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The origin of an Indian dietary rule: Evidence for a lost Mānava work on Dharma

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Patañjali's *Vyākaraṇa-Mahābhāṣya* contains in its first (Paspasā) Āhnika the following illustration (1.5.14-16):

bhakṣyaniyamenābhakṣyapraṭiśedho gamyate / pañca pañcanakhā bhakṣyā ity ukte gamyata etad ato 'nye 'bhakṣyā iti /

“By restricting things that are to be eaten a prohibition of what is not to be eaten is understood. In the statement ‘five five-nailed [animals] are to be eaten’, it is understood that [animals] different from these are not to be eaten.”

The phrase *pañca pañcanakhā bhakṣyāḥ* looks like a quotation, and indeed it is found in at least three early works. The *Rāmāyaṇa* 4.17.34 reads:

pañca pañcanakhā bhakṣyā brahmakṣatreṇa rāghava / śalyakaḥ śvāvidho godhā śasaḥ kūrmaś ca pañcamah //

The *Mahābhārata* 12.139.66 has:

pañca pañcanakhā bhakṣyā brahmakṣatrasya vai viśaḥ / yadi śāstraṃ pramāṇaṃ te mābhakṣye mānasam kṛthāḥ //

Finally, the Buddhist *Mahāsutasomajātaka* (537) contains the following *gāthā* (no. 58/425):

pañca pañcanakhā bhakkhā khattiyena pajānatā / abhakkhaṃ rāja bhakkhesi tasmā adhammiko tuvaṃ //

None of the surviving Dharma Sūtras contains the phrase *pañca pañcanakhā bhakṣyāḥ*, as far as I am aware. Nevertheless it seems unlikely that Patañjali's *Mahābhāṣya* quoted this phrase from any of the three sources listed above. One is tempted to suspect that both Patañjali and these other three works drew upon an early work on Dharma which has not survived. This agrees with the fact that all these works unmistakably refer to a known and pre-existing rule rather than prescribing a new one. Mbh 12.139.66 goes to the extent of referring to a *śāstra* that is to be taken as authoritative.

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This suspicion is strengthened by Bhartṛhari's remarks in his commentary on the *Mahābhāṣya*, edited by the Bhandarkar Oriental Research Institute under the name *Mahābhāṣyadīpikā*. Bhartṛhari states (Ms 5d1-2; Sw 19.24; AL 15.19-20):

bhakṣyābhakṣyaprakaraṇa idaṃ śrūyate pañca pañcanakhā bhakṣyā iti /

“In the section on what should and what should not be eaten it is heard that ‘five five-nailed [animals] are to be eaten.’”

So Bhartṛhari appears to have known the phrase *pañca pañcanakhā bhakṣyāḥ* as part of a work that contained a section (*prakaraṇa*) on what should and what should not be eaten, i.e., most probably a work on Dharma. This work apparently listed the five five-nailed animals concerned, for Bhartṛhari refers to them a few lines later as ‘the procupine etc.’ (*śalyakādi*; Ms 5d4; Sw 19.28; AL 15.23). This information is not contained in the *Mahābhāṣya*.

What possibly could the work that Bhartṛhari refers to in this peculiar manner have been? Bhartṛhari merely mentions the section (*prakaraṇa*) without bothering to name the work itself. In order to answer this question we may first recall that Bhartṛhari appears to have been a Maitrāyaṇīya. Rau (1980)¹ has shown that most of his Vedic quotations can be traced to the *Maitrāyaṇī Saṃhitā*, *Mānava Śrauta Sūtra* and *Mānava Gṛhya Sūtra*. It seems likely that here too Bhartṛhari refers to a text belonging to this school.

This impression is strengthened and further specified by the fact that Bhartṛhari refers on two other occasions to a ‘section’ (*prakaraṇa*) of an unnamed work; both times the reference can be traced in the *Mānava Śrauta Sūtra*. Both of these references are to ‘the section on modification’ (*ūhaprakaraṇa*). Once Bhartṛhari states (Ms 2d10-11; Sw 8.11-12; AL 7.5-6):

aghasad aghastām aghasann agrabhīṣur akṣann ity ūhaprakaraṇe paṭhyate /

This corresponds to MŚS 5.2.9.6:

haviṣi praīṣe sūktavāke ca adat adatām adan, ghasat ghasatām ghasan, aghasat aghastām aghasan, karat karatām karan, agrabhīt agrabhīṣṭām agrabhīṣuḥ akṣan /

The second time his commentary reads (Ms 3a8-9; Sw 9.3-4; AL 7.20-21):

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tatropakaraṇ evaiṣaṃ mātā pitā bhrātā sanābhisamsargiśabdā ity evamādīny anūhānīti paṭhyate /

This reflects MŚS 5.2.9.7:

¹ See also Bronkhorst, 1981 and 1987.

*mātā pitā bhrātā sagarbhyo ('nu) sakhā nābhirūpam āsamsargi śabdāś cakṣuḥ śrotram
vān manas tvañ medo havir barhiḥ śyenaṃ vakṣa ity anūhyam /*

It is true that Bhartṛhari's quoted words do not coincide fully with those of the Mānava Śrauta Sūtra, but then he quoted only the parts which he considered relevant in his discussion. The circumstance that he quoted from memory² may be held responsible for certain other deviations. None of this changes the fact that no other Śrauta Sūtra or similar work comes as close in its wording to Bhartṛhari's above quotations as does the *Mānava Śrauta Sūtra*.

Arguments in support of a once existing but now lost Mānava Dharma Sūtra have been collected by G. Bühler³ (1886: xxi f.; 1882: xviii f.). Bühler's strongest argument is based on Vāsiṣṭha Dharma Sūtra 4.5-8, which reads:

*pitṛdevatātithipūjāyām apy eva paśuṃ hiṃsyād iti mānavam //5//
madhuparke ca yajñe ca pitṛdaivatakarmaṇi /
atraiva paśuṃ hiṃsyān nānyathety abravīn manuḥ //6//
nākṛtvā prāṇināṃ hiṃsām māmsam utpadyate kvacit /
na ca prāṇivadhaḥ svargyas tasmād yāge vadho 'vadhaḥ //7//
athāpi brāhmaṇāya vā rājanyāya vābhāgatāya mahokṣānam vā /
mahājaṃ vā paced evam asmā ātithyaṃ kurvanti //8//*

Bühler (1882: 26-27; with slight variations 1886: xxxi) translates:

5. The Mānava (Sūtra states), 'Only when he worships the manes and the gods, or honours guests, he may certainly do injury to animals.'
 6. 'On offering a Madhuparka (to a guest), at a sacrifice, and at the rites in honour of the manes, but on these occasions only, may an animal be slain; that (rule) Manu proclaimed.'
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7. 'Meat can never be obtained without injuring living beings, and to injure living beings does not procure heavenly bliss; therefore the (sages declare) the slaughter (of beasts) at a sacrifice not to be slaughter (in the ordinary sense of the word).'
 8. 'Now he may also cook a full-grown ox or a full-grown he-goat for a Brāhmaṇa or Kṣatriya guest; in this manner they offer hospitality to such (a man).'

Bühler is of the opinion (1882: xviii) that "the prose passage from the Mānava, given IV,5, furnishes the proof that the author of the Vāsiṣṭha Dharmaśāstra quotes from a Dharma-sūtra attributed to Manu." Bühler further argues that the particle *iti* at the end of sūtra 8 shows that

² This must account for certain otherwise inexplicable differences between original and quoted versions of the same text. Most notable is Bhartṛhari's description of different names for the same colours in horses and oxen (Ms 1c6-7; Sw 3.14-15; AL 3.7-8):

aśvaḥ karkaḥ śoṇa hema ity ucyate gaus tu śuklo rakto nīla iti /

This is a muddled version of Mbh 1.251.5-7 (on P. 1.2.71 vt. 4):

*samāne rakte varṇe gaur lohita iti bhavaty aśvaḥ śoṇa iti / samāne ca kāle varṇe gauḥ kṛṣṇa iti bhavaty aśvo hema
iti / samāne ce śukle varṇe gauḥ śveta iti bhavaty aśvaḥ karka iti /*

³ For a survey of opinions on this matter before Bühler, see Beaman, 1895: 2-4.

the quotation from the Mānava extends up to that point. And indeed, sūtra 6 is a verse that again occurs in the surviving *Manusmṛti* 5.41, while the verse that constitutes sūtra 7 occurs in a modified form at *Manusmṛti* 5.48.⁴ This modification is not without interest for it has been effected “in such a manner that the permission to slaughter animals at sacrifices has been converted into an absolute prohibition to take animal life.” Regarding sūtra 8, which is again in prose, Bühler conjectures that “it is quite possible that, though belonging to the passage from the Mānava-sūtra, it contains a Vedic text, taken from some hitherto unknown Brāhmaṇa which Manu adduced in support of this opinion. Summing up, Bühler (1882: xix-xx) states:

Sūtra 5 would give the original rule of the author of the Mānava in an aphoristic form; Sūtras 6-7 would repeat the same opinion in verse, the latter being probably Śloka current among the Brāhmanical community; and Sūtra 8 would give the Vedic authority for the preceding sentences. This arrangement would be in strict conformity with the plan usually followed by the authors of Dharma-sūtras. But whether Sūtra 8 contains a second original aphorism of the Mānava Dharma-Sūtra or a Vedic passage, it seems indisputable that the author of the Vāsiṣṭha Dharma-sūtra knew a treatise attributed to a teacher called Manu, which, like all other Dharma-sūtras, was partly written in aphoristic prose and partly in verse.

Bühler further maintains (1882: xviii) that “other quotations [from Manu in the VDHS] show that the Mānava Dharma-sūtra contained, also, verses, some of which, e.g. [VDhS] XIX,37, were Trishṭubhs, and that a large proportion of these verses has been embodied in Bhṛgu’s version of the Manusmṛti.”

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These arguments have been challenged by P. V. Kane (1968: 101 f, 146 f.), who is followed by Derrett (1973: 31). Kane thinks that there “is hardly anything to show that [VDhS 4.5] is a direct quotation from Manu and not a summary of Manu’s views” (p. 102). Regarding VDhS 4.8 Kane observes: “There is nothing to show that it is ... taken [from the Mānavadharmasūtra].” Kane further points out that there “are only two places in Vasiṣṭha where the name of Manu occurs for which it is not possible to point out a corresponding verse in the Manusmṛti. They are Vas. 12.16 and 19.37. ... Besides these two ... there are about forty verses that are common to the Vas. Dh. S. and the Manusmṛti and about a dozen verses which, though not strictly identical, are more or less similar. There are several prose sūtras of Vas. which correspond to the verses of Manu almost word for word.” (p. 102-03). Kane concludes (p. 103): “The hypothesis that commends itself to me is that Vas. contains borrowings from the Manusmṛti *or its purer ancient original in verse.*” (my italics)

It can be seen from the above that not even Kane denies the existence of a predecessor of the *Manusmṛti*. Indeed, he concludes his exposition of this matter with the words (p. 149): “the theory that the Mānavadharmasūtra once existed and that the extant Manusmṛti is a recast

⁴ *nākṛtvā prāṇinām hiṃsām māṃsam utpadyate kvacit / na ca prāṇivadhaḥ svargyas tasmān māṃsam vivarjayet*
//

of that sūtra must be held not proved.” His arguments show that in particular *the presence of prose sūtras* in the predecessor of the *Manusmṛti* is considered ‘not proved’.⁵ What is more, Kane himself (1968: 311) “hazard[s] the conjecture that the author of the *Manusmṛti*, whoever he might have been, combined in his work the information contained in ... two [earlier] works on *dharma* and *arthaśāstra* and supplanted both the earlier works.” And on p. 344 Kane finds reason to think that it “is not unlikely that instead of there being two works there was one comprehensive work embodying rules on *dharma* as well as on politics [which was] finally recast probably by Bṛghu.”

Whether we agree with Bühler in thinking that the predecessor of the *Manusmṛti* consisted of both prose and verse⁶ or with Kane who [128] holds that it contained only verse,⁷ either way we have reason to assume that the phrase *pañca pañcanakhā bhakṣyāḥ* was part of it. This phrase fits well in an *anuṣṭubh* metre, as its inclusion in the ślokas of the *Rāmāyaṇa* and *Mahābhārata* (cited above) shows. As a matter of fact it is far from improbable that the verse contained in the *Rāmāyaṇa* remained very close to its original in the Mānava work on Dharma. Bhartṛhari specifies the animals concerned, as we have seen, as ‘the porcupine etc.’ (*śalyakādi*), where only the *Rāmāyaṇa* puts the śalyaka first in its enumeration, unlike the other texts cited in the Appendix below.

There is another reason to think that the verse Rām 4.17.34 was almost verbatim taken from a Mānava treatise on Dharma. The two chapters Rām 4.17-18⁸ belong together and embody an accusation and subsequent defence of Rāma’s killing of the monkey Vālin, brother of the monkey-king Sugrīva. The defence contains a verse (Rām 4.18.30) that is identical with Manu 8.318,⁹ so that the suspicion arises that both these chapters drew upon the teachings of the Mānava work on Dharma then known.

If the above considerations are correct we can conclude that the phrase *pañca pañcanakhā bhakṣyāḥ* occurred originally in a work on [129] Dharma belonging to the Mānavas, and that this work was still known to Bhartṛhari (5th century A.D.). This does not necessarily imply that our *Manusmṛti* did not yet exist at that time. The *Manusmṛti* in its

⁵ Kane’s idea that only the southern Sūtracarana of Baudhāyana, Āpastamba and Hiranyakeśin originally felt the need for composing Dharma Sūtras has been disputed by Ram Gopal (1983: 51-52),

⁶ Towards the end of the surviving portion of the Bhartṛhari’s commentary there is a remark which creates the impression that Bhartṛhari was familiar with a *Mānava Dharma Sūtra*. It reads (Ms 98b2-3; AL 281.13-15): *īśvaravacanam dṛṣṭam evārtham vadhādim uddīśyānutiṣṭhati dharmasūtrakārāṇām tv adṛṣṭam artham idam bhakṣyam idam abhakṣyam /*

However, the fact that the passage of the Bhāṣya commented upon (1.115.1 on P. 1.1.47 vt. 1) contains the word *dharmasūtrakārāḥ* prevents us from drawing conclusions from Bhartṛhari’s use of this word rather than *dharmasāstrakāra* or the like.

⁷ If there was more than one predecessor, the one which concerned Dharma is of course only relevant here.

⁸ Jacobi (1893: 128) and Hopkins (1901: 19 fn. 1) considered these chapters a later interpolation. Srinivasan (1984: 1: 129 f.) argues that they are not, but tends to think that Rām 4.17.33-35 (which includes our verse 34) are ‘growth’ (p. 148-49) without giving decisive arguments. Hopkins argued that chapters 17 and 18 were inserted in order to defend the actions of the in the meantime divinized hero, assuming that Rāma was not divine in the original *Rāmāyaṇa*. But Pollock (1984) has now defended the opposite point of view, that Rāma was divine already in the original version of that epic.

⁹ Also with V DhS 19.45, but this must be later than the Mānava work on Dharma; see above. Note that a number of Mss of the *Rāmāyaṇa* have this verse followed by another one also found in Manu (8.316) and calls these two verses *manunā gītau śloka*.

present shape is known to be a work not confined to one Vedic school,¹⁰ which may have made it somewhat suspicious to the true Mānavas who preferred to use their old and more sectarian treatise instead. The disappearance of the Mānavacaraṇa¹¹ may have brought about the loss of this old Mānava text on Dharma. Note in this connection that a number of later authors still quote verses of ‘the old Manu’ (*vṛddha manu*) and ‘the great Manu’ (*bṛhan manu*) (Kane, 1968: 345, 349), which are not found in our *Manusmṛti* and which may have belonged to the older Mānava text.¹²

APPENDIX

Passages dealing with five-nailed animals and referred to in Lüders, 1907 and/or the note in the critical edition of *Mahābhārata* 12.139.66.

1. *Āpastamba Dharma Sūtra* 1.5.17.37:

pañcanakhānām godhā-kacchapa-śvāviṭ-charyaka-khaḍga-śāśa-pūtikhaṣa-varjam /

2. *Baudhāyana Dharma Sūtra* 1.5.131:

*bhakṣyāḥ śvāviḍ-godhā-śāśa-śalyaka-kacchapa-khaḍgāḥ khaḍgavarjāḥ pañca
pañcanakhāḥ /*

3. *Gautama Dharma Sūtra* 17.25:

pañcanakhāś cāśalyaka-śāśa-śvāviḍ-godhā-khaḍga-kacchapāḥ (abhakṣyāḥ 32)

4. *Manusmṛti* 5.18:

*śvāvidham śalyakam godhām khaḍga-kūrma-śāśāṃs tathā /
bhakṣyān pañcanakheṣv āhur anuṣṭrāṃś caikatodataḥ //*

5. *Mārkaṇḍeya Purāṇa* 35.2cd-3ab:

*śāśakaḥ kacchapo godhā śvāvit khaḍgo ‘tha putraka //
bhakṣyā hy ete tathā varjyau grāmaśūkarakukkuṭau /*

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6. *Vāsiṣṭha Dharma Sūtra* 14.39-40:

śvāvic-chalyaka-śāśa-kacchapa-godhāḥ pañcanakhānām bhakṣyāḥ /

¹⁰ In point of fact, there are a number of disagreements between our *Manusmṛti* and the *Mānava Gṛhya Sūtra*. See Jolly, 1879: 81-82; 1885: 36-37; Kane, 1968: 310 f.

¹¹ Kane (1968: 149) states: “Viśvarūpa who is generally identified with Sureśvara, the pupil of Śaṅkara, remarks that the Mānavacaraṇa is not existent (or found). ... ‘na ca mānavādicaraṇopalabdhir asti’ p. 18 of Viśvarūpa’s comment on *Ācāra* section [of the *Yājñavalkyasmṛti*].”

¹² Lingat (1967: 108) tends to think that these quotations belong to amplified versions of our *Manusmṛti*.

anuṣṭrāḥ paśūnām anyatodantāś ca /

7. *Viṣṇusmṛti* 51.6:

*śāsaka-śalyaka-godhā-khadga-kūrma-varjaṃ pañcanakhamāṃsāsane saptarātram
upaviśet /*

8. *Yājñavalkyasmṛti* 1.176:

*bhakṣyāḥ pañcanakhāḥ sedhā-godhā-kacchapa-śalyakāḥ /
śāśaś ca matsyeṣv api hi simhatuṇḍakarohitāḥ //*

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ABBREVIATIONS

- AL Abhyankar and Limaye's edition of Bhartṛhari's *Mahābhāṣya Dīpikā*
- Mbh *Mahābhāṣya*
- MBh *Mahābhārata*
- Ms Manuscript of Bhartṛhari's *Mahābhāṣya Dīpikā*
- MŚS *Mānava Śrauta Sūtra*
- Sw Swaminathan's edition of Bhartṛhari's *Mahābhāṣya Dīpikā*
- VDhS *Vāsiṣṭha Dharma Sūtra*