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Rāmavat Bhīṣma: Epic Narratives as a Source of Illustrations for Hermeneutical Discussions on *dharma*

The value of the *Tantravārttika* (TV) of Kumārila-bhaṭṭa (c. 600–700[1]) for Sanskrit epic studies was appreciated by G. Bühler, who in his *Indian Studies. No. 2. Contributions to the History of the Mahābhārata*, published together with J. Kirste in 1892,[2] referred to this commentarial text profusely, while drawing various conclusions on the formation and status of the *Mahābhārata* at the time of Kumārila. Since then, Kumārila's work has never ceased to inspire scholars, offering plenty of information not only on the standard Mīmāṃsā interpretative, Vedic hermeneutical and ritual issues, but also fascinating pieces of data on contemporary customs, communities, languages, and peoples from the perspective of Central India.[3]

The text of the TV is, however, primarily a very important source of knowledge with regard to the Brahmanical conceptualisations of *dharma*. This aspect of Mīmāṃsā has been re-researched recently, adding to our understanding of ancient Indian moral and legal institutions and their notional framing. Here, I reflect on a tiny, yet intriguing element of these dharmic studies, taking a closer

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[1] Cf. Jean-Marie Verpoorten, *Mīmāṃsā Literature. A History of Indian Literature*, vol. 6, fasc. 5, Wiesbaden: Otto Harrassowitz, 1987, pp. 3, 8; and, more up-to-date, Kei Kataoka, *Kumārila on Truth, Omniscience, and Killing. Part 2. An Annotated Translation of Mīmāṃsā-Ślokavārttika ad 1.1.2 (Codanāsūtra)*, Beiträge zur Kultur- und Geistesgeschichte Asiens 68, Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2011, pp. 14–20.

[2] G. Bühler, J. Kirste, *Indian Studies. No. 2. Contributions to the History of the Mahābhārata*, Sitzungsberichte der Philosophisch-Historischen Classe der Kaiserlichen Akademie der Wissenschaften, Hundertsiebenundzwanzigster Band, XII Abhandlungen, Wien: F. Tempsky, 1892.

[3] On this geographical situation of Kumārila, see Kiyotaka Yoshimizu, 'Tolerance and Intolerance in Kumārila's Views on the Vedic *śākhā*', in *Vedic Śākhās: Past, Present, Future*, ed. J.E.M. Houben, Julieta Rotaru and Michael Witzel, HOS, Opera Minora 9, Cambridge, Massachusetts: South Asia Books, 2016, pp. 307–326 (especially pp. 320–322).

look at the narrative references illustrating the discussion on the sources of Aryan knowledge of *dharma* (*dharma-mūla*s) by focusing on the figure of Rāma. In the title, I qualify these illustrations, simplistically, as 'epic', because, firstly, most of them seem to come from the *Mahābhārata*, directly or possibly indirectly via its belleletristic reworkings, and secondly, Kumārila also uses the general term *itihāsa* while discussing the role of such texts as the *Mahābhārata* for recognizing and following the requirements of *dharma*.

1. The Dharmaśāstric and Hermeneutical Context

As scholars argue,[4] the earlier, not very significant Vedic term *dharma*(*n*) surfaced up around the third century BCE in its new incarnation, with a vengeance, as one of the fundamental notions—*dharma*—of the new Brahmanical worldview shaped in response to various non-Brahmanical ethical and societal counterproposals of mainly ascetic and antiritualistic origin. From its early literal meaning of 'a support, fundament', *dharma* evolved into a broader concept covering in its semantic range law, morality, social obligations and religious duties.[5] It grew up together with the literature genre of *dharmaśāstra* dedicated to theoretical systematization, categorization and detailed analysis of all aspects of law, justice and morality of the Aryan society from the perspective of Brahmins—first in the textual group of *dharmasūtra*s, and then developed in various *smṛti*s. Almost at the same time there gradually[6] took shape an accompanying and quite innovative

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[4]   Cf. Paul Horsch, 'From Creation Myth to World Law: the Early History of *Dharma*', in Patrick Olivelle (ed.), *Dharma: Studies in its Semantic, Cultural and Religious History*, Sources of Ancient Indian Law, New Delhi: Motilal Banarsidass, 2009, pp. 1–26; Paul Hacker, 'Dharma in Hinduism', in Olivelle (ed.), *Dharma: Studies*, pp. 475–492; and in particular Patrick Olivelle 'The Semantic History of Dharma: the Middle and Late Vedic Periods', *Journal of Indian Philosophy*, vol. 32, issue 5–6 (2004), pp. 491–511 (= in Olivelle (ed.), *Dharma: Studies*, pp. 69–89); also very important observations by Albrecht Wezler, 'Dharma in the Veda and the *Dharmaśāstra*s', *Journal of Indian Philosophy*, vol. 32, issue 5–6 (2004), pp. 629–665 (= in Olivelle (ed.), *Dharma: Studies*, pp. 207–232).

[5]   On the history of the term, see the volume edited by Olivelle, *Dharma: Studies*, and, in particular in our context, the article by Wezler, 'Dharma in the Veda'.

[6]   Patrick Olivelle, 'Epistemology of Law: *dharmapramāṇa*', in: *Hindu Law: A New History of Dharmaśāstra*, ed. Patrick Olivelle and Donald R. Davis, Jr., *The Oxford History of Hinduism*, Oxford: Oxford University Press, 2018, pp. 49–59. Also Donald R. Davis, Jr., *The Spirit of Hindu Law*, Cambridge: Cambridge University Press, 2010, pp. 25–33.

trait of reflection on and identification of the valid sources of knowledge of this newly reframed *dharma*.[7]

1.1. The *dharma-mūla*s

The epistemological reflections were construed as pointing towards the roots (*mūla*s)—in the sense of valid sources, cognitive causes and truth criteria—of learning about and recognizing *dharma* (or *adharma*). The earliest, arguably, of the texts that found it necessary to mention the *dharma-mūla*s, declared either the Veda or the socially approved norms and practices as the main set of moral and legal instructions, with any other *dharma* sources being subordinate to the primary one. According to the *Gautama-dharmasūtra* (GDhS, the middle of the 3rd century BCE[8]), the Veda constitutes the main epistemic root of *dharma*, while important, too, are the tradition (*smṛti*) and habits (*śīla*) of 'those who know the Veda' (*tad-vid*).[9] On the other hand the *Āpastamba-dharmasūtra* (ADhS, the beginning of the 3rd century BCE[10]) declares the 'agreed-upon normative practices' as *dharma*s, in plural, on which authority (*pramāṇa*) belongs to the collective opinion of *dharma* experts (*dharma-jña*), and to the Vedas (*vedāśca*).[11] Thus, from the very beginning of the epistemological considerations on *dharma*, there is the opposition between the ultimate authority of the Veda and the approved practices and considered normative customs of the ethical elite, i.e. we observe some balancing between canonized textual instruction (as mediated in its instructive role by educated experts) and traditional practices (as represented and followed by educated experts). The experts' role in both approaches was deci-

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7   Olivelle, 'Epistemology of Law', p. 50.

8   See Patrick Olivelle, *Dharmasūtras: The Law Codes of Āpastamba, Gautama, Baudhāyana, and Vasiṣṭha. Annotated Text and Translation*, Delhi: Motilal Banarsidass, 2000, p. 9.

9   Cf. Olivelle, *Dharmasūtras*, 120–121: 'The source of Law is the Veda, as well as the tradition and practice of those who know the Veda' (*vedo dharma-mūlam* /1/ *tad-vidāṃ ca smṛti-śīle* /2/).

10   See Olivelle, *Dharmasūtras*, p. 10.

11   *Āpastamba-dharmasūtra* 1.1.1–3. Olivelle, *Dharmasūtras*, pp. 24–25: 'And now we shall explain the accepted customary Laws, the authority of which rests on their acceptance by those who know the Law and on the Vedas.' (*athâtaḥ sāmayâcārikān dharmān vyākhyāsyāmaḥ* /1/ *dharma-jña-samayaḥ pramāṇam* /2/ *vedāś ca* /3/). See also Olivelle, 'Epistemology of Law', pp. 50–51 ('Now, then, we shall explain the dharmas derived from agreed-upon normative practice. The authority is the agreement of those who know dharma; and the Vedas').

sive, however different was their epistemic grounding, in terms of the degree of their cognitive dependence on and subordination to the Veda, which question would become fundamental in the tradition of Mīmāṃsā (see below).

The two *dharmasūtra*s would also provide the incentive for subsequent doubts and discussions on the status of normative practices and customs, a representation of which we will look at below, but meanwhile, a couple of centuries later, around 100–200 CE one text of the younger generation of *dharmaśastra* treatises—*smṛti*s—gained its final shape. It provided the Brahmanical world with the classical formulation of the *dharma-mūla*s concept. The *Mānava-dharmaśāstra* (MDhŚ), i.e. *Manu-smṛti*, approaches the epistemology of *dharma* in the beginning of its second chapter. By way of a short introduction, in the very first *śloka* the text enjoins: 'Learn the Law [*dharmas*] always adhered to [*sevitaḥ*] by people who are erudite [*vidvadbhiḥ*], virtuous [*sadbhir*] and free from love and hate [*adveṣarāgibhiḥ*], the Law assented to [*abhyanujñāto*] by the heart [*hṛdayena*]'.[12] The main point in the verse is the proper educational, moral and spiritual formation of people who are to be followed in the matters of *dharma*, and clearly the focus is on their actions and practices as the instruction on *dharma*. The emotional control aspect expressed in the MDhŚ is also significant, it would come back in Kumārila's analysis of the problem—conscious dharmic decisions are and should be independent from emotional trappings. It is not surprising then that at this point the text of MDhŚ comes with a short 'excursus'[13] on the subject of desire—*kāma*—which is not commendable but which, on the other hand, prompts all human activity, including ritual. Immediately afterwards, the MDhŚ offers the classical formula of the four[14] sources of the knowledge of *dharma*: 'The root [*mūlam*] of the Law [*dharma*] is the entire Veda [*vedo 'khilo*]; the tradition and practice [*smṛti-śīle*] of those who know the Veda [*tad-vidām*]; the conduct [*ācāraś*] of good people [*sādhūnām*]; and what is pleasing [*tuṣṭir*] to oneself [*ātmanas*]'.[15] To make it clearer, the MDhŚ 2.10 explains that as *smṛti* one

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12   Patrick Olivelle, *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmaśāstra*, New Delhi: Oxford University Press, 2006, pp. 94, 403–405. MDhŚ 2.1: *vidvadbhiḥ sevitaḥ sadbhir nityam adveṣa-rāgibhiḥ / hṛdayenâbhyanujñāto yo dharmas taṁ nibodhata*. All over the article any Sanskrit terms in square brackets in quotations were added by myself.

13   Olivelle, *Manu's Code*, p. 94.

14   The number of the sources in this verse and their interpretation became the topic of discussion. Here I follow the *Manusmṛti* itself (MDhŚ 2.12) and the perspective of Kumārila's Mīmāṃsā.

15   Olivelle, *Manu's Code*, p. 94 (p. 404: MDhŚ 2.6: *vedo 'khilo dharma-mūlam smṛti-śīle ca tadvidām / ācāraś caîva sādhūnām ātmanas tuṣṭir eva ca*). Cf. also Wezler, 'Dharma in the Veda'.

should understand *dharmaśāstra*.[16] The verse MDhŚ 2.6 is repeated in a slightly different wording in 2.12: 'Veda, tradition [*smṛtiḥ*], the conduct of good people [*sad-ācāraḥ*], and what is pleasing [*priyam*] to oneself [*svasya … ātmanaḥ*]—these, they say, are the four [*caturvidhaṁ*] visible [*sākṣād*] marks [*lakṣaṇam*] of the Law [*dharmasya*]'.[17] The second formulation, with its clear epistemological perspective, enumerating *Veda*, *smṛti*, *sadācāra* and *ātmanaḥ priyam* as the sources of valid knowledge of *dharma*, would become the main point of reference for the parallel Brahmanical tradition, devoted to Vedic ritualistic exegesis and hermeneutics, i.e. Mīmāṃsā, from which we would have also the earliest comments known to us on this section of the MDhŚ.

1.2. Mīmāṃsā

The author of the comments and a long, detailed analysis of the concept of the four *dharma-mūla*s was Kumārila-bhaṭṭa, one of the main figures in the tradition of Mīmāṃsā, who very much respected the MDhŚ, considered it among the category of authoritative *smṛti* (as the *dharma* source), and often referred to and quoted it in suitable contexts. Mīmāṃsā, the intellectual current of Vedic ritualistic exegesis, most probably originated around the time of *brāhmaṇa* literature, manifesting the same interest—to explain and interpret the intricacies of Aryan rituals. Focused on language and its capacities, especially the word of the Veda, the current culminated in the huge collection of the *Mīmāṃsā-sūtra*s (MS) by Jaimini (c. 450–250 BCE?[18]) for which centuries later some Śabara (c. 4–5th CE) composed a commentary, the *Śabara-bhāṣya* (ŚBh). This text some hundred or two years later would go on to inspire commentaries on the MS via the ŚBh by Kumārila.

The main subject of considerations for Mīmāṃsā is, in fact, *dharma*, understood and interpreted by the MS first of all—as one can expect, considering the origins of the tradition—in a ritualistic light, as a ritual duty, sacrificial activi-

16 Olivelle, *Manu's Code*, p. 94, MDhŚ 2.10 ab: 'Scripture' should be recognized as 'Veda', and 'tradition' as 'Law Treatise' (p. 404: *śrutis tu vedo vijñeyo dharmaśāstraṁ tu vai smṛtiḥ*).

17 Olivelle, *Manu's Code*, p. 94, MDhŚ 2.12 (p. 405: *vedaḥ smṛtiḥ sad-ācāraḥ svasya ca priyam ātmanaḥ / etac caturvidhaṁ prāhuḥ sākṣād dharmasya lakṣaṇam*).

18 Cf. Verpoorten, *Mīmāṃsā Literature*, p. 5.

ties[19] to which one is enjoined, directing one to the realm above and into the afterlife.[20] The *dharma* direction and instruction is provided by the Veda, or precisely by one category of Vedic speech—ritual injunctions (*codanā*). Therefore, after the initial introduction to *dharma* in the ritual context and its domain, the MS analyse the text of Vedic corpus in general terms, identifying its various components and their functions, emphasizing the fundamental role of Vedic injunctions. However, other portions of the Vedas (like *arthavāda* and *mantra*, etc.) are also argued to be authoritative, because though secondary, they add a supportive value to the Vedas and follow them (see also below). Next, logically, the MS and the ŚBh broach the important topic of the sources of *dharma* and their authoritativeness, independent (as in the case of *śruti* that is the Veda) or relative to, i.e. dependent on, *śruti* (as in the case of *smṛti*, *ācāra)*. The ŚBh focuses its attention on *smṛti* (i.e. '[traditions transmitted by] memory'), in a way neglecting the *ācāra*s completely. However, à propos this very context, ad MS 1.3.7, there is a large portion of the *Tantravārttika* commentary by Kumārila-bhaṭṭa, and he refers back in his analyses to the *dharma-mūla*s of the MDhŚ and earlier *dharmasūtra*s. The first question then is of the reliability or not of the so-called *sad-ācāra*s. This will be understood in the TV as *satām ācārā*s, that is practices, customs of the good, moral people, interpreted as *śiṣṭa*, i.e. the educated representatives of *āryâvarta-nivāsin*s, inhabitants of *āryâvarta*.[21]

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19   On *dharma* in the MS, cf. Clooney, X. Francis, S.J., *Thinking Ritually: Rediscovering the Pūrva Mīmāṃsā of Jaimini*, Publications of the De Nobili Research Library, vol. 17, Vienna: Sammlung De Nobili, 1990, pp. 149–161.

20   On various problems related to the changing interpretation of the term *dharma*, see Wezler, 'Dharma in the Veda', 2004; and Kiyotaka Yoshimizu, 'Kumārila and Medhātithi on the Authority of Codified Sources of *dharma*', in *Devadattīyam: Johannes Bronkhorst Felicitation Volume*, ed. Francois Voegeli, Vincent Eltschinger, Danielle Feller, Maria Piera Candotti, Bogdan Diaconescu and Malhar Kulkarni, Bern: Peter Lang 2012, pp. 644–646.

21   Cf. TV ad MS 1.3.10 (p. 149ff.).

2. The examination of not so moral practices among the good (TV ad MS 1.3.7[22])

Kumārila introduces the discussion on *sad-ācāra*s[23] with reference to the task of the accomplishment of the three ends of man (*tri-varga*).[24] He states that it is pointed out 'that there is some doubt about *dharmatva* in reference to the educated (*śiṣṭa*) people who display behaviour mixed with its [= dharma's] opposite, because it would be as observing [something which does] not inspire confidence', like, for example, 'an ill person [listening to] a doctor doing himself unrecommended things'. And yet—because of the possible roots of *sad-ācāra*s in the Vedas[25]—if some action is considered *dharma*, one should first look up to the Veda for possible teaching on the action, and in case there is no direct injunction, then one has to examine whether the action does not contradict all other teach-

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22 The text of the TV has not been critically edited yet, some significant inroads in this direction have been made by Kunio Harikai ('Sanskrit text of the *Tantravārttika* Adhyāya 1, Pāda 3, Adhikaraṇa 4–6. Collated with six Manuscripts', *South Asian Classical Studies*, no. 4 (2009), pp. 359–396). Here the text of the edition *Śrīmajjaiminipraṇītaṃ Mīmāṃsādarśanam*, vol. 2 (ed. Subbāśāstrī, Ānandāśramasaṃskṛtagranthāvaliḥ, no. 97, Poona: Ānandāśramamudraṇālaya, 1929; cf. also SARIT), was verified against the publications by Harikai, *Tantravārttika* and Pandurang Vaman Kane, *The Vyavahāramayūkha of Bhaṭṭa Nīlakaṇṭha with an Introduction, Notes and Appendices*, Poona: Bhandarkar Oriental Research Institute, 1926. All the translations of the TV (with a few exceptions of identified quotations from sources already translated into English) are mine. The whole TV was translated, or rather paraphrased, with generous comments into English by Ganganatha Jha (*Kumārila Bhaṭṭa: Tantravārttika, A Commentary on Śabara's Bhāṣya on the Pūrvamīmāṃsā Sūtras of Jaimini*, vol. 1, Delhi: Pilgrims Book Pvt. Ltd., Reprint, 1998) already in 1924.

23 The portion has recently received more in-depth analyses, without, however, closer discussions of Rāma's case, in Donald R. Davis, Jr., 'On *Ātma-tuṣṭi* as a Source of Dharma', *Journal of the American Oriental Society*, vol. 127, no. 3, 2007, pp. 279–296; Domenico Francavilla, *The Roots of Hindu Jurisprudence. Sources of Dharma and Interpretation in Mīmāṃsā and Dharmaśāstra*, ed. Oscar Botto, Torino: Corpus Iuris Sanscritorum et Fontes Iuris Asiae Meridianae et Centralis—A Series on Social and Religious Law, vol. 7, 2006, pp. 161–162; and Yoshimizu, 'Kumārila and Medhātithi', p. 648.

24 TV: *atra sad-ācārān udāhṛtya tri-varga-siddhy-arthaṃ vicāryate.* The expression *tri-varga* used does not necessarily mean that Kumārila would not consider *mokṣa* as another aim of human life. He mentioned precisely *mokṣa* beside *dharma* in an earlier portion of the TV ad MS 1.3.2, as well as all four *puruṣârtha*s in the TV ad MS 1.2.7. But, indeed, he did not seem to find this idea required yet from the Mīmāṃsā perspective. Cf. also his commentary on the initial portion of MS, *Ślokavārttika* 5(*saṃbandhâkṣepa-parihāra*).

25 TV ad MS 1.3.7 (p. 124): *tad-viparīta-saṃkīrṇa-vyavahāriṣu śiṣṭeṣv apy apathya-kāri-vaidyâtura-vad avisrambhaṇīya-caritatvāt saṃbhāvyamāna-veda-mūlatvāc ca dharma-saṃśayaṃ darśayitvā.*

ings of the Veda. In this light, any acts controversial in dharmic terms should be considered *adharma*. Human practices and customs are then dependent on the Veda in their dharmic value. This introduction sets the starting point of the analysis: the word *sad-ācāra*, interpreted as a *tatpuruṣa* compound, has two components—'customs, practices' (*ācāra*s) on the one hand, and *sat* (*sant*) understood as *śiṣṭa*, 'educated; a moral authority' on the other. And the *pūrva-pakṣa* will criticize the two compound members separately, recalling the two earliest *dharmasūtra*s.[26]

2.1. The *Prima Facie* View (*pūrva-pakṣa*)

Reliance on *sad-ācāra*s as the source of *dharma* is high-risk 'because', as the *prima facie* view observes, 'one can see (cases of) violation of *dharma* among practices of good men, as well as (excesses of) recklessness of such great [figures], beginning with Prajāpati, Indra, Vasiṣṭha, Viśvāmitra, Yudhiṣṭhira, Kṛṣṇa-Dvaipāyana, Bhīṣma, Dhṛtarāṣṭra, Vāsudeva and Arjuna, as also of many [men] of today'.[27] Kumārila thus recalls in this statement earlier *dharma* masters. Already the *Āpastamba-dharmasūtra* (II.13.7–9) states that '7. Transgression [*vyatikramaḥ*] of the Law [*dharma*] and violence [*sāhasaṃ*] are seen among people of ancient times. 8. They incurred no sin on account of their extraordinary power [*tejo-viśeṣeṇa*]. 9. A man of later times who, observing what they did, does the same, perishes'.[28] While the *Gautama-dharmasūtra* (I.3) teaches: 'Transgression of the Law and violence are seen in great men. They do not constitute precedents, however, on account of the weakness of the men of later times'.[29] And Kumārila's *pūrva-pakṣa* speaker will take the description 'great' (*mahat* of the GDhS) and 'of ancient times' (*pūrva* of the ADhS) quite literally,

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26 Cf. Pandurang Vaman Kane, *History of Dharmaśāstra (Ancient and Mediaeval Religious and Civil Law)*, vol. 3, Poona: Bhandarkar Oriental Research Institute, 1973, p. 845.

27 TV ad MS 1.3.7 (p. 124): *sad-ācāreṣu hi dṛṣṭo dharma-vyatikramaḥ, sāhasaṃ ca mahatāṃ prajāpatîndra-vasiṣṭha-viśvāmitra-yudhiṣṭhira-kṛṣṇa-dvaipāyana-bhīṣma-dhṛtarāṣṭra-vāsudevârjuna-prabhṛtīnāṃ bahūnām adyatānāṃ ca.*

28 Olivelle, *Dharmasūtras*, pp. 92, 93 (*dṛṣṭo dharma-vyatikramaḥ sāhasaṃ ca pūrveṣām /7/ teṣāṃ tejo-viśeṣeṇa pratyavāyo na vidyate /8/ tad-anvīkṣya prayuñjānaḥ sīdaty avaraḥ /9/*).

29 Olivelle, *Dharmasūtras*, pp. 120–121 (*dṛṣṭo dharma-vyatikramaḥ sāhasaṃ ca mahatāṃ na tu dṛṣṭârthe 'vara-daurbalyāt /3/*).

coming up with the following list of various timeless and great figures who happened to act in a way, at least apparently, adharmic[30]:

1) 'First, Prajāpati violated *dharma*, because he performed *adharma* in the form of approaching (sexually someone who was) unapproachable, as it is said: "Prajāpati came to his daughter Uṣas"'.[31]

2) 'The violation of dharma by Indra, too, (is known, which took form in his approaching (sexually) Ahalyā, the lawful wife of Gautama)',[32]

3) 'as well as the violation of *dharma* by Nahuṣa—while taking his (i.e. Indra's) position—because of his assault on the other's wife'.[33]

4) 'Similarly, (there is the case of) Vasiṣṭha's recklessness, who, pained with grief [on the death of his hundred] sons, (attempted) to abandon his life by entering water'.[34]

5) 'And Viśvāmitra helped a Caṇḍala (Triśaṅku) to perform a sacrifice'.[35]

6) '(There is also) Purūravas' deed, (who,)

7) like Vasiṣṭha, (thought of taking his life, when Urvaśī left him)'.[36]

8) '(Also) the fault of Kṛṣṇa Dvaipāyana—who was under the vow of perpetual celibacy—of begetting the issue with the wives of (his younger brother) Vicitravīrya'.[37]

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30 For the list of all the episodes, with possible literary sources, see Kane, *History of Dharmaśāstra*, vol. 3, pp. 845–848.

31 TV ad MS 1.3.7 (p. 124): *prajāpates tāvat 'prajāpatir uṣasam abhyait svāṃ duhitaram' ity agamyâgamana-rūpād adharmâcaraṇād dharma-vyatikramaḥ*. Cf. *Aitareya-brāhmaṇa* (TITUS) 1.33.1: *Prajāpatir vai svāṃ duhitaram abhyadhyāyad, divam ity anya āhur Uṣasam ity*. On the quotations from the *Aitareya-brāhmaṇa* already in the *Mīmāṃsāsūtra*, see D.V. Garge, *Citations in Śabara-bhāṣya (A Study)*, Deccan College Dissertation Series, Poona: Deccan College, 1952, p. 124.

32 TV ad MS 1.3.7 (p. 124): *indrasyâpi* [*gautama-dharma-patny-ahalyâgamana-rūpo dharma-vyatikramo bodhyaḥ*]* [*An editorial insertion (?) in the edition of *Śrīmajjaimini-praṇītaṃ Mīmāṃsādarśanam* as reported by SARIT, absent in the sources examined by Harikai.]

33 TV ad MS 1.3.7 (p. 124): *tat-padasthasya ca nahuṣasya para-dārâbhiyogād dharma-vyatikramaḥ.*

34 TV ad MS 1.3.7 (p. 124): *tathā vasiṣṭhasya putra-śokârtasya jala-praveśâtma-tyāga-sāhasam.*

35 TV ad MS 1.3.7 (p. 124): *viśvāmitrasya ca cāṇḍāla-yājanam.*

36 TV ad MS 1.3.7 (p. 124): *vasiṣṭha-vat purūravasaḥ prayogaḥ.*

37 TV ad MS 1.3.7 (p. 124): *kṛṣṇa-dvaipāyanasya gṛhita-naiṣṭhika-brahma-caryasya vicitravīrya-dāreṣv apatyôtpādana-prasaṅgaḥ.*

9) 'And Bhīṣma's (case of) living contrary to all *āśrama* and *dharma* (rules). And though he did not have a wife, he performed sacrifices, like Rāma'.[38]

10) 'Similarly, blind Dhṛtarāṣṭra's sacrificing by means of the wealth amassed by his brother Pāṇḍu is (an instance of) acting without entitlement (neither to perform sacrifices nor to take his brother's means)'.[39]

11) 'It is the same with Yudhiṣṭhira's marriage with the girl (that had been) won by his (younger) brother (Arjuna), and telling a lie with the motive of causing the death of a *brāhmaṇa*—(his own) teacher'.[40]

12) '(Also) the marriages of Vāsudeva and Arjuna with their (maternal) uncles' daughters (which is prohibited), Rukmiṇī and Subhadrā (respectively). Both [men also are said to] have continued drinking alcohol until vomiting, as it is said: "I have seen both of them, Keśava and Arjuna, vomiting wine"'.[41]

This choice of figures suspicious morally at some point in their lives or activities is quite striking. These are all rather divine personalities, either straightforward gods or powerful seers, or heroic epic characters of (semi-)divine origins, qualified by the adjective *mahat*. These are not normal, ordinary people respected for their education and moral integrity—as one would expect in a discussion on *sad-ācāra*—who might have made some moral misstep. These are characters from textual *śruti* and *smṛti* sources, elements of the two first *dharma-mūla*s, belonging to the realm of Vedic speech or to its subordinate and dependent *smṛti* category compositions. The latter, according to Kumārila, include also *itihāsa* and *purāṇa*s, i.e. the (Mahā)*bhārata* and the *Rāmāyaṇa*, too. The role of narratives in those sources is, among others, to inspire and guide, by praising (*stuti*) or reproaching, deprecating (*nindā*) narrated actions, situations or characters, helping in this indirect way to encourage dharmic activities.[42]

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38 TV ad MS 1.3.7 (p. 124): *bhīṣmasya ca sarvâśrama-dharma-vyatirekeṇâvasthānam / apatnīkasya ca rāma-vat kratu-prayogaḥ.*

39 TV ad MS 1.3.7 (p. 124): *tathândhasya dhṛtarāṣṭrasyêjyā pāṇḍv-arjitair dhanair ity anadhikṛta-kriyā.*

40 TV ad MS 1.3.7 (p. 124–125): *tathā yudhiṣṭhirasya kanīyo 'rjita-bhrātṛ-jāyā-pariṇayanam ācārya-brāhmaṇa-vadhârtham anṛta-bhāṣaṇaṃ ca.*

41 TV ad MS 1.3.7 (p. 125): *vāsudevârjunayoḥ pratiṣiddha-mātula-duhitṛ-rukmiṇī-sub-hadrā-pariṇayanam, ubhau 'madhv-āsava-kṣībav' iti surā-pānâcaraṇam.* Cf. MBh 5.058.5: *ubhau madhv-āsava-kṣībāv ubhau candana-rūṣitau / ekaparyaṅka-śayanau dṛṣṭau me keśavârjunau.*

42 See TV ad MS 1.2.7; as well as ŚV 5(*sambandhâkṣepa-parihāra*)64–65.

Thus, the warnings from the old *dharmasūtra* teachers against any blind following in the footsteps of great men are tested and used by Kumārila in his examination of the role of narrative, non-injunctional illustrations. But it does not mean that Kumārila limits his investigations of *sad-ācāra* to *śruti* and *smṛti* examples only. Immediately after this passage, still in the *pūrva-pakṣa*, under the same MS 1.3.7, he discusses various contemporaneous practices and ways of living, thus focusing on the second component of the compound *sad-ācāra*. Here is the difference—*śruti* and *smṛti* are not considered by him as some historical sources of information on how people once lived; *śruti* and *smṛti* are ahistorical in the perspective of Mīmāṃsā. However, the world around Kumārila was a source of information in his time, and as such could be discussed. There is a longer review of various (especially morally controversial) regional practices and customs (*ācāra*s) in the text, with a fascinating analysis of the fourth *dharma-mūla*, i.e. *ātmanas tuṣṭir* or *ātmanaḥ priyam*, but at some point Kumārila returns to our controversial illustrations and presents his *siddhânta*.

2.2. The Refutation—*siddhânta*

In the beginning of his *siddhânta*, Kumārila offers a general definition of dharmic acts, contrasting them with two other spheres of *tri-varga*: these are such actions and practices that are performed or pursued by good people (*sādhu*) not because of their bodily needs (*śarīra-sthiti*) or pleasures (*sukha*), nor for material gain (*artha*), but for the reason that such acts or practices are considered and are performed as *dharma* by the educated (*śiṣṭa*). These are actions and practices enjoined by the Veda (*vaidika*), such as offerings, recitations, sacrifices, oblations to forefathers and deities, religious practices and observations, etc. etc., all based directly or indirectly on the Veda (*śāstra*).[43] In this light, we should contemplate Kumārila's explanations on the above list of possibly adharmic misdemeanours.

By way of introduction and announcement of his return to the enumerated excesses, Kumārila reminds us, firstly, that the point of the critique of *sad-ācāra* was the difficulty of relying on any person's, even great and of ancient times, propensity to act in matters of *dharma* always and exclusively according to

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43   TV ad 1.3.7 (p. 126): *dṛṣṭa-kāraṇa-hīnāni yāni karmāṇi sādhubhiḥ / prayuktāni pratīyeran dharmatvenêha tāny api. śarīra-sthitaye yāni sukhârthaṃ vā prayuñjate / arthârthaṃ vā na teṣv asti śiṣṭānām eva dharma-dhīḥ. dharmatvena prapannāni śiṣṭair yāni tu kānicit / vaidikaiḥ partṛ-sāmānyāt teṣāṃ dharmatvam iṣyate / pradānāni japo homo mātṛ-yajñâdayas tathā (...) na śāstrād ṛte kiṃcid asti.*

dharma rules, and he implies, secondly, that (in)correct interpretation of various narrative portions in the *śruti* and *smṛti* sources was also relevant to the question. He observes:

> But as for (the objection in the case of) Prajāpati that he 'approached (sexually) his own daughter Uṣas', (or that) 'Indra was the paramour/destroyer of Ahalyā Maitreyī'—because of these and others illustrations, as well as illustrations from *itihāsa*, for those who perceive transgressions of *dharma* in the practices of the good, the authoritativeness of the practices of the good (as *dharma-mūla*) is difficult to apprehend.[44]

> To the above-mentioned this is replied: There will be no wrong here, either [a] because of the similarity only to *śruti* (teaching *dharma*, while the real purport is different), or [b] because human beings (only) are prohibited (to commit such things), or [c] (because it was redeemed) by force of the power of austerities, or [d] it (can and) will be explained in such a way that there would be no contradiction (with *dharma*).[45]

These four paths of explication from the perspective of textual hermeneutics are used by Kumārila in the case analysis below, but they do not cover all the cases. Some of the narrative incidents, often caused by strong emotions [e], are judged straightforwardly as adharmic; some other were reported by their own narration sources as acts punishable and punished, which Kumārila recalls. The two latter groups are, indeed, *dharma-viruddha*, violating the dharmic rules. Yet, the others are explained away with reference to the above vindication schema:

> Ad 1) 'Firstly, Prajāpati is called Āditya (the Sun), because he is appointed to protect the creation (*prajā-pālanâdhikāra*). And, [as the Sun] rising at the time of the break of day, at dawn, he approaches Uṣas (Dawn). She is born precisely because of his arrival, thus she is designated his daughter; and because of his shooting at her with his seeds, called red rays, there is a metaphorical expression (*upacāra*) here of a union of a man and a woman'.[46]

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44 TV ad MS 1.3.7 (p. 129): *yat tu prajāpatir uṣasam abhyait svāṃ duhitaram iti ahalyāyāṃ maitreyyām indro jāra āsīd ity evam-ādi-darśanād itihāsa-darśanāc ca śiṣṭâcāreṣu dharmâtikramaṃ paśyadbhiḥ śiṣṭâcāra-prāmānyaṃ dur-adhyavasānam iti.*

45 TV ad MS 1.3.7 (p. 129): *tatrôcyate—śruti-sāmānya-mātrād vā na doṣo 'tra bhaviṣyati / manuṣya-pratiṣedhād vā tejo-bala-vaśena vā // yathā vā na viruddhatvaṃ tathā tad gamayiṣyati.* See also Davis, Jr., 'On *Ātma-tuṣṭi*', p. 289.

46 TV ad MS 1.3.7 (p. 129): *prajāpatis tāvat prajā-pālanâdhikārād āditya evôcyate / sa câruṇôdaya-velāyām uṣasam udyann abhyaita, sā tad-āgamanād evôpajāyata iti tad-duhitṛtvena vyapadiśyate. tasyāṃ câruṇa-kiraṇâkhya-bīja-nikṣepāt strī-puruṣa-yoga-vad upacāraḥ.*

Ad 2) 'In the same way, the One of the United Energy (*samasta-tejāḥ*) who is called by the word "Indra", being the cause of the ultimate sovereignty (*paramaiśvarya-nimitta*), the very Sun (*Savitṛ*), destroys (*jīryati*) [the night]—because he is the reason of the decomposition in the form of disappearance of the night (*rātri*) being called by the name "Ahalyā", for at day she is dissolved (*ahani līyamānatayā*) (by the Sun); thus the very Āditya, i.e. by whom exactly risen [all this happens], is called "the consumer of Ahalyā" (*ahalyā-jāra*); not, however, because of any deviation (of his from *dharma*) with someone else's wife (*para-strī-vyabhicāra*)'.[47]

Ad 3) 'Nahuṣa, on the other hand, indeed, on account of his desiring of another's (i.e. Indra's) wife, immediately afterwards suffered [the punishment of being turned into] a large black snake (*kālâjagara*), with his own immoral behaviour well known. And it is well known how Śacī gained her power obtained by separation from her husband, born of the excellence of merit caused by her devotion to him'.[48]

Ad 4) 'The action (i.e. a suicide attempt) of Vasiṣṭha, too, which [he committed] under confusion in his grief for sons (*putra-śoka-vyamoha-ceṣṭita*), because it (i.e. the action) also had other causes, [it does not give rise to any] confusion on the subject of *dharma* at all'.[49] 'For only those practices of the good which are performed with the understanding of moral merit would fall into the [category] of *dharma* ideal. While such actions which are perceived as caused by desire, anger, avarice, confusion, grief, etc., will turn into a contradiction of that which is enjoined'.[50]

Ad 5) 'Thus, also that action of Viśvamitra, who mounted the power acquired by austerities, which, too, was proceeded by passion and hatred, does wear off, [as he], following the principle that might is right, performed great austerities, by which [his faults] were brought to destruction, or his sins purified some other time by way of penances. For [those] of a feeble (ascetic) heat (*tapas*), it

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47 TV ad MS 1.3.7 (p. 129): *evaṃ samasta-tejāḥ paramaîśvarya-nimittêndra-śabda-vācyaḥ / savitaîvâhani līyamānatayā rātrer ahalyā-śabda-vācyāyāḥ kṣayâtmaka-jaraṇa-hetutvāj jīryaty asmād anenaîvôditenêty āditya evâhalyājāra ity ucyate / na tu para-strī-vyabhicārāt.*

48 TV ad MS 1.3.7 (pp. 129–130): *nahuṣeṇa punaḥ para-strī-prārthana-nimittânantara-kālâjagaratva-prāptyaivâtmano durâcāratvaṃ prakhyāpitam / śacyāś ca pati-bhakti-nimitta-puṇyâtiśaya-janita-tan-nirākaraṇâvāpta-prabhāva-lābhaḥ khyāta eva.*

49 TV ad MS 1.3.7 (p. 130): *vasiṣṭhasyâpi yat putra-śoka-vyāmoha-ceṣṭitam / tasyâpy anya-nimittatvān naîva dharmatva-saṃśayaḥ.*

50 TV ad MS 1.3.7 (p. 130): *yo hi sad-ācāraḥ puṇya-buddhyā kriyate, sa dharmâdarśatvaṃ pratipadyeta / yas tu kāma-krodha-lobha-moha-śokâdi-hetutvenôpalabhyate, sa yathā-vidhi-pratiṣedhaṃ vartiṣyate.*

would lead to the loss of their life (*ātman*), like eating of the leaves etc. of a great banyan (would be fatal) to elephants'.[51]

Ad 6) and 7) Purūravas' case, just like Vasiṣṭha's suicide attempts, did not seem to Kumārila to require additional explanation.

Ad 8) 'Neither Dvaipāyana did anything wrong (*atiduṣkaram*), (when) he begot sons with the wife of his (half-)brother, from his mother's side—following the precept (*āgamān*) that "on one's guru command a widow may wish to have children with [husband's] younger brother, urged by guru; (however, she) should not pass beyond the time for procreation (*ṛtu*)"[52]—[especially that it was mitigated] by the power of austerities (he had) performed before and would perform later (*prāk-kṛta-paścāt-kariṣyamāṇa-tapo-balena*). Anyone else, who be able to accomplish such ascetic power, would also do exactly that'.[53]

Ad 9) 'While in the case of Rāma's and Bhīṣma's completion of sacrifices (*yāga-siddhiḥ*): they required wives only for sacrificial purposes of the moment (*vidyamāna-dharma-mātrârtha-dārayor*), on account of (their respective) love (*sneha*; for Sītā in the case of Rāma) and devotion to father (*pitṛ-bhakti*; in the case of Bhīṣma); as well as they evidently had paid their debts to forefathers by having (directly or indirectly) children (*vyavahitâpatya-kṛta-pitr-ānṛnyayor*); [and in the case of Rāma] the producing of the golden (*hiraṇmayī*) [image of] Sītā, with the fear of people's gossip, had the purpose of dispelling [people's] suspicions of his lack of kindness towards abandoned Sītā (*tyakta-sītāgatânṛśaṃsyâbhāvâśaṅkā-nivṛtty-arthaṃ*) (or rather: of his lack of kindness towards Sītā abandoned with the fear of people's gossip, see below, in section 3.)'.[54]

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51 TV ad MS 1.3.7 (p. 130): *tena viśvāmitrasyâpi yad rāga-dveṣa-pūrvakam api tapo-balârūḍhasya caritam, tat sarvaṃ balavataḥ pathyam ity anena nyāyena mahānti ca tapāṃsi kṛtvā tāni kṣayaṃ nayata uttara-kālaṃ vā pāpa-viśuddhiṃ prāyaś-cittaiḥ prati-kurvāṇasya jīryaty api / manda-tapasāṃ tu gajair iva mahā-vaṭakâṣṭhâdi-bhakṣaṇam ātma-vināśâyaîva syāt.*

52 Cf. *Gautama-dharmasūtra* 18.4–5 (Olivelle, *Dharmasūtras*, pp. 166–167): *apatir apatya-lipsur devarāt* (4). *Guru-prasūtā nartum atīyāt* (5); 'When her husband is dead, she may seek to obtain offspring through her husband's brother after she has been appointed to the task by the elders. She should not have sex with him outside her season'.

53 TV ad MS 1.3.7 (p. 130): *dvaipāyanasyâpi, 'guru-niyogād apatir apatya-lipsur devarād guru-preritād ṛtum atīyāt' ity-evam-āgamān mātṛ-saṃbandhād bhrātṛ-jāyā-putra-jananaṃ prāk-kṛta-paścāt kariṣyamāṇa-tapo-balena nâtiduṣkaram / anyo 'pi yas tādṛk-tapo-balo nirvahet sa kuryād eva.*

54 TV ad MS 1.3.7 (p. 130): *rāma-bhīṣmayos tu sneha-pitṛ-bhakti-vaśād vidyamāna-dharma-mātrârtha-dārayor eva sākṣād vyavahitâpatya-kṛta-pitr-ānṛnyayor yāga-sidhiḥ / hiraṇmayī-sītā-karaṇaṃ lokâpavāda-bhityā tyakta-sītā-gatânṛśaṃsyâbhāvâśaṅkā-nivṛtty-artham.*

'And Bhīṣma—(in view of the principle:) "If among several brothers born to the same father one gets a son, Manu has declared that through that son they all become men who have sons'[55]—freed in this way from debts to his forefathers by sons born by the wives (*kṣetraja*) of Vicitravīrya, might have entered a marriage relationship for the purpose of a sacrifice only—thus it might also be explained by way of presumption (*arthâpatti*)—(as it is) unheard of [him normally that he be able to act in any way immoral]'.[56] 'Or, how could he alone (i.e., without wife) perform a sacrifice, although did not put down a rice-ball even on the hand he knew to be his father's for fear of transgressing a scripture (*śāstra*)'.[57]

Ad 10) 'Dhṛtarāṣṭra, too, did also see at the time of the ritual, just like (he) saw his sons through the favour of Vyāsa (as presented) in the *Āścarya-parvan*[58]. As *śrūti* (the Veda) states: seers are capable of cursing and offering favours. Thus, just like he (Dhṛtarāṣṭra) is known to be born blind because of such [a *ṛṣi*'s] saying, the same way it should be easily understood by presumption (*arthâpatti*) that he could see for so long time (of a sacrifice), because it is stated that he performed a sacrifice.

Or else, that sacrifice should be (understood) in the sense of offerings, gifts (*dāna*) only, as in: 'sacrificing [is used in the sense of] worshiping gods, connecting [with a result], offering'[59]. And *śruti* (the Vedas) teaches that offerings, the practice of austerities, etc., have also the same results as rituals. For this reason, (the mention of) the performance of rituals (by Dhṛtarāṣṭra might be meant) figuratively'.[60]

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55   Olivelle, *Manu's Code*, p. 199, MDhŚ 9.182 (p. 780: *bhrāt̄ṝṇām ekajātānām ekaś cet putravān bhavet / sarvāṃs tāṃs tena putreṇa putriṇo manur abravīt*).

56   TV ad MS 1.3.7 (p. 130): *bhīṣmaś ca—bhrāt̄ṝṇām eka-jātānām ekaś cet putra-vān bhavet / sarve tenaîva putreṇa putriṇo manur abravīt ity evaṃ vicitravīrya-kṣetraja-putra-labdha-pitr-anṝṇatvaḥ kevalaṃ yajñârtha-patnī-saṃbandha āsīd ity arthâpattyâ-nuktam api gamyate.*

57   Translation by Yoshimizu, 'Kumārila and Medhātithi', p. 648. *yo vā piṇḍaṃ pituḥ pāṇau vijñāte 'pi na datta-vān / śāstrârthâtikramād bhīto yajetaîkāky asau katham.*

58   Cf. Bühler, Kirste, *Indian Studies. No. 2*, p. 20.

59   *Dhātupāṭha, bhvādayaḥ* 1002; cf. *Dhātupāṭha of Pāṇini with the Dhātvartha Prakā-śikā Notes by Kanakalāl Śarmā*, The Haridas Sanskrit Series 281, Varanasi: The Chowkhamba Sanskrit Series Office, 1969, p. 27.

60   TV ad MS 1.3.7 (pp. 130–131): *dhṛtarāṣṭro 'pi yad vyasânugrahād āścarya-parvaṇi putra-darśana-vat kratu-kāle 'pi dṛṣṭavān eva / śāpânugraha-samarthā hi maha-rṣayaḥ śrūyante / tad yathaîva tad-vacanād asāv andho jāto vijñāyate tathā yajñânuṣṭhāna-vaca-nāt tāvati kāle dṛṣṭavân ity arthâpattyā su-jñānam.*
yadvā 'yaja-deva-pūjā-saṃgati-karaṇa-dāneṣu' iti dānârtha evâyaṃ yajatir bhaviṣyati / kratu-phala-samāni ca dāna-tapaś-caraṇâdīny api śrūyante / tat-kāraṇāt kratu-kriyôpacāraḥ.

Ad 11) 'And as for the mentioned violation [of the principle] of a wife of only one [man] by the sons of Pāṇḍu, this also was presented as possible to be explained away, like in the case of Dvaipāyana. For the Dark One (Kṛṣṇā) arose from the middle of an altar in her (full) youth. And she was Śrī; and Śrī does not [become] tainted by being enjoyed by many'.[61]

'Hence, exactly, it was said: "And this great wonder the seer declared.

> A wonder surpassing the power of man.
> That the beautiful bride of majestic might
> Each day became a virgin again"'.[62]

'For such things do not happen among ordinary women. Therefore, it was said that [she was] beyond humans. That is precisely why Vāsudeva said to Karṇa: "and on the sixth day Draupadī will approach you". Because otherwise how (someone being) the embodiment of authority (i.e. Vāsudeva) could talk in this way'.[63]

'Or, one could explain, by [the use of] presumption (*arthâpatti*), (on account of their normal) behaviour, that a number (of 5) of these same-looking Draupadīs figuratively [were spoken about] as one. Or else, the woman shall belong, indeed, to Arjuna only; while the reputation of her being shared (by all five brothers) was spread with the aim of (showing their) closeness'.[64]

'Just as Draupadī, dragged into the centre of the (royal) assembly on the instruction of Yudhiṣṭhira, immediately assumed an appearance of a menstruating woman to cause the disgrace of Dhṛtarāṣṭra, having many sons, and to gain recognition herself, the very same way she (could) show by the information about (their) sharing (one wife) both (1) that unknowingly by people, she was Śrī only, being the wife solely of Arjuna, and (2) that the mutual certainty of the close union (among *Pāṇḍava*s) had the aim to [leave] no room for any attempt of division (among them)—because of the easy avoidance with such and other (reasoning) options and because it was said that (any) behaviour

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61   TV ad MS 1.3.7 (p. 131): *yā côktā pāṇḍu-putrāṇām eka-patnī-viruddhatā / sāpi dvaipāyanenaîva vyutpādya pratipāditā // yauvana-sthaîva kṛṣṇā hi vedi-madhyāt samut-thitā / sā ca śrīḥ śrīś ca bhūyobhir bhujyamānā na duṣyati.*

62   J.A.B. van Buitenen, *The Mahābhārata. Book 1: The Book of the Beginning*, Chicago: University of Chicago Press, 1983, p. 376.
TV ad MS 1.3.7 (p. 131): *ata eva coktam—idaṃ ca tatrâdbhuta-rūpam uttamaṃ jagāda vipra-rṣir atīta-mānuṣam / mahânubhāvā kila sā su-madhyamā babhūva kanyaîva gate gate 'hani—iti.* MBh 1.198.14; cf. Bühler, Kirste, *Indian Studies. No. 3*, p. 13.

63   TV ad MS 1.3.7 (p. 131): *na hi mānuṣīṣv evam upapadyate / tenâtīta-mānuṣam ity uktam / ata eva vāsudevena karṇa uktaḥ 'ṣaṣṭhe ca tvām ahani draupadī paryupasthāsya-ti' iti. itarathā hi kathaṃ pramāṇa-bhūtaḥ sann evaṃ vadet.* Cf. MBh 5.138.15 *rājanyā raja-kanyāś câpy ānayantv abhiṣecanam / ṣaṣṭhe ca tvāṃ tathā kāle draupady upa-gamiṣyati.*

64   TV ad MS 1.3.7 (p. 131): *athavā bahvya eva tāḥ sadṛśa-rūpā draupadya ekatvenôpacaritā iti vyavahārârthâpattyā gamyate / yadvā bhāryârjunasyaîva kevalasya bhaviṣyati / sādhāraṇa-prasiddhis tu niśchidratvāya darśitā.*

caused by passion (or) avarice is not perceived as dharmic by the very experts, there is nothing wrong here'.[65]

'Likewise, in the case [of Yudhiṣṭhira] telling lies, (which) was an element in [the plot] to kill Droṇa, it is said that 'some [recommend] penances also in reference to [wrongdoings] committed purposefully (*kāma-kṛte*)', and thus, in the end, the *aśvamedha* (sacrifice) was, indeed, done as a penance (by Yudhiṣṭhira). That (act of telling lies) is not admitted as [an example] of the practices of the good'.[66]

Ad 12) 'While the [example] brought forward [of acting] contrary to the *smṛti* [regulations in the form of] drinking wine and marrying daughters of their (respective) maternal uncles by Vāsudeva and Arjuna, here the prohibition for the members of three (higher) *varṇa*s concerns only (alcohol known as) *surā* [which is produced] by transformation of food'.[67]

'Liquor is clearly the filth of various grains; sin is also called filth. Therefore, Brahmins, Kṣatriyas, and Vaiśyas must not drink liquor'.[68]

'But *madhu* and *sīdhu* are not prohibited for *kṣatriya*s and *vaiśya*s, because the subject (of the prohibition) is a *brāhmaṇa* only, as it is said: "intoxication (drinks) are always (prohibited) for a *brāhmaṇa*"'.[69]

'Thus, that they both get drunk till vomiting wine is not at variance (with the rules)'.[70]

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65   TV ad MS 1.3.7 (p. 131): *yathā yudhiṣṭhirôpadeśāt sabhā-madhyam ānīyamānā sahasaîva rajas-valā-veṣaṃ su-putrakasya dhṛtarāṣṭrasyâyaśa utpādayitum ātmānaṃ prakhyāpayituṃ draupadī kṛtavatī tathaîva kevalârjuna-bhāryāyā eva satyāḥ śrītvaṃ ca janenâviditaṃ paras-para-saṃghātâviśayaṃ ca bheda-prayogânavakāśârthaṃ darśayitum sādhāraṇya-prakhyāpanam-ity-evam-ādi-vikalpaiḥ su-pariharatvād raga-lobha-kṛta-vavahārasya ca śiṣṭair eva dharmatvenāparigrahasyôktavād anupālambhaḥ.*

66   TV ad MS 1.3.7 (p. 131): *tathā ca droṇa-vadhânga-bhūtânṛta-vāda-prāyaś-cittaṃ kāma-kṛte 'py eka ity evam ante 'py aśvamedhaḥ prāyaś-cittatvena kṛta evêti / na tasya sad-ācāratvâbhyupagamaḥ.*

67   TV ad MS 1.3.7 (p. 131): *yat tu vāsudevârjunayor madya-pāna-mātula-duhitṛ-pariṇayanaṃ smṛti-viruddham upanyastaṃ tatrânna-vikāra-surā-mātrasya trai-varṇikānāṃ pratiṣedhaḥ.*

68   TV ad MS 1.3.7 (p. 132), MDhŚ 11.94–95: *surā vai malam annānāṃ pāpmā ca malam ucyate / tasmād brāhmaṇa-rājanyau vaiśyaś ca na surāṃ pibet* [*gauḍī paiṣṭī ca mādhvī ca vijñeyā trividhā surā / yathaîvaîkā tathā sarvā na pātavyā dvijôttamaiḥ*]. Olivelle, *Manu's Code*, p. 219 (11.94–95): '(94) Liquor is clearly the filth of various grains; sin is also called filth. Therefore, Brahmins, Kṣatriyas, and Vaiśyas must not drink liquor. [(95) It should be understood that there are three kinds of liquor: one made of molasses, another from ground grain, and a third from honey. Just as drinking one of them is forbidden to Brahmins, so are all.]'.

69   TV ad MS 1.3.7 (p. 132): *madhu-sīdhvos tu kṣatriya-vaiśyayor naîva pratiṣedhaḥ kevala-brāhmaṇa-viṣayatvāt / 'madyaṃ nityaṃ brāhmaṇasya' iti vacanāt.*

70   TV ad MS 1.3.7 (p. 132): *tenôbhau madhvâsava-kṣībāv ity avirudham.*

'While, as for their marriages with daughters (of their respective) maternal uncles—that is not [the case of action] contrary (to *dharma*), because of such a linguistic custom (to call someone one's) brother, etc., even when there is a separation in terms of connection to mother's sister's daughter. Even though Subhadrā is called "Vāsudeva's sister", on account of the fact that, as born, Baladeva and Vāsudeva, as well as Ekānaṃśā (are) enumerated as blood-related (siblings), Subhadrā [is either] [his] mother's sister's daughter (*svasrīya*) or his mother's father's sister's daughter's daughter—because such marriage is permitted'.[71]

'And Kaunteya (Arjuna) would have violated [*dharma*], (had he married a woman) born of Vāsudeva; but there is no violation of it (*dharma*) in the case (she was) born as a once removed relation'.[72]
'For as it was said somewhere else:
"Humans everywhere would follow in my wake, Partha".[73]
"Whatever the superior man does, so do the rest;
Whatever standard he sets, the world follows it"'.[74]
'How could he (Vāsudeva) being the embodied ideal for the whole world display a (morally) repugnant behaviour? This way (Kṛṣṇa's) marriage to Rukmiṇī is also explained'.[75]

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71 TV ad MS 1.3.7 (p. 132): *yat tu mātula-duhitṛ-pariṇayanaṃ tayos tan-mātṛ-svas-rîyâdi-sambandha-vyavadhāne 'pi bhrātrâdi-vyavahārād aviruddham / yady api vāsu-deva-svasêti subhadrā khyātā, tathâpy utpattau baladeva-vāsudevayor ekânaṃśāyāś ca nijatvânvākhyānān mātṛ-svasrīyā vā subhadrā tasya mātṛ-pitṛ-svasrīyā duhitā vêti pariṇayanâbhyanujñānād vijñāyate.* Cf. Pandurang Vaman Kane, *History of Dharmaśās-tra (Ancient and Mediaeval Religious and Civil Law)*, vol. 2, pt. 1, Poona: Bhandarkar Oriental Research Institute, 1941, pp. 459–460: 'she was Vāsudeva's mother's sister's daughter or was the daughter's daughter of the sister of the father of Vāsudeva's mother'; cf. also Kane, *The Vyavahāramayūkha*, pp. 200–201.

72 TV ad MS 1.3.7 (p. 132): *vāsudevâṅga-jātā ca kaunteyasya virudhyate / na tu vya-veta-sambandha-prabhave tad-viruddhatā.*

73 W.J. Johnson, *The Bhagavad Gita. A new translation by…*, Oxford: Oxford University Press, 1994, p. 16: *Bhagavadgīta* 3.23cd; MBh 6.25.23: *mama vartmânuvartante manuṣyāḥ pārtha sarvaśaḥ.*

74 Johnson, *The Bhagavad Gita*, p. 16: BhG 3.21, MBh 6.25.21: *yad yad ācarati śreṣṭhas tat tad evêtaro janaḥ / sa yat pramāṇaṃ kurute lokas tad anuvartate.*
TV ad MS 1.3.7 (p. 133): *yena hy anyatraîvam uktam—mama vartmânuvarteran manuṣyāḥ pārtha sarvaśaḥ / yad yad ācarati śreṣṭhas tat tad evêtaro janaḥ // sa yat pramāṇaṃ kurute lokas tad anuvartate // iti.*

75 TV ad MS 1.3.7 (p. 133): *sa kathaṃ sarva-lokâdarśa-bhūtaḥ san viruddhâcāraṃ pravartayiṣyati / etena rukmiṇī-pariṇayanaṃ vyākhyātam.*

2.3. Apologetical Vindication

At the outset, Kumārila introduced four possible solutions to the objections voiced in the *pūrva-pakṣa* (see the introduction in II.2 The refutation). The cases of Prajāpati and Indra come under the first one [a]: the phrases quoted should not be read literally (*śruti*), they need to be understood figuratively (*upacāra*). The case of Draupadī could be put into the second category [b]—she is not an ordinary woman; she is beyond humans and their rules do not bind her. A similar case is Vāsudeva. The third category [c] gathers all the cases of serious, again almost inhuman austerities—when performed, they can redeem any moral fault or adharmic behaviour. This indeed they do, as the characters recalled are perceived as guilty of moral missteps, remedied by ascetical mortifications. The most general is the fourth group [d]—situations which can be explained away with the proper application of reasoning and dharmic knowledge, like the case of Rāma or Bhīṣma, for example. The last category [e], set in a very significant ethical treatment, is a reference to 'other causes', other factors involved in someone's given actions (cf. Ad 3). Strong emotions: desire, fear, avarice or grief, cannot be treated, according to Kumārila, nor expected as any motivators for dharmic acts. Their appearance and influence leads the actor out of the *dharma* sphere (see table).

1) *prajāpates ...*	[a] *śruti-sāmānya-mātrād → upacāra*
2) *indrasyâpi...*	
3) *nahuṣasya*	[e] *anya-nimittatvān*
4) *vasiṣṭhasya ...*	[e] *anya-nimittatvān*
5) *viśvāmitrasya...*	[c] *tejo-bala-vaśena*
6) 7) *vasiṣṭha-vat purūravasaḥ ...*	[e] *anya-nimittatvān*
8) *kṛṣṇa-dvaipāyanasya ...*	[c] *tejo-bala-vaśena* + [d] *na viruddhatvam*
9) *bhīṣmasya ... rāma-vat*	[d] *na viruddhatvam*
10) *dhṛtarāṣṭrasya ...*	[d] *na viruddhatvam* or [a] *upacāra*
11) *yudhiṣṭhirasya ...*	[b] *manuṣya-pratiṣedhād* + [d] *na viruddhatvam* [c] *tejo-bala-vaśena*
12) *vāsudevârjunayoḥ ...*	[d] *na viruddhatvam*

Firstly, according to Kumārila, not all or any actions, even of a great man, can be categorized as *dharma*'s domain. Most everyday activities are dharmicly neutral, not enjoined by the Veda or taught in *smṛti*s. Secondly, there is a clear lesson emanating from the examples: desire, anger, grief or confusion do not lead to *dharma*, quite the opposite. Thirdly, in all the incidents explained above, however, the acts in question do belong to the sphere of *dharma* and are then subject to dharmic assessment: being either explainable otherwise as ultimately not

adharmic, or considered without a doubt as adharmic, providing an example of how human beings should not act, especially since they are not great figures of immeasurable power. Kumārila quotes the reservation of the *Āpastamba-dhar-masūtra* towards contemporary people as contrasted with those 'of ancient times' who were able to follow *dharma* with impunity thanks to their 'extraordinary power' (*tejo-viśeṣeṇa*) of ascetic or otherwise atonement.

On the other hand, the narrative examples are of great (*mahat*) figures, mighty characters—by definition their actions cannot be seen, superficially even, as adharmic: different norms ruled their actions, they had greater, superhuman powers and could afford to act in ways morally hazardous. But proper textual analysis of their stories and all the components of their characters can and should demonstrate the true dharmic dimension of their actions. This is a clever way of reversing the argument under discussion whether great heroes and epic characters should be followed and imitated, in view of their occasional dharmic mistakes. Here it is claimed that it is precisely because of their greatness and moral integrity that nobody could possibly presume that they would be able to do anything morally wrong. Thus, one has to assume by presumption (*arthāpatti*) that they did not, and that behind the story, in its background there are paths towards a coherent, dharmic narration.

Rāma's illustration is rather interesting—Kumārila uses the trope of the golden image of Sītā assisting Rāma in his rituals, but does not feel the need to explain further how it was construed within the context of ritual requirements.[76] The fact that Rāma is included among the examples of dharmic ambiguities— even if not directly, even if only at first as a comparison to Bhīṣma—is also significant. This signals that at least at the time of Kumārila the hero could be perceived as morally controversial, notwithstanding that the problem seemed to be his *yāga* (without Sītā), not *tyāga* (of Sītā), although apparently the latter already started raising doubts in the *Rāmāyaṇa*.[77]

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[76] More on the golden image of Sītā, see: Kane, *History of Dharmaśāstra*, vol. 2, pt. 1, p. 684; Robert P. Goldman and Sally J. Sutherland Goldman (tr.), *The Rāmāyaṇa of Vālmīki: An Epic of Ancient India*, vol. 7: *Uttarakāṇḍa*, Princeton: Princeton University Press, 2017, p. 1123;

[77] Cf. Peter Scharf, *Rāmopākhyāna—the Story of Rāma in the Mahābhārata: An Independent-study Reader in Sanskrit*, London: RoutledgeCurzon, 2003, pp. 10–11.

3. TV commentators—Someśvara

However, some shifting of accents can be observed in one of the earliest known commentators on the TV, by Someśvara (c. 12th century?). Of the two earliest published commentaries, dated more or less to a similar time, the *Ajitā*[78] by Pariṭoṣamiśra does not discuss these stories much, skips a number of culprits, focusing on *Mahābhārata*'s heroes, and Bhīṣma. However, Someśvara, the author of a work called the *Nyāyasudhā* (NS) or *Rāṇaka*[79], being a more generous exponent, provides quite long explanations on Kumārila's arguments. He also approaches the figure of Rāma suitably in two places. First, while relating the *pūrva-pakṣa* objections, and again while recalling and expounding on the refutation position. His is an explanatory form of interpretation, analysing the syntax and often offering commentarial remarks on single words and phrases.

3.1. Ad *pūrva-pakṣa*

> And in the case of Bhīṣma's non(-following of the) *āśrama* (order), who had no wife (this is to be said:) the very Bhīṣma, the leader of the Kuru family, by whom, summoning three hundred horse-sacrifices, rituals were performed, committed two transgressions of *dharma*. By words 'like Rāma' etc., it is pointed out that he (Rāma) also, because of the performance of rituals, (while) being single in result of his abandonment of his wife, violated *dharma*.[80]

While relating the *pūrva-pakṣa*'s objection, Someśvara does not add anything, but, indeed, points out that Bhīṣma's transgressions were greater. Rāma apparently could violate his *dharma* with only one action. The comparison link includes Rāma among the great who might have committed a moral mistake.

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78 Kunio Harikai, '*Ajitā*, A Commentary on the *Tantravārttika* (5)', *Acta Eruditorum*, no. 6, 1987, p. 15: *atra hetuḥ sītāyāṃ rāmasya sneho bhīṣmasya śantanau pitari bhaktiḥ / bhīṣmaḥ kila (...).*

79 Cf. Verpoorten, *Mīmāṃsā Literature*, p. 38.

80 NS ad MS 1.3.7 (*The Mīmāṃsā Darśana of Maharṣi Jaimini*. With *Śabarabhāṣya* of Śabaramuni with the commentaries of *Tantravārtika* of Kumārila Bhaṭṭa and its commentary *Nyāyasudhā* of Someśvara Bhaṭṭa, *Bhāṣyavivaraṇa* of Govindāmṛtamuni and *Bhāvaprakāśikā*, the Hindi translation by Mahāprabhulāla Gosvāmī, vol. 1, ed. Mahāprabhulāla Gosvāmī, Prāchyabhārati Series—16, Varanasi: Tara Book Agency 1984, p. 381): *bhīṣmasyānāśramitvam apatnīkasya ca sa eṣa bhīṣmaḥ kuru-vaṃśa-ketur yenâhutāṃs tri-śato vāji-medhāḥ kratu-prayoga iti dharma-vyatikrama-dvayam / rāma-vad ity anena tasyâpi patnī-tyāgenaîkākinaḥ kratu-prayogād dharma-vyatikramaḥ sūcitaḥ.*

3.2. Ad the Refutation—*siddhânta*

In his explanation of Kumārila's *siddhânta*, Someśvara has much more to say, in his rather pedantic, commentarial style:

> And how Rāma and Bhīṣma did not violate (*dharma*)—this confutation he (Kumārila) dispels with the words 'Rāma…'. The word 'mātra' (only) is used to refute (the idea that he could do this) with the purpose of a son or sexual pleasure.
> But, if that is the case, [there might be another problem, because:].[81]

> The forefathers of someone who does not approach into intimacy with his wife who has bathed (after her) menses would lie during that month in her menstrual blood.[82]

> With such doubt (in mind one can claim) that it would be an offence, because of the transgression of what was enjoined; it was said (by Kumārila) that [Bhīṣma and Rāma did what they did] on account of (Rāma's) love (to Sītā) and (Bhīṣma's) devotion to (his) father (respectively).[83]

> Because Rāma out of his love for Sītā took a vow to not come to (any) other wife.[84]

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[81] NS ad MS 1.3.7 (p. 386): *rāma-bhīṣmayor yathā vā na viruddhatvam iti parihāraṃ vivṛṇoti rāmêti / rati-putrârthatva-nirāsāya mātra-śabdo nanv evaṃ sati.*

[82] NS ad MS 1.3.7 (p. 386): *ṛtu-snātāṃ tu yo bhāryāṃ saṃnidhau nôpagacchati / tasyā rajasi taṃ māsaṃ pitaras tasya śerate.* Cf. a similar phrase in another context in the MDhŚ 3.250: *śrāddha-bhug vṛṣalī-talpaṃ tad ahar yo 'dhigacchati / tasyāḥ purīṣe taṃ māsaṃ pitaras tasya śerate.* Olivelle, *Manu's Code*, p. 121: 'If a man who has eaten an ancestral offering gets into bed with a Śūdra woman that day, his ancestors will lie in her feces during that month'.

[83] NS ad MS 1.3.7 (p. 386): *iti vihitâtikramāt pratyavāyaḥ syād ity āśaṃkya / sneha-pitṛ-bhakti-vaśād ity uktam.*

[84] NS ad MS 1.3.7 (p. 386): *rāmeṇa sītā-snehād bhāryântarâgamana-vrata-grahaṇāt.*

When Bhīṣma requested Satyavatī from her father for (his own father) Śaṃtanu, her father told (him) thus: 'I do not give her, because her sons would not get the throne, while you, powerful, are here, desiring to rule'. 'I will not rule', he (Bhīṣma) promised. 'Even if you do not want (to rule), out of fear of your offspring, her offspring would not be entitled to have a share in the throne'—thus her father said again.[85] (So Bhīṣma declared:) 'Now here I make my resolve about my progeny. From this day onward, I shall live as a monk'.[86]

Thus, because he took a vow of celibacy (*brahma-carya*) on account of his devotion to his father, and because of the suspension of the obligatory (*nityasya*) (rule) of approaching (a wife) at the time (after) the menses, by the special vow (*naimittikena vratena)* (he announced): 'I will marry a wife with the aim of *dharma* only'—thus having explained [it] away, the intention is that there would be no fault also in (his) not coming to his wedded (wife).[87]

Having a doubt: in this way also there would be an offence, because of his rejection of ancestors by his childlessness—(Kumārila) said: 'they evidently…' etc. Evidently, Rāma did pay his debt to forefathers by his offspring, Kuśa and Lava, while Bhīṣma paid his debt to forefathers by not immediate, Vicitravīrya's offspring, Dhṛtarāṣṭra and others.[88]

But the true nature of Rāma's (taking) another wife with (only) the purpose of *dharma* (is seen, as) at each sacrifice he produced Sītā, his wife, a golden one.

Having a doubt that the production of the golden (image of) Sītā would be meaningless (*anarthaka*), (Kumārila) said: 'the producing of the golden', etc. The meaning is: (the production of the golden image) has the purpose of dispelling (people's) suspicions of (his) lack of that kindness, i.e. non-harshness, (of his) towards her, i.e. for her, who was abandoned with the fear of gossip. She was abandoned only out of fear of the gossip of people that 'Rāma enjoys Sītā defiled by her abduction by Rāvaṇa', not because of Sītā's defilement, not also because of Rāma's harshness towards Sītā—to illustrate this [Kumārila used] (the compound of the type) *sāpekṣa-samāsa* of the word *tyakta* with the

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85 NS ad MS 1.3.7 (p. 386): *bhīṣmeṇa ca śaṃtanave satyavatīṃ tat-pitaraṃ yācatā / tvayi mahā-bale rājyâbhilāṣuke tiṣṭhaty etarayāḥ putrāṇāṃ rājyâlābhān nêmāṃ dadāmîti tat-pitrā pratyākhyātena / rājyaṃ nâhaṃ kariṣyāmîti pratijñāte / tvayy anicchaty api tvat-saṃtati-bhayān naîtasyāḥ saṃtatī rājya-bhāginī syād iti tat-pitrā punaḥ pratyākhyātena.*

86 Van Buitenen, *Mahābhārata*, p. 226. MBh 1.194.87cd-88ab: *apatya-hetor api ca karomy etad viniścayam / adya prabhṛti me dāśa brahma-caryaṃ bhaviṣyati.*

87 NS ad MS 1.3.7 (p. 386–387): *pitṛ-bhaktyā brahma-carya-vrata-grahaṇān naimittikena ca vratena nityasya rtu-kāla-gamanasya bādhād dharma-mātrârtham ahaṃ bhāryāṃ pariṇeṣyāmîti paribhāṣya pariṇītāyām agamane 'py adoṣa ity āśayaḥ.*

88 NS ad MS 1.3.7 (p. 387): *evam apy anapatyatvena pitṝṇām apākaraṇāt pratyavāyaḥ syād ity āśaṃkya sākṣād ity uktam / sākṣād apatyābhyāṃ kuśalavābhyāṃ kṛta-pitrānṛṇyo rāmo vyavahitair vicitravīryasyâpatyair dhṛtarāṣṭrâdibhiḥ kṛta-pitrānṛṇyo bhīṣmaḥ.*

word 'Sītā' to show the fixed (syntactical) reference of the abandonment (of Sītā) to (his) fear of people's gossip.[89]

3.3. The Focus on *tyāga* Not *yāga*

While commenting on Kumārila's analysis, Someśvara adds an interesting interpretation of the problem of marrying someone just for ritual purposes, suggesting that it involves another dharmic issue—neglecting marital duties. He does also explicate the need of the trope of the golden Sītā—it seems, according to his interpretation, that the image was more for silencing public doubts about Rāma's true feelings for Sītā, than for sacrificial purposes. One might also interpret that as Rāma's public demonstration of his devotion to his wife.

Moreover, Someśvara states rather emphatically that Sītā's *tyāga* was caused by Rāmā's worries about public opinion. That such a causal relation was also understood by Kumārila is evident, according to Someśvara, syntactically in the TV as well.

4. Concluding Remarks

All the stories recalled in the TV *pūrva-pakṣa* and then developed in the refutation are assumed to be known. Kumārila sees no need to explain the context and the problems in more detail. Just a short reference, even a name, is enough to render the message, like *Rāma-vat*. Moreover, such individualized references were linked to very specific stories, identified by the context of the referential act (in the case of Rāma by the sacrificial activity requiring a male to be married) as if these episodes were not rooted in a given text, bound to some specific composition, but were more identified with a character, characters.

There would not have been, of course, any footnote with a precise source quoted. The recalled stories are just there, known and remembered, although sometimes Kumārila names his source in more general terms (like *āścarya-parvan*). But even the sporadic actual quotations are often not so precise. This might

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[89] NS ad MS 1.3.7 (p. 387): *nanu rāmasya dharmârtha-dārântara-sadbhāve yajñe yajñe prakurute sītāṃ patnīṃ hiraṇmayīm iti / hiraṇmayī-sītā-karaṇam anarthakaṃ syād ity āśaṃkyâha hiraṇmayîti / apavāda-bhītyā tyaktā yā tad-gataṃ tad-viṣayaṃ yad ānṛśaṃsyam anaiṣṭhuryaṃ tad-abhāvâśaṃkā-nivṛtty-artham ity arthaḥ / rāvaṇâpahāra-dūṣitāṃ sītāṃ rāmo bhajata iti lokāpavāda-bhaya-mātreṇâsau tyaktā na sītāyā duṣṭatvān nâpi rāmasya sītāyāṃ naiṣṭhuryād iti dyotayituṃ lokāpavāda-bhītiṃ prati tyāgasya nitya-sāpekṣatva-darśanāya tyakta-śabdasya sītā-śabdena saha sāpekṣa-samāsaḥ kṛtaḥ.*

be caused by referring to some other recensions of a text, of course, but it might also be the result of the nature of a memorized 'reference library': sometimes *artha* (meaning) is remembered, not exactly the wording, as Kumārila himself mentions in an earlier portion of his TV (ad MS 1.3.1). If we try, however, to identify the most probable sources of the morally objectionable episodes, we might say that while such Vedic figures like Prajāpati and Indra come straight from the Vedic literature and ritual (as mantras etc. are quoted), other (possibly not) model characters come mostly from the *Mahābhārata* (at least this was also assumed by Bühler[90]). Therefore, Bhīṣma seems to be more important than Rāma in this light of the discussion, although Rāma presents the comparison link. Bhīṣma is shown as requiring more explanations, also maybe because he is presented as a doubly complicated character in dharmic terms. Moreover, this comparative and illustrative use of the figure of Rāma seems fitting with the tendency of the *Mahābhārata*[91] to refer to and associate Rāma with dharmic matters.

Although the title *Rāmāyaṇa* is never used in the TV, the name Vālmīki appears there together with Dvaipāyana[92] as Kumārila discusses the *Mahābhārata* (which he calls '*Bhārata*') and other texts of the subcategory of *smṛti*s, i.e. *itihāsa*s. In our discussion, Kumārila only generally refers to Rāma's story, recalling the episode of the last *kāṇḍa* of the *Rāmāyaṇa*, absent in the *Rāmopākhyāna*[93]. Therefore, one might wonder whether perhaps the *Raghuvaṃśa* (RV) was a more direct source of the episode (or at least more immediate in Kumārila's memory), than the *Rāmāyaṇa* itself. Kumārila definitely knew the *Abhijñānaśākuntalam*[94], so he might have also been aware of Kālidāsa's retelling of the epic. The reason for such musings is the term he uses for the golden Sītā: *hiraṇmayī*, for the Northern recension of the *Rāmāyaṇa* apparently in all versions uses the term *kāñcanī* in the two places where the text talks about this ritual

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90 Cf. Bühler, Kirste, *Indian Studies. No. 2*, pp. 7–21.

91 Cf. John Brockington, Mary Brockington, 'The Development of the Rāmāyaṇa Tradition', in *Development and Spread of the Rāma Narrative (Pre-Modern)*, https://ora.ox.ac.uk/objects/uuid:8df9647a-8002-45ff-b37e-7effb669768b (as of February 2019), p. 26.

92 See the TV ad 1.2.7 (p. 15).

93 On similarities between the *Rāmopākhyāna* and the Northern recension, see: John Brockington, Mary Brockington, 'Development', p. 23.

94 Quoting from it precisely in the TV ad MS 1.3.7 (p. 128) while discussing the fourth *dharma-mūla*.

situation (R 7.82.19[95] and 7.89.04[96]), while *hiraṇmayī* (*jāyā*, here *Sītā*) appears in the *Raghuvaṃśa* (15.61)[97]. However, some two Telugu manuscripts of the Southern recension record not *kāñcanī* but *hiraṇmayī* at R 7.89.04[98], like in the TV, which fits into the arguments for the geographical location of Kumārila-bhaṭṭa somewhere in Central India[99]. That the *Rāmāyaṇa* could have been Kumārila's direct source finds additional support in his quotation of an example of a poetical figure of speech[100] later made famous[101], the source of which, again, is—at least in some manuscript accounts and according to some commentarial testimonies[102]—the *Rāmāyaṇa*[103].

Though it might not seem very significant from the perspective of the successive ages of the story of Rāma in India and abroad, Kumārila's ethical problematics are limited to the Mīmāṃsā's understanding of *dharma* primarily in a ritual or religious setting. Quite significant in this light is the first choice of Rāma's possible dharmic troubles—just one, really, although the *Rāmāyaṇa* textual tradition itself already noted some discomfort about the abandonment of Sītā[104]. But, as we could see, the matter of *tyāga* (abandonment of Sītā) already resurfaced in the refutation section of the TV. At least one of Kumārila's com-

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95 R 7.82.19: *kāñcanīṃ mama patnīṃ ca dīkṣârhāṃ yajña-karmaṇi / agrato bharataḥ kṛtvā gacchatv agre mahā-matiḥ*.

96 R 7.89.4: *na sītāyāḥ parāṃ bhāryāṃ vavre sa raghu-nandanaḥ / yajñe yajñe ca patny-arthaṃ jānakī kāñcanī bhavat*.

97 RV 15.61: *ślāghyas tyāgo 'pi vaidehyāḥ patyuḥ prāg-vaṃśa-vāsinaḥ / ananya-jāneḥ saîvâsīd yasmāj jāyā hiraṇmayī*. See C.R. Devadhar, *Raghuvaṃśa of Kālidāsa*. Ed. with Critical Introduction, English Translation and Notes, Delhi: Motilal Banarsidass, 2005 (1985), p. 295: 'The abandonment of Sītā was praiseworthy in a husband, who occupied the Prāg-Vaṃśa hall of sacrifice, and who had no other wife, had the golden image of Sītā for wife and no other'. Cf. John Brockington, Mary Brockington, 'The Development', p. 38.

98 See *The Vālmīki-Rāmāyaṇa. Critically edited for the first time*, *The Uttarakāṇḍa: the Seventh Book of the Vālmīki-Rāmāyaṇa. The National Epic of India*, critically ed. Umakant Premanand Shah, Baroda: Oriental Institute, 1975, p. 483.

99 Cf. Yoshimizu, 'Tolerance', pp. 320–322.

100 TV ad MS 1.4.4 (p. 290): *rāma-rāvaṇayor yuddham rāma-rāvaṇoyor iva*.

101 By Vāmana as an example of *ananvaya* (*Kāvyālaṅkāravṛtti* 4.3.14).

102 See the data in the apparatus in the critical edition Shah, *Uttarakāṇḍa*, p. 713.

103 Cf. Hermann Jacobi, *Das Rāmāyaṇa: Geschichte und Inhalt nebst Concordanz der gedruckten Recensionen*, Bonn: Friedrich Cohen, 1893., p. 14; Berriedale A. Keith, *A History of Sanskrit Literature*, London: Oxford University Press, 1948, p. 44; also Shah, *Uttarakāṇḍa*, p. 713.

104 Cf. for example Scharf, *Rāmopākhyāna*, p. 10.

mentators, Someśvara, subscribes to Kumārila's point of view and moral judgement of the story. In his approach, he has a tendency to summarize episodes, too, suggesting possible dialogues as a means of immediate illustrative reference to narrative episodes. It is also quite remarkable how many times in a few sentences he repeats that Sītā was abandoned by Rāma only because of his fear of people's gossiping. One might say that for Someśvara, a bigger problem was certainly Rāma's *tyāga* rather than his *yāga*. It seems that—against the tradition of *dharma*'s required independence of the emotional aspect of individual human life—some emotional colouring influences the judgment on the situation, and we move from (ritualistic) *dharma* towards more universal ethics.

In general, however, all the examples as well as their explanations focus on a *śruti-smṛti* understanding of *dharma* redefined in the light of Mīmāṃsā ritualistic approach—i.e. as following of rules, injunctions and prohibitions taught originally and supported by the Veda; which seems natural for Mīmāṃsā in that it does not step into the arena of more subjective ethics not bound by rules. For Mīmāṃsā, programmatically, the identification and establishment of the *dharma-mūla*s and *dharma* are at stake. Even if the idea of discussing of the *sant*s of the compound *sad-ācāra*s was triggered by some earlier oppositions (as recorded in ADhS or GDhS) to the *dharma-mūlatva* of *sad-ācāra*s, one might wonder at first how Vedic and epic narratives could be any sources of *dharma*. The explanations of both Mīmāṃsakas seem to provide the answer, especially that these exemplary *sant* figures belong to *śruti* or *smṛti* categories of valid verbal sources in their non-injunctive, *arthavāda* capacity. As they all were construed in the narrative network of dharmic injunctions and prohibitions, everything could and should be covered and explained away in a coherent way, whether by being illustrations of either straightforward adharmic behaviour or adharmic consequences of strong uncontrolled emotions, or by providing opportunities for proper Mīmāṃsā textual analysis and appearing not so controversial in dharmic terms after all.

Abbreviations Used in the Article (for full data see below in Bibliography)

ADhS	*Āpastamba-dharmasūtra*
GDhS	*Gautama-dharmasūtra*
MBh	*The Critical Edition of Mahābhārata*
MDhŚ	*Mānava-dharmaśāstra*
MS	*Mīmāṃsā-sūtra*
NS	*Nyāyasudhā*
R	*Rāmāyaṇa*

RV	*Raghuvaṃśa*
SARIT	Search and Retrieval of Indic Texts (http://sarit.indology.info/)
ŚBh	*Śabara-bhāṣya*
TV	*Tantravārttika*

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