CHAPTER TWO

‘DISTRESS’ IN THE LITERATURE ON DHARMA AND ARTHA

This chapter proceeds in two sections. The first explores the notion of ‘distress’ (āpad, vyasana, kṛcchra) in the dharmaśāstra tradition, tracing its development from the early dharmasūtras through to the dharmaśastras and paying particular attention to its representation in Manu. In the second I explore the topic as it is found in the Arthaśāstra, the oldest and most important representative of the arthaśāstra tradition.¹

It is clear that the texts of the ĀdhP arise from a similar cultural milieu as is represented in the genres of dharma- and artha-śāstra, and share much in common with them. This is especially true of the MS and the KA. If it could be said that the MS and KA represent a convergence between the traditions of dharma- and artha-śāstra,² par-

¹ By the ‘arthashastra tradition’, I mean the tradition of ‘the science of politics and administration’, which was also often referred to as niśśāstra, đanvantī, rājaśāstra and so on. See R.P. Kangle, The Kautiliya Arthaśāstra, 3 vols, Delhi: Motilal Banarasidass, 1986 (¹1960-5), vol.3, p.3; cf. P.V. Kane, History of Dharmaśāstra: ancient and medieval religious and civil law, 5 vols, Poona: Bhandarkar Oriental Research Institute, 1930-62, vol.1, pp.149ff. (from here on HDhŚ).

particularly in their concerns for rājadharma, jurisprudence and contract law,3 in some respects the didactic books of the Mbh exhibit this convergence even more so. However, while it is certain that the ĀdhP, MS and KA are concerned with closely related conceptual fields and arose from similar cultural backgrounds, the texts do not deal in an identical manner with the problems with which they are concerned. Accordingly, there is a considerable difference in the approach of each textual tradition to the theme of ‘a time of distress’.

There is no comprehensive study of the topic of distress in its various guises in Indian literature, and the present study does not aim to fill this gap. This chapter elucidates the notions and problems that circulate around ‘āpad’ as they are dealt with in texts which provide a background to understand the ĀdhP’s handling of āpaḍdharma. The traditions represented particularly by the MS and the KA bear a close relationship to the ĀdhP, making these texts the principal focus throughout this chapter. We begin with the dharmaśūtras, late vedic texts that, though only briefly dealing with the problem of conduct in times of distress, reveal it in its nascent form.

2.1 From the dharmaśūtras to the dharmaśāstras

2.1.1 The dharmaśūtras

The dharmaśūtras of Gautama, Āpastamba, Baudhāyaṇa and Vaśiśṭha, the oldest extant texts of the dharmaśāstra tradition, consist of normative precepts intended to instruct individuals in their dharma.4 They prescribe proper behaviour, particularly as it re-


3 Compare especially MS 7-9 and KA 3-4. For the relationship between the two, see n.2 above. Kangle (“Manu and Kauṭilya”) and Olivelle (“Manu and the Arthaśāstra”) both suggest that, in some instances, the MS is directly dependent on the KA.

4 For overviews of the dharmaśūtras, see Derrett, Dharmaśāstra and Juridical Literature, pp.28-31; Lingat, The Classical Law, pp.18-72; Kane, HDhs, vol.1, pp.18-112. Given its similarity to the ĀdhS, I do not include the dharmaśūtra of Hiranyakasipu in this discussion (see Lingat, ibid., p.23; Kane, ibid., pp.91ff.).

The dates of the dharmaśūtras are not settled. Those proposed by Kane in his HDhs are followed by some (see e.g. Lingat, The Classical Law, p.28 and Derrett, Dharmaśāstra and Juridical Literature, pp.28-31). Kane’s dates are: GDhs 600-400 BCE (HDhs, vol.1, pp.34-6), BDhs 600-300 BCE (pp.52-3, note that this date was revised from the first edition’s 500-200 BCE), ĀdhS 450-350 BCE (p.70, first edition