

CHAPTER 7

On the Meanings of *smṛtyantara*

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The term *smṛtyantara* is ubiquitous in Dharmasāstric commentaries and Nibandhas, so ubiquitous and commonplace, in fact, that scholars have paid little attention to it.¹ I include myself in this group. We have proceeded all along with the implicit conviction that we understand its meaning. Over the past few of years I have spent considerable time preparing searchable transcriptions of medieval Dharmasāstric works.² This forced me for the first time to pay attention to each word and expression in these texts, and some unforeseen insights have emerged. One of these is the varied usages and meanings of this common term *smṛtyantara*. In this brief study, I present my findings based principally on four texts: Bhārucci's (7th century) and Medhātithi's (9th century) commentaries on the *Manusmṛti*, and Viśvarūpa's (9th century) and Vijñāneśvara's (12th century) commentaries on the *Yājñavalkyasmṛti*. These are some of the oldest commentaries that have come down to us.

First, what do scholars today take *smṛtyantara* to mean? To find out, I asked a few scholars of Dharmasāstra what they thought it means, off the top of their heads – and that is what I wanted, not researched answers. One answered: “I think of another unspecified, but well-accepted text, the precise author of which is either uncertain or unknown.” I had entertained a very similar view: some *smṛti* or other. Another gave a more nuanced reply: it refers to a *smṛti* different from what the author is currently discussing. But he also hedged this by resorting to the common view: “perhaps often just a floating verse regarded as *smṛti*.” My own teacher, Ludo Rocher, a very deep and punctilious scholar, refers to Vijñāneśvara citing “two *ślokas* from an anonymous *smṛtyantara*, ‘another Dharmasāstra.’”³ Here Rocher’s “another” probably has the meaning of “some other.” Thus, when using the term *smṛtyantara* in citing a text, we seem to assume that the author either did not know or did not care much about the name or the author of the *smṛti* he was citing. The category of *smṛtyantara*, so we thought,

- 1 There is no discussion of this category of texts either in Kane's (1962–75) encyclopedic *History of Dharmasāstra*, or in other such histories written by Lingat (1973), Derrett (1973), or even in the recent book edited by me and Donald Davis (2018).
- 2 These can be accessed at the University of Texas Resource Library for Dharmasāstra Studies: <https://sites.utexas.edu/sanskrit/resources/dharmasastra>.
- 3 Rocher 2012: 400.

showed the way in which the textual corpus of *smṛti* grew over time and space into enormous proportions.⁴

A closer investigation of the actual uses of the term by four major early commentators presents a different picture. The first thing to note is that the term does not, or at least does not usually, refer to texts whose names or authors were unknown. Second, the term is used with a spectrum of related but distinct meanings depending on the context and the preferred style of the author. If I had to choose a single way to translate the term, which is used most frequently in the locative case, it may be “in a particular *smṛti*” if it is in the singular, and “in a spectrum of *smṛtis*” or “in certain *smṛtis*” if it is in the plural. There is no necessary implication that these *smṛtis* are unknown or anonymous.

Some light is thrown on the use of *smṛtyantara* by the parallel use of *śrutyantara* in these same commentaries.⁵ In fact, the two are used together by Viśvarūpa (YDh 1.2, p. 9): *śrutismṛtyantarānusārāt* (“because it follows *śrutyantara* and *smṛtyantara*”), which is followed in the very next sentence by *śrutismṛtyanusārāt* (“because it follows the Veda and *smṛti*”). The two seem to have a very similar, if not identical, meaning. It is probable that *śrutismṛtyantara* is an abbreviated compound standing for *śrutyantara* and *smṛtyantara*. We do have the independent use of *śrutyantara* by Medhātithi (on MDh 2.6; Jha, p. 65):

pratyakṣayā śrutya prayogasampattau śrutyantaram praty ākāṅkṣaiva nāsti.

Given that what is needed for the ritual performance is met by an express Vedic text, there is no expectation at all to seek some other Vedic text.

Here *śrutyantara* clearly means a *śruti* different from the *pratyakṣaśruti* mentioned at the beginning of the sentence, but not a *śruti* of unknown provenance. Elsewhere we have:

satyām apekṣāyāṃ śrutyantarād yuktā viśeṣāvagatiḥ. (On MDh 2.220; Jha, p. 188)

When there is an expectation, it is proper to obtain specific details from some other Vedic text.

Here *śrutyantara* refers to various *śritis* from which one should gather the missing ritual details in the injunction to perform *japa*. Jha translates the term as “from other scriptural sources.” Medhātithi (on MDh 1.3; Jha, p. 5) uses the dual *śrutyantarábhyām* to refer specifically to two Vedic texts containing statements on the *darśapūrṇamāsa* sacrifice and on ritual formulas:

4 In a recent paper (Olivelle 2020: 223) I wrote to my chagrin: “Increasingly, however, we see an explosive *smṛti* production in the second half of the first millennium possibly extending into the second millennium. These passages are either ascribed to various famous individuals of the past, such as Vyāsa, Aṅgiras, and Paiṭhīnasi or they are cited anonymously, often with the expression *smṛtyantara*.”

5 See also the closer parallel *śāstrāntara*: Medhātithi on MDh 4.27 (Jha, p. 341): *yata idam śāstrāntarasāpekṣam, na svato vidhāyakam ity uktam | śāstrāntareṣu ca vribiśyāmākayavair āgrayaneṣṭir vibhitā |*

*vedatvaṃ ca tasya darśapūrṇamāsavākyamantravākyābhyāṃ śrutyantarābhyāṃ
svasāmarthyenotthāpitavād iti kumārilaṃpakṣaḥ.*

And [an inferred text] is considered as Veda because it originates on the strength of two other Vedic texts containing two injunctions relating to the New- and Full-moon Sacrifices and to the mantras employed in them. This is the position of Kumārila.

Here it is clear that the term is not nebulous but refers to specific yet here unidentified Vedic texts. Vijnāneśvara (YDh 3.325; p. 486) uses the expression *śrutyantaramūlat-vakalpanāprasaṅgāt* (“because that would result in having to postulate another Vedic text as its basis”). In this usage, the term means an unspecified *śruti* which would provide the Vedic basis (*mūla*) for a statement or claim.

For the authors in the mainstream of Dharmaśāstra, there were no “floating” or anonymous Vedic texts. The reason why most Vedic citations are not identified by our authors, I think, is that they expected their audience to know them. This is similar to citing “To be or not to be” for an educated English audience; there is no need to identify the author or the provenance of this quote.

When we come to the companion, and more ubiquitous, term *smṛtyantara*, the semantic range becomes more complex, but remains broadly within the semantic parameters of *śrutyantara*. Here again the author citing a text as *smṛtyantara* usually expected his reader to know its identity. The following examples show that in the author’s mind the category of *smṛtyantara* includes texts and authors that he definitely knows and sometimes even identifies. So, in this example, Viśvarūpa (on YDh 3.263; p. 139), speaking about the penances that a person associating with a fallen person (*patita*) should perform, says:

*tathā smṛtyantareṣu api caṇḍālasaṃkare, yathā vasiṣṭhe: “gurvīsakhyādigamane kṛc-
chrābdapādam caret” ity uktvoktam: “etad eva caṇḍālapatitānabhojaneṣu”* (VaDh 20.16–17) *iti.*

It is so stated also in *smṛtyantarās* in connection with association with a Caṇḍāla, as stated in Vasiṣṭha’s text. After stating, “If someone has sex with a female elder, a female friend, and the like, he should perform a Kṛcchra penance for three months,” he goes on to say: “The same applies for eating the food of a Caṇḍāla or an outcaste.”

Here Viśvarūpa refers to penances given in *smṛtyantarās* for association with Caṇḍālas and gives as an example (*yathā*) a passage of Vasiṣṭha. Clearly, here the category of *smṛtyantara* includes a well-known author, whom he identifies. A similar usage is found at YDh 1.195 (p. 134), where Viśvarūpa says:

*asyaiva smṛtyantareṣu prapañcanamātram | yathāba manuḥ: “saucaṃ yathārhaṃ
kāryam” ity (MDh 5.114).*

This same provision is given in *smṛtyantaras* simply by way of elaboration, as Manu states: “The cleansing is done as appropriate.”

The same usage, this time in the singular, is found in Medhātithi (on MDh 5.18; Jha, p. 427). In dealing with the famous five five-nailed animals that can be eaten, he says: *smṛtyantare tu kbadge vikalpaḥ* (“But in a *smṛtyantara* an option is given with regard to the rhinoceros”). And then he gives an example of such a *smṛtyantara*, citing Vasiṣṭha (14.47): *tathā ca vasiṣṭhaḥ: “kbadge tu vivadante” iti* (“Accordingly, Vasiṣṭha states: “There is disagreement with regard to the rhinoceros’”). At another time Viśvarūpa (on YDh 3.250; p. 109) speaks about the prescription of the twelve-year penance for those who are incapable of performing the more severe penance that ends in the penitent’s death given in various *smṛtis* (in the plural), and cites a single example of such a *smṛti* anonymously, even though he knew well that the citation is from Gautama, whom he cites by name frequently:

smṛtyantareṣu tu “agnau saktir brahmaḡbnaṣ trir avacchātasya, lakṣaṃ vā syāj janye śastrabhṛtām, khaṭvaṅgakaṭapālapānir vā” (GDh 22.2–4) iti ca prakramālocanayā maraṅśaktāv eva dvādaśavārṣikaṃ lakṣyate.

In *smṛtyantaras*, however, we read: “A man who has killed a Brahmin shall emaciate his body and throw himself into a fire three times; or make himself a target during an armed battle; or carry a post from a bed-frame and a skull.” By tracking the sequence of these statements, we surmise that the twelve-month penance is available only when one is unable to face death.

Medhātithi on MDh 3.115 (Jha, p. 262) refers to two well-known texts, Gautama and Yājñavalkya, as *smṛtyantara*:

smṛtyantarāt tarhi saṅkhyāvagamah: “ayujo vā yathotsāham” (GDh 15.7–8) iti, “yugmān daive” (YDh 1.226) iti.

The number is ascertained from a *smṛtyantara*: “An uneven number, or as many as feasible”; “an even number for an offering to gods.”

Examples of similar usage are also found in Vijñāneśvara writing three centuries later. Commenting on the term *tathā* in YDh 1.118 (p. 36), he gives a passage from Gautama as an example of *smṛtyantara*:

“tathā” iti smṛtyantaroktavṛtṭyupasaṅgrahaḥ | yathāha gautamaḥ: “kṛṣivāṅijye vāsvayaṅkṛte kusīdaṃ ca” (GDh 10.5–6) iti.

The term “*tathā*” (thus) encompasses livelihoods given in *smṛtyantaras*. As Gautama states: “Agriculture and trade, if the work is not done by himself; as also money lending.”

And commenting on the term *viduḥ* in YDh 1.151 (p. 46), he cites Manu as a *smṛtyantara*:

vidur ity anena smṛtyantaroktān anyān api saṃgr̥hṇāti. yathāba manuḥ: “sayāṇaḥ prauḍhapaḍaś ca kṛtvā caivāvasakṭhikām | nādbhīyitāmiṣaṃ jagdhvā sūtakānnādyam eva ca” || (MDh 4.112).

The expression “they know/state” encompasses other occasions given in *smṛtyantaras*. As Manu states: “He must not recite the Veda while lying down, putting his feet up, or squatting with a band tied around his waist and knees; after eating meat; after eating any food given by someone in a period of birth-impurity.”

An even more telling example is found in Bhāruci. At MDh 6.88 (p. 46) he says: *tathā ca smṛtyantaram “tasyāśramavikalpam eke” iti* — “Likewise, there is a *smṛtyantara*: ‘He has a choice, some assert, among the orders of life.’” Then, commenting on the very next verse (MDh 6.89; p. 46), he cites a text: *pratyakṣavidhānād gārbasthyasya* — “Because the householder’s state alone is prescribed in express Vedic texts,” without identifying it. And finally in his comments on the very next verse (MDh 6.90; p. 47) he reveals the identity of the author: *yathā ca gautamaḥ: “aikāśramyaṃ tv ācāryāḥ”* — “And as Gautama states: ‘There is, however, only a single order of life, the Teachers maintain.’” It is obvious that Bhāruci clearly knew the identity of the two texts he cited anonymously, because the first is the opening statement (GDh 3.1) of Gautama’s third chapter on the *āśramas*, and the second is the second half of the statement he ascribes to Gautama (GDh 3.36), which concludes that chapter: *aikāśramyaṃ tv ācāryāḥ pratyakṣavidhānād gārbasthyasya* — “There is, however, only a single order of life, the Teachers maintain, because the householder’s state alone is prescribed in express Vedic texts.”

Medhātithi (on MDh 2.61; Jha, p. 107) has a similar passage. The issue relates to the direction a person should face while performing purifications, such as sipping water (*ācamana*). At the outset he cites Gautama (1.35) on the proper direction: *“prāṇmukha udamukho vā” evaṃ hi gautamena paṭhitam* — “For, it is so stated by Gautama: ‘facing either the east or the north.’” And then further down in his explanation he reverts to the usual *smṛtyantara*, saying: *ato vikalpaḥ | udābr̥taṃ ca smṛtyantare: “prāṇmukha udamukho vā śaucam ārabbeta” iti* — “Hence, there is an option. And it is stated in a *smṛtyantara*: ‘He should commence his purification facing either the east or the north.’” This *smṛtyantara*, however, is a fuller version of what he cited as Gautama a few sentences earlier.

We have a similar example in Viśvarūpa (on YDh 3.233f.; p. 92), where he cites a *smṛtyantara*, which is actually Gautama, and gives two extracts from the beginning of the passage and then one further *sūtra* from the same chapter:

smṛtyantare ca “brahmahasurāpagurutaḥpaga” ity uktvā, “māṭṛpitryonisaṃbandhāga” (GDh 21.1) ity uktam, “nuṣāyāṃ gavi ca tatsamo ’vakara ity eke” iti ca (GDh 23.12–13).

In a *smṛtyantara* also, after saying: “Someone who murders a Brahmin, drinks liquor, has sex with the wife of an elder . . .,” it is said: “has sex with a woman related through his mother or father,” and also “someone who has sex with his daughter-in-law or a cow is equal to the former; according to some, equal to a Vedic student breaking his vow of chastity.”

Clearly this shows that Viśvarūpa was familiar with this entire chapter of Gautama; the first two extracts are actually snippets from one long compound.

More commonly, however, we notice the habit of authors referring to a text they cite as *smṛtyantara*, even if all the evidence shows that they knew the identity of the author and the text. It appears, therefore, that the use of *smṛtyantara* in these cases is either stylistic or a matter of convenience; the author probably expected his readers to recognize the identity of the text cited, just as he did. How do we know with a great deal of probability, if not certainty, that our authors knew the identity of the text they were citing as *smṛtyantara*? Because they show a close familiarity with these texts throughout their commentaries: the text so cited are from well-known authors such as Manu, Yājñavalkya, Gautama, and Vasiṣṭha, who are the most commonly cited authors in these commentaries.⁶

I will present a few examples. Here is Viśvarūpa:

On YDh 1.28 (p. 45): “*vidyā manuṣyās ca vibitāḥ parivartakena*” (VaDh 2.39) *iti smṛtyantarāt*.

Because of the *smṛtyantara*: “knowledge and human beings are sanctioned for barter.”

On YDh 1.39 (p. 53): “*tad dvitīyaṃ janma*” (GDh 1.8) *iti smṛtyantaram*.

There is a *smṛtyantara*: “That is the second birth.”

On YDh 1.50 (p. 57): “*caturthaṣaṣṭhāṣṭamakālabhoji bhaiḥṣam*” (VaDh 7.8–9) *ityādinā smṛtyantroktena vidhinā*.

According to the rules spelled out in *smṛtyantarās*, such as: “Eating almsfood every fourth, sixth, or eighth mealtime.”

6 We have good examples in Maskarin’s commentary on Gautama 1.1 (p. 2): *tathā ca smṛtyantaram: “śrutiḥ tu vedo vijñeyo dharmāśāstram tu vai smṛtiḥ”* (MDh 2.10) *iti*; on Gautama 2.5 (p. 36): *tatra “śūdreṇa hi samas tāvad yāvad vedena jāyate”* (MDh 2.172cd) *iti smṛtyantare śūdreṇa tulyadharmaśravaṇād ācamaṇaṃ śūdravad draṣṭavyam*; on Gautama 2.34 (p. 50): *tathā ca smṛtyantaram: “gacchantam anugacched āsinaṃ cottiṣṭhec chayānaṃ cāsina upāsita”* (VaDh 7.12) *iti*; on Gautama 2.42 (p. 52): *in cānāpady api brahmacāriṇaḥ śūdrābhyanujñānam anena kalpayitum yuktam, smṛtyantare atyantapraṭiṣiddhatvāt, “śūdrānnarasapuṣṭāṅgo yo ’bhīyāno ’pi nityaśaḥ | jubvann api jaḥṇan vāpi gatim ūrdbvāṃ na vindati || iti |* (VaDh 6.28). Surely, Maskarin was aware that these and other similar citations are from Manu and other well-known texts.

On YDh 1.139 (p. 109): *gām parakīyām nācakṣīta*, “*gām dhayantīm parasmai nācakṣīta*” (GDh 9.23) *iti smṛtyantarāt*.

He should not inform about a cow belonging to someone else, because of the *smṛtyantara*: “He should not inform another person that his cow is suckling her calf.”

On YDh 3.256 (p. 117): *yat tu smṛtyantaram “pataty ardbaṃ śarīrasya bbāryā yasya surām pibet | patitārdbaśarīrasya niṣkṛtir na vidhīyate”* || (VaDh 21.15)

As to the *smṛtyantara*: “Half his body becomes outcaste when a man’s wife drinks liquor. No expiation is provided for someone half of whose body has become outcaste.”

On YDh 3.320 (p. 176): *smṛtyantare tu “payo gḥrtam udakaṃ vāyum pratryaham⁷ taptāni, sa kṛcchaḥ”* (GDh 23.2) *ity uktam*.

It is stated, however, in a *smṛtyantara*: “(Subsisting on) hot milk, hot ghee, hot water, and hot air each day; this is the *kṛcchra* penance.”

Viśvarūpa also uses *smṛtyantara* regularly to refer to Manu, whose text he probably knew by heart:

On YDh 1.25 (p. 43): *abhividhāv ān draṣṭavyaḥ, “ṛṣayo dīrghasamḍhyatvād dīrgham āyur avāpnuyuh”* (MDh 4.94) *ity smṛtyantaradarśanāt*.

The particle *ā* is used inclusively, because it is stated in a *smṛtyantara*: “Because they performed their twilight worship for a long time, the seers obtained long life.”

On YDh 1.33 (p. 49): “*niṣekādīni karmāṇi*” *iti* (MDh 2.142) *smṛtyantarāt, pitety arthaḥ*.

[The term *guru*] means the father, because of the *smṛtyantara*: “The rites beginning with the impregnation ceremony.”

On YDh 1.79 (p. 82): *asavarṇāsu tu jātaḥputrasya yātbākāmyam, smṛtyantarāt: “kṛ-tadāro ’varān dārān bhikṣitvā yo ’dbigacchati | ratimātraṃ phalaṃ tasya dravyadātus tu saṃtatiḥ”* || *iti*. (MDh 11.5)

In the case of wives of different *varṇas*, however, a man who already has a son may (have sex) as he pleases, because of the *smṛtyantara*: “When a married man marries another wife after begging for the expenses, his reward is only sensual pleasure; the resultant offspring belongs to the man who defrayed the expenses.”

7 The edition of the *Gautamadbarmasūtra* reads *pratitryaham*, “each day for three days.”

On YDh 1.237 (p. 159): *hasābdo 'vadhāraṇārthaḥ, smṛtyantare "yathā brūyus tathā kuryāt"* (MDh 3.253) *iti śravaṇāt.*

The word *ha* is for emphasis, because we read in a *smṛtyantara*: ‘He should do exactly as they instruct.’

On YDh 2.121 (p. 243): *yat tu smṛtyantare "jyeṣṭhasya viṃśa uddhāraḥ sarvadravayāc ca yad varam"* (MDh 9.112) *ityādivibhāgavaiṣamyam avagamyate, tad bhrātṛṇām parasparānumatyā vijñeyam.*

We gather the inequality of the shares partitioned in statements such as this in a *smṛtyantara*: “The preemptive share of the eldest is one-twentieth, as well as the best item in the entire estate.” That should be understood as happening with the mutual agreement of the brothers.

On YDh 3.244 (p. 100): *smṛtyantare ca "prāsyed ātmānam agnau vā samiddhe trir avāksīrāḥ"* (MDh 11.74) *iti śarīratyāgadarśanāt.*

...and because the abandonment of the body is prescribed in a *smṛtyantara*: “Or, he may throw himself headlong three times into a blazing fire.”

On YDh 3.263 (p. 136): *tenāyaṃ ślokārthaḥ: ya ebhir brahmahaprabhṛtibhiḥ smṛtyantarānusāreṇa "saṃvatsareṇa patati"* (MDh 11.181) *ityādinā saṃparkam ābbhimukhyena yāti.*

Therefore, this is the meaning of the verse. A persons who intentionally comes into close contact with these people beginning with a murderer of a Brahmin, following the *smṛtyantara*: “In one year he becomes an outcaste” ...

Note, that in this last example, Viśvarūpa cites the entire Manu verse earlier in his commentary on p. 137.

In a similar manner, Medhātithi frequently refers to passages from Yājñavalkya as *smṛtyantara*:

On MDh 3.27 (Jha, p. 220): *anye 'pi smṛtyantaroktā varaguṇā draṣṭavyāḥ "juvā dbimāñ janapriyaḥ | yatnāt parikṣitaḥ puṃstve"* (YDh 1.55) *iti.*

One should ascertain also the other qualities of the groom given in a *smṛtyantara*: “young, intelligent, well liked by the people, and carefully tested with respect to his virility.”

On MDh 3.57 (Jha, p. 235): *yady api smṛtyantaram: "karma smārtaṃ vivāhāgnau kurvita pratyahaṃ gr̥hī | dāyakālabṛte vāpi śrautaṃ vaitānikāgniṣu"* (YDh 1.97) *iti.*

Even though there is the *smṛtyantara*: “A householder should perform the rites prescribed in the *smṛtis* every day in the fire kindled at his marriage or brought at the time of partition, and the Vedic rites in the three sacred fires.” ...

Likewise, he refers to a passage from Baudhāyana as *smṛtyantara*:

On MDh 4.43 (Jha, p. 348): *tatra śucitvavacanam “striyaś ca ratisamsarge”* (BDh 1.9.2) *iti smṛtyantradarsanena ratistrivīṣayaṃ vijñāyate.*

There, the statement on purity should be understood as referring to a woman taken for pleasure, by referring to the *smṛtyantara*: “women when one is making love.”

It is significant that Medhātithi, who is commenting on Manu, uses *smṛtyantara* to refer to a verse of Manu himself. Commenting on MDh 5.58 (Jha, p. 445), he says:

tad yathā smṛtyantare “ā dantajanmanabḥ” (YDh 3.23), *tathā “bāle deśāntarasthe ca”* (MDh 5.78) *ityādīnā sadyaḥśaucam śrutam.*

One hears of immediate purification, as in a *smṛtyantara*: “until teething,” and likewise: “in the case of a child or someone living in a different region.”

And in his commentary on MDh 9.118 (Jha, p. 276), he uses the term to refer to two unnamed texts, which are taken from the texts of Yājñavalkya and Nārada, both of which are well-known to Medhātithi:

*smṛtyantarāny evam eva pakṣam upodbalayanti: “asaṃskṛtās tu saṃskāryā bhrātr-
bhiḥ pūrvasaṃskṛtaiḥ | bhaginiyaś ca nijād aṃśād datvāṃśaṃ tu turīyakam” || iti* (YDh 2.128). *tathā: “ā saṃskārād dbared bhāgaṃ parato bibhṛyāt patiḥ” iti* (NSm 13.26).

The *smṛtyantarās* support that same viewpoint: “Brothers who are already married, however, should perform the marriages of their unmarried brothers and sisters, each contributing a quarter from his share of the inheritance for that purpose;” likewise, “Until her marriage her share of the inheritance should support her; after that, her husband should maintain her.”

There are parallel expressions that are used by commentators with meanings similar to those associated with *smṛtyantara*. One of the more common is simply *smṛti*, which seems to have a meaning identical to *smṛtyantara*. Thus Medhātithi (on MDh 3.60; Jha, p. 238) has both terms right next to each other:

*agniparigrahasya ca smṛtyantare kālāntarasyāpi śrutatvān nāvāśyaṃ vivāha eva
parigrahaḥ. evaṃ hi smṛtiḥ: “bhāryādir agnir dāyādir vā”* (GDh 5.7) *iti.*

Because in a *smṛtyantara* other times are given for the setting up of the fire, it is not obligatory to set it up specifically at one’s marriage. For, there is the *smṛti* to this effect: “Setting up the fire is done either on the day of marriage or at the division of the inheritance.”

Medhātithi further uses both *smṛti* and *smṛtyantara* with identical meanings in his commentary on MDh 3.161 (Jha, p. 281) and with reference to two verses from Gautama:

tathā ca smṛtiḥ: “aṣṭau varṣāny udikṣeta ṣaḍ ity eke” (GDh 18.19) *iti*.

There is a *smṛti* to this effect: “She should wait for eight years; some say for six.”

and

smṛtyantare ’pi tu paṭhyate “bhrātari ca jyāsasi” (GDh 18.18) *iti*.

However, we read also in a *smṛtyantara*: “And when older brother (is missing).”

Here the *smṛti* he cites is Gautama, a text with which Medhātithi was very familiar, citing it more than any other Dharmasāstra. And Viśvarūpa, interestingly, at YDh 1.69 (p. 72) cites the previous verse of Yājñavalkya (YDh 1.68), calling it a *smṛti*:

nanu iyam api smṛtir eva “aputrām gurvanujñānāt” (YDh 1.68) *ityādi*.

Surely, this too is indeed a *smṛti*: “(He should approach) a sonless woman when authorized by the elders.”

Two other pairs of expressions that approximate *smṛtyantara* are (1) *smaraṇa* and *śravaṇa* and (2) *vacana* and *ukta* (as also simply *āha*). So, Medhātithi (on MDh 3.100; Jha, p. 253) once again cites Gautama with the expression *uktam* in connection with receiving the teacher in one’s house:

guruḥ prabhuvaḍ upacaryaḥ, “nivedya ṣacanakriyā” (GDh 5.26) *ity uktam*.

The elder (or teacher) should be served just as the king. It is stated: “After announcing, he should do the cooking.”

Commenting on MDh 3.108 (Jha, p. 256), furthermore, he uses *vacanāt* to refer to Gautama:

āturasya tu śarīradbhāraṇaṃ yenopāyena bhavati vidhyantarātikrameṇāpi tasyāśrayaṇaṃ yuktam: “sarvata evātmānaṃ gopāyet” (GDh 9.34) *iti vacanāt*.

When someone is sick, however, it is proper to employ the therapy that would cure him even if it entails violating an injunction, because of the statement: “Let him take care of himself in every possible way.”

Elsewhere, on MDh 3.144 (Jha, p. 273), he simply says *āha* with reference to Gautama:

āha ca “vāgrūṣavayaḥśīlasaṃpannaḥ” (GDh 15.9).

And he says: “One who is endowed with eloquence, beauty, age, and virtue.”

Viśvarūpa (on YDh 1.237; p. 159) uses both *smṛtyantara* and *śravaṇāt* in the same sentence:

haśabdo 'vadhāraṇārthaḥ, smṛtyantare "yathā brūyus tathā kuryāt" (MDh 3.253) iti śravaṇāt.

The term *ha* is meant as an emphasis, because it is given in a *smṛtyantara*: “He should do as they tell him.”

Viśvarūpa also (on YDh 1.145; p. 111) uses *vacana* to refer to Manu:

“pāṇyāsyo hi dvijaḥ smṛtaḥ” (MDh 4.117) iti vacanāt.

Because of the statement: “For it is said that the hand of a twice-born is his mouth.”

The term *smṛtyantara* with the meaning of “various *smṛtis*” is used by Medhātithi along with *samācāra* to point out the two major sources (*mūla*) of dharma. The compound of these two terms means the same as the older compound *smṛtyācāra*. Commenting on MDh 4.43 (Jha, p. 348), he says that *smṛtyantara* and *samācāra* support the prohibition of eating in the company of one’s wife:

sa punar ayam idṛśaḥ sabārbhaviśeṣaḥ pramāṇāntarataḥ smṛtyantarasarāmācārādeḥ.

Now, this specific meaning of the term *saba* (“with”) is derived from various means of knowledge (*pramāṇāntara*) such as *smṛtyantara* and proper conduct.

Commenting on MDh 4.113 (Jha, p. 371), he explains the term *aṣṭakāsu* in the plural found in the root text: *aṣṭakās ca sarvā aṣṭamyah, smṛtyantarasarāmācārābhyām* – “And ‘eighth days’ refer to all eighth days based on *smṛtyantara* and proper conduct.” Thus, various *smṛtis* and normative practice support taking *aṣṭakāḥ* to mean all *aṣṭakā* days.

One could cite dozens of other examples of *smṛtyantara* – and other parallel terms that serve as substitutes – to show that this expression need not, and most often does not, refer to floating texts whose identity is unknown to the author. The expression was probably coined at least by the time of Bhārucci, that is, around the seventh century CE.⁸ I think its use, like many other idiomatic expressions, was most often determined by the style of each author. When used in the plural, often in the locative, the expression may be translated as “in various *smṛtis*.” It is similar to a theologian saying that a particular point is made “in various Biblical texts.” We know that frequently these “various *smṛtis*” were known to the author because he cites specific texts immediately after he uses this expression. I also see *smṛtyantara* used like “certain” in English, when it is used with reference to something specific but not explicitly named or stated. So, we can say this is found in “certain *smṛtis*,” and I believe this captures the

8 I have not been able to find *smṛtyantara* in either Śābara or Kumārila. I think, however, it is worth a more thorough search.

meaning of both “various” and “specific.” Why Medhātithi, for example, can say “Gautama says” in one place, and refer to Gautama as *smṛtyantara* at other places is difficult to determine. It appears that the use of the expression is very much dependent on the literary style of the author. We should not try to read too much into it; overinterpreting it will only lead us astray. It was, I think, a convenient expression, a shorthand, that many of Dharmasāstric authors found convenient as they composed their texts containing innumerable citations.

Abbreviations

| | |
|------|--------------------------------|
| BDh | <i>Baudhāyanadharmasūtra</i> |
| GDh | <i>Gautamadharmasūtra</i> |
| MDh | <i>Mānavadharmasāstra</i> |
| NSm | <i>Nāradasmṛti</i> |
| VaDh | <i>Vasiṣṭhadharmasūtra</i> |
| YDh | <i>Yājñavalkyadharmasāstra</i> |

References

Primary sources

- Baudhāyanadharmasūtra*: Olivelle, P. (Ed. & Tr.) (2000). *Dharmasūtras: The Law Codes of Āpastamba, Gautama, Baudhāyana, and Vasiṣṭha*. Delhi: Motilal Banarsidass.
- Bhāruci, *Manuśāstravivarāṇa*: Derrett, J. D. M. (Ed. & Tr.) (1975). *Bhāruci's Commentary on the Manusmṛti*. Vol. 1. The Text. Wiesbaden: Steiner, 1975.
- Jagannatha, S. (Ed.) (2020). *Manu-Śāstra-Vivarāṇam. A Commentary on the Manusmṛti by Bhāruci*. Mysuru: Oriental Research Institute.
- Gautamadharmasūtra*: Olivelle, P. (Ed. & Tr.) (2000). *Dharmasūtras: The Law Codes of Āpastamba, Gautama, Baudhāyana, and Vasiṣṭha*. Delhi: Motilal Banarsidass.
- Mānavadharmasāstra*: Olivelle, P. (Ed. & Tr.) (2005). *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmasāstra*. New York: Oxford University Press.
- Maskarin, *Bhāṣya on Gautama Dharmasūtra*. Ed. L. Srinivasacharya. Mysore: Government Branch Press, 1917.
- Medhātithi, *Manubbhāṣya*: Jha, Ganganath (Ed. & Tr.) 1920–39. *Manusmṛti with the 'Manubbhāṣya' of Medhātithi*. 10 vols. Reprint. Delhi: Motilal Banarsidass, 1999.
- Nāradasmṛti*: Lariviere, R. W. (1989). *The Nāradasmṛti*. 2 vols. Philadelphia: Department of South Asia Regional Studies, University of Pennsylvania. Reprinted in one volume. Delhi: Motilal Banarsidass, 2003.
- Vasiṣṭhadharmasūtra*: Olivelle, P. (2000). *Dharmasūtras: The Law Codes of Āpastamba, Gautama, Baudhāyana, and Vasiṣṭha*. Delhi: Motilal Banarsidass.

- Vijñāneśvara, *Mitākṣarā*: Pansīkar, W. L. Ś. (Ed.) (1936). Vijñāneśvara's Commentary on the *Yājñavalkya Dharmasāstra*. Bombay: Nirṇaya Sāgar Press.
- Viśvarūpa, *Bālakriḍā*: Gaṇapati Śāstrī, T. (Ed.) (1922–1924). *The Yājñavalkyasmṛiti. With the Commentary Bālakriḍā of Viśvarūpâchârya*. Vol. 1–2. Trivandrum: Superintendent, Gov. Press.
- Yājñavalkyadharmasāstra*: Olivelle, P. (Ed. & Tr.) (2019). *Yājñavalkya. A Treatise on Dharma*. Cambridge: Harvard University Press (Murty Classical Library of India).

Secondary sources

- Derrett, J. D. M. (1973). *History of Indian Law. Dharmasāstra*. Leiden: Brill (Handbook of Oriental Studies 3.2.1).
- Kane, P. V. (1962–1975). *History of Dharmasāstra*. 5 vols. Poona: Bhandarkar Oriental Research Institute.
- Lingat, R. (1973). *The Classical Law of India*. Tr. J. D. M. Derrett. Berkeley: University of California Press.
- Olivelle, P. (2020). Scholasticism in the Legal Tradition: Dharmasāstras and their Commentators. In Aussant, É. & Colas, G. (Eds.), *Les scolastiques indiennes. Genèses, développements, interactions*. Paris: École française d'Extrême-Orient (Études thématiques 32), 205–225.
- Olivelle, P. & Davis, D. R. (Eds.) (2018). *Hindu Law. A New History of Dharmasāstra*. Oxford, New York: Oxford University Press (The Oxford History of Hinduism).
- Rocher, L. (2012). *Studies in Hindu Law and Dharmasāstra*. Ed. D. R. Davis, Jr. London: Anthem.

