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Dharmaśāstra vis-à-vis Mokṣaśāstra: The Special Position of the Veda in the Philosophies in India

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Abstract

The principal philosophical systems of India are divided into two branches: āstika and nāstika. This division, however, is basically religious, not philosophical or logical. Whatever might have been the original meanings of these two terms, so far as Indian philosophical literature is concerned, āstika means Veda-abiding and nāstika, non-Veda-abiding. This is an instance of the intrusion of Dharmaśāstra into Mokṣaśāstra: the rules of religious law operating on what was claimed to be the science of freedom (mokṣa/mukti). Thus, religious law had its position asserted and the materialists along with the Jains and the Buddhists were declared to be outside the Vedic fold.

Keywords: Āstika, Dharmaśāstra, Mokṣaśāstra, nāstika, Veda

Dharmaśāstra vis-à-vis Mokṣaśāstra: La posición especial del Veda en las filosofías de la India

Resumen

Los principales sistemas filosóficos de la India se dividen en dos ramas: āstika y nāstika. Esta división, sin embargo, es básicamente religiosa, no filosófica o lógica. Cualquiera que haya sido el significado original de estos dos términos, en lo que respecta a la literatura filosófica india, āstika significa veda y nāstika, no veda. Este es un ejemplo de la intrusión de Dharmaśāstra en Mokṣaśāstra: las reglas de la ley religiosa que operan sobre lo que se decía que era la ciencia de la libertad (mokṣa / mukti). Así, la ley religiosa tuvo su posición afirmada y los materialistas junto con los jainistas y los budistas fueron declarados fuera del redil védico.

Palabras clave: Āstika, Dharmaśāstra, Mokṣaśāstra, nāstika, Veda

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āstika and nāstika

The words, āstika and *nāstika*, and their derivatives and cognates are often used for the philosophical systems in India. These words do not occur in the Vedic Saṃhitās. *Nāstikya* appears only once in the late *Maitrāyaṇīya Upaniṣad* (*MaiUp*) 3.5. Another word, unique in the whole of Upaniṣadic literature, is *avaidika*, ‘non-vedic,’ occurring in the same work (7.10). This is the first indication of a division made between two traditions – Vedic and non-/anti-Vedic. The *MaiUp* (7.8) offers an interesting record of what is meant by non-vedic.

Here is a rich field for the study of heresiology from the brahmanical point of view. Several heretical doctrines advocated by their followers are mentioned. The list includes Buddhism (*kaṣāya-kunḍalina*), śakti-worship (*kāpālina*), cults around popular beliefs in ghosts and goblins and other supernatural evil beings (*yakṣa-rākṣasa-bhūta-gaṇa-piśāca*, etc.). At the same time, members of some professional groups, such as dancers and actors (*naṭa...raṅgāvatāriṇa*), employees engaged in king’s business (*rājakarmanī*), that is, government servants (or those degraded to royal service), are also included for no obvious reasons. N. Tsuji says: ‘Can one find, for instance, in any great Upaniṣad such an unreserved attack on false doctrines, including most probably Buddhism, as in the *Maitrāyaṇīya Upaniṣad* 7:8-10?’ (qtd. S. Bhattacharji 2:180). The list covers all sorts of people who are also condemned in the brahmanical Dharmaśāstras.

A similar list of ‘false views,’ this time from the Buddhist point of view, is found in ‘The Sixty-two Kinds of Wrong Views,’ in the ‘Perfect Net Sutta,’ *Long Discourses* (‘Brahmajāla Sutta,’ *Dīgha Nikāya* 1.1). Much later, a comparable list of nearly fifty sorts of heretics, this time from the Jain point of view, is given in Siddharṣi (tenth/eleventh century CE)’s *An Allegorical Tale of the World* (*Upamiti-bhava-prapañcā-kathā*, hereafter *UBhPK*), pp. 547-48. Only a handful few of the cults survive in their old names; most of them perhaps disappeared in the course of time or merged with other cults. Their identity, or even the literal meaning of some such communities, cannot be deciphered with certainty. They do not occur anywhere else in the whole of Sanskrit literature. (For a survey of these sects see Jacobi’s Introduction to the *UBhPK*, pp.xxvii-xxxv).

In order to combat scepticism, besides having resort to verbal testimony (śabda, āptavākya), as the authority of Yama is invoked in the *Kaṭha Upaniṣad* (*KathUp*),¹ the concept of Knowledge (*vidyā*) was held up in the

Upaniṣads as something to be sought and attained, which would lead to freedom (*mukti*, *mokṣa*).

With a view to establishing the need for freedom, belief in the existence of the Other World was necessary; it was the pre-condition for the attainment of freedom. This is how in the Upaniṣads, Knowledge was to replace Sacrifice, the basic plank of the Vedic religion. Thus, *nāstika* came to refer to the disbeliever in the Other World as hinted at in the *Kaṭha Upaniṣad* 1.2.20. The doubting Naciketas asks Yama, the Lord of the World of the Dead:

‘this constant doubt about a man departed –

Some say he is, and others say he is not –

this do I wish to know of thee (Yama) . . .’ (Roby Datta’s trans. 1983 p.21)

The derivation of *astika* and *nāstika* was most probably from this source.

āstika and nāstika in Pāṇini and after

It should be remembered that although Pāṇini refers to the origin of the āstika, the *nāstika* and the *daiṣṭika* (*Aṣṭādhyāyī* 4.4.60) there is no indication of whose existence or non-existence he had in mind. Many centuries later two Buddhist commentators of the *Aṣṭādhyāyī* explained the words in terms of having belief and no belief in the Other World. However, as yet there is no indication that the belief would be in anyway related to the Veda as also the reviler of the Veda (as in *Manu* 2.11). Moreover, whatever be the date of the *Aṣṭādhyāyī* all the philosophical systems had certainly not evolved by Pāṇini’s time. It is clear from the commentaries and sub-commentaries that all the three words derived from *asti*, *nāsti*, *diṣṭa* refer to individuals holding such views, rather than the philosophical systems subscribing to them. Most of the references concerning *nāstikas* in the Dharmaśāstras, too, refer to persons rather than any philosophical systems. The occurrence of these words in the *Vālmiki Rāmāyaṇa* vulgate 2. 109 should not detain us, for the passages that contains them have been proved to be later additions (see crit. ed. Additional Passage 2241* lines 21-26 and 2241 (B)* and R. Bhattacharya 2016b pp.185-204 for further details).

All this shows that both āstika and *nāstika* originally belonged exclusively to the domain of Dharmaśāstra. Over time they were made to intrude in a different domain, not at all related to Dharmaśāstra. From the time

darśana was declared to be Mokṣaśāstra, a neat one-to-one correspondence between the four aim(*varga*)s of life and the four śāstras has been worked out. Each śāstra claimed to be the supreme one in so far as it involved the most important aim of life.

This was not the case when Vātsyāyana's *Kāmasūtra* was redacted. He knew of only three *vargas* (1.2.51). So the equation between *darśana* and Mokṣaśāstra must have been made some time after the 400 CE. Thus *darśana*, originally a secular discipline, became an instrument of achieving freedom, a concept related to theology, not philosophy.

The idea of freedom, however, differs from one philosophical system to another. Vedānta, for example, would not care to accept the state of freedom acknowledged by Nyāya-Vaiśeṣika. One devout Vaiṣṇava is said to have declared: 'I would rather move in beautiful Vṛndāvana as a jackal but will never pray for the freedom of the Vaiśeṣikas' (*varāṃ vṛndāvane rāmye śṛgālatvaṃ vrajamyaham/ na tu vaiśeṣikīṃ muktīṃ prārthayāmi kadācana*. Qtd. Tarkavagisa 1978 p.7). The concept of heaven in the Mīmāṃsā system has nothing in common with that of any other. It is heaven rather than freedom that the Mīmāṃsakas cherished.

Gradually in the philosophical literature, too, *nāstika* came to mean primarily the reviler of the Veda, an idea that had originated with the religious law-makers. It was taken over by the Veda-abiding philosophers as well. Dharmaśāstra thus came to assail Mokṣaśāstra, a name given to *darśana* as a whole (of course the pro-Vedic systems only). What is often forgotten is that the second meaning of *āstika* did not affect the Jains and the Buddhists. Even though, along with the materialists, they were branded *nāstikas* by the Vedists, Jain and Buddhist philosophers continued to use the two words in the old sense: so much so that, even as late as in the eighth century CE Haribhadra declares the Jain and the Buddhist systems as *āstikavādins* (*Ṣaḍdarśanasamuccaya* verse 78d) along with Nyāya-Vaiśeṣika, Sāṃkhya and Jaiminiya (Mīmāṃsa) *mata*(view)s. By *nāstika* they all meant the materialists and the materialists alone (for instance, Śāntarakṣita, *Tattvasaṅgraha* 22.1871: *nāstikatā*; Hemacandra, *Anyā-yoga-vyavecheda-dvātriṃśikā* verse 20: *nāstika*). *Nāstika-śiromaṇi*, the crest jewel of the *nāstikas*, in Sāyaṇa-Mādhava's *Sarvadarśanasamgraha* chap.1, however, could have been used in either of the senses, disbeliever in the Other World and anti-Vedic.

Objections to the *āstika/nāstika* scheme

Several objections have been raised concerning the *āstika/nāstika* division. First, the question of adhering to or reviling the Veda goes against etymology. Admittedly meanings of words change, the etymology may be forgotten. 'But instances are perhaps rare where the meaning of a word is fixed, in total disregard to etymology, just on the whim of an individual', i.e., Manu (Gangopadhyaya 1990 p.16). Second, the division originates from a non-philosopher. 'Manu is after all a law-giver and not a philosopher. Unlike the philosopher, the law-giver may not be concerned with an essentially rational approach to reality. Rather he is interested in the security of a social structure which he considers to be the most desirable and ideal' (ibid.). Third, the division is based on the scripture of a particular religion, Brahmanism 'What would be the situation if the similar principle is adopted for classification by other religions or systems also? If the *Carvaka*-s urged that the only criterion for being *astika* is faith in the *Bṛhaspati-sutra*, what would be the fate of the other systems?' (ibid p.17). Fourth, is the veneration for the Veda genuine or fake? Instances have been cited from the Sāṃkhya and the Nyāya-Vaiśeṣika systems that 'apparent piety' has been grafted to philosophical enquiries presumably to avoid the censure of the law-givers (ibid pp.18-20).

In view of all this, the *āstika/nāstika* division appears to be prompted by considerations other than philosophical.

tarka and heresy

In the brahmanical tradition the role of *tarka* (argument) was not denied or discounted, but it was recommended with a proviso: it must not be inconsistent with the Vedas and *Smṛtis*.² The mention of the latter (śāstra) is to be noted well, for it involves not only the world of ideas but also the customs to be observed in social life.

The reason for bracketting all non-vedic doctrines along with the outcasts and other condemned social groups in the *MaiUp* is not known. Its commentary by Rāmātīrtha is not of any use in this regard. But more interesting is the description of the arch-heretic:

Thus the text says: Erring because of the sophisms, false illustrations and the grounds of the doctrine that holds there is no *atman*, the world does not know what the conclusion of Vedic wisdom is. (*MaiUp* 7.8)[van Buitinen's trans.]

vrthā-tarka-drṣṭānta-kuhakendrajālair vaidikeṣu paristhātum icchanti taiḥ saha nairātmavāda-kuhakair mithyā-drṣṭānta-hetubhiḥ... na jānāti veda-vidyāntarantu yāt.

The word *kuhaka* used twice is highly significant. Apparently, the doctrines of rationalism and infideism were already posing a grave threat to the Vedists, for a section of the people, whatever might have been their number, was being drawn to them and getting convinced in the inefficacy of performing what they considered to be nonsensical rituals. These doctrines were working like magic and getting hold over the mind of the people. The list of heretics, a medley of all sorts of social outcasts, entertainers, and followers of popular cults (the so-called ‘Little Tradition’), includes all those heterodox groups and heretics whose very existence was a matter of great concern to the orthodox Vedists. The opponents of the Vedic tradition were generally clubbed together; they were called *nāstika*, *pāṣaṇḍa* (*pākhaṇḍa*), *haituka* (*hetuka*), etc.; in one word, *avaidika* (as in the *MaiUp*). (For details see Squarchini)

It is no wonder, therefore, that the Dharmaśāstras (Books of Religious Law) consider *nāstikya* as a lapse (*pātaka*). The *Manu*-, *Yājñavalkya*- and *Viṣṇu-Saṃhitā*s in particular, call *nāstikya* a lapse, albeit minor (*upapātaka*).³ While explaining the lapse involved in reviling the Veda and forgetting the Veda (along with giving false evidence). *Manu* 11.56 considers all of them as lapses similar to drinking intoxicating beverage (*surā*), which is a major lapse. Apparently, an *upapātaka* can be and presumably was treated as a *mahāpātaka* too.

***nāstika* in Dharmaśāstra literature**

The commentators of the *Manu* were not sure what exactly was meant by *nāsti*, ‘(it) exists not’. Medhātithi, Kullūka, Govindarāja and others offer several explanations: a *nāstika*, for instance, is a non-believer in the Other World, a reviler of the Veda, a denier of the doctrine of *karman* and its effects, etc. (see the glosses on *Manu* 11.65 in Dave 6:62-63). The word had already become polysemous, related to both theology and philosophy. Sometimes the same commentator offers alternative meanings while glossing *nāstika* or any of its derivatives (e.g., Govindarāja on *Manu* 2.11: ‘a firm denier of the Other World, [and] a reviler of the Veda,’ *nāsti paralokādi rityevam stithaprajñāḥ vedanindako*). Two commentators, Rāghavānanda and Nandana, for reasons best known to them, refrained from explaining *nāstika* in *Manu* 2.11.

Yājñavalkya 3.228 too considers reviling the Veda and forgetting the Veda after knowing and studying it, as a lapse similar to the killing of a brahmana, which, like drinking intoxicating beverage, is a major lapse. So, *nāstikya* is treated not so much as one of the forty nine minor lapses (*anupātakas* and *upapātakas* enumerated in *Manu* 11.60-67). It would be rewarding to follow the glosses on *nāstika* and its cognates in the *Smṛti* texts and the commentaries thereon, if only the works could be reliably dated and preferably localized (in which part of the Indian sub-continent they were written) with a considerable degree of certainty.

Let it be noted in this connection that the commentators were not overtly interested in philosophy as the text too was not. Nevertheless, *hetuka* in *Manu* 4.30 is a person ‘not fit to be honoured’ whereas in 12.111 he is one who must be a member of the *Pariṣad*. In the *Yājñavalkya-smṛti* 3.301 a *hetuka* is one well versed in the principles of *Mīmāṃsā* and the *śāstras*. To Medhātithi *hetuśāstra* is *nāstika tarkaśāstram bauddha-cārvākādi śāstram* (on *Manu* 2.11). It is repeatedly proclaimed in this *śāstra* that the Veda is conducive to demerit (*Vedo’dharmāya*). Medhātithi also explains *haituka* in *Manu* 1.129 as ‘one who creates doubt everywhere with the strength of reason (*yuktivalena*)’.

Not all translators of the *Manu* (Georg Bühler and Ganganatha Jha, for instance) paid much attention to the several meanings of *nāstikya*; some of them take it to mean ‘atheism’ and nothing else. The fact is that in all the old commentaries it is either the denial of the existence of the Other World (as in *Vāmana* and *Jayāditya*’s *Padamañjarī* and the *Nyāsa* on the *Aṣṭādhyāyī*) or that of the authority of the Veda (as in *Manu* 2.11) or both (For a fuller discussion see R. Bhattacharya 2009/2011, pp.227-231). Atheism is a later concept, not much relevant in relation to the general picture of lapse and atonement so elaborately itemized in the Dharmaśāstras. Only two commentators of *Manu*, Kullūka and Mañirāma, explain *nāstikya* as denial of the doctrine of *karman* (glosses on *Manu* 11.65 in Dave 6:62-63).⁴

Lastly, despite the very widespread notion that *Manu* 2.11 provides a definition of the *nāstika* (Nicholson 2015 p.168), it is to be observed that *nāstiko vedanindakaḥ* can very well be explained as two different adjectives of the twice-born, that is, he is both a denier (of the Other World) as well as a reviler of the Veda. While studying the Dharmaśāstras and their commentaries we come along a host of words that are conceptually related to one another, although not semantically identical in all respects. They are

employed in connection with *nāstika* and its derivatives in several Dharmaśāstras.⁵

Reading heretical texts	<i>asacchāstrādhigamaṇa</i>
Heterodox logical and philosophical doctrines	<i>kudṛṣṭi-s</i>
Cārvāka, materialist	<i>cārvāka</i>
Forgetting the Veda after studying it	<i>jñeyam-adhitasya-ca nāṣana</i>
He who says 'no' (to the Other World and/or the Veda)	<i>nāstika</i>
One who earns his livelihood from a <i>nāstika</i>	<i>nāstikavṛtti</i>
Denier of the Other World	<i>paralokāpavādin</i>
Heretic, heterodox	<i>pāṣaṇḍa/pāṣaṇḍin</i>
Forgetting the Vedas	<i>brahmajjhātā</i>
Reasoner and/or Materialist	<i>lokāyata/lokāyatika</i>
Reviler of the Veda	<i>vedanindaka</i>
Relinquishing the study of Veda and performance of Vedic rituals.	<i>svādhyañyāgni-tyāga</i>
Reasoner (not adhering to the Veda and Smṛti)	<i>haituka</i>

Not all commentators explain all these terms in the same way. Most probably, they too were not sure what exactly the implication of *nāstikya* was. Sarvajñanāraṇya, for example, explains *nāstikavṛttayaḥ* as those who think there is no effect of karman (*nāsti karmaphalam ityabhimāninaḥ*). However, what emerges from the list and the interpretations is a general denunciation of all sorts of heretical and heterodox doctrines. *Nāstika* is an umbrella term; one who says 'no' to any of the fundamental doctrines of the brahmanical religion (which came to be known in later times as Hinduism) is branded as a *nāstika*. The word has more significations in Dharmaśāstra/Smṛti literature than in *darśana*, where it stands for either 'denier of the Other World' or 'denier of the authority of the Veda'.

Bṛhaspati conspicuous by his absence

Strangely enough, the word *bārhaspatya*, often used in philosophical literature as a synonym of *nāstika*, Cārvāka, and *lokāyatika* (or *laukāyatika*) (see R. Bhattacharya 2013a pp.3-8), is conspicuous by its absence in the Dharmaśāstra/Smṛti literature. Could it be due to the cause that there was a Smṛti work attributed to Bṛhaspati (as there was also an Arthaśāstra text attributed to him, for instance, in the *KA* 1.2.4)? Although the text is now lost, enough fragments are available to show that the author of the *Bṛhaspati-smṛti* was as respectful of *Manu* as expected of any Veda-abiding conformist. The author of this work accepts *Manu* as the highest authority 'because he has embodied the essence of the Veda in his work' (Aiyengar (ed.) 27.3; see also Jolly p. 387). A reference to the

Bṛhaspati-nīti (*nītiṃ bṛhaspatiproktāṃ*) in *Mbh* 3.33.56-57 (critical edition) reveals that the moral teachings of this Bṛhaspati was believed to be congenial to the royalty, so much so that learned brahmanas were employed by kings like Drupada to teach it to his sons (*Mbh* 3.33.56-57 crit. ed.; vulgate 3.32). This *Bṛhaspati-nīti* too has nothing to do with materialism. On the other hand, this Bṛhaspati believed in the doctrine of *karman* and God (*vidhātā*). Jacobi observed, not without some humour: 'The *Nīti*-teachings of Bṛhaspati, which Draupadī expounds in *Mahābhārata* III.32 [vulgate], are at any rate as orthodox as one can wish!' (1911/1970 p.737; 1918 p.104).

This Bṛhaspati was of course not the same Bṛhaspati as the preceptor of the gods, who in some of the Purāṇas misleads the demon (*asura*)s by preaching anti-Vedic doctrines and thereby helps the gods win back their position (for details see R. Bhattacharya 2013c). Evidently there were several Bṛhaspatīs (see Aiyenger Introduction pp. 77-84; Dasgupta 3:531-532) and the redactors of and commentators on the Smṛtis did not wish to confuse their readers by referring to Bṛhaspati while delineating on the *nāstikas*. One single word, *nāstika*, was made to bear the burden of all sorts of heresy and heterodoxy.

Long before the Cārvākas appeared on the scene (c. eighth century CE), there were definitely other materialists, individuals as well as groups, belonging to different schools of materialism, such as Bhūtavāda and Lokāyata, as mentioned in the sixth-century Tamil epic *Maṇimēkalai*, chap.27. Or they might have been individuals, not connected with any materialist school at all. They were normally branded as *nāstikas*, not only by the brahmanical writers but also by the Jains. Saṅghadāsagaṇi (sixth/seventh century)'s *Vasudevahimṇḍī* (The Wanderings of Vasudeva) mentions *nāhiyavādī* (p.169), *natthiyavāī* (p.275) and *nāhiyavādī* (p.329) to suggest a materialist. Haribhadra (eighth century) in his *Samarāiccakahā* too speaks of *nāhiyavādī* (p.164). Āryaśūra, a Buddhist poet, writes of *anāstika* (=āstika): 'How should the believer in the true and rational doctrine commit a deed, which we are sure, neither the denial of causality (*ahetuvādī*), nor the believer in absolute dependence (*paratantra-dṛṣṭiḥ*) nor the non-materialist (*anāstikaḥ*) . . . would perform for the sake of a little glory?' (23.57, p.215). It is not that such names as *lokāyatika* or *bhūtavādin* were not current before the eighth century. They both occur in *Maṇimēkalai* (27.264,273). Much later, in the tenth century, Siddharṣi in his *UBhPK* speaks of a city called Lokāyata in which the Bārhaspatyas reside (*lokāyataṃ iti proktāṃ puram atra tathāparam | bārhaspatyāśca te lokā ye vāstavyāḥ purētra bhoh ||* (Chapter 4, p. 661). These people are said to be

under the influence of false perception (*mithyādarśana*) and wrong views, *kudṛṣṭi* (cf. *Manu* 12.95 that also speaks of *kudṛṣṭayah*).

Guṇaratna (sixteenth century), a Jain scholar, believed that all *darśanas*, whether vedic or non-vedic in essence, were inextricably linked to one religious sect or the other.⁶ He therefore consistently relates the six/seven systems to their corresponding religious sects. Nyāya-Vaiśeṣika belongs to the devotees of Śiva, Sāṃkhya to those of Nārāyaṇa, and Jaiminiya admits no other guru but the Veda. He typecasts the first as follows: they carry staffs, wear loincloth, have matted locks, their bodies are covered with ashes, they display sacred threads, etc. (pp. 49, 266). The followers of Sāṃkhya are Parivrājakas (wandering mendicants); they carry three staves or one (*tridaṇḍā ekadaṇḍā vā*), wear crimson robes, sit on deer skins, etc. (p.95), so do the Jaiminīyas (p.283). Guṇaratna similarly relates the Lokāyatikas to the Kāpālikas (p. 300), apparently because, in his view, every system of philosophy was associated with a religious sect. As his own religion (Jainism) and philosophy were the same, so it was with the Buddhists. Guṇaratna's typecasting might have been true in his own times (although that too is doubtful), but it is utterly unacceptable for later times. Good Vaiṣṇavas have been followers of Nyāya and not all followers of Sāṃkhya are necessarily devotees of Nārāyaṇa.

Moreover, Haribhadra's one-to-one correspondence between the deity (*devatā*) and its principle (*tattva*), as told in verse 2, may not be altogether true. In some cases religious sects beget their own philosophical systems; in other instances, some other philosophical systems have a secular origin, owing nothing to any religious sect. The Cārvāka/Lokāyata is a case in point. Nevertheless, the fact remains that even Sāṃkhya, the most pronounced atheistic philosophical system (in the modern sense of not admitting any God or gods) and perhaps the oldest, admits śabda (verbal testimony) as a valid instrument of cognition (*prāmaṇa*) and regards the Veda as the Word of Words. There is no reference to God in the list of categories in the base text of Nyāya, yet right from Vātsyāyana, author of the first available commentary on the *Nyāyasūtra*, down to the sub-commentators, all place the Veda on a par with perception and inference.⁷ Thus, even though no God or gods/goddesses are necessarily to be obeyed or worshipped by the āstika philosophers and their adherents, adherence to the Veda is *sine qua non* for all āstikas.

The only exception to these Veda-abiding systems, and such non-vedic yet religious (although atheistic) schools are the materialists, who at least from the time of

the Buddha (sixth/fifth century BCE) defied all religious bindings and allegiance to the holy texts, and yet developed a parallel, radical system of philosophy. The base text(s) and the commentaries thereon are not available as yet – everything seems to have disappeared after the twelfth century – but there are just enough fragments to bear testimony to their existence.

The division of the philosophical systems into āstika and *nāstika* in its current commonly cited form is not very old. It is not found before the twelfth century. Kṛṣṇamīśra in his allegorical play, *Prabodha-candrodaya* makes use of this division. His concept of the *nāstika*, however, is *not always* modelled on the new meaning, namely, non-Vedic. Mahāmoha, the king of evil, accuses 'the garrulous āstikas' who deceive the fools by saying what does not exist, exists and revile 'the *nāstikas* who speak the truth'. Mahāmoha then challenges if anyone has seen the soul different from the body (Act 2 verse 17). Here *nāstika* stands for materialism and nothing else. Kṛṣṇamīśra includes among the *nāstikas*, besides the philosophical schools, some religious communities or sects that he considered to be non-vedic (Kāpālikas, for example. Act 2 p.74ff and Act 5 p.126). His mention of Patañjali's '*Mahābhāṣya* and other śāstras' in the list of philosophical schools (Sāṃkhya, Nyāya, Kāṇāda and Mīmāṃsā) contending against the *nāstikas* (Act 5 verse 7) is highly intriguing. Kṛṣṇamīśra, however, treats the *darśanas* as allied to the worshippers of five cults (*pañcopāsanā*), such as, the Vaiṣṇavas, Śaivas, Sauras, Gāṇapatyas and Śāktas (Act 5 p.124). Insofar as the āstika *darśanas* are derived from the Veda, notwithstanding their differences, they can unite to defeat the *pāśaṇḍa agamas*, that include the Lokāyata, which is opposed to both the Vedic and the two non-Vedic systems (*parāparapakṣa-virodhitayā*) (Act 5 p.126).

Sāyaṇa-Mādhava in his doxographical work, *Sarva-darśana-saṃgraha*, too, it seems, followed the new meaning of *nāstika*, not the old. Madhusūdana Sarasvatī offers a neat list of six āstika and *nāstika* systems, each having six members. Previously only three systems, the Buddhists, the Jains, and materialists constituted the *nāstikas*. Madhusūdana Sarasvatī mentions four Buddhist systems of philosophy separately: Śūnyavāda (Mādhyamika), Kṣaṇikavāda (Yogācāra), Vāhyārthavāda (Sautrāntika) and Pratyakṣa-svalakṣaṇa (Vaibhāṣika), all belonging to the Saugata (Buddhist). Then he alludes to Dehātmavāda (Cārvāka), and finally Dehavyatirikta-dehaparīṇāmātmavāda (Digambara Jain): *evam militvā nāstikānām śatprasthānāni* (p.3).

Cimaṇṇabhaṭṭa too speaks of the same six in a different order of arrangement: Cārvāka, Mādhyamika, Yogācāra, Sautrāntika, Vaibhāṣika and Ārhata. His understanding of *nāstika* is that it is non-Vedic (p.89).⁸ Let it be remembered that this new meaning was not accepted by anyone except the Vedists. The Jains and Buddhists continued to use the pair of words in the old, original sense as before.

ṣaṭ-tarkī

However, the concept of *ṣaṭ-tarkī* or *ṣaṇmata* is found much earlier (for further details see Gerschheimer 2007 *passim*). Wilhelm Halbfass (1988) does not speak of it, as he does not care for the āstika-nāstika division. However, this division is of seminal importance. Apart from works of logic and poetics, some inscriptions found both in India and in abroad refer to *ṣaṭ-tarkī*. The first reference to it occurs in Jayantabhaṭṭa's *NM* (Ch.1 p.9). There too we have a distinction made – or at least implied – between those systems adhering to the Veda (Sāṃkhya, Nyāya, Vaiśeṣika) and those denying its authority (Jain, Buddhist, Cārvāka). Even then, the fact remains that long before Jayanta (ninth century) the distinction between the prevalent philosophical systems were current in south India. *Maṇimēkalai* (± 550 CE) records six systems that accept logic, namely Lokāyata, Buddhism, Sāṃkhya, Nyāya, Vaiśeṣika and Mīmāṃsā (27.77-80). The notable absentees, as in many other accounts, are Vedānta, Yoga and Jainism. Since Sīthalai Sāttanār, author of the work, was a devout Buddhist, we are not to expect any division in terms of pro-Vedic and anti-Vedic. The author does not even use the words, āstika and *nāstika*, to signify belief and disbelief in the existence of the Other World or rebirth. The exponent of Lokāyata however, makes his position vis-à-vis rebirth quite clear as does *Maṇimēkalai*, the Buddhist princess (27.74-76). Apparently, the āstika-nāstika demarcation came into vogue later, most probably in or around the eighth century.

Strangely enough, Haribhadra, in spite of being a Jain, uses the term āstikavādinah, 'those who say it exists' (*ŚDSam* v.78, p.299) to denote only four pro-Vedic systems, namely, Nyāya, Vaiśeṣika, Sāṃkhya and Mīmāṃsā. The account of materialism (Lokāyata, also called the view of the Cārvākas in verse 85, begins with: 'At first the own form of the *nāstika* is being said,' *prathamam nāstika-svarūpam ucyate* (p.300)). In all probability Haribhadra took the word *nāstika* to mean a denier of the Other World, not a reviler of the Veda, for the new meaning of *nāstika* would make both Buddhism and Jainism to belong to the *nāstika* category. This is how the Cārvākas right

from the eighth century earned four designations: *cārvāka*, *nāstika*, *bārhaspatya*, and *lokāyata*. Śaṅkara (ninth century) in his gloss on *Kaṭha Upaniṣad* (*KaṭhUp*) 2.3.12 speaks of the *nāstikavādin* (he who says (it) does not exist) and *astitva-vādinah* (those who say (it) exists). The distinction between the two, however, was not introduced by him. It was already current at least a century before.

Materialism vis-à-vis Dharmaśāstra

Although no definite date can be suggested when the division between the āstika and the *nāstika* systems was first made, it continued to be employed in later times. It was in the eighth century when the Cārvāka/Lokāyata had been clearly identified as a *nāstika* system, not only in the brahmanical tradition (either in the sense of its anti-Other World or anti-Vedic credentials, or both) but in the Buddhist and Jain traditions as well. Materialism was isolated and identified as a system of philosophy, whether pre-Cārvāka or Cārvāka, which was to be combated and condemned. The moot question is: how could such terms as āstika and *nāstika*, belonging to Dharmaśāstra, make its way into Mokṣaśāstra, which is another name for *darsana*? Add to this another question: Why such a professedly atheistic system as Sāṃkhya escape censure from the law-makers and continued to be counted among the six orthodox *darsanas*? Of course, there is one mitigating factor: Sāṃkhya never went against the inviolability of the Veda, since it accepted word (śabda) or verbal testimony as an instrument of cognition, which neither the Buddhists and Jains nor the Cārvākas did. The same applies to Mīmāṃsā, a system of philosophy that was thoroughly Vedic and yet atheistic. As to the other systems, although there is no reference to God or gods in the list of categories (*padārthas*) as in Nyāya, rebirth (*pretyabhāva*) was there (see *Nyāyasūtra* 1.1.9), and could therefore be admitted as an orthodox system. The syncretic form of Nyāya-Vaiśeṣika was avowedly theistic (see Gopikamohan Bhattacharya *passim*), as was the other syncretic system, Sāṃkhya-Yoga.

Is there any relationship between the doctrine of rebirth (involving belief in the Other World), adherence to the Veda, and theism? Even if we leave the second out, the relationship between the first and the third is proven by Jayanta's categorical declaration: 'The reply to (the objection against the admission of God raised by) the Bārhaspatyas would simply be the establishment of *paraloka*' (*NM*, Āhnika 3, p. 275. *C/L* p. 156), that is, when the Other World is established, the materialists' objections are automatically rejected/refuted. Such was

not the position of Yama in the *Kaṭha Up* when he, however reluctantly, responded to Naciketa's questions. The threat of rebirth, going back to the abode of Yama repeatedly, is sounded first in this Upaniṣad (*Kaṭha Up* 1.2.6). Whitney perceptively observed that there is no trace of hell in the Hindu religion of this period, 'but to a repeated return to earthly existence. Transmigration, then, is not the fate of all, but only of the unworthy' (p.92).⁹ Later, in the *Mbh* we hear of the fearsome nature of hell portrayed in lurid colours (12.146.18, cf. 12.174.5. See Bhattacharya 2009/2011 p.46). The Purāṇas describe the hell in graphic details.

Was there any special reason – political, religious, or economic – that Dharmaśāstra was made to intrude in the domain of Mokṣaśāstra? Why do the Buddhists and the Jains join the brahmanical writers to attack materialism, whether Pre-Cārvāka or Cārvāka? One common ground of reproaching materialism is that it does not admit the Other World and secondarily, denies the doctrine of *karman*. These two are the main planks, not only of old brahmanism and Purāṇic Hinduism but also of Buddhism and Jainism (irrespective of many differences among themselves). The reason why the concepts of āstikya and nāstikya were foisted on philosophy must have been necessitated by some dire need. But the need was there, and that is why a purely religious issue was introduced in the study of *darśana*, which had been accepted in the framework of the four aims in life (*catur varga*). If Arthaśāstra is to deal with wealth, Kāmaśāstra (in a restricted sense, erotics) with desire, Dharmaśāstra with merit, Mokṣaśāstra would be associated with *darśana*. By cultivating *darśana* one shall earn spiritual freedom and escape from the cycle of rebirth. However, not any kind of *darśana*, but only those that admit the Veda as the Word of Words and the religious law-books, Smṛti as infallible, is to be approved. There were two fronts in which the battle was waging: in one front the materialists were the common enemy against which the brahmanical thinkers along with the Jains and Buddhists had built up a united front; in the second front the materialists, the Buddhists and the Jains were arrayed against all the pro-Vedic systems. Unless the picture is conceived in this way the division of *darśanas* into āstika and nāstika (originally used as substantives but later as adjectives) remains inexplicable.

Vedicization of darsanas

The Vedicization of the *darśanas* was most probably necessitated by the desire to preserve the system of caste

and four stages of life (*Vaṃśa-āśrama-dharma*). The powers that be were threatened by the advent and increase of such 'heretical' communities as the Jain, the Buddhist and, last but not least, the materialists. The one point common to these three was the non-observance of caste rules and even denunciation of the four-fold division of the people into Brahmanas (the priest class), Kṣatriyas (the warrior class), Vaiśyas (the agriculturist and the trading class), and Śūdras (the working people). The maintenance of this social order was the basic need of the ruling power which adhered to brahmanism. The *Itihāsas* (the *Rāmāyāṇa* and the *Mahābhārata*) and the Purāṇas (legendary accounts) had been utilized to preach the merits of this caste system apart from or rather in addition to everything else that made the contents of these works, censure of the heretics constitute the leitmotif of these legendary accounts purporting to glorify the new gods that had come to be worshipped in place of Vedic sacrificial rites, be it Viṣṇu or Śiva or the mother goddess (Devī).

R.C. Hazra was no radical, yet he understood the purpose behind the composition of the Purāṇas better than many. 'In order to warn the people against violating the rules of the *Vaṃśāśrama dharma*,' Hazra said, 'numerous stories have been fabricated to show the result of violation [of the rules of the rites according to each caste and each state of being]' (1940 pp.234-235. Emphasis added.)

The *darśanas* too were made to toe this line. What was enforced was, however, not the devotion to any god or goddess but to the Veda itself. By the time the philosophical systems had been given their shapes in *sūtra* form (the base text) that opened room for further commentaries and sub-commentaries, the demand for adherence to the Veda had been made and complied with. It so happen that in place of *śat-tarkī*, the āstika /nāstika division was made to play a new role. Instead of the older meaning of the terms (affirming or denying the Other World) a new meaning (adherence or non-adherence to the Veda) was introduced and established. This interpretation, however, was current only in the brahmanical sphere. The Buddhists and the Jains continued to cling to the older meaning. However, that did not affect the so-called orthodox tradition.

Thus, there was a political necessity to enforce the *Vaṃśa-āśrama* system. At first in north India and then, over time, it was transmitted to the south.

One question, however, may appear inexplicable. When the Vedic rites had already become a matter of the past, when very few people, except the kings and rich citizens could afford to perform Vedic rites, why was the Veda projected as the ultimate authority over everything?

The answer lies in the fact that the Dharmaśāstras drew their clout from the Veda. This is why Manu does not forget to mention śāstra (Dharmaśāstra) along with śruti (2.10-11 and 12.106).¹⁰ It is not for nothing that Rāma is made to caution Bharata against the *lokāyatika brāhmaṇas*, who, Rāma complains, “Even though there are principal religious law-books, these dimwits, having recourse to sophistical intelligence, talk rot” (Vālmiki Rāmāyaṇa, Ayodhyākāṇḍa, 94.32-33 (critical edition); Vulgate, 100.38-39).

Similarly, we find a jackal in the *Mahābhārata* confessing to Indra: ‘[In my previous birth] I was a pseudo-scholar, a reasoner and a reviler of the Veda. I was addicted to meaningless sophistical logic (or sophistical logic without objects). I was the spokesman of rationalism in the assembly, abused the twice-born (brahmanas), outshouted them and condemned *brahma* (Vedas) and sacrifice. I was a *nāstika*, a doubter and a fool considering myself learned. Oh brahmana, as a result of all this, I am (re)-born as a jackal’ (Śāntiparvan, 174.45-47(critical edition)). E. W. Hopkins (1901/1996, p. 89) refers to *Anuśāsanaparvan*, 37.12-14, in which the ‘telling phrase’, *tarkavidyām*. . . *nirarthikām*, is repeated. In fact, the same set of words, namely, *vedanindakaḥ*, *ānvīkṣikī*, *hetuvāda*, *paṇḍitaka*, etc., as occurring in the *Śāntiparvan* passage, is echoed in the three *Anuśāsanaparvan* verses. (This is one of the many instances of “self-quotation” in the *Mbh*).

Thus the *Puruṣasūkta* of the *Rgveda* (10.90, particularly *rk* 11), via both Dharmaśāstra and Mokṣaśāstra, provided sanction to the status quo ante desired by the State. As Kauṭilya declares: ‘The law laid down in the Trayī is beneficial, as it prescribed the respective duties of the four *varṇas* and the four stages of life,’ *eṣa trayīdharmas caturṇām varṇānām āśramāṇām ca svadharmasthāpanādaupakārikah* (1.3.4).

Appendix A

Major and minor lapses

The major five lapses are: 1. Killing a brahmana, 2. Drinking intoxicating drinks, 3. Committing adultery with the wife of a guru (teacher) or any elder relative, 4. Theft of a brahmana’s gold, and 5. Keeping company with a person guilty of these. They are so enumerated at first in the *Chāndogya Upaniṣad*, 5.10.9. They are also enumerated in the same way in *Manu* 11.54. Cf. another list of lapses in Yāska 6.27 (for details see Moghe pp.444-448). An *Upapātaka* is generally taken to mean a secondary

crime or minor offence, but the term has been explained in a different way too. Viśvarūpa, for example, derives *upapātaka* as one ‘that may become a *pātaka* by constant addition (*upanaya*) or by constant practice (*upetya*)’ (qtd. Kane 4:35). In any case, such a classification of lapses as major and minor means little or nothing when it comes to *nāstikya*. The list of minor lapses varies from one Smṛti text to another but *nāstikya* occurs in most of them.

Endnotes

1. The doubt that troubled Naciketas – whether a human survives (in some form or the other) after his death – is resolved by Yama, the lord of the dead, who assures the young boy that there is such postmortem existence. For a detailed study see R. Bhattacharya 2016a.
2. ‘The man who scrutinizes the record of the seers and the teachings of the Law by means of logical reasoning not inconsistent with the vedic treatise – he alone knows the Law, no one else.’ (Manu 12.106, Olivelles’ trans. Emphasis added.)

ārṣya dharmopadeśaṇca vedaśāstrāvirodhiṇā |

yastarkenānusandhatte sa dharmam veda netaraḥ ||

3. For a bird’s-eye view of lapses enumerated in different Dharmaśāstra texts, see Moghe pp.444-48 and ch. xxxiii, pp. 670-72; for further details see Kane 4:12-15, 32-35.
4. adṛṣṭārtha-karmābhāva buddhiḥ, ‘those who hold the view that karman does not produce the effect like adṛṣṭā’. Mañirāma adds tāmra-lohādeḥ, ‘of copper, iron, and the like,’ before this phrase, thereby referring obliquely to the view mentioned and refuted in Nyāyasūtra 3.1.22-23. There the opponent’s view (pūrvapakṣa) is as follows: ‘The movement (of the just-born infant towards its mother’s breast) is like iron towards the magnet,’ i.e., no previous habit is required. Gautama refutes this by pointing out that nothing else but iron is drawn to the magnet (Gangopadhyaya, 1982, pp.186-187). Cf. Vaiśeṣikasūtra 5.1.15.
5. Manu 2.11, 3.150, 4.30, 11.64-65, 12.95; Yājñavalkya 3.231, 3.236; Gautama 12.1, Viṣṇu 37.31, Uśanas 4.28, etc. They are also found in Vasiṣṭha-Dharmasūtra 1.27, Baudhāyana-Dharmasūtra 2.1.60-61, Vṛddhahārīta-Dharmasūtra 9.208-10. For other sources see Kane 4:12-15, 34-35.
6. Guṇaratna was writing an elaborate commentary on Haribhadra’s doxographical work, Ṣaḍ-darśana- sa-

muccaya (eighth century). Haribhadra had selected the following six darśanas: Buddhist, Nyāya, Sāṃkhya, Jain, Vaiśeṣika, and Jaiminiya (Mīmāṃsā). Then he had a second thought: since some people considered Nyāya and Vaiśeṣika to be a single system, the number of the āstikavādins would then become one less than six. In order to retain the total number, namely, six, he decided to add Lokāyata as an afterthought (verses 78-79). But the Cārvāka/Lokāyatas were already well known as nāstikavādins! Haribhadra, however, used the word āstika in the old sense, denier of the Other World.

7. Cf. Nyāyasūtra 1.1.3. Perception, however, is generally admitted to be the eldest of the pramāṇas (pramāṇajyeṣṭha), at least by the Nyāya school. See Jayanta, NM, Āhnika 2, part 1 p.164.10.
8. It may be mentioned in this connection that although the English translation of Abu'l Faḍl Allami's Ā'in-i Akbarī (Vol. 3 chap.5) uses the word cārvāka in the section entitled Nāstika, the Persian original has sufistā'ī (sophist) to denote the Cārvākas. Abu'l Faḍl provides synoptic views of Nyāya, Vaiśeṣika, Mīmāṃsā, Vedānta, Sāṃkhya and Pātañjala (Yoga), all āstikas, and Jain, Buddhist and Cārvāka, the nāstikas (Vol.3 chaps.4-5).
9. It is also worth noting that the word, naraka, the antonym of svarga, heaven, does not occur even once in the whole of Vedic literature, except in the Jaiminiya Upaniṣad Brāhmaṇa, 4.25,26 (EPU p.473) and the Taittirīya Āraṇyaka 1.19.1. Interestingly enough, in the former, the word is first used as neuter (svarga-narakāṇi), as in Nirukta 1.11, but it is masculine in Nirukta 4.26 (mano narako vāṃ narakah), etc. and the Taittirīya Āraṇyaka. Although it is a Brāhmaṇa, Limaye and Vedekar, editors of EPU, have 'canonised' the work as one of the principal Upaniṣads, because it 'fully partakes of the nature of an Upaniṣad' (ibid., 377).
10. 'It is to be known that śruti is the Veda and Dharmaśāstra is smṛti. These two are the roots of religious merit. They are not to be called into question. From them religious merit shines. The twice-born who disregards these two roots by having recourse to logic should be banished by the virtuous as a nāstika and a reviler of the Veda.'

śrutis tu vedo vijñeyo dharmaśāstraṃ tu vai smṛtiḥ
|te sarvārtheṣv amīmāṃsyē tābhyāṃ dharmo hi
nirbabhau || yo 'vamanyeta te mūle hetuśāstrāśrayād

dvijaḥ |sa sādhubhir bahiṣkāryo nāstiko vedanindakah
|| Manu 2.10-11

For Manu 12.106, see n2 above.

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