709 Wiese & Das (2019, p. 44)

king and paid by the subject, they do not show up in $v(\mathrm{K},\mathrm{S})$. Furthermore, one may defend the king's one-man worth of $v(\mathrm{K}) = -f$. If the subjects do not cooperate (i.e., are disloyal), the ruler faces a revolt, and the fear of that revolt is indicated by f, which would be positive. Finally, one might assume $v(\mathrm{S}) = 0$. The subjects neither enjoy the benefit of protection nor have to pay taxes. This zero worth implies that a revolt comes without cost to the revolting subjects (which is surely unrealistic).

The Shapley value has to obey the equal-threat property $Sh_\mathrm{K} - (-f) = Sh_\mathrm{S} - 0$ and Pareto efficiency $Sh_\mathrm{K} + Sh_\mathrm{S} = b - d$. These two equations yield the Shapley values

$$[11] \quad Sh_\mathrm{K} = \frac{b-d-f}{2} \text{ and } Sh_\mathrm{S} = \frac{b-d+f}{2}$$

Apparently, the fear of revolt reduces the king's payoff and increases the subject's payoff. The taxes t to be paid can be calculated from $Sh_\mathrm{K} = t - d$ or from $Sh_\mathrm{S} = b - t$. From both equations, one obtains

$$[12] \quad t^{\mathrm{Sh}} = \frac{b+d-f}{2}$$

That is, the taxes that the king can demand depend positively on the benefit of protection b and the cost d of providing this benefit. The king's fear of revolt f diminishes his ability to collect taxes. All of these results make perfect sense.

The king is also concerned about the loyalty of his officials. As seen from ⟨134⟩, officials were often remunerated quite generously. It seems that the fear of revolt or dishonest behaviour by officials gives the king sufficient reason to remunerate them generously. Economists are reminded of the efficiency-wage hypothesis put forward by Shapiro & Stiglitz (1984). These authors argue that paying workers above the market rate has the advantage of disciplining them according to the following mechanism: If a very well-paid worker is caught shirking, he will be fired and not find an equally well-paid job elsewhere. Similarly, Kauṭilya's officiating priests, etc. will be loyal to the king because they cannot hope to get a higher remuneration in the same kingdom (after a revolt) or in another (after being fired).

F Juridical aside: Varuṇa rule[710]

(1) Two-level punishments

One of the king's duties in the classical period was just punishment. One may worry about the king's incentives to do so. As the famous Latin saying goes: "quis custodiet custodes ipsos", i.e., who supervises the supervisors? One answer given by Manu points to Varuṇa as chastiser of kings for a good reason:

710 This section borrows freely from Wiese (2016b).

⟨221⟩ *rājñāṃ daṇḍadharo hi saḥ*[711]
for he holds the rod of punishment over kings[712]

As shown in section IV.E, Varuṇa has Vedic credentials as chastiser of kings. Late-Vedic Brāhmaṇas would also address Varuṇa as *dharmapati*. We thus have a two-level structure, where Varuṇa can punish the king who in turn can punish his subjects. At this juncture, one might worry about Varuṇa's incentives to chastise the king appropriately. Presumably, a regressus ad infinitum would not occur, as the god Varuṇa does not himself encounter any incentive problems.

In this setting, the role of Varuna consists in fining the misbehaving king. One might argue (alongside Manu) that the king will fulfil his *rājadharma* if he is afraid of the chastiser Varuna. However, for the "Varuna the chastiser" argument to convince his subjects, it is not the king's belief that is relevant. Rather, the subjects need to believe that the king is a believer. We thus require second-order beliefs[713], which are more difficult to uphold than first-order ones.

If the belief argument is too facile, we can supply additional arguments for how Varuṇa's punishment might work. Does it imply that the king, the most powerful agent himself, would somehow need to punish himself? Against this idea, Kane[714] has already opined that "these prescriptions [...] were counsels of perfection and must have been futile. No king would ordinarily fine himself". He then refers to medieval texts where the king is understood as a "subordinate chief". It is thus the overlord who does the punishing, rather than Varuṇa himself. This is a good explanation, as far as it goes. However, it just pushes the problem up another level. After all, how would an unjust overlord be brought to justice?

(2) Casting property fines into the water

Remember subsection V.F(2), where Manu strongly advises the king to throw confiscated property into the water or to give it to Brahmins. Why should Manu demand that the king not keep the confiscated property taken from offenders? Is it not pure waste to throw the property into the water? Of course, one might point to the alternative of giving the property to Brahmins. After all, Brahmins do often benefit from unclaimed property. The case of treasure troves is analysed in the conclusion (subsection XX.A(1)). While the Varuṇa clause may be yet another clever device by Brahmins

711 MDh 9.245b. The same idea is expressed in KAŚ 4.13.43cd: *śāstā hi varuṇo rājñāṃ mithyā vyācaratāṃ nṛṣu* (translated as "for Varuṇa is the one who disciplines kings when they act wrongly with respect to men" by Olivelle (2013))
712 Olivelle (2005)
713 See Geanakoplos (1994).
714 Kane (1973, pp. 176–177)

to gain influence and wealth, there is, I suggest, much more behind it. My argument builds on the assumption that the king likes to be reckoned a just king and to enjoy the loyalty of his ministers and subjects. The king's fear of disloyal subjects is covered in section XVI.E.

Now, in his position vis-a-vis his subjects, the king knows best whether he acts justly. How can he, even if well-intended, convince his subjects? Simply saying: "I am a just king" will generally not suffice. In game-theory parlance, this would just be "cheap talk" and hence not credible. The Varuṇa clause may thus help the king to "prove" that he is a good king, a king who would not take property as a fine in order to enrich himself or to fill his depleted treasury. The best way to do this would be a ritual, with Brahmins performing the rites in front of many onlookers. Then, in line with Chwe (2001), common knowledge (section XVIII.C) of the king's righteousness might be produced.

It seems unlikely that Old Indian thinkers would explain the Varuṇa clause in a similar fashion as one might do nowadays. In any case, a society need not always understand a problem in an explicit manner. The Nobel-prize winner (in Economic Sciences, 1974) Friedrich August von Hayek[715] has stressed that useful institutions (such as markets or specific judicial rules) are often neither invented nor even fully understood by us humans. Instead, they spontaneously develop and are kept if they prove useful. In this sense, institutions may embody "intelligent" solutions. I think that the "Varuṇa rule" specified in the Mānava Dharmaśāstra is a suitable illustration of such implicit understanding.

G Juridical aside: judicial wagers[716]

(1) Two puzzles

As a second judicial aside, I would like to deal with the so-called "judicial wager". It appears in the framework of a judicial proceeding. When objective evidence of satisfactory quality was not available, a premodern Indian judge could then turn to ordeals or judicial wagers (*paṇa*). Basically, a judicial wager amounts to proclaiming: "I am speaking the truth; if found otherwise by the king, I will pay the appropriate fine and, on top of that, make a payment of size w."

Lariviere (1981) presents the scarce textual evidence. For our present purposes, let this verse from the Yājñavalkya Smṛti suffice:

715 Hayek (1973, pp. 8–34)
716 This section borrows freely from Wiese (2023b).

〈222〉 *sapaṇaś ced vivādaḥ syāt tatra hīnaṃ tu dāpayet |*
daṇḍaṃ ca svapaṇaṃ caiva dhanine dhanam eva ca ||[717]

If the dispute should be with a wager, then he should make the defeated party pay the fine and his own wager as well, but only the contested amount to its owner.[718]

There is no need to repeat Lariviere's inconclusive findings in detail. I will assume that the wager amount was determined by the king, but that the two parties to the legal conflict could decide between this amount or the amount zero. The king is assumed to be the recipient of a party's wager, but only if he has decided against that party. To summarise, one or both parties might risk a wager. The wager of that party is lost against whom the king pronounces his verdict.

While one might be tempted to think that the king has an incentive to rule against a party with a positive wager, Lariviere (1981, p. 143) does not entertain this possibility (nor the opposite one!) when he writes: "The *paṇa* seems [...] not to be a factor at all in deciding the case [...]." Let us assume such a Lariviere king for a moment. This king would simply ignore the wagers placed by the parties and decide on the evidence available to him. In that case, the parties do not have any incentive to offer a non-zero wager. If the ruling goes in their favour, they do not have to pay the wager. If the ruling goes against them, they lose the case and have to pay the wager as an additional fine. Wagers seem to become a puzzle from the perspective of a Lariviere king. Furthermore, if the king is tempted to rule against a party that has placed a wager, this party doubly loses. First, it increases the possibility of a negative ruling. Second, it might cost one his wager. I call this the incentive puzzle: Why might a party to a judicial conflict ever offer a positive wager?

A second puzzle becomes apparent from Lariviere's article. The verse cited above, as well as two verses cited from the Nārada Smṛti (Lariviere (1981, p. 135)), "point out what should be an important point in the general description of legal procedure since it divides all legal procedure into two categories. This is just the sort of thing which one would expect to find often repeated (or at least alluded to) in other basic *smṛtis*, but these three verses are the only ones that we find in the whole corpus of *dharma-śāstra*. This is unusual. It might not be so unusual if the verses gave a thorough and complete description of the *paṇa*, but that is hardly the case, and the context in which they occur does not shed any further light on the procedure. In both texts, the verses occur early in the discussion of legal procedure and are found with a hodge-podge of more or less unconnected and general statements about legal procedure."[719] I propose to call this the scarce-evidence puzzle.

717 YSm 2.18
718 Lariviere (1981, p. 135)
719 Lariviere (1981, pp. 135–136)

(2) A game-theoretic solution to the incentive puzzle

One can analyse judicial wagers in game-theoretic terms. The king is assumed to act on two motivations. While he enjoys receiving the wager, he is also interested in passing just judgements. After all, if he is not considered a just king, he might risk losing his people's support. This is the subject-matter of the loyalty theory of state.

Now, while the king has some evidence for deciding a case, this evidence will often be far from conclusive. Then, so I like to argue, the wagers may help the king to arrive at a just verdict. Such a verdict might come about if the wager risked by a party indicates that party's confidence in winning the case. This confidence may in turn be based on that party's knowledge of her innocence and of the other party's dishonest dealings. Thus, the king might think that a justified accuser or an innocent defendant will tend to risk a positive wager, while dishonest accusers or defendants might not.

Of course, these speculations need to be borne out by a more rigorous analysis. The methods of doing so are provided by game theory (see subsection XI.D(1)). For the problem at hand, we need to turn to so-called signalling games, where we distinguish between pooling equilibria and separating equilibria.[720] In our context, a pooling equilibrium is characterised by both parties either risking or not risking a wager. In contrast, in a separating equilibrium, the two parties behave differently, allowing the king—if so inclined—to infer the truthfulness of the agents from that difference in behaviour. However, given that the parties know the king's incentives, would they be willing to give these differing signals? Why should we not expect an outcome where either no party or both parties risk a wager?

In the model employed by the current author, it turns out that one needs to distinguish between a "just" king and an "unjust" king. For an unjust king, the importance of passing a correct judgement is smaller than the payoff he obtains from a positive wager. Such a king cannot use wagers as signals in a separating equilibrium. The parties will foresee that an unjust king prefers to cash in on the wager rather than deliver a correct verdict. In contrast, the just king's payoff and beliefs are such that at least one party will choose a positive wager.

(3) The scarce-evidence puzzle

If "objective" evidence is not available to a judge, ordeals or wagers may have been used in premodern India. Related to both ordeals and wagers is the nearly 1000-year-old English institution of "trial by battle", used to settle land disputes. Here, representatives of the opponents fought against each other with clubs, with the winning party obtaining (or keeping) the contested land. An economic analysis is provided by Leeson (2011). The opponents hire champions to fight for them, the outcome mainly depend-

720 A suitable textbook for our purposes is Rasmusen (2009), in particular the signalling chapter.

ing on the money spent to hire a champion (or even several, in order to dry out the champion-market for the opponent). The important similarity between a trial by battle and a trial with a wager lies in the fact that the opponents are obliged to risk money. In the Indian case, the *paṇa* is wagered, and only has to be paid if the king's ruling is adverse. In the English trials by battle, the money spent for champions is lost, regardless of the outcome. Significantly, this English institution did not survive for long.

Judicial wagers have serious drawbacks. Firstly, a cash-strapped party may just not be able to place the wager amount required by the king. Then, separation is not driven by the honesty of the parties, but rather by the depth of their pockets. This fact will surely make a king's subjects suspicious of that institution. Additionally, the subjects will sometimes observe that the king obtains the wager amount. That, also, will not contribute to the king's reputation. The parties may suspect that the king has financial reasons in mind when using the wagers as a basis for his judgement. Doing so—or even the suspicion that he might do so—will certainly undermine any confidence in the justice system. Consequently, the king will then be torn between two motives. On the one hand, he takes the positive wager as an indication of truthful behaviour and tends to rule in favour of the only party risking the wager. On the other hand, ruling against the party with the positive wager is financially profitable for the king. For these mixed motives, one may conjecture that a third party, like the Brahmins, rather than the king himself, was the recipient. However, the *nibandha* evidence collected by Lariviere (1981) does not provide any support in this direction.

From the point of view of the current section, the problematic nature of judicial wagers may underlie their actual failure, somewhat similar to the failure of trial by battle. Of course, *dharmaśāstra* authors may not have found good reason to write extensively about an institution long gone extinct. This is probably the solution to the scarce-evidence puzzle.

XVII *Yajña*

Sacrificing means "giving to gods". The Indian rituals have provided food for sociological thought (Hubert and Mauss) and have provoked disapproval in Upaniṣadic and classical texts as well as in modern ones.

A Actors and stages of sacrifices

According to Malamoud (1976), the actors involved in a sacrifice are[721]

- the *yajamāna* or *svāmin*, i.e., the patron who has the sacrifice performed on his behalf, pays for it, and enjoys the merit,
- the *devatā*, i.e., the god to whom the sacrifice is addressed, and
- the *ṛtvij*, i.e., the officiating priest(s).

The same author lists four basic elements:[722]

- the *śraddhā* ("belief", "confidence", see section VI.B) that the *yajamāna* entertains with respect to the efficacy of the ritual and to the officiating priest,[723]
- the *dīkṣā*, i.e., the consecration of the *yajamāna*,[724]
- the *yajña*, i.e., the sacrifice in the narrow sense, and, finally,
- the *dakṣiṇā*.

Thus, the officiating priest can expect the fee-gift *dakṣiṇā* for his services of *dīkṣā* and *yajña*. It may be helpful to provide a few patterns. In the upper part of Figure 6, a worshipper praises a god and hopes to obtain riches or offspring. A reciprocal relationship is also present between the officiating priest and the king, as indicated by the lower part of this figure. The three parties to a sacrifice mentioned by Malamoud are indicated in Figure 7. The *yajamāna* as the central figure at the intersection of two exchange relationships is seen in Figure 8.

721 Malamoud (1976, pp. 156–159)
722 Malamoud (1976, pp. 161–162)
723 In the words of Malamoud (1976, p. 161): "La confiance dans l'opération veut la confiance dans l'opérateur."
724 See the detailed study by Gonda (1985).

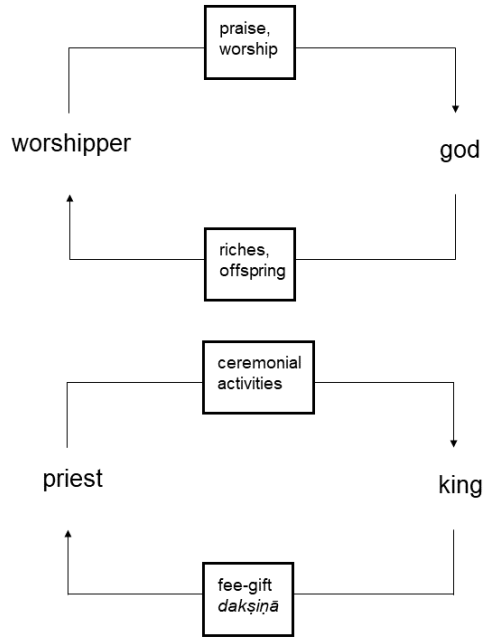

Figure 6: The simple sacrificial exchanges

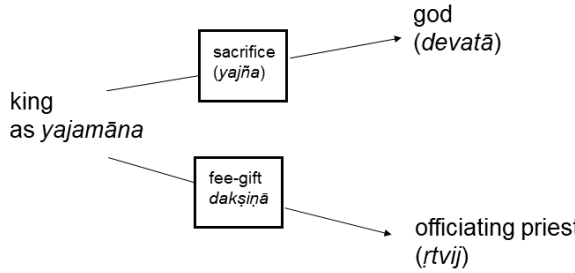

Figure 7: The yajamāna gives in a twofold manner

Hubert and Mauss (1964) build their much-lauded[725] treatise of the sacrifice on Hindu texts and on the Bible. Their definition of the sacrificial system encompasses

- the "sacrifier", i.e., "the subject to whom the benefits of sacrifice thus accrue, or who undergoes its effects"[726] (above: the *yajamāna*)[727],
- the "objects of sacrifice", i.e., "those kinds of things for whose sake the sacrifice takes place" (above: riches, offspring) enjoyed by the *yajamāna*[728]

725 See the monograph by Strenski (2003).
726 See Hubert & Mauss (1964, p. 10).
727 See Hubert & Mauss (1964, pp. 107–108: fn. 10).
728 See Hubert & Mauss (1964, pp. 10–11).

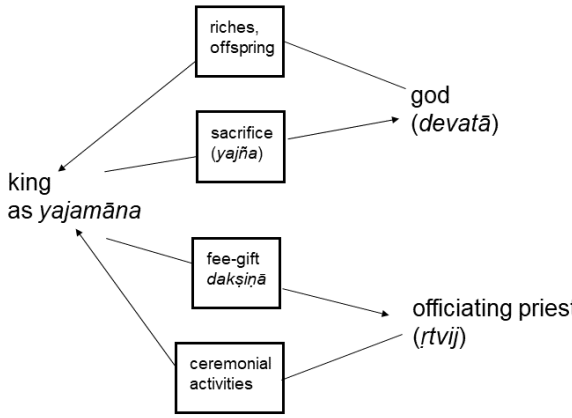

Figure 8: The sacrifice as a conjunction of two reciprocal relationships

- "consecration" of sacrifier or of objects of sacrifice, i.e., passing "from the common into the religious domain"[729] (above: *dīkṣā*)
- the "victim", i.e., "any oblation, even of vegetable matter, whenever the offering or part of it is destroyed"[730], and, to a lesser degree,
- the "sacrificer", i.e., "[a]n intermediary, or at the very least a guide" who is "[m]ore familiar with the world of the gods, in which he is partly involved through a previous consecration [… and] can approach it more closely and with less fear than the layman, who is perhaps sullied by unknown blemishes"[731] (above: *ṛtvij*),
- specific places and instruments[732]

Summarising, these two Durkheimian sociologists define that

〈223〉 Sacrifice is a religious act which, through the consecration of a victim, modifies the condition of the moral person who accomplishes it or that of certain objects with which he is concerned.[733]

B Premodern Indian criticism of Vedic ritualism

(1) An Upaniṣadic attack against Vedic ritualism

Olivelle (1998, p. 434) has observed that "[m]ore than any other Upaniṣad, the [Muṇḍaka Upaniṣad] engages in a direct and frontal attack against both vedic ritualism

729 See Hubert & Mauss (1964, pp. 9–10).
730 See Hubert & Mauss (1964, pp. 11–12), who do not restrict sacrifices to events where "blood is shed".
731 See Hubert & Mauss (1964, pp. 22–25).
732 See Hubert & Mauss (1964, pp. 25–28).
733 Hubert & Mauss (1964, p. 13)

and the vedic texts that embody the ritual tradition." Indeed, according to MU 1.2.6, the "oblations shining bright" tell the "offerer":

〈224〉 This is yours, this *brahman*'s world,
Built by good deeds and rites well done.[734]

However, Vedic rituals are merely an expression of blindness or ignorance:

〈225〉 Surely, they are floating unanchored,
these eighteen forms of the sacrifice,
the rites within which are called inferior.
The fools who hail that as the best,
return once more to old age and death.
Wallowing in ignorance, but calling themselves wise,
thinking they are learned, the fools go around,
Hurting themselves badly, like a group of blind men,
led by a man who is himself blind.[735]

After doing away with Vedic rituals, the Muṇḍaka Upaniṣad focuses on *brahman*, with MU 3.2.9 claiming: "When a man comes to know that highest *brahman*, he himself becomes that very *brahman*."

(2) Kṛṣṇa's *svadharma* ethics

In the Bhagavad Gītā, Kṛṣṇa develops his *svadharma* ethics.[736] Briefly, a man should perform one's duty (*svadharma*), i.e., the duty that conforms to one's social class. In particular, Kṛṣṇa insists that Arjuna, being a warrior, should perform his *kṣatriya* duty. But, and that is a vital condition, while doing one's duty, one should not be eager to earn the fruits, whatever they may consist of:

〈226〉 *karmaṇy evādhikāras te mā phaleṣu kadā cana |*
mā karmaphalahetur bhūr mā te saṅgo 'stv akarmaṇi ||
yogasthaḥ kuru karmāṇi saṅgaṃ tyaktvā dhanaṃjaya |
siddhyasiddhyoḥ samo bhūtvā samatvaṃ yoga ucyate ||[737]

You have a right to the action alone, never to its fruits. Don't let the action's fruits be your motivation, and don't be attached to inactivity. Perform actions while established in yoga, Dhananjaya, having abandoned attachment, having become even-minded towards success and failure; for yoga is said to be evenness of mind.[738]

734 These translation are offered by Olivelle (1998).
735 MU 1.2.7–8, translation by Olivelle (1998)
736 A decision-theoretic analysis is provided by Wiese (2016a).
737 MBh 6.24.47–48
738 Cherniak (2008, pp. 188–189)

This ethical theory is clearly at odds with a reciprocal understanding of sacrifices. Indeed, Kṛṣṇa clearly spells this out in a later section of the Bhagavad Gītā:

〈227〉 *aphalākāṅkṣibhir yajño vidhidṛṣṭo ya ijyate |*
yaṣṭavyam eveti manaḥ samādhāya sa sāttvikaḥ ||
abhisaṃdhāya tu phalaṃ dambhārtham api caiva yat |
ijyate bharataśreṣṭha taṃ yajñaṃ viddhi rājasam ||[739]

Sacrifice is rich in *sattva* when it is made in observance of the injunctions by those who desire no fruits but believe it is their duty to make offerings; but a sacrifice made with a reward in view or for some fraudulent purpose, best of the Bharatas, should be known as full of *rajas*.[740]

C Bloomfield's "critical" views

(1) Utilitarian purpose of sacrifices

According to Bloomfield (1908, p. 65), "the earliest Hindu poetry [i.e., the Ṛgveda, HW] is not epic, nor lyric in the ordinary sense, not idyllic, nor didactic, but [...] almost throughout dominated by a single idea, namely, the praise of the gods in connection with the sacrifice." A few pages earlier, Bloomfield (1908, pp. 60–61) had this to say on the sacrifices' purpose:[741]

〈228〉 As regards its immediate purpose, or its economic aspect, it is thoroughly utilitarian and practical. Its purpose is

(a) to secure happiness and success, health and long life for man, notably the rich man, while living upon the earth;
(b) to secure to a very talented and thrifty class of priest-poets abundant rewards in return for their services in procuring for men this happiness, success, and so on;
(c) to satisfy the divine powers, visible and invisible, beneficent and noxious, gods and demons, that is, to establish livable relations between gods and men; and, finally,
(d) to secure after death the right to share the paradise of the gods in the company of the pious fathers that have gone there before.

Bloomfield (1908, pp. 184–185) furthermore remarks:

〈229〉 Men can subsist and prosper only if the gods return in kind. The gods, on the whole, are good; they do not beat down the requests of him that comes

739 MBh 6.39.11–12
740 Cherniak (2008, pp. 286–287)
741 The markers (a) etc. are added by the current author.

> with prayer and cup of *soma*. Reciprocity, frank unconditional reciprocity, thus becomes an accepted motive: "Give thou to me, I give to thee," [⟨34⟩, HW] is the formula. The sacrificing king, or rich householder, is thereby placed between the upper and the nether mill-stone: he must satisfy both gods and priests, each of whom show a surprising habit of becoming more and more exacting as time goes by. In this way the high poetic quality of Vedic religion is crowded and choked by many conceptions mean from the start, or bent by these circumstances into a mean shape. The gods themselves, notwithstanding their luminous origin, are brought down to the plane of human weakness. Open to adulation, they become vain; eager for advantage, they become shifty; reflecting human desires, they become sordid, and in some cases even indecent.

With respect to the reciprocity mentioned by Bloomfield, remember the comment by Oberlies on ⟨36⟩. The humans press Soma and balance the otherwise unbalanced relationship between them and Indra. This is in line with the withdrawal symmetry obeyed by the Shapley value (section XI.E).

As in *dharmadāna*, *śraddhā* is also relevant for sacrificers. Bloomfield (1908, pp. 186–199) deplores the deterioration of that term:

⟨230⟩ There is scarcely any idea which has suffered so much from the utilitarian aspects of Vedic religion as the Vedic idea of faith. [...] The word starts well in the Rig-Veda. It means first of all belief in the existence and godhead of the gods. [...] So there is no doubt that faith means the belief in the existence of the gods, and their interference in the life of man. It would be doing injustice to those early believers to say that they did not develop the idea beyond this stage of mere primary utility. [...] Next, faith is wisdom; faith is the sister of wisdom: [...] Unfortunately, the Vedic conception of faith, at least the prominent or average conception sinks to a much lower plane. In the main and in the end, faith expresses itself in works, and the Brahmans who are anything but mealy-mouthed have seen to it that they shall be benefited by these works. In other words, he who gives baksheesh (*dakshinā*) to the Brahmans, he has faith (*śraddhā*). [...] The frank system of barter of the sacrificer's *soma* and ghee for the god's good gift and protection, with considerably more than one-eighth of one per cent brokerage for the priest—that, surely, is not the religious feeling in the souls of the composers of the Rig-Veda hymns. I have taken pains to show how constantly present is this external side of their religion: may the religion that is free from all external considerations, the religion from which is absent every form of safe-guarding self, throw the first stone.

(2) The *dakṣiṇā* as baksheesh

The importance of the *dakṣiṇā* is stressed again and again in Vedic texts (see section IV.B). Bloomfield (1908, p. 69)—unlike Jamison & Brereton—deems it correct to translate *dakṣiṇā* as "baksheesh":

⟨231⟩ *úd u śriyá uṣáso rócamānā ásthur apā́ṃ nórmáyo rúśaṃtaḥ |*
kṛṇóti víśvā supáthā sugā́ny ábhūd u vásvī dákṣiṇā maghónī ||[742]

The shining Dawns have arisen for splendor, glistening like the waves of the waters. She makes all pathways, all passages are easy to travel. She has appeared—the good priestly gift, the bounteous one.[743]

Up the shining strands of Dawn have risen,
Like unto glittering waves of water!
All paths prepareth she that they be easily traversed;
Liberal goddess, kind, she hath become baksheesh.[744]

Consider

⟨232⟩ *devámdevaṃ rā́dhase codáyaṃty asmadryàk sūnṛtā īráyaṃtī |*
vyuccháṃtī naḥ sanáye dhíyo dhā yūyáṃ pāta svastíbhiḥ sádā naḥ ||[745]

Impelling every god to largesse, rousing liberalities in our direction, dawning widely, impart insights to us for our gain. – Do you protect us always with your blessings.[746]

Bloomfield (1908, p. 71) interprets this in the following manner: "That is to say, make our poetry so clever that it shall not fail to stimulate the liberality of the patron of the sacrifice!" This critical author (p. 81) goes so far as to say: "To treat sacrificial themes in the high poetic way seems to most of us hollow mockery."

Malamoud (1976, pp. 167–168) criticises Bloomfield's view: "For some, who study the *dakṣiṇā* by considering it from the point of view of the *ṛtvij*, the *dakṣiṇā* is above all an institution which enables the Brahmins to consume. [...] Bloomfield [...] does not have enough sarcasm or rather ironic admiration for those clerics who cunningly and insolently re-claim their 'baksheesh'. [...] This analysis, with the moral judgment it implies, does not teach us much."[747]

742 ṚgV 6.64.1
743 Jamison & Brereton (2014)
744 Bloomfield (1908, p. 69)
745 ṚgV 7.79.5
746 Jamison & Brereton (2014)
747 Translation by HW

D The *dakṣiṇā* as a hybrid form of payment

From the emic point of view, a *dakṣiṇā* should not be seen as a payment or fee. In YSm 1.220–222, a *bhṛtakādhyāpaka* ("someone who teaches for a fee")[748] is mentioned. Literally, a *bhṛtakādhyāpaka* is "a hired man who is a teacher" (see section VII.B on *bhṛtaka*). Such a person was among those classified as *nindita* ("disqualified")[749]. This disqualification concerns performing the ancestral offerings mentioned in YSm 1.219. In contrast to the usual dissociation of a *dakṣiṇā* from a payment or fee, the 17th century *mīmāṃsā* text ⟨31⟩ argues for considering a *dakṣiṇā* a wage.

I think that it has always been clear to indologists, ancient and modern, that a *dakṣiṇā* is a hybrid form of payment, between a fee or wage on the one hand and a gift on the other.[750] Therefore, I translate *dakṣiṇā* as "fee-gift" (see Table 10). A *dakṣiṇā* is a fee to be given to a particular person who has performed a particular service.[751] It is similar to the *vetana* (wage, see ⟨124⟩) a hired man could expect in return for his services. See also Kauṭilya's treatment of partnerships of officiating priests and, in particular, the context of working slaves, employees, and partnerships of agriculturists and traders (see subsection VII.B(5)).

Table 10: A dakṣiṇā as a hybrid form of giving

	payment obligation to a specific receiver	payment to any worthy receiver
fixed amount	*vetana*	
amount payable *śaktitaḥ*	*dakṣiṇā* payable to Vedic priest or *guru*	*dāna*

On the other hand, a *dakṣiṇā* shares a gift's property of not having a particular amount agreed upon ex ante. Thus, a *dakṣiṇā* and a *dāna* are given *śaktitaḥ* (according to the donor's means). Compare this to subsection XV.B(3), pp. 167.

748 YSm 1.221a, Olivelle (2019b).

749 YSm 1.222d, Olivelle (2019b).

750 However, the framing of this insight is somewhat unusual. While Heesterman (1959, p. 242) considers the *dakṣiṇā* a gift rather than a salary, Mylius (1979) contradicts this in words, if not so much in substance. See also Weber (1921, p. 61), according to whom the brahmin "took only 'gifts' (dakshina), not 'salary'. The giving of gifts upon the use of services was in fact a ritual duty." Translation by HW.

751 According to Malamoud (1976, p. 158), "[l]es *ṛtvij* sont, pour le temps de la cérémonie, au service du *yajamāna* (ou plutôt au service de la cérémonie elle-même)".

E Hubert and Mauss on the function of sacrifices

Hubert and Mauss (1964, pp. 101–103) stress the social function of sacrifices:

⟨233⟩ The unbeliever sees in these rites only vain and costly illusions, and is astounded that all mankind has so eagerly dissipated its strength for phantom gods. But there are perhaps true realities to which it is possible to attach the institution in its entirety. Religious ideas, because they are believed, exist; they exist objectively, as social facts. The sacred things in relation to which sacrifice functions, are social things. And this is enough to explain sacrifice. […] personal renunciation of their property by inidivduals and groups nourishes social forces […] individuals find their own advantage […] they invest with the authority of society their vows, their oaths, their marriages. They surround, as if with a protective sanctity, the fields they have ploughed and the houses they have built.

For an even more concrete example of what social function a sacrifice may fulfil, see the Varuṇa rule expounded upon in section XVI.F.

XVIII Thisworldly social effects of gifting and of not taking

This chapter is on diverse manners of giving for the purpose of getting something in return, be it from the donee or from third human parties. In particular, there are two questions. Firstly, which givings and takings "add up" in an economy? Secondly, how exactly might a donor benefit from showcasing his liberality or power?

A Anonymous giving in a homogeneous model

(1) Unproductive receivers

In this first subsection, highly-stylised models are built for a society consisting of agents, some of whom end up as givers, while the others become receivers. I assume that all agents are equally capable of assuming either role. In this sense, they are homogenous. Givers donate the amount $D = D_{\mathrm{G}}$ which is assumed to be the same for all givers, a second homogeneity assumption. I.e., when taking up the role of a giver, an agent donates the amount D. Thus, the role of a giver and the specific amount to be gifted are closely connected, at least in the short run. In the long run, the gifted amount will go up if the role of a giver is more attractive than that of a receiver. Remember that we need "demand equals supply" conditions in a Walras or GET model (section XI.C). Here, similarly, the numbers need to "add up". Not every amount D is compatible with a given giver-receiver distribution.

Let n be the number of people in the society. There exist g givers and r receivers so that $g + r = n$ holds. Givers have an initial income of 1, which they can consume for themselves or donate. The amount given by an individual giver is denoted by D (where there is no need to use an index, as all givers donate the same amount by assumption). We assume the following utility functions for givers (indicated by G) and receivers (indicated by R):

[13] $\quad U^{\mathrm{G}}(D) = 1 - D \quad$ and $\quad U^{\mathrm{R}}(D_{\mathrm{R}}) = D_{\mathrm{R}}$

Now, in order that the numbers "add up", the overall amount received by the receivers has to equal the overall amount given by the givers:

[DS] $rD_{\mathrm{R}} = gD$

Thus, in equilibrium, the receiver's gift or utility equals $U^{\mathrm{R}} = \frac{g}{r}D$.

For very small gifts D, the givers obtain a higher utility than receivers. It is then more attractive to be a donor than to be a receiver. Inversely, agents prefer to be receivers if D is relatively large. Now, think of agents who choose between the two strategies "adopting the role of giver" or "adopting the role of receiver". The condition of individual rationality IR then implies that an agent (and, indeed, every agent) chooses the role of receiver whenever $\frac{g}{r}D$ is larger than $1 - D$.

Thus, in an equilibrium with both givers and receivers, no agent should have an incentive to switch roles:

[IR] $\frac{g}{r}D = \mathrm{U_R}(D, g) \stackrel{!}{=} \mathrm{U_G}(D, g) = 1 - D$

This no-switching equilibrium condition amounts to the no-switching amount of the gift

[14] $D^{\mathrm{n-sw}} = \frac{r}{n}$

In the case of many receivers, the individual gifts need to be rather large. One may also interpret this condition the other way around. Given a fixed amount of the gift D, the equilibrium quantity of receivers is given by

[15] $r^{\mathrm{n-sw}} = nD$

With either interpretation, the payoff for members of both groups is g/n.

In this homogenous model, one may go one step further and look for the (i) equilibrium and (ii) Pareto-optimal amounts of giving. From the no-switching payoff g/n, it is clear that members of both groups prefer a society where there are no receivers, but only givers: $g^{\mathrm{opt}} = n$. From that perspective, giving seems an unlikely event—in the long run, gifting does not take place in this model. The equilibrium and optimal amount gifted is $D^{\mathrm{opt}} = \frac{0}{n} = 0$ and all members of society are potential—but not actual—givers with payoff 1. The theoretical difficulty of giving is also discussed in chapter XIX.

(2) Productive receivers

We now assume that receivers of gifts provide benefits to givers. In particular, receivers of gifts provide a public good, i.e., a service that is not subject to rivalry in consumption.

For example, the receivers might be people who study, teach, and transmit important texts. In the Indian context, one may think of Vedic texts or *dharmaśāstra*s. This work might benefit all people in a society, givers and receivers alike. Of course, one might surmise that the ideology transmitted and expressed by the *dharmaśāstra*s is more beneficial to some social classes than to others. I do not intend to deny (or even seriously enter into) the reasonableness of Ambedkar's and other's attacks on "caste" (see Kundu (2018, chapter 10)), but simply ask the reader to bear with this assumption for the time being. See also section XX.C.

The benefit provided by r receivers of gifts is assumed to be $\ln(r)$. This mathematical form has two implications: (i) the more benefit-producing receivers exist, the higher the above-mentioned benefits to each member of the society, (ii) the additional benefit of receivers is reduced as the number of receivers increases. Note that the benefit is not exclusive to the giver, meaning that we may be justified in calling this exchange non-reciprocal.

Furthermore, it is assumed that study and teaching are strenuous and come at a cost c to those pursuing these activities. Hence, the following adaptations of the above utility functions (in equation [13]) may be proposed:

$$[16] \quad \mathrm{U_G}(D, r) = 1 - D + \ln(r) \quad \text{and} \quad U^{\mathrm{R}}(D_{\mathrm{R}}, r) = D_{\mathrm{R}} + \ln(r) - c$$

Relegating the mathematical details to appendix C, one obtains the equilibrium (no switching) gift:

$$[17] \quad D^{\mathrm{n-sw}} = \frac{r}{n}(1 + c)$$

If learning and teaching knowledge is very difficult (c is large), the givers have to provide a generous gift to make up for these difficulties.

We now turn to the long run and consider the Pareto-optimal amount of the gift and the Pareto-optimal giver-receiver distribution. The Pareto-optimal number of givers can be found to be

$$[18] \quad g^{\mathrm{opt}} = n - \frac{n}{1 + c} = \frac{n}{1 + \frac{1}{c}} < n$$

and the optimal gift received equals

$$[19] \quad D_{\mathrm{R}}^{\mathrm{opt}} = c$$

Thus, in this specific model, the more difficult learning and teaching are, the higher the number of givers and the smaller the number of receivers. Summarising, in the long run, some portion of the society consists of receivers that study the *Veda*s, etc. Remember, however, our two vital assumptions: (i) All the members of society are equally capable and allowed to "earn money in the real world" and to "study the Veda". This assumption stands in contrast to ⟨15⟩. (ii) The gift amount is fixed for the individual who assumes the role of a giver. This, again, is a serious assumption, seeing that it is contradicted by ⟨92⟩.

B A simple probabilistic model of *beneficium* reciprocity

The Roman philosopher Seneca (1st c. CE) wrote the treatise "De Beneficiis", in which he advanced the idea of giving for "companionship" (see ⟨198⟩).[752] If I give to a friend today, I only expect him to reciprocate if I fall on hard times and he is capable of doing so. Notwithstanding Seneca's insistence on being virtuous for the sake of virtue (⟨197⟩), one may argue that this idea falls under the heading of *arthadāna*. In contrast to most *dānagrahaṇa* cases considered so far, we have an incomplete-contract setting here. There is no contract, no enforceable manner of getting something in return.

A very simple model of the advantage of fellowship in the sense of Seneca (*societas*) might run like this. A person G who possesses initial wealth of 1 gives some amount $D \leq 1$ to a friend R in period 1. In period 2, if G does not meet a calamity, there is no expectation that R give him something in return. If, however, a calamity (with cost c to G) affects G in period 2, R might be willing to pay back the *beneficium* offered to him.

Let a calamity strike G in period 2 with probability π. Let τ be the probability that R is a trustworthy friend who is prepared to help G in period 2 if capable of doing so. Let W be the wealth that R has available in period 2. It seems likely that R is prepared to give a large fraction of W to G if the present D was large. In order to work with a concrete example, assume that this fraction is given by $\sqrt{D} \leq 1$. Then, G's expected utility may be specified as follows:

$$[20] \quad U^{\mathrm{G}}(D, \pi, W, \tau) = 1 - D + \pi(-c) + \pi\tau \cdot \sqrt{D}W$$

As shown in Appendix D, the optimal "gift" can be calculated as:

$$[21] \quad D^{\mathrm{Seneca}} = \frac{\pi^2\tau^2}{4}W^2$$

In this model, giving out of companionship is generous if the chances of a calamity striking the giver are large, if the receiver is likely to be trustworthy, and if the receiver stands a good chance of being wealthy in the second period. In a full-fledged model, one may try to endogenise τ by extending the model into additional periods. Ungratefulness would then carry the risk of not being deemed a trustworthy companion, worthy of help if needed.

C Common knowledge and rituals

Trautmann (1981, p. 279) is surely right in stressing that *dānadharma* is of a soteriological nature. This does not exclude thisworldly effects of giving, which may or may

752 See the monograph by Griffin (2013).

not be in the back of some donors' minds. The theoretical background is provided by the concepts of common knowledge and of principal-agent theory.

Chwe (2001) advances the interesting idea that rituals serve the purpose of producing "common knowledge". Common knowledge of an event is said to be present between actors A and B if A and B know of the event, B knows that A knows of it, A knows that B knows that A knows of it, etc. ad infinitum. In particular, common knowledge between two people might be produced if they are looking at each other while observing or hearing some event.

In the presence of many actors, common knowledge can be defined in a similar manner. In that case, common knowledge might come about if all the agents are observing an event while sitting in an "inward facing circle" so that each person can see or at least assume that every one else observes the same event.[753] Common knowledge can also be brought about by repetitions (of *mantra*s, say), songs, or audience participation.[754]

Chwe explains how common knowledge may help people to solve "coordination problems".[755] Consider two different courses of action. It may be the case that people benefit from agreeing on the same course of action. An example is provided by technical standards in telecommunications. While people may disagree on the best standard, they may nevertheless prefer a commonly-accepted standard over a variety of "standards".

The coordination problem of submitting to a social or political authority is discussed in some detail by Chwe (2001, pp. 19–25). Consider a king who has a *mahādāna* or

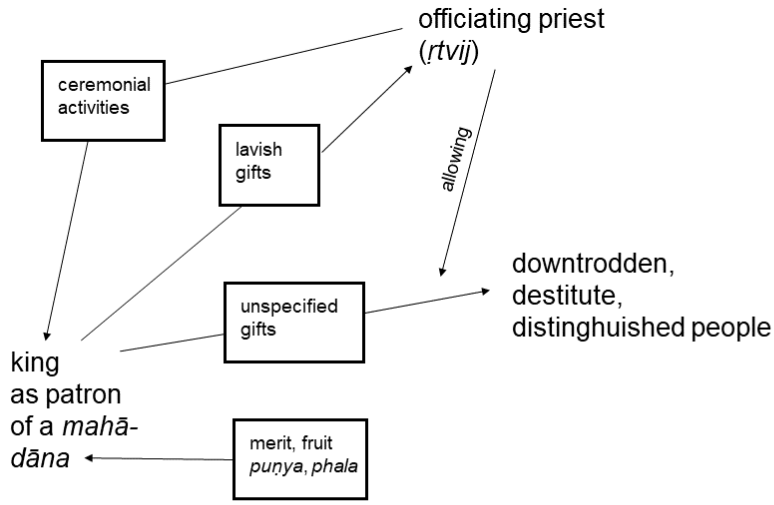

Figure 9: The complex mahādāna pattern

753 See Chwe (2001, pp. 30–33) for examples.
754 See Chwe (2001, pp. 27–30).
755 See Chwe (2001, pp. 8–13, 101–111).

parvatadāna (subsection VI.H(2)) performed on his behalf. *Mahādāna* is depicted in the most complicated pattern dealt with in this book (Figure 9). A "great gift" contains both charitable giving in order to earn merit and a reciprocal relationship.

One effect or one motivation of having a *mahādāna* performed may be to produce common knowledge of the king's power. Not only do people see how resourceful he is, but they also see that others see and possibly interpret the event in the same manner. They also see that others observe others noticing this event, etc.[756] The reader might remember section XVI.F on the Varuṇa rule, where the king tries to produce the common knowledge of his honest dealings as a punisher. The contrast with dharmic gifts—that are best kept secret (see ⟨105⟩)—is evident.

D Outwitting and principal-agent theory[757]

(1) The tiger and the traveller

That mistrust is a well-known topic in the Old Indian *arthaśāstra* literature is clear from ⟨5⟩ (p. 13). The next section will indicate how giving might alleviate mistrust. The topic of mistrust itself and how it is examined in microeconomics is expounded upon in this section.

A fable from the Hitopadeśa collection concerns a tiger and a traveller. The tiger finds himself on one side of a lake and sees a traveller passing by on the opposite side. The tiger attempts to catch and eat the traveller by offering a golden bracelet to him. Since the traveller is suspicious of the tiger's intentions, the tiger argues that he would not (claiming to have profoundly changed his former evil behaviour) and could not (claiming to be old and weak) do any harm to the traveller. Finally, the traveller is convinced to enter the murky waters, where he gets stuck. Immediately, the tiger takes advantage of the traveller's misfortune and kills him as planned.

One may of course speculate as to why the traveller is so "stupid". Did "greed cloud the mind" or did he act on some probability assessment about the tiger telling the truth? A truth-telling tiger cannot be ruled out. In the story, it is the tiger himself who claims to have studied the Vedas in order to lend credibility to his peaceful intentions. However, it seems obvious that the fable writer does not think of this example under the heading of "better safe than sorry". Instead, he argues that—the tiger's preferences being as they are—the traveller should have known his fate in advance. Before being killed, the traveller has time to share some wise insights with the readers:

756 Consider Heim (2004, p. 116): "The king displays and centralizes his own power and glory worshipping the brahmans and lavishing upon them prestigious gifts." and Heim (2004, p. 108): "The ceremonialism of *dāna* also tends to make a gift a public affair rather than a private matter." The main point added by the current author is to stress that "public" needs to be understood in terms of common knowledge.

757 This section borrows liberally from Wiese (2016b).

⟨234⟩ *na dharmaśāstraṃ paṭhatīti kāraṇaṃ*
na cāpi vedādhyayanaṃ durātmanaḥ |
svabhāva evātra tathātiricyate
yathā prakṛtyā madhuraṃ gavāṃ payaḥ ||[758]

It is not because he has read treatises on religious duty or because he has studied the Vedas that he behaves like this—it is the wicked creature's own nature that prevails here, just as cow's milk is naturally sweet.[759]

Pious appearances are also used by the cat in an animal tale from the Pañcatantra. The cat is chosen to judge in a dispute between a partridge and a hare. Although wary of the danger, the two contestants finally approach the cat, who kills them without much ado.[760]

(2) Hitopadeśa/Pañcatantra theory on deception

The Pañcatantra's "central message" is that "craft and deception constitute the major art of government". But: "Deception, of course, is a double-edged sword; it is important to use it against others, but just as importantly one must guard against its use by others against oneself. So, in a sense, even the losers provide counter-examples".[761] However, guarding against deception is difficult because people are not to be trusted (see ⟨5⟩ once more) and there is no way to judge another person's intentions:

⟨235⟩ *poto dustaravārirāśitaraṇe dīpo 'ndhakārāgame*
[…] |
itthaṃ tad bhuvi nāsti yasya vidhinā nopāyacintā kṛtā
manye durjanacittavṛttiharaṇe dhātāpi bhagnodyamaḥ ||[762]

If you have to cross an impassable ocean, you have a boat;
when darkness comes, you have a lamp;
[…]
Thus there is no problem in the world for which
the Creator has not carefully invented some solution.
But when it comes to countering a wicked person's way of thinking,
it seems to me that even the Creator has failed in his efforts.[763]

Since one cannot know "a wicked person's way of thinking", an asymmetry arises, with the wicked person knowing his or her own intentions, which are unknown to

758 HU 1.17
759 Törzsök (2007)
760 Olivelle (2006b, pp. 392–399)
761 Olivelle (2006b, pp. 40–41). Wiese (2012) argues that guarding against deception amounts to applying the game-theoretic method of backward induction.
762 HU 2.163
763 Törzsök (2007)

others. Thus, problems of mistrust and asymmetric information have been very clearly understood by these *arthaśāstra* authors.

(3) Principal-agent problems

Old Indian texts exhibit an amazingly clever perspective on human agency.[764] Within economics, outwitting is treated under the heading of principal-agent theory.[765] In recent times, economists have given due credit to Kauṭilya, the Arthaśāstra's author, as a very early principal-agent theorist.[766] Roughly speaking, principal-agent theory deals with the problems arising from "asymmetric information", with one person A (the "agent") being better-informed than another person P (the "principal"). It may seem obvious at first that A (in possession of some relevant information not available to P) stands to benefit from this superior knowledge. Relatedly, a person A who cheats another person P will typically profit from that action.

A big chunk of principal-agent theory is concerned with "hidden action" problems.[767] Consider the example of a firm (the principal) that has employed a worker (the agent), who may diligently work in the principal's interest or pursue his own interests instead. If and insofar the principal cannot observe the effort exerted by the agent, the principal's problem is how to supervise or remunerate the worker so that the interests of the latter are aligned with those of the former. We term this the "outwitting problem" of principal-agent theory. The agent tries to outwit the principal: he aspires to a high reward without effort. The principal tries not to be outwitted: he wants to make the agent work hard for as little remuneration as possible.

Referring back to ⟨49⟩ through ⟨52⟩, remember that Thieme (1957) calls the Vedic gods Mitra and Varuṇa "king Contract" and "king True-Speech", respectively. These two gods are responsible for safeguarding contracts and for ensuring the beneficial results of agreements between humans. Differently put, prosperity can flourish because the outwitting problem is overcome with the help of these gods.

Not relying on divine help in this matter, Kauṭilya is a foremost expert on outwitting. With respect to the topic of peacemaking through the taking of hostages, he writes: "The taking of a kinsman or a chief constitutes a hostage. In this event, the one who gives a traitorous minister or a traitorous offspring is the one who outwits. One who does the opposite is outwitted".[768] It is from this translation by Olivelle that the

764 This has already been noted by Zimmer (1969, p. 89), who observes, in the context of Indian fables, that Indian political thought was characterised by "cold-blooded cynical realism and sophistication".

765 Textbook presentations of principal-agent theory include Salanié (2005) and Rasmusen (2009).

766 See Brockhoff (2014) and Sihag (2007). In a series of papers, Sihag has highlighted Kauṭilya's achievements in other parts of economics, too. Sihag (2014) is a book-length summary of his efforts in this domain.

767 A second branch of principal-agent theory (called adverse selection) deals with a principal who wants the agent to reveal information held by the agent.

768 KAŚ 7.17.11–13, Olivelle (2013)

current outwitting section has obtained its name.[769] In order to avoid being cheated upon, Kauṭilya advises the king to investigate wrongdoings "through interrogation and torture"[770] and suggests that one scrutinise "the ministers' integrity [...] through secret tests"[771].

Economic principal-agent theory also involves another aspect of asymmetric information. The person in command of superior knowledge may not always be able to benefit from this knowledge. After all, if the informed party needs the uninformed side to agree to some mutually-beneficial venture, asymmetric information may harm the informed side by preventing this venture. This is the "gains-from-trade problem" of principal-agent theory. I conjecture that there was no explicit (openly expressed) understanding of the gains-from-trade problem in Old India. This is of course difficult to prove; a text dealing with the gains-from-trade problem might have simply escaped my attention.

E Trustworthiness resulting from giving

Giving—or not taking—may serve to emit positive signals to third parties. Ānanda provides the quote ⟨171⟩, according to which giving creates trust. Trust is a vital ingredient to business and other relationships. Taking up this idea, I sketch a simple game-theory model that can shed some light on why a donor might be trustworthy (Sanskrit *viśvasanīya*). In section XVI.F, the public act of non-taking by a king had similar trust effects.

Consider two agents, a "trading partner" TP and a "giver" G. It will soon become clear how giving plays an important role in this model. In Figure 10, TP may choose to offer a deal to G. In that case, G may deal honestly so that both receive a "benefit" B, indexed with TP and G, respectively. However, if G outwits TP, the latter obtains a "stealing" or "scam" payoff of S, which is lost by the former. I assume $S > B_{\mathrm{G}}$ so that G prefers to outwit TP. The latter, foreseeing this deception, will not offer a deal. This is the backward-induction outcome, attained by the procedure described in section XI.D.

In contrast, Figure 11 deals with an honest G. This agent is punished with some fine F if he cheats. The punishment may refer to some "external" punishment (organised by the king) or to some "internal" punishment, like pangs of conscience or fear of bad *karman*. Assuming $S - F < B_{\mathrm{G}}$, agent G will choose to deal honestly. In this case, TP will offer the deal and the mutually-beneficial trade goes ahead.

Of course, "a wicked person's way of thinking" (⟨235⟩) is difficult to detect. Assume, now, that G may practice gifting before TP makes an offer. One may surmise that a generous giver is more likely to be one who has *śraddhā* in the sense of "conviction

769 The Sanskrit word for "outwit" is *ati-sam-dhā*, found in KAŚ 7.17.12–13. Kangle (1969b) translates it as "over-reach".

770 KAŚ 4.8, Olivelle (2013)

771 KAŚ 1.10, Olivelle (2013)

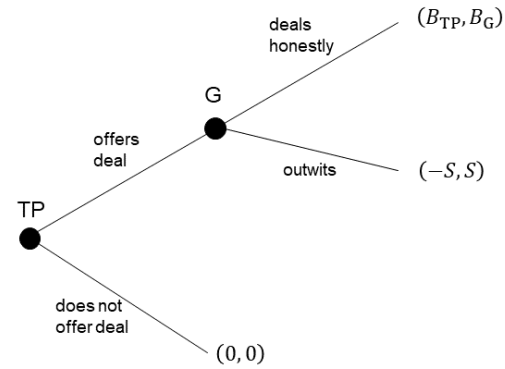

Figure 10: The no-deal outcome in the presence of a dishonest giver

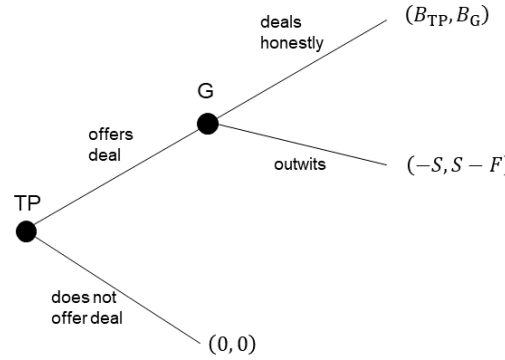

Figure 11: The no-deal outcome in the presence of an honest giver

about the certainty of rewards" (see section VI.B). Then, observing G donating generously makes it more likely from TP's point of view that the fine F does indeed feature in G's payoff.

The situation here is not the one encountered in the tiger-traveller fable (subsection XVIII.D(1)). There, the tiger's arguments are just "cheap talk" (see section XVI.F.). Both a mischievous and a benevolent tiger could claim to be benevolent without any cost. The tiger's assertions are therefore not credible, even if the traveller was stupid enough to lend them credibility. In contrast, in the present case of a gift, giving comes at a cost to someone who has no "conviction about the certainty of rewards". Of course, even a non-believer (*nāstika*) might donate in order to pretend to be a believer (*astika*) and in order to feign the fear of a fine *F*, which he does not in fact fear. The point is that a virtuous person can signal "$S - F < B_G$" at a lower cost than a deceiver.[772] Thus, indeed, a "donor is trusted".

772 Game theorists have formalised this idea. See the beer-quiche game in Fudenberg & Tirole (1991, pp. 446–451).

XIX *Dharmadāna* (and Buddhist) perspectives

This chapter is the etic counterpart of the emic chapter VI. In most sections, I venture to provide microeconomic "explanations" for *dānadharma* concepts like *śraddhā*, *śakti*, and *puṇya*. Buddhist perspectives are added whenever appropriate. Thus, I present several attempts at "theory formation", the final stage of Freiberger's comparative process. I simplify the *dāna* situation by treating it as a once-and-for-all situation. This is a clear contradiction of the Manu citation ⟨8⟩, where giving is be to *nityam*, i.e., "as a matter of routine obligation". The Shapley value is also employed where suitable.

A The balanced gift

Dharmic giving is indicated in Figure 12 and is an instance of the lower right pattern of Figure 2 (p. 143). The central problem of altruistic giving is to provide the prospective giver with reasons for such giving. A Christian motive (or idea)—namely "*fac locus Christo cum filiis tuis*" (section X.E)—has been provided by Augustine and other Church Fathers. A Christian donor hopes to be "paid" after death (⟨199⟩). Similarly, a generous donor of *dharmadāna* is promised merit or fruit.

This first section employs the Shapley value (section XI.E) in a simple constellation with just two players: a giver G (Sanskrit *dātṛ*) and a receiver R (Sanskrit *pratigrahītṛ*).

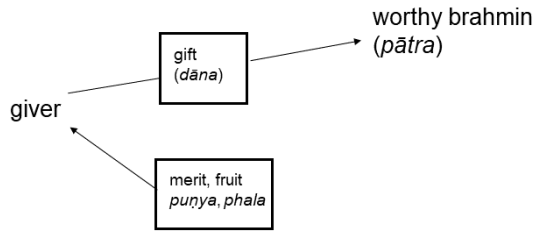

Figure 12: Dharmic giving

Arguably, the coalition function v is given by

[22] $\quad v(\mathrm{G}) = 0\,, \qquad v(\mathrm{R}) = 0\,, \quad \text{and} \quad v(\mathrm{G},\mathrm{R}) = Ph - c$

This coalition function captures a situation where a giver alone or a receiver alone would obtain a payoff of zero. If they "come together", the giver transfers some gift D to the receiver. This gift does not show up in the two-man coalitional worth, as the gain (D) for the receiver equals the loss ($-D$) for the giver. Let Ph denote the merit or fruit (*phala*) accruing to the giver and let $c > 0$ stand for the cost of becoming a worthy recipient.

The Shapley values for this coalition function are

[23] $\quad Sh_{\mathrm{G}} = \dfrac{Ph - c}{2} \quad \text{and} \quad Sh_{\mathrm{R}} = \dfrac{Ph - c}{2}$

i.e., the players equally share the gain of $Ph - c$. This is attractive to the agents if $Ph > c$ holds.[773] To the Indian theoreticians on *dharmadāna*, the giver obtains merit Ph by giving up D. Thus, one can postulate

[24] $\quad Sh_{\mathrm{G}} = \dfrac{Ph - c}{2} = Ph - D \quad \text{and hence} \quad D^{\mathrm{Sh}} = \dfrac{Ph + c}{2}$

The Shapley gift D^{Sh} makes sense intuitively.[774] The larger the earnable fruit and the larger the cost of becoming a *pātra*, the larger the gift.

The size of the gift just obtained from Shapley's theory might be called a balanced gift (see subsection XI.E(4)). Reformulating the above equation, one obtains

[25] $\quad Ph = 2D - c$

Then, the fruit to be earned is (i) a positive function of the gift, but (ii) a negative function of the cost of becoming a worthy *pātra*. The texts on *dāna* agree with (i), as will become clear soon, but have nothing to say about (ii).

B The difficulty of giving in equlibrium

It turns out that microeconoic models are more suitable than the Shapley value for approaching the texts on *dharmadāna*. Consider the decision-theoretic situation where the giver G chooses whether or not to give a present (*dāna*) D to the receiver R. Since a gift may mean something different to the giver G than it does to the receiver R, it is useful to distinguish D_{G} from D_{R}. It is always assumed that D_{G} is desirable or costly to the donor and that D_{R} is desirable to the receiver. Thus, both D_{G} and D_{R} are positive. If no donation occurs, each agent obtains the payoff zero (0). If D_{G} is not a numerical value, it stands for something that the giver prefers over 0.

773 The Shapley value assumes cooperation, i.e., the formation of the coalition $\{\mathrm{G},\mathrm{R}\}$. Thus, the above formulae would also hold for $Ph < c$. In that case, however, giving would be inefficient.

774 D^{Sh} is also obtainable from the receiver's Shapley value by observing $Sh_{\mathrm{R}} = \frac{Ph-c}{2} = D - c$.

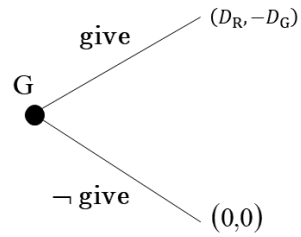

Figure 13: The simplest giving model in non-cooperative game theory

Consider Figure 13. The giver G has two actions available to him: he may either give or not give ("not" is indicated by ¬). If he gives, D_G is lost to him, while the receiver obtains D_R, i.e., the first entry in the payoff vector is the receiver's payoff, while the second entry indicates the donor's payoff. It is clear that the (rational) agent G will not give D_G to the receiver R in the form of D_R in this exceedingly simple model.

The chances for making giving possible increase if D_G is small. Therefore, we should not be surprised to find textual evidence that downplays the donor's sacrifice from giving:

⟨236⟩ *yad dadāti yad aśnāti tad eva dhanino dhanam |*
anye mṛtasya krīḍanti dārair api dhanair api ||[775]

An owner's wealth is what he gives and what he eats, for others fool around with the wife and wealth of a dead man.[776]

⟨237⟩ *kiṃ dhanena kariṣyanti dehino bhaṅgurāśrayāḥ |*
yadarthaṃ dhanam icchanti tac charīram aśvāśvatam ||[777]

For what will embodied beings, who reside in such fragile containers, do with wealth? The bodies for whose sake they desire wealth are not eternal.[778]

While these quotations stress the finite nature of the donor's current life, another one points to the ineffectiveness of wealth in securing the donor's satisfaction:

⟨238⟩ *grāsād ardham api grāsam arthibhyaḥ kiṃ na dīyate |*
icchānurūpo vibhavaḥ kadā kasya bhaviṣyati ||[779]

Why isn't a morsel—even half a morsel—given to those who ask for it? For when will anyone's wealth ever conform to his desires?[780]

From the Buddhist literature, compare ⟨164⟩. Using the economic term of a discount factor, one may translate these citations by saying that the donor does not give up D_G,

775 LDK 0.10
776 Brick (2015)
777 LDK 0.13
778 Brick (2015)
779 LDK 0.17
780 Brick (2015)

but only δD_{G}, with $\delta > 0$ and $\delta < 1$. After having replaced D_{G} by δD_{G} in Figure 13 above, giving is made more "likely", but will still not occur.

C A first attack on *śraddhā* and *śakti*

Remember ⟨90⟩, which stresses the spirit of generosity (*śraddhā*) and the donor's means (*śakti*). Thus, the absolute size of the gift is not important, but rather its relative size, the gift in relation to the giver's wealth, i.e., $\frac{D_{\mathrm{G}}}{W_{\mathrm{G}}}$. This is also evident from

⟨239⟩ *anyāyādhigatāṃ dattvā sakalāṃ pṛthivīm api |*
śraddhāvarjam apātrāya na kāṃcid bhūtim āpnuyāt ||
pradāya śākamuṣṭiṃ vā śraddhāśaktisamudyatām |
mahate pātrabhūtāya sarvābhyudayam āpnuyāt[781] ||[782]

A person who gives something unlawfully acquired—although it be the entire earth—without a spirit of generosity to an unworthy recipient obtains no prosperity. By contrast, someone who gives just a handful of vegetables, offered with a spirit of generosity and in accordance with his means, to a great and worthy recipient obtains all success.[783]

Consider Figure 14, where the 45°-line represents the giving of *sarvasvam* (everything the donor owns). He gives with generosity if the ratio $\frac{D_{\mathrm{G}}}{W_{\mathrm{G}}}$ is close to 1, but without generosity if the gift is small in relation to the donor's wealth. Reconsider the coins given by the poor widow in the New Testament (⟨200⟩). While the relative assessment is clearly prominent, the absolute value of the gift is stressed in some other verses.

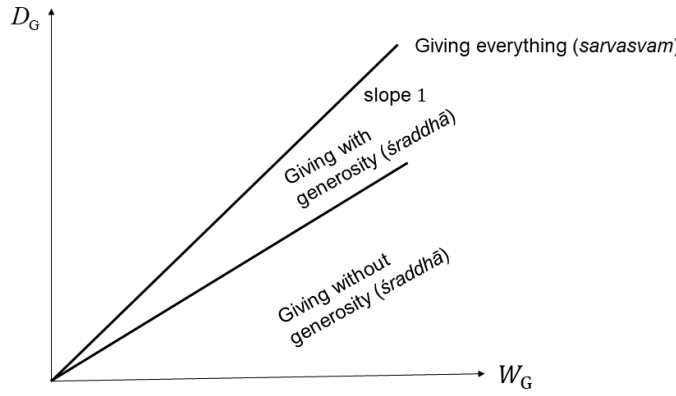

Figure 14: Giving with generosity and the donor's wealth

781 *āpnuyāta* in Brick (2015, p. 264) is clearly a typo.
782 LDK 1.37–38
783 Brick (2015)

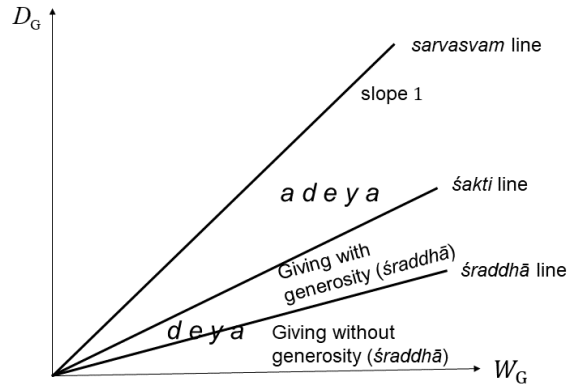

Figure 15: Giving with generosity, but only the deya part of one's wealth

In particular, LDK 1.27–31 distinguishes between High Gifts (see ⟨107⟩), Middle Gifts, and Low Gifts. Another piece of evidence is the request to give something that is rare (*durlabha*).[784]

Śakti does not only refer to the inequality $D_G \leq W_G$. Within that area, the *dharmadāna* authors distinguish between gifts that are *deya* and those that are *adeya*. Reconsider ⟨92⟩ and look at Figure 15, which is meant to reflect the *deya-adeya* distinction.

D Giving with transference of sin (*pāpa*)

Related to ⟨99⟩ on p. 74, the sin-transference theory has been discussed in emic terms. The idea of that theory is that a person's gift comes together with the donor's sin, which is then transferred to the receiver. Roughly speaking, the donor's loss (D_G) and gain (getting rid of his sin P) corresponds to the receiver's gain (D_R) and loss (taking on the donor's sin).

Consider Figure 16. τP indicates the sin that is transferred to the receiver, together with the gift D_R itself. One can think of τ as a positive number smaller than 1, i.e., the receiver may be in a position to absorb the sin at relatively small cost to himself. The giver chooses to give if

[26] $D_G < P$

holds. That is, the donor would value the sin he got rid of more than the gift he bestows on the receiver. However, the receiver is happy to accept the gift only if

[27] $D_R > \tau P$ or, equivalently, $\tau < \frac{D_R}{P}$

784 LDK 1.16, Brick (2015)

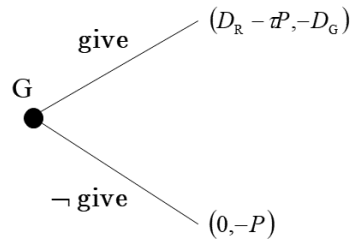

Figure 16: Giving with transference of sin

holds. According to the latter inequality, τ has to be sufficently small, i.e., the receiver's sin absorption technology sufficently effective. Putting both inequalities together, giving is welcomed by both donor and donee if

$$[28] \quad D_G < P < \frac{D_R}{\tau}$$

holds. Thus, the sin-transference theory of the gift makes giving possible. However, due to the scarcity of the material, it is quite unclear whether the above account is helpful for understanding this theory.

E Trusted fruits versus discounted gifts

Giving may pay for thisworldly motivations, as shown in sections XVIII.E (reputation) and XVIII.B (Seneca's *beneficium* reciprocity). Of course, *dānadharma* stresses otherworldly "fruit" much more than thisworldly[785] ones. Otherworldly fruits come under the headings of "fruit" (*phala*)[786], "heaven" (*svarga*)[787], "wealth" (*dhana*)[788], and the like.[789] Such fruits obtained by the donor do not violate the non-reciprocity typical of *dharmadāna*: The donor does not expect a counter-present from the receiver in return for his gift (see ⟨119⟩). Instead, the donor expects an *adṛṣṭaṃ dānaṃ* (see section III.C), which we translate as fruit and indicate by *Ph*.

Since a fruit can only be a motivating force if the donor has faith in it, *śraddhā* in the meaning of "conviction about the certainty of rewards" is relevant. One might translate it into a probability (a degree of conviction) σ. The expected fruit would then

785 Irritatingly, Brekke (1998, p. 288) writes that "householders' donations [...] are motivated by a desire for merit which is, strictly speaking, a thisworldly currency."
786 LDK 1.18, Brick (2015).
787 LDK 2.35, Brick (2015)
788 LDK 1.59–60, Brick (2015)
789 Similar deliberations hold for Buddhist lay givers. See Silk (2008, p. 19): "[P]atronage directed to meditators [among Buddhist monks, HW] will generate the best 'rate of return' for the donor, a clearly rational appeal to the enlightened self-interest of such potential donors." Such meditator-monks are thought of as *puṇyakṣetra* ("field of merit"), see Silk (2008, p. 19) once again.

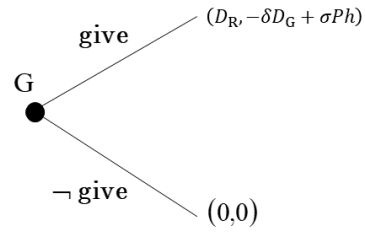

Figure 17: Giving with the earning of fruit

be expressed by σPh. Donors with a high degree of conviction would then value σPh more than donors with a low one.

Now, introducing this expected fruit into our decision model, one obtains Figure 17, where the giver gives away the discounted gift δD_G (section B) and obtains the expected fruit σPh. Donating is worthwhile if the expected fruit σPh is larger than the discounted gift δD_G, i.e., if

[29] $\sigma Ph > \delta D_G$ or, equivalently, $\frac{Ph}{D_G} > \frac{\delta}{\sigma}$

holds.[790] If numerical values are not easily available, the above inequality [29] can be understood as follows: the donor prefers the prospect of relinquishing D_G (which he discounts because it is not permanent) if he receives Ph with probability σ to that of not giving D_G and thus not obtaining Ph.

Equation [29] make clear that a large probability (a large degree of conviction) σ makes giving attractive for the donor. The ratio $\frac{Ph}{D_G}$ could be called the "fruit-gift ratio", i.e., the output-input relation that indicates the gift D_G used to produce the fruit Ph. In order to make giving attractive, this ratio has to be larger than the "fruit-gift threshold" $\frac{\delta}{\sigma}$. Consider Figure 18. It is a graphical translation of equation [29]. Whenever the fruit-gift ratio is larger than the fruit-gift threshold, giving pays. A spirit of generosity then prevails.

Revisiting Köhler (1973) and Brick's remarks on *śraddhā* (section VI.B), a large degree σ of conviction in the effectiveness of giving (the cause) leads to a high willingness to give, i.e., to generosity (the effect). But, of course, the discount factor is also instrumental in bringing about a "spirit of generosity". Thus, in terms of our model, the following observation neatly summarises the fruit-based Brahmanical theory of the gift: *śraddhā* (spirit of generosity) is a negative function of $\frac{\delta}{\sigma}$, or, equivalently

[30] *śraddhā* (spirit of generosity) is a positive function of $\frac{\sigma}{\delta}$

790 There is no need to worry about the case $\sigma Ph = \delta D_G$, which has a zero probability.

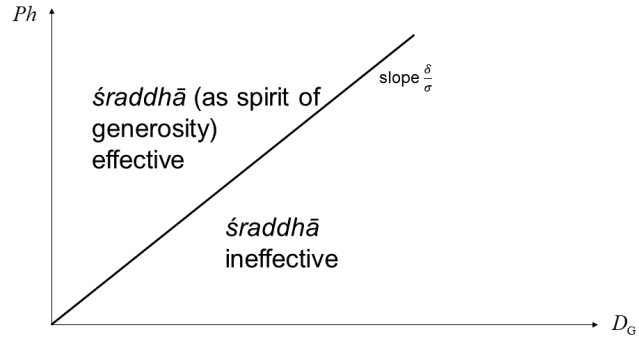

Figure 18: The two senses of giving

For a given discount factor, the above equation reveals that a spirit of generosity is brought about by a sufficiently large conviction in the effectiveness of giving. The reader is invited to revisit section XI.A: *śraddhā* in the sense of spirit of generosity is the variable or the outcome, affected by *śraddhā* in the sense of conviction in the effectiveness of giving—the parameter or input in our little model. Graphically, if σ increases, the line in Figure 18 becomes less steep and the donor is prepared to give larger gifts for a given merit than before. However, a sufficiently large willingness to give $\frac{\delta}{\sigma}$ will not, by itself, lead to actual giving. We pursue this question in the next section.

F Economic and moral feasibility (*śakti*, *adeya*)

In the previous section, *śraddhā* is interpreted as willingness to give, depending on the parameters of the *dāna* situation, i.e., depending on the discounted gift δD_G, the fruit *Ph*, and the degree of conviction σ. Consider again the following verse:

⟨240⟩ *nālpatvaṃ vā bahutvaṃ vā dānasyābhyudayāvaham |*
śraddhā śaktiś ca dānānāṃ vṛddhikṣayakare hi te ||[791]

Whether small or large, the size of a gift does not bring about its benefits, but rather the spirit of generosity and the means available to the donor associated with a gift—indeed, only these two things cause prosperity or ruin.[792]

where *śakti* is explained as follows:

⟨241⟩ *svakuṭumbāvirodhena deyaṃ dārasutād ṛte |*
nānvaye sati sarvasvaṃ yac cānyasmai pratiśrutam ||[793]

791 LDK 1.3
792 After Brick (2015), who translates *śakti* as "capability" here. We follow Brick's translation of LDK 1.38.
793 LDK 2.5

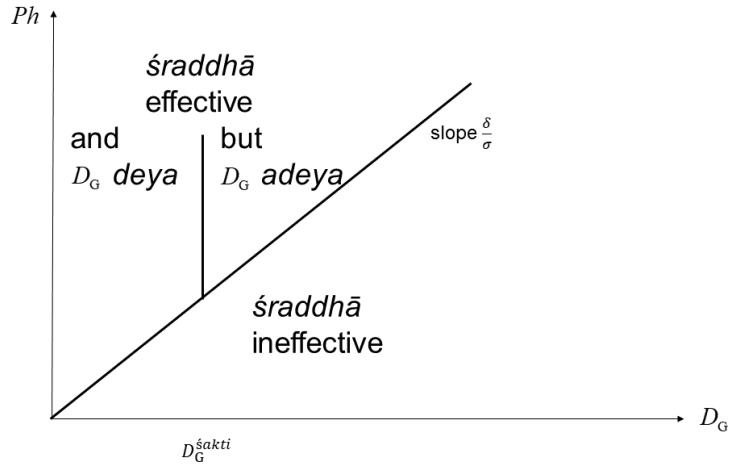

Figure 19: Śraddhā is checked by śakti

> So long as it does not hurt his family, a man can give away any of his property except for his wife and his sons, [but] not the entirety of his wealth if he has descendants, nor anything he has promised to another.[794]

Thus, the ability to donate (*śakti*) is the second important ingredient (section VI.C). Consider Figure 19. Even if *śraddhā* is effective, a gift may be ruled out because it places too much hardship on the family.

G Gift-fruit technology

Gift and fruit are intimately related. Inter alia, this relationship depends on the quality of the Brahmin receiver (compare Figure 20):[795]

⟨242⟩ *samam abrāhmaṇe dānaṃ dviguṇaṃ brāhmaṇabruve* |
prādhīte śatasāhasram anantaṃ vedapārage ||[796]

> A gift to a non-Brahmin yields an equal reward; a gift to one who is a Brahmin in name only yields twice that; a gift to one who is learned yields one-hundred-thousand-times that; and a gift to one who has mastered the Vedas is infinite.[797]

⟨243⟩ *duṣphalaṃ niṣphalaṃ hīnaṃ tulyaṃ vipulam akṣayam* |
ṣaḍvipākayug uddiṣṭaṃ [...] ||[798]

794 After Brick (2015)
795 Similarly, hospitality must not be extended towards unworthy persons, as is clear from MDh 4.30.
796 LDK 3.59
797 Brick (2015)
798 LDK 1.18

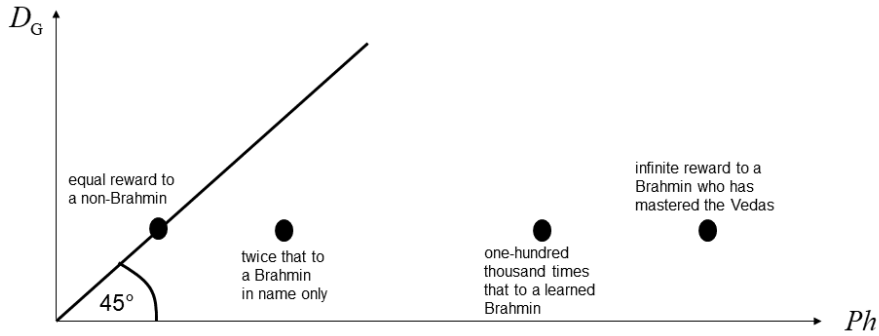

Figure 20: Rewards depend on the quality of the Brahmin

> It is taught that a gift can yield six kinds of effects: negative effects, no effects, reduced effects, proportionate effects, increased effects, and imperishable effects. [...][799]

One may be tempted to capture these quotations by a gift-fruit- or merit-technology factor μ, where

[31] $Ph = \mu D_G$

holds and

- *duṣphala* (in ⟨243⟩) is captured by $\mu < 0$,
- *niṣphala* (⟨243⟩) is captured by $\mu = 0$,
- *hīna* (⟨243⟩) is captured by $0 < \mu < 1$,
- *samam abrāhmaṇe dānam* (⟨242⟩) and *tulya* (⟨243⟩) are captured by $\mu = 1$,
- *vipula* (⟨243⟩) is captured by $\mu > 1$,
- *dviguṇaṃ brāhmaṇabruve* (⟨242⟩) is captured by $\mu = 2$,
- *prādhīte śatasāhasram* (⟨242⟩) is captured by $\mu = 100,000$, and
- *ananta* (⟨242⟩) and *akṣaya* (⟨243⟩) are captured by $\mu = \infty$.

While these translations are suggestive, they are also problematic. They presuppose that Ph and D_G are measured in the same units, be it "happiness", Euro, or anything else. How one might come to such an understanding with respect to that unit is unclear and is not a topic addressed in any Old Indian texts. The reasons for particular values of μ, i.e., the reasons for particular gift-fruit technologies are diverse. A gift is

- *duṣphala* on account of unworthy recipients,[800]
- *niṣphala*[801] or *aphala*[802] if missing the spirit of generosity (*śraddhā*)[803],

799 Brick (2015)
800 LDK 1.19
801 LDK 1.19a
802 LDK 1.20a
803 LDK 1.20b

- *hīna*[804] if causing harm to others (*parabādhākara*)[805],
- *tulya* on acccount of a "wicked mind" (*cittena kaluṣeṇa*)[806] or by "that flaw in the donor's intention" (*saṃkalpadoṣeṇa*)[807], respectively,
- *vipula* if "with all six proper components" (*yuktāṅgaiḥ sakalaiḥ ṣaḍbhiḥ*)[808], and, finally,
- *akṣaya* if the gift is "given out of compassion" (*anukrośavaśāt*)[809].

Brekke (1998, pp. 290, 313) points to a giver's choice between giving a gift as a sacrifice (where the quality of the recipient is of paramount importance) or as a charitable gift (where intentions reign supreme). It is the current author's view that Brekke's implication that giving "becomes meritorious *a priori*" is not a good summary of the *dānadharma* authors' intentions.

Holding the virtuousness of the receiver constant, one may consider giving as an optimisation problem, where $Ph\,(D_{\mathrm{G}}) - D_{\mathrm{G}}$ is to be maximised subject to D_{G} being feasible, i.e., *deya*. It goes without saying that this decision-theoretic approach would not find any support in premodern Indian texts.

H Proactive giving

Proactive giving—as opposed to giving in response to begging—is especially meritorious, as is clear from ⟨108⟩ in the context of marriages and ⟨220⟩ in the context of the *yuga*s. Consider also the following verse:

⟨244⟩ *abhigamya tu yad dānaṃ yac ca dānam ayācitam |*
vidyate sāgarasyāntas tasyānto naiva vidyate ||[810]

If someone approaches a recipient and gives him a gift or gives a gift that has not been asked for, the merit from his gift will never end, though the ocean will.[811]

Consider Figure 21. I assume that the receiver might beg in order to obtain D_{R}, with three changes in comparison to the simple gift models:

- The process of begging may be shameful, which is expressed by $sh > 0$. Thus, the receiver's payoff is $D_{\mathrm{R}} - sh$ if he is given D_{R} after begging, but D_{R} if he obtains the present without begging.
- Giving without begging is especially meritorious, this being expressed by $Ph^{+} > Ph$.

804 LDK 1.18a, paraphrased as *ūnatāṃ vrajet* in LDK 1.20d
805 LDK 1.20c, translation by Brick (2015)
806 LDK 1.21b, translation by Brick (2015)
807 LDK 1.21c, translation by Brick (2015)
808 LDK 1.22a, translation by Brick (2015).
809 LDK 1.22c, translation by Brick (2015)
810 LDK 1.73
811 Brick (2015)

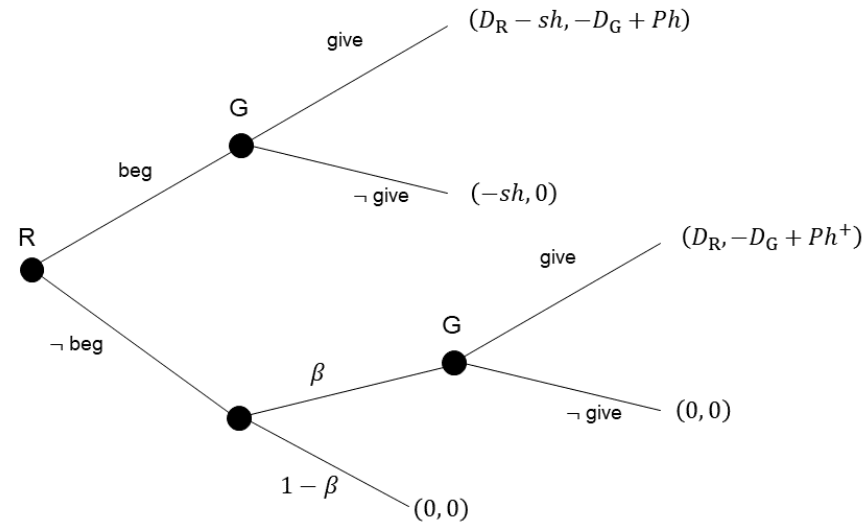

Figure 21: To beg or not to beg?

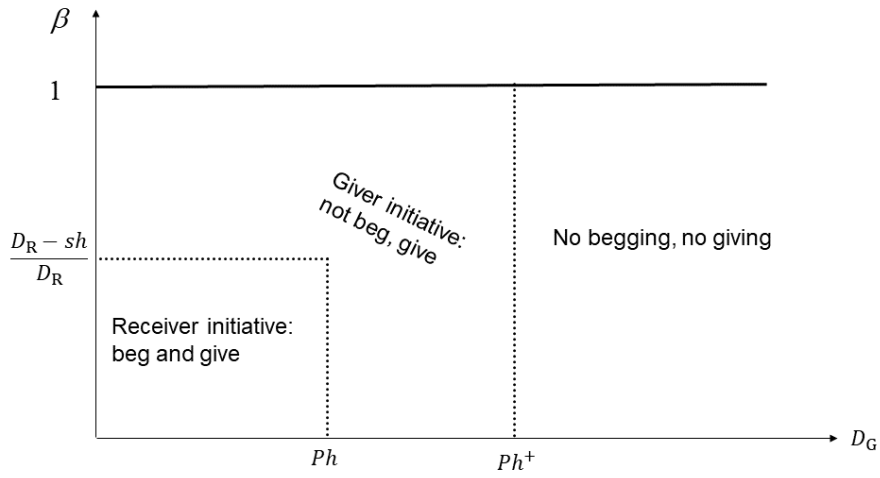

Figure 22: Backward-induction outcomes of receiver- or giver-initiative

- If the potential receiver does not beg, the potential donor will consider giving to him only if the potential receiver catches his attention. We assume that this occurs with some probability $\beta > 0$.

Appendix E shows how this model is solved. The outcomes are depicted in Figure 22. On the abscisse, we have the giver's assessment of the gift's value D_G, which can be low (smaller than Ph), in the medium range (between Ph and Ph^+), or large (above

Ph^{+}). On the ordinate, we have the attention probability β, which may be smaller or larger than $\frac{D_R - sh}{D_R}$.

Thus, with a view to ⟨12⟩, we obtain

- the (*kaliyuga*) receiver-initiative outcome,
- the (*kṛtayuga*) donor-initiative outcome, or the
- resignation outcome (neither begging nor giving)

I Merit transfer

In Buddhist contexts, Figure 12 from the chapter on *dharmadāna* undergoes a further complication in that the merit earned by gifting is transferred to a third party. See the arrows from merit to giver, and onwards from the giver to the receiver of merit in the upper part of Figure 23.

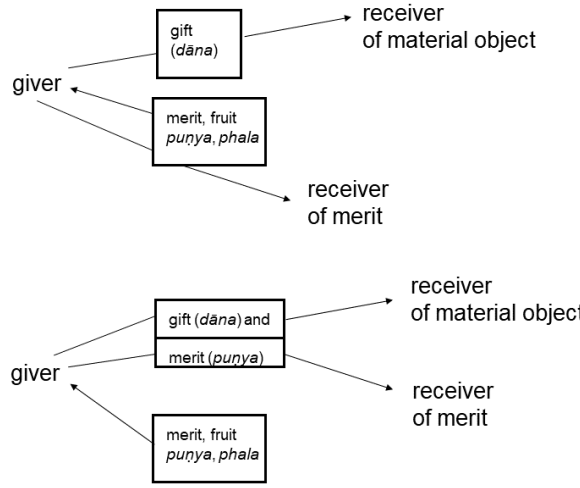

Figure 23: Merit transfer

As is clear from ⟨175⟩ and ⟨176⟩, this "giving of good fortune" (*pattidāna*) is particularly meritorious. Apparently, by some merit-transfer technology, the merit obtained and forwarded by the original giver is not diminished, even for him.[812] One might run into never-ending cycles here, but this is neither discussed in the texts nor indicated in the figure. One might entertain the idea that the upper part of the figure closely corresponds to the lower one. Furthermore, the lower part of Figure 23 resembles Figure 12. The giver gives both gift and merit to the receivers of a material object and of merit, respectively. As a reward, the giver obtains merit for himself.

812 Gombrich (1971) studies merit transfer in Singhalese Buddhism.

In which manner is the donation process motivated in the case of merit transfer? In the *dharmadāna* case, the giver takes into account the merit he obtains, whereas in the merit-transfer case, he knows about the merit but gives it to a third party. This would then mean that the donor is not aware of ⟨175⟩. He thinks that he passes on the merit to somebody else. However, he in fact also keeps his merit unknowingly. A microeconomic analysis of this situation is difficult and will not be attempted.[813]

J Gifting without cost to the giver

In the previous section, the giving of merit occurs without cost to the giver himself. A similar phenomenon is observed in ⟨116⟩ in the context of knowledge. If a Brahmin gives knowledge, he nevertheless keeps it for himself. In modern economic terms, the gift of knowledge is characterised by non-rivalry in consumption. This means that consumption by one agent does not diminish the consumption possibilities of other agents. Ownership can thus be produced for the receiver without giving up ownership on the donor's side. Similarly, see the Buddhist quotation ⟨175⟩, where the *pattidāna* ("giving of good fortune") is compared to a lamp which is used to light other lamps without itself being extinguished.

All of these cases are similar to the special case of $\delta = 0$ in Figure 17. A discount factor of zero amounts to a zero cost of giving for the giver. Alternatively, one may refer to section B for the special case of $D_G = 0$.

K Altruistic conflict

Proactive giving (see section XIX.H) carries the risk of being rejected due to an "altruistic conflict". This is the topic of the Buddha-as-a-hare and the Buddha-as-an-elephant *jātaka*s (section VIII.C) and of the virtuous rejection recommended by Yājñavalkya:

⟨245⟩ *pratigrahasamartho 'pi nādatte yaḥ pratigraham |*
ye lokā dānaśīlānāṃ sa tān āpnoti puṣkalān ||[814]

When a man, although eligible to receive donations, does not accept them, he obtains the opulent worlds reserved for those who are devoted to giving gifts.[815]

I will now present a model devised by Stark (1993), which formally captures this idea of altruistic conflict. Consider two agents who are labeled father (F) and son (S). Since there are only two agents, pure and impure altruism cannot be distinguished. Father and son consume "corn" in the quantities C_F and C_S, respectively. This consumption

813 Smith (2021) discusses the puzzle of merit transfer: Why should the receiver of merit benefit from another person's—the donor's—deserving actions?

814 YSm 1.211

815 Olivelle (2019b)

leads to direct pleasure V (called felicity by Stark), which is a function of an agent's own consumption of corn. However, the agents care not only about their own consumption but also about the other agent's consumption:

[32] $U_F(C_F, C_S) = \beta_F V_F(C_F) + \alpha_F V_S(C_S)$

and

[33] $U_S(C_F, C_S) = \beta_S V_S(C_S) + \alpha_S V_F(C_F)$

Assuming $\frac{dV}{dC} > 0, \beta_F > 0, \beta_S > 0$, the agents are greedy in the sense of preferring more corn to less. The βs are called felicity factors.

α_F expresses the level of altruism felt by the father towards the son. Vice versa, α_S stands for the level of altruism the son feels towards his father. We call preferences with

- $\alpha > 0$ altruistic or benevolent,
- $\alpha < 0$ malevolent, and
- $\alpha = 0$ neutral.

The typical microeconomic model assumes $\alpha = 0$ and represents the neutral case. One might translate the biblical commandment to "love your neighbour as you love yourself"[816] as

[34] $\alpha = \beta$.

The details of Stark's model can be found in appendix F. Here, I would like to discuss his main findings. Stark's model is a convenient way to classify preferences. In particular, depending on the parameters just introduced, father and son may stand in egoistic conflict or in altruistic conflict. An egoistic conflict is said to occur if the father likes to consume more corn than the son would prefer to let him consume. Egoistic conflicts occur if the agents have neutral or malevolent preferences. They also happen if the agents are only moderately altruistic. However, if the agents are "very" altruistic, an altruistic conflict arises. The father wants his son to consume a lot of corn and the son wants his father to consume a lot as well. In terms of the model's parameters, altruistic conflict occurs if

[35] $\alpha_F > 0$ and $\alpha_S > 0$ and $\alpha_F \alpha_S > \beta_F \beta_S$

hold.

Illustrative material is provided by some birth-stories (see section VIII.C). An altruistic conflict may also result in the realm of Brahmin *dānadharma* (see ⟨98⟩).

816 Mt_E 22.39

Part Four:

Retrospection

The last chapter of this book "wraps up" in diverse ways. I revisit the negative attitude towards Brahmins as collectors of *dakṣiṇā* or *dharmadāna.* I also examine the commonalities between Vedic sacrifices and Brahmanical *dharmadāna.* Other topics covered concern the perfect gift and Freiberger's classifications.

XX Conclusion: leftovers and wrapping up

In this last, concluding chapter, I will proceed in seven steps. I begin by revisiting various distribution rules. I will then list diverse forms of giving and taking by Brahmins. Thirdly, I deal with the question of whether the often-encountered negative judgement of *dharmadāna-* and *dakṣiṇā-* receiving Brahmins is appropriate. Interesting commonalities and differences between sacrifices and dharmic giving will then be specified. In particular, I consider the question of how exactly the "shift" from sacrificing to gifting can be understood as a secularisation process. The fifth topic is a comparison of a "perfect gift" with a *dharmadāna*. After a few comments on a recent book by Seaford (2020), I revisit Freiberger's twofold classifications.

A Diverse distribution rules

In various circumstances, specific distribution rules are prescribed. I will take a close quantitative look at distribution rules for treasure troves, inheritance, and partnerships of artisans.

(1) Treasure troves

According to Manu (⟨15⟩ <h>), one of a Brahmin's occupations is "appropriating things that do not belong to anybody". Treasure troves are a case in point:

⟨246⟩ He [the king, HW] should appropriate all the produce of mines. When he finds a treasure-trove, he should give half of it to Brāhmaṇas and deposit the other half in the treasury. When a Brāhmaṇa finds a treasure-trove, he may keep all of it; a Kṣatriya should give a quarter to the king, a quarter to Brāhmaṇas, and keep one half for himself; a Vaiśya should give a quarter to the king, a half to Brāhmaṇas, and keep a quarter for himself; a Śūdra should divide what he has found into twelve portions and give five portions to the king, five to Brāhmaṇas, and keep two portions for himself.[817]

817 ViDh 3.55–61, Olivelle (2009)

Table 11: Portions of a treasure trove to be alloted to the finder and to others according to Vaiśnava Dharmaśāstra

Finder	self	(other) Brahmins	king	(other) *kṣatriya*s	(other) *vaiśya*s	(other) *śūdra*s
Brahmin	1	0	0	0	0	0
king	$\frac{1}{2}$	$\frac{1}{2}$	0	0	0	0
kṣatriya	$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{4}$	0	0	0
vaiśya	$\frac{1}{4}$	$\frac{1}{2}$	$\frac{1}{4}$	0	0	0
śūdra	1/6	5/12	5/12	0	0	0

Table 12: Portions of a treasure trove to be alloted to the finder and to others according to Yājñavalkya Smṛti

Finder	self	(other) Brahmins	king
Brahmin	1	0	0
king	$\frac{1}{2}$	$\frac{1}{2}$	0
other *varṇa*s	5/6	0	1/6

Apparently, the amount that can be kept depends on class. Table 11 arranges these portions in matrix-form.

The current author did not succeed in finding a simple formula that might explain these numbers. The rules given by YSm 2.36–37 are simpler, but cannot be reduced to an easy rationale either. They are summarised in Table 12.

(2) Inheritance

With respect to inheritance, YSm 2.129 explains how much a Brahmin should bequeath to sons he has fathered with women of different classes:

〈247〉 *catustridvyekabhāgīnā*[818] *varṇaśo brāhmaṇātmajāḥ* |
kṣatrajās tridvyekabhāgā vaiśyajau dvyekabhāginau ||[819]

Shares of sons born to a Brahman are four, three, two, and one, according to their class; to a Kshatriya, three, two, or one; and to a Vaishya, two or one.[820]

818 difficult
819 YSm 2.129
820 Olivelle (2019b)

Table 13: Inheritance apportioned according to the class of the sons' father and mother

	Brahmin mother	*kṣatriya* mother	*vaiśya* mother	*śūdra* mother
Brahmin father	$\frac{4}{4b+3k+2v+\acute{s}}$	$\frac{3}{4b+3k+2v+\acute{s}}$	$\frac{2}{4b+3k+2v+\acute{s}}$	$\frac{1}{4b+3k+2v+\acute{s}}$
kṣatriya father	–	$\frac{3}{3k+2v+\acute{s}}$	$\frac{2}{3k+2v+\acute{s}}$	$\frac{1}{3k+2v+\acute{s}}$
vaiśya father	–	–	$\frac{2}{2v+\acute{s}}$	$\frac{1}{2v+\acute{s}}$
śūdra father	–	–	–	$\frac{1}{\acute{s}}$

For Table 13 above, assume hypergamy, i.e., a man cannot take a wife from a class higher than his own. The above quotation presupposes that twice-born men have children from a *śūdra* woman, while YSm 1.56 (⟨109⟩) from the same *dharmaśāstra* text prohibits the marriage of twice-born men with *śūdra* women. Assume, furthermore, that a father has b sons from a Brahmin wife, k sons from a *kṣatriya* wife, v sons from a *vaiśya* wife and $\acute{s}$ sons from a *śūdra* wife. For a *vaiśya* man, one should expect $b = k = 0$ by hypergamy.

Thus, according to the first three rows in Table 13, the son of a twice-born father and a mother of a certain class would receive a higher portion of the inheritance than his brothers from mothers of a lower class.

(3) Partnership of artisans

Finally, I turn to the partnership of artisans. Partnerships of artisans for the purpose of price fixing was forbidden (YSm 2.254), in a similar fashion to modern anti-collusion clauses. Partnerships in production were of course allowed. In ⟨133⟩, the shares obtainable by teachers, experts, advanced students, and apprentices obey the proportions $4:3:2:1$. Assume that an undertaking employs t teachers, e experts, s (advanced) students, and a apprentices. Then, the shares are similar to those in the inheritance case for sons with a Brahmin father (see Table 13). Indeed, one obtains the shares as in Table 14:

Table 14: Shares received by artisans according to skill

teacher	expert	student	apprentice
$\frac{4}{4t+3e+2s+a}$	$\frac{3}{4t+3e+2s+a}$	$\frac{2}{4t+3e+2s+a}$	$\frac{1}{4t+3e+2s+a}$

B The roles of Brahmins

(1) Brahmins as receivers of gifts—an empirical side remark

As receivers, Brahmins have played an important role in this book. Among other sources, their livelihood depended on *dharmadāna*, tax exemptions (⟨73⟩), and royal largesse, the latter being stipulated in *dharma* texts (⟨61⟩ and ⟨73⟩), described and attested to in *mahādāna*s (section VI.H(2)), historiographies[821], or (epigraphical) records[822], respectively.[823] Bronkhorst (2016, p. 53) thinks that "support for Brahmanism, unlike support for currents such as Buddhism and Jainism, had to come primarily, if not exclusively, from rulers, not, for example, from the merchant class." In defense of his thesis, Johannes Bronkhorst argues the following in a private message: "I would be surprised if Brahmanism received many gifts from merchants and other entrepreneurs. The reason is that orthodox Brahmanism had no sympathy for those professions. Moreover, it pretended to be independent of 'the world'."

I am not really convinced that the act of giving to Brahmins or priests or "church" organisations of different kinds (for example *parṣad*s in India[824] or the Catholic Church in the Europe of the Middle Ages), or the motivations for doing so, can be understood in terms of a few arguments along these or similar lines, even if they have some a priori plausibility. While some Brahmins (hardly a majority of them) might have had "no sympathy" for worldly professions, their standard attitude would tend to recognise that each member of society should act in line with his *svadharma*. With respect to being "of 'the world' ", Brahmins who enjoyed the fruit of a king's donation of land or village or who lived from daily *dharmadāna* knew of their dependence on the other classes. Surely, Brahmins as owners of villages could profit from the villagers via the king's patronage (pp. 54), even if these were not devout Hindus prepared to give *dharmadāna*. We have no evidence to the effect that "all" Brahmins or even a majority of them enjoyed the usufruct of villages. Even village-possessing Brahmins were not safe. Withdrawal of patronage might take place if a patron king were defeated in war or decreased his patronage of Brahmins in favour of patronage of Buddhists or other groups. As is clear from the Kashmiri evidence, kings occasionally confiscated or reassigned endowments, eternity clauses (⟨63⟩) notwithstanding.[825] There may well have been many instances of an old or a new king withdrawing endowments awarded by his ancestors or by his defeated rival.

Surely, some influential (i.e., very learned and/or politically relevant) Brahmins were successful in securing donations from kings. However, "Brahmins" form a het-

821 Slaje (2017) uses the several Kashmiri Rājataraṅgiṇīs (among them KRT and ŚRT) for a description of endowments benefitting Buddhists, Hindus, and Muslims.

822 See Strauch (2002, pp. 116–122, 244–266) and Schmiedchen (2013, 2014).

823 More generally, the history of the Brahmins still needs to be written, as argued by Witzel (1993).

824 See Slaje (2017, pp. 403–404).

825 See Slaje (2017, p. 410).

erogenous group in many respects.[826] Not all of them could rely on givings from rulers. Some less-learned or less charismatic Brahmins had to live from *dharmadāna* or turn to "lower" occupations (see ⟨15⟩). Thus, there are many reasons for which Brahmins would have welcomed donations by non-ruling classes. And, indeed, the copious prescription of *dharmadāna* indicates that these donations were not only sought-after, but also given. Furthermore, the very fact that many lines of tradition have remained more or less intact over the centuries supports this kind of reasoning. To summarise, whereas some Brahmins managed to get close to the ruling elites, larger sections probably depended on the non-ruling parts of society.

In the same communication, Bronkhorst adds that Brahmanical ideology might have been one factor behind the "economic decline and the emptying of cities that characterized the middle centuries of the first millennium".[827] Here, the idea seems to be that Brahmanical ideology would do damage to the economic interests of "merchants and other entrepreneurs", who would be potential donors to these very Brahmins (see Bronkhorst (2021)). In my view, a counter-factual thought experiment regarding how merchants would have fared in a society devoid of Brahmins is just "too large". In a similar manner, it is not fruitful to ask what Europe would have looked like without the Catholic church.

(2) Brahmins as economic actors

Brahmins play a special role in many forms of giving and taking, but surely not in all of them. As might be expected, the law texts do not envision any specific role of Brahmins in purely economic exchange. See, for example, the case of rescission of buying contracts (section VII.C, subsections (2) and (3)). A notable exception concerns interest rates for debts incurred by Brahmins (see section XIII.D).

Priests that officiate at a sacrifice are a specific instance of a partnership that is regulated by Kauṭilya (see subsection VII.B(5)). For the hybrid nature of a fee-gift, revisit section XVII.D. For Brahmins as *ācārya*s, see section XV.B.

826 Schmiedchen (2014) analyses the benefitting Brahmins in Dekkhan epigraphies of the 8th to 13th centuries. She distinguishes between the Brahmins' *gotra* ("lineage") (pp. 159–160), their Vedic branch (pp. 160–164), and their geographical origin (pp. 165–176).

827 A related, but different kind of claim (to which Johannes Bronkhorst kindly directed me) is put forward by Verardi (2018, p. 253) with respect to "the strengthening of the agrarian society and the deteriorating of the proto-capitalist economy of the Buddhists that maximised the profits of trade": "The [Brahmin, HW] orthodox not only had nothing to lose from the general collapse of trade, but had everything to gain instead. The agrarian model that identified them at the social level, brought to perfection through centuries of experience, compensated for the losses in macro-economic terms." I have to admit that I find bold and sweeping generalisations of this kind unhelpful.

C Greedy Brahmins?

In this section, I deal with the question of whether the often-encountered negative judgement of *dharmadāna-* and *dakṣiṇā-* receiving Brahmins is appropriate. Against that judgement, one might highlight the functions served by these institutions.

(1) Self-serving Vedic priests and Brahmanical theories of the *dakṣiṇā* and *dāna*

The *daksiṇā* collected by Vedic priests and the *dharmadāna* obtained by Brahmins have aroused suspicion in all times, including the present. Consider the following quotations:

- ⟨44⟩, ⟨228⟩
- "Back into this oldest period of Indian history [the Ṛgvedic period, HW] we can also follow the beginnings of the Indian caste system which at bottom is a product of priestly selfishness and weighs upon the Indian people like a nightmare even to the present day."[828]
- "This poetry does not serve beauty as this religion does not serve the purpose to purify and uplift the souls. Instead, both serve the class interest, the personal interest, the remuneration."[829]

Similarly, one can see the possibility of collecting *dāna* as yet another of the Brahmins' privileges, as Brick (2015, pp. 41–42) seems to do: "Two fundamental motivations seem to explain both the prominence of the discussions of proper recipients within the *dānanibandhas*[830] and the bulk of their contents. The first of these is a desire to establish orthodox, Vedic Brahmins as the ideal recipients and in many cases as the sole legitimate recipients of gifts. The second is the theoretical principle that the merit of a gift is directly proportional to the virtuousness of its recipient (with "virtuousness", of course, here defined from a Brahmanical perspective). As is likely obvious to readers, the achievement of both of these desires would have been very much in the interests of the Brahmins who composed most of the *dānanibandhas*, including the Dānakāṇḍa [LDK, HW]." In their capacity as writers of the *dharma* texts, Brahmins point to themselves as receivers of *dāna*. Thus, "one can easily interpret this stress on the Brahmin-ness and Vedic knowledge of proper recipients as intended to reserve for the authors' own social group the entitlement to receive gifts."[831]

828 Garbe (1897, p. 58)
829 Oldenberg (1923, p. 20)
830 A *nibhanda* is an anthology, a *dānanibandha* an anthology on the subject of (dharmic) giving.
831 Brick (2015, p. 42)

(2) Definition or requirements

Reconsider ⟨102⟩:

⟨248⟩ *yogas tapo damo dānaṃ satyaṃ śaucaṃ śrutaṃ ghṛṇā |*
vidyā vijñānam āstikyam etad brāhmaṇalakṣaṇam ||[832]

Discipline, austerity, self-control, liberality, truthfulness, purity, vedic learning, compassion, erudition, intelligence, and religious faith—these are the characteristics of a Brahmin.[833]

Two possible understandings of this quotation come to mind: (i) as "definitions of a proper Brahmin"[834] with "unambiguously high opinions of themselves and of their place in society"[835]. Thus, Brahmins have somehow managed to enjoy privileges in the form of both material wealth (the *dāna*) and high rank. Using Trautmann's (1981, p. 286) words, one might suspect a "conspiracy of priests".

While this understanding is certainly not wrong, "discipline, vedic learning" may also point to (ii) requirements that the Brahmins have to fulfil. Consider the following:

⟨249⟩ *śīlaṃ saṃvasatā jñeyaṃ śaucaṃ saṃvyavahārataḥ |*
prajñā saṃkathanāj jñeyā tribhiḥ pātraṃ parīkṣyate ||[836]

One can know a person's virtue by living with him, his purity by interacting with him, and his wisdom by talking with him. A recipient should be tested in these three things.[837]

Of course, the specific manner in which testing a recipient occurs (see ⟨104⟩) should violate neither the dignity of the giver nor of the receiver.

One should bear in mind that both the ability to perform sacrifices and the attainment of Vedic learning required many years of study. See ⟨15⟩ and subsection XV.B(1). The understanding (ii) stresses the requirements that Brahmins as *pātra*s have to fulfil. In contrast, understanding (i) stresses the definitional aspect, where Brahmins engage in self-exaltation. In line with (ii), Brick (2015, p. 44) states the following with respect to the Brahmins' virtuousness: "it serves the purpose of policing the Brahmin community by encouraging its members to aspire to the high standards of an ideal Brahmin lest they be deemed unfit to receive patronage."

832 VaDh 6.23
833 Olivelle (2000)
834 Brick (2015, p. 41)
835 Brick (2015, p. 40)
836 LDK 3.1
837 Brick (2015)

(3) Functional theory of the (fee-)gift

To the current author, the often-encountered stress placed on the Brahmins' greed is overdone. Of course, material interests are important for Brahmins. However, the "rest" of the society, Vedic or classical, also pursued its own interests. The *yajamāna*s sought this- and otherworldly benefits. Society at large may well have even profited from the Brahmins' activities. See section XVIII.A for the model assuming "productive" receivers and reread ⟨233⟩ by Hubert & Mauss. In connection to this, one might refer to the anti-caste arguments forcefully brought forward by Ambedkar and other social reformers.[838] A discussion of these arguments lies well beyond the range of this book.

In the current context, I argue that giving (whether by kings, merchants, or others) has been instrumental in allowing Indian religion, science, etc. to be transmitted from generation to generation. After all, human traditions usually depend on granting some elite group the possibility to pursue scientific and religious work. Of course, people other than Brahmin males have contributed to innovation and the conservation of traditions.[839] Nevertheless, the Brahmin social class has surely contributed the lion's share of that work. The very first verse in Yājñavalkya's treatment of *dāna* is relevant here:

⟨250⟩ *tapas taptvāsṛjad brahmā brāhmaṇān vedaguptaye |*
tṛptyarthaṃ pitṛdevānāṃ dharmasaṃrakṣaṇāya ca ||[840]

Brahma, after performing ascetic toil, created Brahmans to protect the Veda, to bring satisfaction to ancestors and gods, and to safeguard dharma.[841]

It seems that the Brahmins understood the importance of giving in the context of its transmittal function. However, as we have argued before in subsection XVI.F(2), a functional theory does not generally rely on humans' understanding. Giving may just embody an "intelligent" solution to the transmittal problem.

D A secularisation process?

(1) Comparing sacrificing and gifting

The close connection between offering to gods and gifting has often been observed, as in ⟨30⟩, ⟨32⟩, and ⟨33⟩. However, some dissimilarities need to be mentioned:

838 A copy of Ambedkar's famous "speech" (which was never held) entitled "Annihilation of Caste" is found in many places, among them in Kundu (2018, chapter 10).

839 Garbe (1897, pp. 68–85) convincingly argues that Upaniṣadic and Buddhist innovations were the fruits of the *kṣatriya*, rather than the Brahmin social class.

840 YSm 1.197

841 Olivelle (2019b)

- (worldly or otherworldly) purpose:
  Sacrifices for worldly purposes are of a lower type than *dharmadāna* and on par with the special kind of gifting called *kāmyadāna*.
- reciprocity:
  While humans expect the gods to reciprocate, reciprocation is irreconcilable with dharmic gifts. Thus, the third of the "three obligations" mentioned by Mauss[842] clearly does not apply.

Similarities include

- impurity:
  None of the gifts or sacrifices covered in this book come under the heading of pure altruism. One may even doubt whether pure altruism is psychologically possible in the first place.
- beliefs:
  Sacrifices to gods for some worldly purpose and giving to Brahmins in order to obtain merit both require belief (*śraddhā*).
- constraints:
  Sacrifices and giving are subject to constraints. In some circumstances, all of a sacrificer's wealth (*sarvavedasadakṣiṇā* in ⟨21⟩) or all of a donor's wealth (*sarvasva* in ⟨92⟩) might be donated. However, the general rule seems to be that sacrificing and giving are to be done "according to one's means" (*śaktitaḥ*)
  - in ⟨21⟩ and ⟨23⟩ for sacrifices,
  - in ⟨90⟩ and ⟨92⟩ for dharmic gifts, and
  - in ⟨108⟩ for a marriage according to the Demonic Law.

  Compare the Buddhist six quarters in ⟨180⟩. They do not, however, directly refer to gifting (see ĀUJA 4.71, Agostini (2015), where the five ways in which a pupil should "minister to his teachers" are listed). Compare also MNS 6.7.1–2, which warns against extreme interpretations of "giving everything".

(2) Definition of secularisation

It is the thesis of this section that the substitution of *yajña/dakṣiṇā* by *dāna* can be considered a secularisation process. Thus, referring to Freiberger's scope of comparison, I perform a genealogical comparison of the above-mentioned practices on the background of a modern concept, secularisation. Here, a definition of secularity is surely needed.[843] For the current purposes, I propose the following definition:

842 Mauss (2012, pp. 82–86, 142–153) or Mauss and Maurer (2016, pp. 73–75, 121–130)

843 The very concept of secularisation seems to be elusive. See Martin (2005), who attempts a "Revised General Theory" of secularisation, while the same author questions the scientific usefulness of this very term in Martin (2010). Consider also the attempt by Bruce (2011) to describe, explain, and clarify secularisation in the first three chapters of his book. The current section could not have been written if I were to subscribe

⟨251⟩ Secularisation entails the decline of beliefs, practices, and institutions that concern

(a) otherworldly beings ("gods"),
(b) worshipping or honouring them,
(c) catering to those beings' needs (see ⟨228⟩ (c)),
(d) privileging (c) over (b),
(e) the considerable scale of material consumption during "religious" ceremonies (such as sacrifices or *mahādāna*s) and of material investment for housing these ceremonies (such as temples),
(f) the material wellbeing of (officiating) priests and the respect owed to them (see ⟨228⟩(b)),
(g) life after death (in "heaven") (see ⟨228⟩(d)),
(h) future lives to come (brought about by "rebirth"),
(i) intervention of otherworldly beings on this earth, particularly in response to sacrifices, prayers, and the like (see ⟨228⟩(a) and (c)),
(j) prioritising (i) over (g) or (h).

The Vedic (and later) sacrifices (offered to gods) are substituted by classical dharmic gifts or great gifts offered to worthy Brahmins—or so one might argue. This shift can be interpreted as a secular one in line with (a), (b), and (c) in ⟨251⟩. Most evidently, sacrificing means "giving to gods", whereas donating means "giving to humans".

With respect to aspect (b), consider Heim (2004, p. 117): "The principles of the Vedic sacrifice rested on reciprocity [...] between the Vedic gods and humans [...]. But the *mahādāna* [...] did not appeal to reciprocity or bargaining with the gods, but rather entailed worhip or honoring them. [G]ifts and *pūjās* [...] were made out of respect and honor, rather than because [the god] needed or desired them." Arguably, worship is a more "enlightened" activity than the belief that the gods need to be looked after by humans (aspect (d) in ⟨251⟩).

Concerning (e) in ⟨251⟩, it seems plausible that sacrificing (with the involvement of fire) consumes more material than *mahādāna*. See section XVII.A and, in particular, the "victim" within the definition of the sacrifical system provided by Hubert and Mauss (1964). Following Krick (1975, p. 31), Oberlies (1998, p. 274) thinks that the slaughter of animals could occur only in the context of sacrifices. Thus, the sacrifice need not entail huge economic costs. In particular, the non-edible parts tended to be sacrificed, while the edible ones were partly sacrificed and partly eaten.[844] However, sacrificing ghee into the fire surely implies the destruction of that precious substance.[845]

Roughly speaking, the patron of a sacrifice hopes for thisworldly fruit, while the giver of a dharmic gift believes in obtaining an otherworldly fruit. See the bold entries

to Bruce (2011, p. 4): "The secularisation paradigm is an attempt to provide an overarching sociological explanation of the history of religion since the [European, HW] Middle Ages."

844 See Oberlies (1998, pp. 288–289).

845 See Oberlies (1998, p. 280).

Table 15: Secularisation?

	gift to gods (sacrifice)	gift to humans (no sacrifice)
aspiring to thisworldly fruit	**Vedic sacrifice** (⟨106⟩)	*kāmyadāna* (⟨106⟩)
aspiring to otherworldly fruit	Vedic sacrifice (⟨8⟩)	***dharmadāna*** (⟨94⟩)

in Table 15. At first sight, one might think that we see an anti-secular development here. I would like to argue in a different manner. Aspect (i) stands for the unrealistic ("religious") expectation of obtaining offspring, victory, etc. from sacrificing or believing. Remember that Cartesian Deism categorically denies these expectations.[846] If the obtainable fruit is shifted to the otherworldly realm (according to (g) and (h)), no direct contradiction of science or experience ensues. In that sense, this shift (see (j)) should be considered a secular one.

For the final remark on this subject, reconsider ⟨12⟩. The shift from sacrificing (typical for the *Dvāpara* age) to gift-giving (typical for the later *Kali* age) fits nicely with a process of increasing secularisation.

E The perfect gift

Building on Mauss' celebrated essay and on Noonan's book on bribes, Carrier (1990) develops a theory of the "perfect gift". Consider Mauss' speculations:

> We live in societies that strongly distinguish (this contrast is now criticized by jurists themselves) real rights and personal rights, persons and things. This separation is fundamental; it constitutes the condition itself for part of our system of property, alienation and exchange. [...] our civilizations, dating back to the Semitic, Greek, and Roman civilizations, strongly distinguish between obligation and nonvoluntary prestation, on the one hand, and the gift (*don*) on the other. But are these distinctions not rather recent in the law of the great civilizations? Did they, too, not pass through an earlier phase, during which they were less characterized by such a cold and calculating mentality?[847]

From the Old Indian point of view, there is no contradiction between pursuing *artha* on the one hand and performing *dānadharma* on the other. Whether, indeed, any parts of humankind ever went through a phase without "a cold and calculating mentality" is a topic not taken up here.

846 See Gay (1968).
847 Mauss (2012, p. 174) or Mauss & Maurer (2016, p. 146)

Carrier (1990) discusses "the ideology of the perfect gift in American society". In that paper, he cites the following characterisation, provided by Noonan, Jr. (1984, p. 695):

> A gift [...] is meant as an expression of personal affection, of some degree of love. It is given in a context created by **personal relations** [bold here and below by HW] to convey a **personal feeling**. The more it reflects the donee's interests and the donor's tastes the better. The more completely it is a gift the more completely it declares an **identification of the giver with the recipient** [...]. The **size** of what is given is irrelevant. [...] The donor [...] does not give by way of compensation or by way of purchase. **No equivalence** exists between what the donee has done and what is given. **No obligation** is imposed which the donee must fulfill. The donee's **thanks** are but the ghost of a reciprocal bond. That the gift should operate coercively is indeed repugnant and painful to the donor, destructive of the liberality that is intended. Freely given, the gift leaves the donee free. When the love that gift conveys is total, donor and donee are one, so the donee has no one to whom to respond. Every gift tries to approximate this ideal case.

In some sense, both a *dharmadāna* and a perfect gift are ideal cases. Neither of them is given out of pure altruism. A *dharmadāna* is given in order to earn merit. A perfect gift is made in order to "to convey a personal feeling". On the other hand, *dharmadāna* and a perfect gift differ significantly:

- While a *dharmadāna* is to be given with a friendly face (see ⟨91⟩), a **personal relation** or even **identification** between donor and receiver is not involved.
- A *dharmadāna* has to be given according to the donor's means (see ⟨92⟩) and may be just a handful of vegetables[848]. Nevertheless, the **size** of what is given clearly matters, as can be seen from the three different types of gift (see ⟨107⟩). Furthermore, consider the request to donate something rare (*durlabha*).[849]
- The virtuous receiver (*pātra*) is central to the Brahmanical *dānadharma* (see ⟨94⟩). Thus, **equivalence** between the receiver's learnedness, virtue, etc. and what is given clearly exists.
- Relatedly, while the gift does not impose a specific **obligation** to be fulfilled by the *pātra*, the clear expectation exists that the latter continue in his learned and good ways. Indeed, gift-giving "serves the purpose of policing the Brahmin community by encouraging its members to aspire to the high standards of an ideal Brahmin lest they be deemed unfit to receive patronage."[850]
- In the case of the perfect gift, thankfulness is rather unimportant. For *dharmadāna*s, thankfulness is unthinkable. This stands in contrast to Seneca's theory of benefits (chapter IX).

848 *śākamuṣṭi* in LDK 1.38, Brick (2015)
849 LDK 1.16, Brick (2015)
850 Brick (2015, p. 44)

Carrier (1990, p. 19) proposes to structure gift-giving along two dimensions:

- "objects as anonymous commodities" versus "objects as personal tokens"
- "people as free and independent individuals" versus "people enmeshed in relations of mutual obligation".

With respect to the first bullet point, Carrier (1990, p. 24) cites Mauss' dictum that "objects are never completely separated from the men who exchange them". Here, the Maori concept of "spirit of the gift", *hau*, comes into play. See section XIX.D on the transference of sin and the discussion by Sahlins (1997). In Table 16, the two dimensions are used to build a two-times-two matrix. A perfect gift is diametrically opposed to a *dharmadāna*. Furthermore, the latter is similar to impersonal market transaction!

Table 16: Carrier's dimensions of a gift

	objects as anonymous commodities	objects as personal tokens
people as free and independent individuals	impersonal market transaction / ***dharmadāna***	
people enmeshed in relations of mutual obligation, without imposing any specific obligation	*beneficium* (Seneca)	**perfect gift**

F Monetisation and the development of monism

While lying somewhat outside of this book's main thrust, I would like to draw attention to a recent book by Seaford (2020). He advances the bold thesis that one important driving force behind the development of philosophy in ancient India (and somewhat similarly in ancient Greece) was "monetisation", i.e., the "development towards a single entity (money) whose only or main function is to be a general means of payment and exchange and a general measure and store of value" (p. 17). Seaford (p. 319) explains that monetisation may be "*endogenous* (i.e. developed within a society with little or no external influence)". In contrast, exogenous monetisation refers to "traders, settlers, literature and art [...]". Importantly, however, Seaford restricts himself to the period between the Ṛgveda and Alexander's crossing the Indus (p. 7).

Now, money being the only entity with these functions amounts to a kind of "monism": the functions formerly fulfilled by different items, such as cows, gold, or clothes, are now performed by only one entity, perhaps by stamped gold or silver coins ("money"). Seaford provides many quotations attesting to different forms of monism. For example, "abstract monism" is seen in one of the early Upaniṣads:

⟨252⟩ *Brahman* is OṂ. This whole world is OṂ.[851]

851 TU 1.8, Olivelle (1998)

I find Seaford's theses intruiging.[852] Among other things, he elaborates on the similarities between money and merit. I find the following aspects relevant for this book:

- Action:
  Money can be earned by virtuous means, in line with *svadharma*, according to ⟨15⟩, ⟨17⟩, and ⟨19⟩. Merit is earned by virtuous actions, for example *dharmadāna*, as in ⟨90⟩ and ⟨101⟩.
- Consequences:
  "Money and merit acquired (and accumulated) by an individual influence her or his future well-being. The consequences of the action are deferred."[853]
- Anonymous commodities:
  Money seems to be the quintessential "anonymous commodity" (see the previous section). The same anonymity seems to be true for transferable merit, see ⟨175⟩.
- Impersonality:
  "The power of money and merit is impersonal. They generally influence the well-being of their owner without the intervention of any other agent, human or divine."[854]
- Two sides of the same coin:
  The tax-collecting king also collects otherworldly merit, simultaneously, see ⟨58⟩.

G Revisiting Freiberger's classifications

The current author was made aware of Freiberger's classifications (see subsection II.D(2)) only after the book's structure was more or less completed. Interestingly, the classifications did not influence the major decisions on how to structure the book and on which comparisons to carry out. One may opine that this attests to the uselessness of Freiberger's work. However, neither that author nor the current one would subscribe to such a negative view. As Freiberger (2018, p. 2) himself argues,

> [T]he elements discussed here [in his article, HW] are largely familiar to practicing comparativists, even if the terms may be partly new. My primary goal is to provide analytical categories, that is, a vocabulary that enables us to speak about the methodical components of comparison that most comparativists more or less intuitively exert in their scholarly practice.

852 See Tinguely & Wiese (2021) for a book review from which I have borrowed.
853 After Seaford (2004, p. 203). I have replaced "karma" with "merit".
854 After Seaford (2004, p. 203). I have replaced "karma" with "merit". However, see Bronkhorst (2011, pp. 86–88), who shows how Praśastapāda, the most influential commentator within the Vaiśeṣika school (one of the six orthodox systems) "postulated the existence of a creator God who would arrange things in accordance with the past deeds of living beings."

It seems to me that the twofold classifications "fit". In this sense, the classifications have passed the "test" mentioned in the introduction (p. 16). More importantly, I find (and the readers might also have found) the sharpened awareness of

- the two modes of comparison,
- the different scopes with which to work,
- the several *tertia comparationis* (in my complex study), and
- the emic-etic distinction

to be helpful and disciplining.

Part Five:

Appendices and Indices

XXI Appendices

A Pure altruism

In section II.B(3), pure altruism is defined solely in a verbal manner. Here, we present a formal account. Consider n agents. Agent i is endowed with private wealth W_{i} and considers donating D_{i}. One distinguishes

- the sum of all donations $D = \sum_{\mathrm{j}=1}^{n} D_{\mathrm{j}}$
- from $D_{-\mathrm{i}} = \sum_{\substack{\mathrm{j}=1, \\ j \neq i}}^{n} D_{\mathrm{j}}$, the sum of what all the agents except for agent i donate.

Let agent i's utility (or payoff) be given by

[36] $\mathrm{U}(C_{\mathrm{i}}, D_{\mathrm{i}}, D_{-\mathrm{i}})$

where the agent's consumption C_{i} equals $W_{\mathrm{i}} - D_{\mathrm{i}}$. According to the definition specified in the above-mentioned section, agent i is altruistic if both D_{i} and $D_{-\mathrm{i}}$ exert a positive effect on the utility of that agent:

[37] $$\frac{\partial \mathrm{U}(C_{\mathrm{i}}, D_{\mathrm{i}}, D_{-\mathrm{i}})}{\partial D_{\mathrm{i}}} > 0, \quad \frac{\partial \mathrm{U}(C_{\mathrm{i}}, D_{\mathrm{i}}, D_{-\mathrm{i}})}{\partial D_{-\mathrm{i}}} > 0$$

Whenever D_{i} or $D_{-\mathrm{i}}$ increases, the overall donations increase.

A special case of altruism is called pure altruism, where the agent cares about the aggregate gift $D_{-\mathrm{i}} + D_{\mathrm{i}}$, but not about the components of this aggregate gift, i.e., whether a given amount of $D = D_{-\mathrm{i}} + D_{\mathrm{i}}$ contains a large donation by himself or a small one. This means that his utility function can be written as

[38] $\mathrm{U}(C_{\mathrm{i}}, D) = \mathrm{U}(W_{\mathrm{i}} - D_{\mathrm{i}}, D_{-\mathrm{i}} + D_{\mathrm{i}})$

Thus, the agent exhibiting pure altruism does not distinguish between the (identical!) bundles

- $(W_{\mathrm{i}} - D_{\mathrm{i}}, D_{-\mathrm{i}} + D_{\mathrm{i}})$ and
- $([W_{\mathrm{i}} + \Delta] - [D_{\mathrm{i}} + \Delta], [D_{-\mathrm{i}} - \Delta] + [D_{\mathrm{i}} + \Delta])$.

Assuming $\Delta > 0$ in the second bundle, the agent has greater wealth, but donates the extra wealth available to him. Thus, his consumption stays the same. His extra donation is nullified by the other agents, who donate less.

In contrast, impure altruism means that the agent derives some satisfaction from giving a large gift himself. The bundles

- $(W_i - D_i, D_i, D_{-i} + D_i)$ and
- $([W_i + \Delta] - [D_i + \Delta], D_i + \Delta, [D_{-i} - \Delta] + [D_i + \Delta])$.

are not the same. While the agent's consumption (the first entry in each bundle) and the overall donation (the third entry) are the same, the warm-glow effect (or the merit to be earned) makes it so that the agent prefers the second bundle over the first one. The question of pure or impure altruism arises only in the case of more than one donor.

For a more concrete pure-altruism utility function, consider

$$[39] \quad U(C_i, D) = V(D_i) = (W_i - D_i)^{1-\alpha} (D_{-i} + D_i)^{\alpha}$$

with $0 \leq \alpha \leq 1$. The special case of $\alpha = 1$ amounts to extreme altruism, while $\alpha = 0$ stands for the absence of altruism. The optimal gift chosen by agent i is found by calculating the derivative of utility function V with respect to D_i, setting this derivative equal to zero, and solving for D_i:

$$[40] \quad D_i^* = \alpha W_i - (1 - \alpha) D_{-i}$$

Understandably, the optimal gift is a positive function of an individual's wealth and a negative function of the sum of gifts given by the other agents. If private consumption is important in the utility function, i.e., if α is small, the individual tends to give a smaller portion of his private wealth as a gift and tends to reduce his gift considerably in response to an increase in others' gifts. Thus, α measures (pure) altruism in this model.

If one assumes that all n agents have the same utility function and the same amount of initial wealth, the symmetric Nash equilibrium (subsection XI.D(1)) is given by

$$[41] \quad D_i^N = \frac{\alpha}{1 + (1 - \alpha)(n - 1)} W_i$$

The theoretically-predicted amount of an individual gift depends positively on α and negatively on n. However, the sum of all these gifts, i.e., nD_i^N, can be shown to depend positively on n if $0 < \alpha < 1$ holds.

B Matching grooms and brides in the cases of polygamy and hypergamy

This appendix refers to subsection XIV.D(2). In the model of male polygamy without, as yet, female hypergamy, the quantity of brides demanded in [9] is shown by

$$[42] \quad \int_{\hat{m}}^{1} s m \, \mathrm{d}m = \frac{s}{2} m^2 \Big|_{\hat{m}}^{1} = \frac{s}{2}\left(1 - \hat{m}^2\right)$$

In order to prove equation [10], consider a male of class $\widehat{c_v}$ with income ranging from 0 to 1. Such a male can in principle marry a woman from a class lower than $\widehat{c_v}$. The quantity of these women is $(1 - \widehat{c_v})\, w$ (multiply by 1.000 if you wish). However, some of them might already be married to higher-class men, i.e., to men with a class between 0 and $\widehat{c_v}$. Consider, now, a male from class $c_v < \widehat{c_v}$, i.e., a man who chooses wives before our male from class $\widehat{c_v}$. This type of male will marry $\frac{s}{2}\left(1 - \hat{m}^2\right)$ wives, all of whom rank lower than himself under hypergamy and where

- the portion $\frac{\widehat{c_v} - c_v}{1 - c_v}$ of his wives ranks lower than $\widehat{c_v}$ and
- the portion $\frac{1 - \widehat{c_v}}{1 - c_v}$ of his wives ranks higher than $\widehat{c_v}$.

It is this latter portion that we need to focus on. The quantity of women from a class lower than $\widehat{c_v}$ and already married to a man from a class higher than $\widehat{c_v}$ is given by

$$[43] \quad \int_{0}^{\widehat{c_v}} \underbrace{\frac{1 - \widehat{c_v}}{1 - c_v}}_{\substack{\text{proportion of women of class lower than } \widehat{c_v} \text{ in relation to women of class lower than } c_v}} \underbrace{\frac{s}{2}\left(1 - \hat{m}^2\right)}_{\substack{\text{quantity of wives married by men with an income above } \hat{m}}} \mathrm{d}c_v$$

Therefore,

$$[44] \quad (1 - \widehat{c_v})\, w - \int_{0}^{\widehat{c_v}} \frac{1 - \widehat{c_v}}{1 - c_v} \frac{s}{2}\left(1 - \hat{m}^2\right) \mathrm{d}c_v$$

is the remaining quantity of women from whom a male of class $\widehat{c_v}$ may choose. By

$$[45] \quad \int_{0}^{\widehat{c_v}} \frac{1}{1 - c_v} \mathrm{d}c_v = -\ln(1 - c_v)\Big|_{0}^{\widehat{c_v}} = -\ln(1 - \widehat{c_v})$$

[44] can be rewritten as

$$[46] \quad [1 - \widehat{c_v}]\left[w + \frac{s}{2}\left(1 - \hat{m}^2\right)\ln(1 - \widehat{c_v})\right]$$

By setting [46] larger than or equal to zero, one obtains the classes of men $\widehat{c_v}$ that will be able to obtain a wife. Since $\ln(0)$ is not defined, [46]≥ 0 is equivalent to $\widehat{c_v} \leq 1 - e^{-\frac{2w}{s\left(1 - \hat{m}^2\right)}}$.

The other, lower classes will not obtain (any fraction of) a wife. Thus, the lowest class (with the highest index) that is just able to find a wife is given by

$$[47] \quad c_{\mathrm{V}}^{\min} = 1 - \mathrm{e}^{-\frac{2w}{s\left(1-\hat{m}^2\right)}}$$

$c_{\mathrm{V}}^{\min}$ has two nice properties. Firstly, $c_{\mathrm{V}}^{\min} < 1$. This means that there are very low-ranked males who do not find a wife even if w is large (many potential brides), s is small (men can only support a small number of wives), and $\hat{m}$ is large (the income threshold demanded by women is large). However, taking the respective limit of these three parameters, $c_{\mathrm{V}}^{\min}$ converges towards 1. Secondly, $c_{\mathrm{V}}^{\min} > 0$, i.e., the highest-ranking males are sure to find a wife even if w is very small (only a few potential brides), s is large (men can support a large number of wives), and $\hat{m}$ is small (the income threshold demanded by women is small).

The two properties of being a man who (i) belongs to a class between 0 and $c_{\mathrm{V}}^{\min}$ and (ii) has an income above $\hat{m}$ are assumed to be independent. Thus, the overall proportion of men finding a wife (with a strictly positive probability) equals

$$[48] \quad c_{\mathrm{V}}^{\min} \cdot (1 - \hat{m}) = \left[1 - \mathrm{e}^{-\frac{2w}{s\left(1-\hat{m}^2\right)}}\right](1 - \hat{m})$$

C Anonymous giving in a homogeneous model with productive receivers

Equation [17] in subsection XVIII.A(2)) results from DS (i.e., $rD_{\mathrm{R}} = gD$) and the condition that there is no incentive to switch roles:

$$[\mathrm{IR}] \quad \frac{g}{r}D + \ln(r) - c = \mathrm{U}_{\mathrm{R}}(D, r) \stackrel{!}{=} \mathrm{U}_{\mathrm{G}}(D, r) = 1 - D + \ln(r)$$

Hence, one obtains

$$[49] \quad D^{\mathrm{n-sw}} = \frac{r}{n}(1 + c)$$

At $D^{\mathrm{n-sw}}$, the payoff for each member of the society is

$$[50] \quad \mathrm{U}_{\mathrm{G}}(D^{\mathrm{n-sw}}, g) = \mathrm{U}_{\mathrm{R}}(D^{\mathrm{n-sw}}, g) = -c + \frac{g}{n}(1 + c) + \ln(n - g)$$

The Pareto-optimal number of givers can be found by calculating the derivative of $\mathrm{U}_{\mathrm{G}}(D^{\mathrm{n-sw}}, g)$ with respect to the number of givers g. Setting this derivative $\frac{1+c}{n} - \frac{1}{n-g}$ equal to zero and solving for g yields

$$[51] \quad g^{\mathrm{opt}} = n - \frac{n}{1 + c} = \frac{n}{1 + \frac{1}{c}} < n$$

The optimal giver-receiver ratio is constant in this model:

$$[52] \quad \frac{g^{\text{opt}}}{n} = \frac{1}{1+\frac{1}{c}} \quad \text{and} \quad \frac{r^{\text{opt}}}{n} = \frac{1}{1+c}$$

and the optimal gift turns out to be independent of c:

$$[53] \quad D^{\text{opt}} = \frac{r^{\text{opt}}}{n}(1+c) = 1$$

while the optimal gift received is not:

$$[54] \quad D_{\text{R}}^{\text{opt}} = \frac{g^{\text{opt}}}{r^{\text{opt}}} D^{\text{opt}} = \frac{g^{\text{opt}}}{r^{\text{opt}}} \frac{r^{\text{opt}}}{n}(1+c) = c$$

D A simple probabilistic model of *beneficium* reciprocity

In section XVIII.B, the optimal gift in a Seneca-inspired model is presented. Remember $D \leq 1$. Therefore, we have $\sqrt{D}W \leq W$ so that the period-1 receiver R gives at most W to period-1 giver G. The partial derivative of U^{G} with respect to D equals $-1 + \pi\tau \cdot \frac{W}{2\sqrt{D}}$. The second derivative with respect to D is obviously negative. Thus, setting this derivative equal to zero and solving for D yields the optimal gift D^{Seneca}.

E Proactive giving

This appendix shows how to solve the model of proactive giving (section XIX.H). The main information contained in Figure 21 (p. 213) is also present in the simpler Figure 24. Here, the probability of catching the potential donor's attention shows up in the payoffs.

Applying backward induction, one finds:

- After begging, giving occurs when $Ph > D_{\text{G}}$ holds.
- After not begging, giving occurs when $Ph^{+} > D_{\text{G}}$ holds.
- Let us distinguish three cases:
  - In the large-merit case of $Ph^{+} > Ph > D_{\text{G}}$, giving is always attractive to the donor. The potential receiver prefers to beg if $D_{\text{R}} - sh > \beta D_{\text{R}}$ holds, i.e., when $\beta < \frac{D_{\text{R}} - sh}{D_{\text{R}}}$.
  - In the intermediate case of $Ph^{+} > D_{\text{G}} > Ph$, giving is not attractive after begging. The potential receiver abstains from begging. Giving occurs with probability β.
  - In the low-merit case $D_{\text{G}} > Ph^{+} > Ph$, giving is never attractive. There will be neither begging nor giving.

These findings are summarised in Figure 22 (p. 213).

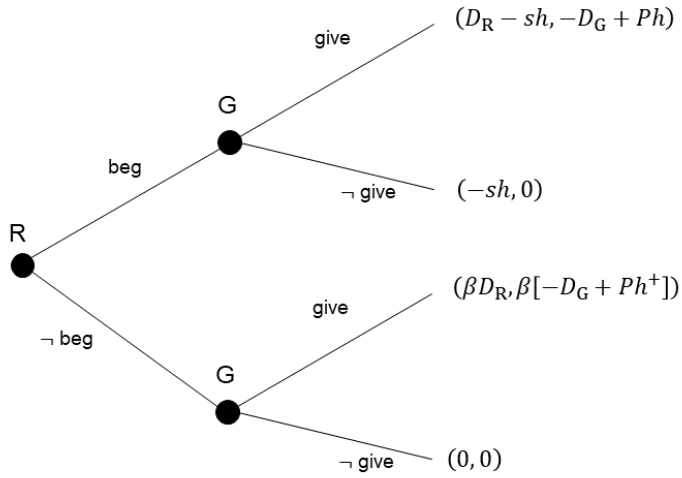

Figure 24: The proactive-giving figure simplified

F Egoistic and altruistic conflicts

In section XIX.K, some intuition behind the occurrence of an altruistic conflict has been provided. Here, a formal model is presented. It is not a game-theory model, as actions taken or strategies chosen by father and son are not modelled. I follow Stark (1993) in assuming

[55] $V_F(C_F) = ln(C_F)$

and

[56] $V_S(C_S) = ln(C_S)$

The overall consumption of corn is given by C. The two agents have to decide on how to divide $C = C_F + C_S$ among themselves. The father's utility can be written as

[57] $U_F(C_F, C_S) = \beta_F V_F(C_F) + \alpha_F V_S(C - C_F)$

We define a conflict measure

[58] $$conf = \frac{C_F^* + C_S^*}{C}$$

where the individually-optimal values $0 \leq C_F^*, C_S^* \leq 1$ are indicated by the asterix. I.e., C_F^* denotes the corn the father likes to keep for himself, while the father wants the son to enjoy $C - C_F^*$ units of corn. Similarly, the son would like to have C_S^* units of corn for himself.

The conflict measure $conf$ allows the following classification:

$$[59] \quad conf = \begin{cases} < 1, & \text{altruistic conflict} \\ = 1, & \text{agreement} \\ > 1, < 2, & \text{mild egoistic conflict} \\ = 2 & \text{extreme egoistic conflict} \end{cases}$$

If the overall amount of corn that the father and the son like to consume is less than the overall endowment of corn, they are in altruistic conflict. In particular, this means $C - C_F^* > C_S^*$, i.e., the father wants the son to consume more corn than the son himself would want. Mild egoistic conflict means that one or both agents are willing to consume less than C.

From inspecting the father's utility

$$[60] \quad U_F(C_F, C_S) = \beta_F V_F(C_F) + \alpha_F V_S(C - C_F)$$

we can derive that $\alpha_F \leq 0$ implies $C_F^* = C$ as the utility-maximising consumption level of the father. The benevolent case is more difficult. Taking the first partial derivative of U_F with respect to C_F, one obtains the first order condition

$$[61] \quad \frac{\partial U_F}{\partial C_F} = \frac{\beta_F}{C_F} - \frac{\alpha_F}{C - C_F} = 0$$

and hence

$$[62] \quad \left(\frac{C_F^*}{C_S}\right)_F = \frac{\beta_F}{\alpha_F}$$

The second-order condition is fulfilled by $\alpha_F \geq 0$. Similarly, the son's first-order condition is given by

$$[63] \quad \left(\frac{C_F}{C_S^*}\right)_S = \frac{\alpha_S}{\beta_S}$$

Thus, $\alpha_F > 0$ and $\alpha_S > 0$ imply

$$[64] \quad \left(\frac{C_F^*}{C_S}\right)_F > \left(\frac{C_F}{C_S^*}\right)_S \iff \frac{\beta_F}{\alpha_F} > \frac{\alpha_S}{\beta_S} \iff \beta_F \beta_S > \alpha_F \alpha_S \iff conf > 1$$

The proofs of these assertions are not difficult and need not be produced here. If any of the above inequalities hold, the father wants more for himself than the son is prepared to offer.

Consider Figure 25. Depending on the level of egoism or altruism, father and son experience egoistic or altruistic conflicts. Agreement only holds for very specific combinations of parameters, i.e., when we have equalities rather than inequalities in [64]. The agreement line is in the first quadrant, where both father and son are altruistic, but not excessively altruistic. Above this line, there is altruistic conflict.

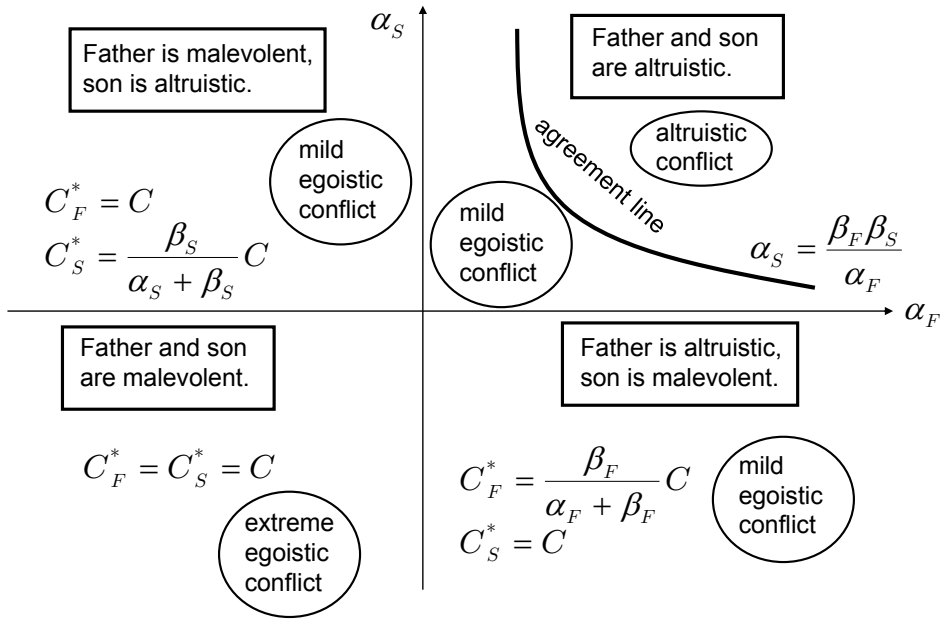

Figure 25: Types of egoistic and altruistic conflict

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In both the Vedic and the classical periods, a special elite class of people existed that were called Brahmins. In a rough manner, one might say that their material welbeing depended on *dakṣiṇā* in the Vedic period and on *dāna* in the classical one.

Broadening the perspective beyond *dakṣiṇā* and *dāna,* this book is on all sorts of giving in the context of pre-modern India, using Vedic, Sanskrit, Buddhist and, to a much lesser extent, Roman and Christian sources. The Brahmanical theory of the gift (i.e., the theory of dutiful gifting, *dharmadāna*) is a major focus of, and has provided a major motivation for, this study.