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APA NEWSLETTER ON

Asian and Asian-American Philosophers and Philosophies

PRASANTA BANDYOPADHYAY AND MATTHEW R. DASTI, CO-EDITORS

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FROM THE EDITORS

Prasanta S. Bandyopadhyay
MONTANA STATE UNIVERSITY

Matthew R. Dasti
BRIDGEWATER STATE UNIVERSITY

This issue of the newsletter resumes the investigations launched in two issues (spring and fall, 2016) under the broad category "Indian Thought and Culture." In these two issues, we were busy in reconstruction and reappraisal of Indian thought through the lens of philosophy, history, and ideological factors that have shaped Western understanding of Indian philosophy and thought. This issue will revisit some of the classical controversies in Indian philosophy and culture as it is our conviction that many contemporary discussions concerning them can be traced back to their classical root. Papers in this volume will showcase different strands of Indian philosophy such as its argumentative religious flavor, analytic metaphysics of Jainism, philosophy of mind of Yogācāra Buddhism, Advaita Vedānta, and *Prābhākara Mīmāṃsā*, ontological status of a specific category of knowledge, and classical legal system via the rules of interpretation of *Mīmāṃsā* system.

Ram Majhi closely looks at the *Bhagavad Gita*, the most widely read religious text in the Indian tradition. Arjuna was not interested in going to war to kill his cousins and teachers to salvage his kingdom. According to the duties ascribed to him by his social standing, however, he must go to the war which was about to be fought between two families over the ownership of a coveted kingdom. Going against the conventional wisdom concerning the correct reading of the text, Majhi argues that Krishna's reasons are not good enough for engagement in war while Arjuna's reasons for not fighting are justifiable.

Saam Trivedi is concerned with comparing two distinct traditions in Eastern philosophy to explore the possibility of making various Eastern philosophies "talk" to each other. Though his essay focuses on Jainism and Daoism, other possible examples of "comparative Eastern philosophy" are also mentioned briefly in passing. After briefly summarizing Jain philosophy, he raises a possible problem for the Jain doctrine of conditional predication (*Syādvāda*). He then offers two solutions to the alleged problem: one Indian and the other Chinese.

Manidipa Sen's paper investigates the philosophy of mind side in classical tradition. She thinks there are different

forms of self-consciousness thesis or self-awareness thesis that are available here, and classical Indian philosophy is no exception in this regard. After an initial characterization of the self-awareness thesis, Sen looks at three most important renderings of the self-awareness thesis such as the self-intimation thesis of the Yogācāra Buddhists, the self-luminosity thesis of the Advaita Vedāntins, and the self-revelation thesis of the Prābhākara Mīmāṃsakas. Contrary to the popular reading that these three positions are opposed to each other, she believes it is worthwhile to regard them as continuous with each other, thereby revealing layers of self-consciousness. According to her evaluation, the reason why philosophers have thought these positions to be opposed to each other is due to the differences in the metaphysical and epistemological commitments they make with regard to the nature of the self and self-knowledge. However, their differences in metaphysical and epistemological commitments may seem less important, she argues, when we consider their ethical commitments as well as their idea of what the primary aim of philosophical enquiry is. This, she hopes, will help in understanding the first-person authority of self-consciousness as emanating from an ethical and agential account of the self. She makes an additional attempt to show that authoritative self-consciousness can be achieved through an awareness of selflessness.

In classical Indian philosophy, philosophers are interested in erecting a compressive philosophical system in which each school is required to provide a unified account of metaphysics, epistemology (where epistemology is intermingled with logic), and morality. Almost all schools in that tradition believe that our knowledge of building a system should be geared to attaining emancipation. Therefore, the correct diagnosis of what deserves knowing is of paramount importance impinging on the debate among them regarding the valid and irreducible sources of knowledge such as "perception," "inference," "resemblance between two entities," and the like. In the backdrop of this framework, Prabal Kumar Sen focuses on "resemblance," especially on its ontological status. The debate on resemblance revolves around whether the employment of class-words like "cow" or "horse" draws its strength from resemblance between entities to which such words are applied. He surveys the arguments and counter-arguments among the Nyāya-Vaiśeṣika, Bhāṭṭa Mīmāṃsā, and Prābhākara Mīmāṃsā schools regarding the ontological status of resemblance, i.e., whether resemblance should be admitted as an irreducible and independent source of valid knowledge.

Annindya Bandyopadhyay explores classical laws encapsulated in the *Mīmāṃsā* system of Indian philosophy.

He premises his paper on an innocuous assumption that societal changes represent the growth of a living society. To address the dynamics of a live society, he argues, old laws had to be altered or annulled whenever needed. In this respect, classical Indian laws are no exception. The ready-made rules of interpretation of the Mīmāṃsā system helped adjust those laws to accommodate changes in a society. This paper focuses on the flexible nature of the classical legal system by arguing how the sacred laws which are seemingly immune to revision have been gradually amended to accommodate cultural fluctuation in ancient India.

We would like to thank Jay Garfield and Erin Shepherd for their constant help and suggestions concerning the newsletter, and especially Niranjan Saha for last-minute help with formatting Sanskrit diacritics.

SUBMISSION GUIDELINES AND INFORMATION

GOAL OF THE NEWSLETTER ON “ASIANS AND ASIAN AMERICAN PHILOSOPHERS”

The *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* is sponsored by the APA Committee on Asian and Asian-American Philosophers and Philosophies to report on the philosophical work of Asian and Asian-American philosophy, to report on new work in Asian philosophy, and to provide a forum for the discussion of topics of importance to Asian and Asian-American philosophers and those engaged with Asian and Asian-American philosophy. We encourage a diversity of views and topics within this broad rubric. None of the varied philosophical views provided by authors of newsletter articles necessarily represents the views of any or all the members of the Committee on Asian and Asian-American Philosophers and Philosophies, including the editor(s) of the newsletter. The committee and the newsletter are committed to advancing Asian and Asian-American philosophical scholarships and bringing this work and this community to the attention of the larger philosophical community; we do not endorse any particular approach to Asian or Asian-American philosophy.

SUBMISSION GUIDELINES

1) **Purpose:** The purpose of the newsletter is to publish information about the status of Asians and Asian Americans and their philosophy and to make the resources of Asians and Asian-American philosophy available to a larger philosophical community. The newsletter presents discussions of recent developments in Asians and Asian-American philosophy (including, for example, both modern and classical East-Asian philosophy, both modern and classical South Asian philosophy, and Asians and Asian Americans doing philosophy in its various forms), related work in other disciplines, literature overviews, reviews of the discipline as a whole, timely book reviews, and suggestions for both spreading and improving the

teaching of Asian philosophy in the current curriculum. It also informs the profession about the work of the APA Committee on Asian and Asian-American Philosophers and Philosophies. One way the dissemination of knowledge of the relevant areas occurs is by holding highly visible, interactive sessions on Asian philosophy at the American Philosophical Association’s three annual divisional meetings. Potential authors should follow the submission guidelines below:

- i) Please submit essays electronically to the editor(s). Articles submitted to the newsletter should be limited to ten double-spaced pages and must follow the APA submission guidelines.
- ii) All manuscripts should be prepared for anonymous review. Each submission shall be sent to two referees. Reports will be shared with authors. References should follow *The Chicago Manual Style*.
- iii) If the paper is accepted, each author is required to sign a copyright transfer form, available on the APA website, prior to publication.

- 2) **Book reviews and reviewers:** If you have published a book that you consider appropriate for review in the newsletter, please ask your publisher to send the editor(s) a copy of your book. Each call for papers may also include a list of books for possible review. To volunteer to review books (or some specific book), kindly send the editor(s) a CV and letter of interest mentioning your areas of research and teaching.
- 3) **Where to send papers/reviews:** Please send all articles, comments, reviews, suggestions, books, and other communications to the editor(s): Jay L. Garfield (jay.garfield@yale-nus.edu.sg) and Prasanta Bandyopadhyay (psb@montana.edu).
- 4) **Submission deadlines:** Submissions for spring issues are due by the preceding November 1, and submissions for fall issues are due by the preceding February 1.
- 5) **Guest editorship:** It is possible that one or more members of the Committee on Asian and Asian American Philosophers and Philosophies could act as guest editors for one of the issues of the newsletter depending on their expertise in the field. To produce a high-quality newsletter, one of the co-editors could even come from outside the members of the committee depending on his/her area of research interest.

ARTICLES

The Alternative Voice against War in Gita

Ram Majhi

RAVENSHAW UNIVERSITY

I

The world has seen two world wars in the last century; another may come in the future. The reasons for the future war could be the craze for hegemony, control over the resources and market of the world. In contrast, it is said that *Mahabharata* war is a war for the establishment of *dharma* (justice). War generally destroys the society. It breaks down the moral structure of the society. That is why *Gita* does not eulogize war. It only argues for a justifiable war. War is justifiable only for preservation of *dharma*. No other reason is more exhaustive than this. This is the general line of defense for the war of *Gita*. A modern defense of war in the line of *Gita's* advocacy of war could be something like this: in this last century, the allied group fought back Hitler and his allies. Numerous lives perished and a huge amount of wealth was lost. There was destruction in the society, but society develops too. Human values were restored. *Gita* assumes that good always wins over evil. Anarchy would have prevailed had Hitler won the war. In this context the effort of the allies' forces to stop Hitler would not be worthless. Certainly it is not devoid of moral work. So war is just if the cause is just. In contrast to the traditional interpretation of *Gita's* line of reasoning for a justifiable war, I will focus on an alternative view presented in *Gita* that questions the justifiability of war. According to this view the consequences of a war are strong reasons against the justifiability of the war. This is the Arjuna's view, which is mentioned in the early part of the dialog between Krishna and Arjuna to be rejected by Krishna later. I would argue in this paper that Arjuna's reasons for not going to war outweigh Krishna's reasons for indulging in war.

War or conflict is to be avoided irrespective of the level of conflict such as individual, groups, or national. One ought to act keeping in view of the outcome of the act. The act could be an engagement in a just war. The devastating effect of the war outweighs whatever makes the war just. This is what *Gita's* other hero teaches. This voice implores us for an alternative to war for establishing *dharma*. An individual grows morally this way. There has been fight for *dharma* like the war of *Kurukshetra* in India.¹ The injustice and the exploitation of the British rule demolished the Indian culture and economy. Lives' worth was evaluated in the scale of promoting British interest. Gandhi, a staunch believer in the philosophy of life taught in *Gita*, fought against the evil. There is, however, a vital difference between *Kurukshetra* and *Dandikshetra*.² Both parties were armed in *Kurukshetra* while *Dandikshetra* saw one party armed. Gandhi changed the meaning of war; he did not discard war.

Sri Aurobindo has justified war. He has justified violence too. Taking these two concepts in the broadest sense

possible, he claims for the presence of violence among all living beings. Individuals, groups, nations, animals, and plants are fighting for their existence. It is a self-evident truth that all the violent activities are result of *triguna*.³ These activities are devoid of morality and spirituality. All of these activities flow according to the natural principles of *triguna*. The senses and the intellect also function according to these principles. *Gita* recognizes all of this. *Gita* also recognizes that the moral and spiritual development is also possible. Sri Aurobindo has said often that moral force harms the opponent. To harm someone in some way or another is violence. Given this interpretation, Arjuna's acts were violent. Gandhi *satyagraha* (civil disobedience) movements were violent. This type of violent act is devoid of morality and spirituality. I am not taking this sense of violence, which makes every act a violent act. Moreover, even if we are violent by nature, that does not justify that we ought to be violent.

One relevant question in this context is can a morally and spiritually oppressed person justifiably do violence to others? A related question is can the act of such a person be regarded violent? The answer is considered to be negative. The act of a person who has the conviction that every life form reflects the divine presence and conducts his life according to the teachings of *Gita* cannot be violent though harm may have occurred to others. The act is harmful but nonviolent because there was no intention to harm others. He acts according to the ethical principles of *niskama karma*.⁴ The principle of *niskama karma* says that one ought not to desire to gain from the consequences of his action. It is also said in *Gita* that one owns the act but not the results of the act. Ownership of the act is essential for the healthy and well-organized society. There will be no accountability without this ownership. If self-ownership of the act is not recognized, no one remains responsible and accountable for his action. Society will collapse. But can one work oblivious to the results it brings? It is said that this question appears relevant only because we assume that people act from their own interests and the possibility of gain for them. But a person who surrenders himself (not his act) to God and works without seeking the results of the war lacks any intention to gain from the war. This looks like a good defense for *niskama karma*, and Krishna would argue that the war that is fought from that perspective is all right. A diligent Arjuna will not budge. He may still formulate a question in this way: given that an act is according to *niskama karma* but leads to devastating consequences of war and there is another act in conformity with *niskama karma* but avoids the consequences, what he should do? Moreover, the metaphysical distinction between the act and its consequence is strenuous and has undesirable moral implications. If one owns his act but not its consequences, no one will be assigned with responsibility for doing an immoral act.

In spite of Krishna's forceful arguments for immortality of the soul and metaphysical responsibility of taking all the actions of the world as his own, skeptical thoughts force themselves in: Is it really, that is, practically possible to be religious/spiritual all the time and live in the society? Does the *paramarthika jnana*⁵ outweigh the practical moral concerns about uncountable deaths and suffering

that war brings? The worldly man praises God when in distress. Scholars end up with God while trying to unravel the mysteries about the world. Scholars, both theologians and scientists, have formulated theories to explain the worldly phenomena and use the metaphysical super structure as the base for morality. The ordinary individuals busy with their mundane lives are confused with dictates of spirituality and its incoherency with human existence. War brings mundane consequences like death and suffering. The spiritual or religious considerations that justify suffering and death are to be questioned. There are compelling arguments by Arjuna for not fighting the war. These arguments presuppose several norms—individual, social, and religious.

Krishna also speaks in favor of war, citing some desirable norms. For example, Krishna says,

If you die fighting the war, you end up in heaven.

If you win the war, you enjoy ruling the earth.

Either you die fighting the war or win the war.

So, either you end up in heaven or enjoy ruling the earth.

Therefore fight in the war. (ch. 2, Verse 37)

This argument can be refuted by counter dilemma.

If you die fighting the war, you do not enjoy ruling the earth.

If you win the war, you do not end up in heaven.

Either you die fighting the war or you win the war.

So, either you do not enjoy ruling the earth or you do not end up in heaven.

Therefore, do not fight in the war.

Arjuna gives some arguments for not fighting the war. Some of those are

The consequences of war are undesirable. Anything undesirable should be avoided. So, war should be avoided. (ch. 1, verses 31–34, 41–47)

War may have some good consequences and bad consequences. But the bad consequences of war outweigh the good consequences. One should act only if good consequences outweigh the bad consequences. Hence, war should be avoided. (ch. 1, verses 31–34, 41–47)

One should fight against the unjust. If fight against the unjust makes oneself unjust, then one should refrain from fighting. Fight in *Mahabharata yudha* makes one unjust. So, one should not fight in that war. (ch. 1, verses 35–39)

Krishna rejects Arjuna’s reasoning by rejecting some of the crucial premises. He rejects the premises by appealing to the metaphysical and spiritual theories. Krishna argues from an ethical perspective relevant to the metaphysical and spiritual world. What I wish to emphasize is that the values and the ideals are instrumental to achieve the goals of life and are next to the value of life in priority. The values that sustain life cannot be more valuable than life itself. In spite of this the intelligent man reasons and justifies his group’s actions in order to serve his ends, the goals of the community, or the ideals of the nation. The goals of the community are nothing but the common aspirations of the people. Presently, violence escalates in our country due to blind allegiance to religion. People are clamouring for groups’ rights. Leaders use two identities to play with sentiments of the people and engineer their passionate activities to achieve their desired ends, often leading to violence. Violence to women, children, and property has been a tactic basically aiming at manipulating fear of the people to get things done. Some create disorder through violence in the name of nationality and life’s goal. Some baseless social, political, or religious ideals smuggled as nation’s and life’s ideals through propaganda. There is disharmony, chaos leading to suffering in the society instead of development. It is time for reflection on Arjun’s concerns.

The message of *Gita* is meant for benefit of the individual and indirectly useful for the maintenance of the equilibrium, harmony, and development of the society. Two important ideas of *Gita* may be cited as an example. Karma meant for *yajna* and karma that flows from a perspective of equality integrates the society. *Yajna* means sacrifice. Zeroing (gradually withdrawing) aspirations, sensuality, and desire for results of action is spiritual meaning of *yajna*. All of these attitudes are surrendered to *Ishwar* (God). Gandhi takes *yajna* to be action dedicated to God and meant for the well-being of others. Generally, the natural tendencies create conflicts among individuals or groups. Actions for the sake of others sans the egocentric effects of these natural tendencies produce constructive results for the society. A person with a sensibility towards equality treats the well-wisher, the friend, the indifferent, the negotiator, the enemy, the saint, and the sinner equally (chapter 6, verse 9). He sees himself in everyone and sees everyone in him (chapter 6, verse 29). People of such temperament are liked by all, and they promote healthy social relationships. All of these should be interpreted to indicate that a central concern of *Gita* is peace and harmony.

II

Krishna’s arguments are deeply rooted in the thesis that spiritual is moral. Moral issues are of two types—theoretical and practical. Theoretical issues pertain to understanding moral concepts in terms of spiritual concepts; the other type of issue relates to the possibility of a spiritual person leading an effective moral life. It is my understanding that no human action is unconditionally desirable. The human acts—physical, mental, and speech—that could be morally evaluated are to be judged according to certain acceptable universal principles. Those universal principles probably are justified by some meta-principles. This process of

justification must end somewhere. The basic and ultimate principles are devoid of justification. Krishna's thesis may pass as an ultimate thesis, but that does not give what Krishna wants—the moral permissibility of death and suffering. Krishna thought that since death and suffering are spiritually irrelevant, these were morally permissible. Krishna was wrong in thinking that.

Can the spirituality *Gita* speaks of resolve the moral issues confronted in practical life? We take several decisions as an individual and as a member of a community every day. We act or try to act according to those decisions. All of those decisions may be classified as personal, social, political, legal, or moral. Gandhi said that all actions must be approved by the moral criteria. All classes of actions ultimately are approved by moral principles. But Gandhi said this within the framework of a spiritual world. All human actions are to be judged according to the spiritual ideals of *Gita* only if one lives a spiritual life. Such a person will be able to resolve the confusion about what is morally appropriate and what is not.

Krishna morally approved participation in *Mahabharat Yudha* for the preservation of *dharma* from a spiritual perspective. The spiritual perspective contained a philosophy of life and the ideals of life. Acceptance, rejection, or interpretation of a theory and to act according to the theory has always remained a prerogative of human freedom. Gandhi has shown that an alternative interpretation is available. Gandhi accepts *Gita's* philosophy of life and its spiritual perspective but does not approve war.

NOTES

1. *Kurukshetra* is the place where the *Mahabharat* war was fought.
2. *Dandikshetra* is the place where Gandhi had started his *lavana satyagraha* (salt civil disobedience).
3. *Triguna* is the three qualities—*saiva*, *rajas*, and *tamas*—out of which everything in the world is made of, according to *Samkhya* metaphysics.
4. *Niskama karma* is the work done without an attachment to the consequences of it.
5. *Paramarthritis Jnana* is the knowledge that God has created the world, that all acts of the world occur according to his directives, and that soul never dies.

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East Meets East: Jain Syadvada and Daoism

Saam Trivedi

BROOKLYN COLLEGE, CITY UNIVERSITY OF NEW YORK

I. INTRODUCTION

A fair bit of comparative philosophy has focused on drawing connections between aspects of Indian philosophy and various things in Western philosophy. To mention just a few examples, the influential non-dualistic Advaita Vedanta school of Hindu philosophy is sometimes compared with Hegelian absolute idealism; the ethics in the ancient Hindu text *Bhagavad Gita* is often said to be duty-based and thus similar to Kantian deontological ethics; the process ontology of the Buddhists is like the similar metaphysical views of the pre-Socratic philosopher Heraclitus and the great British-American philosopher Alfred North Whitehead; and the doubts about inductive reasoning voiced by the atheist, materialist Carvaka or Lokayata school of Indian philosophy are often said to be reminiscent of Hume's concerns about that issue.

But might there also be connections, points of *both* similarity and dissimilarity to be sure, between and across various Eastern cultures and their philosophical thought? And might these be philosophically illuminating, even for us today?

II. INDIA AND CHINA

More specifically, I focus here on India and China, the world's two most populous nations with rich, ancient cultures, and which also happen to be two of the fastest growing economies today. Historically, perhaps in no small measure due to that huge geographical barrier called the Himalayas which separates the two countries, there has not been as much contact between India and China as one might imagine between neighbors, leaving aside the spread of Buddhist thought from India to China (and thence to Japan and other parts of East Asia) from the first century CE onwards, and some intrepid travelers, traders, monks, scholars, historians, and others crossing the border in both directions.¹ Indeed, recent decades have even seen hostility and mutual suspicion, following a brief border war between the two countries in 1962; growing up in northern India, I myself used to dread China. Leaving the regimes in both nations to one side, though, the fact remains that in reality most Chinese and Indians know very little about each other. Indeed, even Indian philosophers (leave alone laypersons) know very little about the rich, long tradition of Chinese philosophy dating from approximately the sixth century BCE onwards to 221 BCE, a golden age of philosophizing often referred to as the Period of the Hundred Schools; similar remarks can be made about Chinese philosophers and their knowledge (or lack thereof) of the ancient traditions of Indian philosophy.

There are, to be sure, broad differences between Indian and Chinese philosophical thought. Painting with broad brushstrokes, while classical Chinese thought is often said to be social and political and practical in nature, Indian thought is seen as more abstract and metaphysical. Still, I believe there is at least as much to learn from East-East comparisons as there is to learn from East-West comparisons of which I gave some examples earlier, and some might even say that at a time when there is some speculation that history will come full circle as the East rises again after the dust settles on the demise of colonialism, we may as well leave the West to one side! At any rate, readers of this special issue of the *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* would do well to reflect on this: that those who know more about South Asian philosophical traditions would benefit from learning about East Asian and indeed other Asian philosophies, and vice versa.²

In what follows, I will connect some aspects of Jainism, an Indian philosophical tradition, with philosophical Daoism in a way that may help solve some issues. But there are also other examples where one might compare and contrast Indian and Chinese philosophies insightfully. To mention just two instances which I cannot pursue here, one might explore the connections between the notion of Brahman so important in much of Hindu philosophy and the concept of *dao* which is central to Daoism, and whether these are both rooted ultimately in similar experiences, perhaps of a mystical or religious sort. Or one might think—as indeed some have—about Indian Mahayana Buddhist philosophical thought, especially its Madhyamaka and Yogacara schools, and classical Daoist thought in China, and how these two very similar philosophies blended together with yoga to give rise first to Ch’an Buddhism in China and then to Zen in Japan. But I digress.

III. JAIN SYADVADA

I now set out briefly some of the basic claims of Jain philosophy, which dates at least as far back as Mahavira (599–527 BCE), and traces its origins to twenty-three “fordmakers” (because they showed the way to cross the great ocean of suffering) who are said to have preceded him.³ In many ways, Jainism is like Buddhism in denying the Hindu scriptures, the Vedas, are a source of knowledge; in rejecting the animal sacrifices involved in Hindu rituals; in accepting *karma* (the view that one’s actions will have consequences either in this life or the next) and reincarnation; and in believing that the best course is to realize one’s true nature through ethics, detachment, non-violence, and asceticism, and thus obtaining liberation from the suffering involved in the cycle of birth, death, and rebirth. Indeed, in some ways, one might even see Jainism as a more austere version of Buddhism, which, in fact, arose after Jainism and so might actually be viewed, in some respects at least, as a moderate version of Jainism.

What is of particular interest to us is the seven-step Jain doctrine of *syadvada* or Conditional Predication (hereafter CP). Underlying this doctrine is the Jain view (*anekantvada*) that reality is many-sided, not one and unchanging as the Brahmanical view of Hinduism suggests. Accordingly, Jain philosophers believe that knowledge and truth are relative.

There is a plurality of epistemological perspectives, which are all limited and partial, and thus *knowledge claims should be asserted only conditionally*, using the word *syat*, translated roughly as “maybe” (or as “somehow,” i.e., from one perspective). All our ordinary knowledge and descriptions are partial and incomplete. This doctrine of CP is famously expressed in seven steps as follows, and I use below the example of the water seeming warm from one perspective to illustrate the doctrine:

- (1) Maybe the water is warm (S is P) – it would seem so to someone coming in from the cold
- (2) Maybe the water is not warm (S is not P) – it would seem so to someone coming from a warm room
- (3) Maybe the water is both warm and not warm (S is P and not-P) – combining (1) and (2), and thus giving us a third perspective
- (4) Maybe the water is indescribable (S is indescribable) – given the contradiction in (3), and so resulting in a fourth perspective
- (5) Maybe the water is warm and indescribable (S is P and indescribable) – combining (1) and (4) to yield a fifth perspective
- (6) Maybe the water is not warm and indescribable (S is not-P and indescribable) – combining (2) and (4) to give a sixth perspective
- (7) Maybe the water is warm and not warm and indescribable (S is P and not-P and indescribable) – combining (3) and (4), and thus resulting in a seventh perspective.

IV. A POSSIBLE PROBLEM

Here now is a possible problem. Does the Jain doctrine of CP—which incidentally may be part of the reason why Jains are very tolerant and respectful of other traditions and views—face a problematic self-reference?⁴ Can it be turned back on itself, like Ouroboros the mythical serpent that devours itself? In other words, is CP *itself* partial and limited and relative? If so, why should we accept its claims as valid, and it certainly seems to aspire to universal validity rather than merely being the product of one, partial and limited perspective? If not, on what grounds can we accept CP as being universally valid, given how that possibility seems to be self-refuted by CP’s own claims?

If you like the seven-step schema of CP, here is the way to put these kinds of concerns in those terms (and if the schema throws you off, you can safely skip ahead to the next section of this essay):

- (1’) Maybe CP is true – it would seem so to Jain philosophers
- (2’) Maybe CP is not true – it would seem so to non-Jain philosophers, say Hindus or Buddhists

- (3') Maybe CP is both true and not true – combining (1') and (2')
- (4') Maybe CP is indescribable – given the contradiction in (3')
- (5') Maybe CP is true and indescribable – combining (1') and (4')
- (6') Maybe CP is not true and indescribable – combining (2') and (4')
- (7') Maybe CP is true and not true and indescribable – combining (3') and (4').

V. TWO WAYS OUT?

Is there a way out of these difficulties, or are they fatal (as I myself used to think as a freshman studying philosophy in India in the 1980s)? Here are two things that might possibly help (even though the Jains do not have anything like a Russellian Theory of Types), one drawing on the internal resources of Jainism, and the other on philosophical Daoism. Note in passing, though, that, as far as I know, the ancient Jain texts do not reveal any discussion or awareness of these sorts of issues. Still, I think a principle of charity is called for, and we should assume that the Jain philosophers were no fools. Had they been aware of these difficulties (which they may well have been for all we know, even though the texts do not show this), here is how I imagine they might have responded.

Recall the delightful and wise Jain story of the elephant and the six blind men (though some versions of this story mention four men, while others mention six blindfolded men which would, in fact, allow the possibility of reality being revealed as it is if and when the blindfolds are removed). The man touching the elephant's trunk thinks he is touching a big snake, perhaps a python. The one touching the elephant's legs thinks he is touching pillars. The man holding the elephant's tail thinks he is holding a rope. The blind man sitting on the elephant believes he is sitting on a wall. The one touching the elephant's ears thinks he is in contact with sheaves to husk corn with. And the blind man holding the elephant's tusks believes he is holding scabbards for swords.

None of the six blind men has the total picture, and perhaps Jain philosophers mean that our *ordinary* knowledge claims are like the knowledge claims of the six blind men, partial and incomplete at best, and made from our own limited and peculiar perspectives. However, those of us who can see the elephant for what it is get the big picture. And perhaps seeing the elephant is akin to CP, which reveals things as they are from a transcendent (perhaps omniscient) meta-perspective, thus avoiding the sort of self-refuting excessive skepticism we associate with Pyrrhonism in Western philosophy. Put differently, we should distinguish between two epistemic levels of awareness. CP is for those who have first-level awareness of the world, i.e., people like us who according to the Jain view are yet to achieve second-level awareness of the world and so do not realize that their vision or awareness is only partial and limited. In contrast, CP has been formulated by those who according

to the Jain view have achieved perfect awareness or emancipation and so can reflect on what people like us cannot do. So CP is truly confined to those who are yet to acquire that deep awareness of themselves and the world. Thus, the concern we have been dealing with conflates these two epistemic levels of awareness.

Support for such a position might also be seen in philosophical Daoism, especially in the writings of Zhuangzi (ca. 369–286 BCE) who developed a kind of perspectivism in China completely independently of the Indian Jain thinkers, even if about a couple of hundred years later.⁵ Here are some key passages from David Hinton's translation of the second chapter of Zhuangzi's *Inner Chapters* (pp. 21–22): "These days, Tao is hidden in small realizations and the spoken is hidden in florid extravagance, so we have the philosophies of Confucius and Mo Tzu declaring *yes this* and *no that*. They each affirm what the other denies, deny what the other affirms. If you want to affirm all that they deny and deny all that they affirm, you can't beat illumination. . . . There is *no that* because of *yes this*, and *yes this* because of *no that*. But this is not the sage's way: the sage illuminates all in the light of heaven. Such is the sage's *yes this*. . . . And so the saying: *you can't beat illumination*."

As I understand the words quoted above, Zhuangzi sees the endless, petty arguments between Confucians and Moists (for example, about how to determine what is right, or about the role of rituals in cultivating virtue and ordering one's life and the state, or about partiality and impartiality in ethics and personal conduct) as partial and limited at best, much like what the Jains might say about the six blind men. Unlike the nit-picking argumentation of the Confucians and the Moists (and the Sophists or the School of Names), the illumination of the *dao* reveals the big picture effortlessly, just as we see the elephant for what it is. This sort of illumination would seem to require a transcendent meta-perspective that goes *beyond* and trumps the Confucians and Moists and the six blind men, thus putting Jains and Zhuangzi, Indians and Chinese respectively, on the same page at least for a little bit, even if unknown to each other.

VI. CONCLUSION

We live at a time when there is great interest in China (and in East Asia in general), so much that some American philosophers I know have discovered a sudden interest in Chinese philosophy (if only so they might visit East Asia some day), and many American parents are paying for private lessons in Mandarin and Cantonese for their little children (even if I myself am inclined to agree with the *New York Times* columnist Nicholas Kristof that, given current demographic projections, kids who are likely to live in the United States will probably need Spanish more when they grow up).

Indeed, there are even predictions that the twenty-first century will belong to China, just as the nineteenth century belonged to Britain and the twentieth century to the U.S. At such a time, Indians (and South Asians generally) would do well to know and understand more about China (and East Asia generally), and the other way round. If India and China, which together account for about 40 percent of the world's population, really get to know each other's cultures,

histories, philosophies, and the like, is it conceivable that maybe someday the baton might even pass from China to India?⁶

NOTES

1. See Amartya Sen, "China and India," in *The Argumentative Indian* (New York: Penguin, 2005).
2. For an introduction to Chinese philosophy, see, for example, JeeLoo Liu, *An Introduction to Chinese Philosophy* (Malden, MA: Blackwell, 2006). My own autodidactic introduction to classical Chinese philosophy, when I first started teaching some bits of it many years back as a graduate student in the U.S., was through different translations of the original sources and also through a masterly book now sadly out of print, A.C. Graham, *Disputers of the Tao* (Chicago and La Salle, IL: Open Court, 1989). And I had to teach myself bits of classical Chinese philosophy, for the five philosophy departments in three different countries on three different continents that I went through during my long student years did not offer any courses on Chinese philosophy; most of my professors probably regarded Chinese philosophy as insane anyway, and perhaps still do.
3. For a longer exposition of Jain philosophy, see, for example, M. Hiriyanna, *The Essentials of Indian Philosophy* (Delhi: Motilal Banarsidass, 2013); or John Koller, *Asian Philosophies*, 6th edition (New York: Pearson, 2012). See also B. K. Matilal, *Central Philosophy of Jainism* (Ahmedabad: L.D. Institute of Indology, 1981); and Padmanabh Jaini, *The Jaina Path of Purification* (Berkeley, CA: University of California Press, 1979). And see Graham Priest's essay, "Alethic Values," in *APA Newsletter on Asian and Asian-American Philosophers and Philosophies* 14, no. 2 (Spring 2015): 2–4; though I wonder contra Priest if Jain philosophers, given their commitment to a plurality of perspectives and the many-sidedness of reality, think not just $N = 7$, as Priest suggests, but something more, to wit, either that N is greater than or equal to 7, or perhaps even that N is greater than or equal to 7 and tends to infinity!
4. For a justly celebrated discussion of self-reference and "strange loops" in philosophy, mathematics, logic, music, art, and elsewhere, see Douglas Hofstadter, *Gödel, Escher, Bach: An Eternal Golden Braid* (New York: Basic Books, 1999).
5. Some translations are *Chuang-tzu: Basic Writings*, trans. Burton Watson (New York: Columbia University Press, 1964); *Chuang-tzu: The Inner Chapters*, trans. A. C. Graham (Indianapolis, IN: Hackett, 2001); and *Chuang-tzu, The Inner Chapters*, trans. David Hinton (Washington, DC: Counterpoint, 1998).
6. For helpful feedback, my thanks to Prasanta Bandyopadhyay, Graham Priest, and especially K. P. Shankaran who first taught me about *syadvada* many years back.

takes into consideration the first-person perspective, a perspective from which we seem to have a special and privileged access to our mental life. According to this view our own self is available to us in a somewhat groundless, authoritative, and transparent manner. One reason for adhering to the fact that we have a privileged access to our own mental life is as follows: Our mental life is permeated by consciousness, and consciousness is always accompanied by self-consciousness or reflexivity. So we cannot have a mental state without being aware of the fact that we have it.

Matilal, in discussing the self-awareness thesis advocated by philosophers in classical India, says,

If I am aware that something is the case then it is generally assumed that I am also aware that I am aware that something is the case. The pre-theoretical assumption is that although we are generally aware of presumably an external object or a non-mental fact or event we can also be aware of the mental event happening "inside." We can be aware of the awareness itself. But how?¹

In answering the above question he goes on to say that there are different ways in which the notion of self-awareness has been understood in Indian philosophy.

The aim of this paper is to consider in detail the three main versions of this self-consciousness/awareness thesis found in classical Indian philosophy. We may call them (1) self-luminosity thesis, (2) self-revelation thesis, and (3) self-intimation thesis. They have certain features in common but are radically distinct in their metaphysical and epistemological commitments. However, the paper will argue that their differences and similarities can be judged by considering the ethical commitments these theories make, which, in a way, forms the base for their metaphysical and epistemological commitments, and also by considering the kind of importance that these classical systems of philosophy give to philosophical enquiry.²

Even before we try and understand these three kinds of self-consciousness thesis it is important to note that the pre-theoretical understanding of the phenomenon of self-consciousness is ambiguous. Based on the pre-theoretical understanding we can formulate the notion of self-consciousness as follows:

A conscious mental state is self-conscious if and only if it is a mental state whose subject is aware of being in that state.

There are, however, two levels of ambiguity regarding the notion of self-consciousness that need clarification at this stage.

In the first place, the fundamental requirement for any theory regarding the nature of self-knowledge is to answer two kinds of questions:³ (1) How do we come to know about our own particular pains and pleasures, hopes and desires, beliefs and thoughts, etc.? and (2) What is the true nature of the thing that has these particular mental states?

Layers of Self-Consciousness

Manidipa Sen

JAWAHARLAL NEHRU UNIVERSITY, NEW DELHI

1. SELF-CONSCIOUSNESS AND SELF-KNOWLEDGE

Self-knowledge has been regarded as a form of self-awareness or self-consciousness. That means to know one's own mind is to be, some way, conscious of one's thoughts about oneself, or to be conscious of what has been called "I-thoughts," that is, thoughts which can be articulated in terms of avowals whose subject term is the personal pronoun "I." So the idea of self-knowledge in terms of self-consciousness holds that whenever I have a pain or a belief, I am aware of the fact that I am having the pain or the belief. An account of such self-consciousness

Obviously, these two sets of questions are inseparably related to each other. In fact, one may maintain that a theory concerning our knowledge of particular mental states and processes has no value unless it is a pointer to the more general theory about our knowledge of the kind of thing we are. Hence it is important to explore whether and in what way from specific questions regarding the knowledge of and reference to "I"-consciousness one may extrapolate a theory concerning the kind of thing we are. It seems that the main concern of most of the classical philosophical schools has been primarily to deal with the second question. The first question, hence, is regarded as less important, and sometimes, rather parochial. In spite of that we should keep in mind that in various Indian philosophical traditions when philosophers talk about self-knowledge they take into consideration three different but, at the same time, closely related points:

- a) Self-consciousness, consciousness to the effect that "I am happy," "I am sad," etc., that is, knowledge of our own specific mental states;
- b) Theoretical knowledge regarding the real nature of the self, that is, knowledge of the kind of thing we are;
- c) Self-realization, that is, the immediate awareness of the real nature of the self, which could be the basis of liberating knowledge that frees one from suffering.⁴

Now, it is obvious that each one of us is in possession of the first kind of self-knowledge, whereas the other two forms of self-knowledge are required for the attainment of the highest goal of human life that is liberation. However, no discussion on self-knowledge can ignore the first of the three forms of self-knowledge. This essay will start with a discussion of this kind of self-knowledge, self-knowledge as self-consciousness, expressed in avowals like "I am happy," "I am sad," etc., but will also look at the links that this discussion would and also ought to have with the other two forms of self-knowledge.

The second kind of ambiguity is concerning the notion of self-consciousness itself. Usually when we think that a mental state is self-conscious in the above way, we take it that we are able to look inside and perceive what is going on in our mind, making thereby the subject the object of one's experience. This indicates that all forms of consciousness, whether it is a consciousness directed towards the outside (e.g., perceiving a red color) or directed inwards (e.g., conscious of perceiving a red color), have a subject-object structure, and that there is a real difference to be made between being aware of the red color and being aware of that awareness. However, this is not the only way in which we can understand the self-consciousness thesis. This ambiguity has led to two kinds of self-consciousness thesis: A) other-illuminating thesis or higher-order thesis; and B) self-illuminating thesis or first-order thesis.

So we can divide self-consciousness thesis into (1) other-illuminating thesis and (2) self-illuminating thesis, and then divide self-illuminating thesis into the following three

kinds: (1) self-luminosity thesis, (2) self-revelation thesis, and (3) self-intimation thesis. Since all these three positions start by critiquing other-illumination thesis and motivate their own positions by doing so, we will start with the most important other-illumination thesis that we come across in classical Indian philosophy, that is, the position held by the Indian Realists, the Nyāya Vaiśeṣika philosophers.

2. SELF-KNOWLEDGE AS SELF-PERCEPTION

According to the Naiyāyikas, one way that our self is apprehended or known is through an inner perception of it as the bearer of pains and pleasures, hopes and desires, etc. According to these philosophers there is no problem in conceiving the subject of experience to be the object of self-awareness. Furthermore, they claim that self can only be known as the object of our inner perception. As Matilal points out, "the substance-attribute—or the location-locative—distinction is so much ingrained in our ordinary experience of the structure of reality that it would be highly counterintuitive to obliterate the distinction."⁵ Though we usually cognize the substance and the attribute together, there is no necessity that we should do so. For example, if an object is too far away, we may either see the substratum, the object, without seeing any specific quality, or we may see the specific quality without perceiving the substratum. Likewise, we can separate the self as the substratum of pains and pleasure, and say that we need two levels of cognition to apprehend these two kinds of things, and thus the Nyāya philosophers adhere to an other-illumination thesis as opposed to the self-illumination thesis, along with the view that we require a higher-order state to cognize a first-order state. A cognition of the form "That is *a*" reveals 'a' as the object of cognition and is known as *vyāvasāya jñāna*. But this cognition is not and cannot be self-revealing. It is revealed by a higher-order after-cognition called *anuvyāvasāya*, where the cognition as well as the seat of cognition, that is, the reference of "I," are revealed and hence *anuvyāvasāya* has the form "I have the cognition of a." The important point to note is that the structure of the first-level cognition and that of the after-cognition are one and the same. The second-level cognition would require a third-level cognition to manifest itself, as no cognitive state is self-directed or self-luminous. The nature of this after cognition, according to the Naiyāyikas, is perceptual. Self-knowledge, which is a form of higher-order cognition, has to be perceptual in character because only a perceptual model will be able to account for the immediacy and authoritativeness of self-knowledge. However, this position of the Naiyāyikas has been questioned by the philosophers who adhere to the three kinds of self-illumination thesis mentioned above. We will see how each of the three positions in a way motivates their view by critiquing the other-illumination thesis.

3. SELF-KNOWLEDGE AS SELF-CONSCIOUSNESS

Self-knowledge as self-consciousness or "I"-consciousness (*aham pratyaya*) is couched in verbal usages like "I am happy," "I am sad," "I know," where consciousness of this "I" or "*aham*" is said to be present in each and every such utterance. There are broadly three different kinds of views held regarding how to understand avowals of this kind:

- i. The knowledge of the particular mental state is self-luminous,
- ii. The self is revealed by self-luminous consciousness as the subject of that consciousness,
- iii. Self-consciousness as consciousness of particular mental states, taking the verbal form like “*aham sukhi*” (“I am happy”), “*aham duhkhi*” (“I am sad”), etc., is self-intimating.⁶

The first view is associated with Advaita Vedāntins, the second with Prābhākara Mīmāṃsaka, and the third is associated with Naiyāyikas as well as the Bhāṭṭa Mīmāṃsaka. We will take up these three positions one by one to understand their significance and their differences from each other.

3.1. SELF-LUMINOSITY OF SELF-CONSCIOUSNESS

The self-luminosity thesis is based on two features of mental states: (a) No mental state can exist without being recognized; and (b) there cannot be any higher-order mental state grasping or revealing a first-order mental state. According to the proponents of the self-luminosity thesis, the self, which is nothing but consciousness, is unique and hence different from everything else in the world, because it has the capacity of revealing or illuminating itself while, at the same time, revealing its object. So the self is not an object of consciousness, nor the seat of consciousness, nor does it need to be proved by any form of knowledge; it is self-proved (*svatahsiddha*).

Self-luminosity is more than the concept of immediacy that we find characterizing self-knowledge as inner observation of our own mental states. We can understand the idea of self-luminosity as distinct from inner observation better if we articulate the motivation for taking self-knowledge as being self-luminous.

There are two interrelated points in motivating the idea of self-consciousness as being self-luminous. The first is that if one rejects the claim that mental states are self-luminous, then we have to accept the point that to know our own mental state we need a higher-order mental state, which will illuminate the first-order mental state. What about this higher-order mental state? Is it self-luminous or not? If it is self-luminous, then the question arises, why isn't the first one self-luminous too? If it is not self-luminous, then, obviously, an infinite regress starts. And self-luminosity thesis can avoid this infinite regress.

Apart from this difficulty, the second point, and the more important one, of motivating this kind of a theory is that it avoids the problem of making the subject of experience the object of self-knowledge. According to the self-luminosity account, we cannot make the subject of experience the object of a higher-order mental state. This will lead to what has been termed “*Karma-kartā-virodha*” (the incompatibility between the subject of knowledge and the object of knowledge). Many classical Indian philosophers have used examples to show the impossibility of the knower becoming the object of knowledge. Just as the knife cannot slice its own edge, the fingertip cannot touch itself, a man cannot climb onto his own shoulder, the subject cannot

be the object of knowledge. This argument together with the problem with higher-order theories of consciousness motivates philosophers to adhere to the self-luminosity theory of self-knowledge.

These considerations lead Advaitins to make a distinction between “being immediately presented” and “being immediately perceived.” Self-luminosity or *svaprakāśatva* has been defined by Citsukha in *Tattvapradīpikā* as

Not being an object of knowledge, while being appropriately spoken of as immediately appearing (*avedyatve sati aparokṣa-vyāvahāra-yogyatvam*).⁷

According to these philosophers, while the function of different *pramānas* (modes of cognition, like perception, inference, etc.) is to relate consciousness with objects other than itself, I-consciousness (*ahampratyaya*) itself is presented in all the *pramānas* or modes of cognition.⁸ Self-luminosity thesis goes on to say that the consciousness expressed in the form “I am aware of seeing a table” is a single awareness, not a hybrid awareness of an intentional and non-intentional states. Advaita Vedāntins are of the opinion that when we are aware of an object, whatever the mode of awareness might be, be it perceptual or otherwise, we become aware of the fact of consciousness in being conscious of the object, both at one and the same time. However, though being conscious of being conscious of an object is not numerically distinct from the consciousness of an object, we can analytically segregate “a feature in it which is common to all cases of consciousness of objects. Since it is common to all cases of consciousness of objects and for that reason is not due to any one of the accredited sources of knowledge at work, we shall have to account for the directness of consciousness associated with the fact of consciousness of objects.”⁹ So, for these philosophers, our epistemic life is permeated by the use of the reflexive pronoun “I.” That is why all conscious system is self-aware as being self-luminous. And that is why self-knowledge is nothing but self-luminosity—when we are aware of our mental state we are, in the same act of awareness, aware of ourselves.

3.2. SELF-CONSCIOUSNESS AS SELF-REVELATION

According to these philosophers, self, which is the owner or the subject of the particular mental states, is revealed as the subject of those states when they are experienced. So, for them, there is a substantial self in which experiences and cognitive states arise and there are real external objects to which the cognitive states are directed. Any cognitive state reveals three items simultaneously: the subject or the self, the object or the thing of which cognition is a cognition of, and the state of cognition itself. (This is known as *tripuṭipratyakṣa*, *revelation of the three-fold factors of cognition*). It also correctly registers these three factors to be distinct from one another. Of these three items, it is really the cognitive state which is said to be self-luminous. The self itself is not self-luminous, but neither is it the object of cognition. The important point to be noted is that when the self is revealed in a piece of cognition it is not revealed as the object of cognition, it is always revealed as the subject of cognition (*jñātā*). To say that the self knows itself in the very act of cognition is to simply

say that one and the same thing can be the subject and the object of the same act. But this is not possible because we have to distinguish between agency/subjectness (*kartṛtva*) and objectness (*viśayatva*). An act of the subject is always directed towards something else, in the sense that the result of the act performed by the subject/agent leads to the production of another thing. This is how the radical subjectivity of the subject can be apprehended. For example, when someone cooks rice the result of the act of cooking is seen in the changes taking place in the rice but not in the cook. Hence the act of consciousness, like the act of cooking, should have a subject and an object irreducibly distinct from the subject. So the Prābhākara Mīmāṃsakas think that the self is revealed as the subject in all intentional acts of consciousness, and that is what self-knowledge consists in.

Though the view of Prābhākara is similar to that of the Vedāntins, it has some important points of difference with that of the Vedāntin view. It rejects the self-luminosity thesis because if we identify the self with consciousness as such, then we have to accept that self-consciousness is always present. But we can think of deep sleep (*suṣupti*) where there is no consciousness present. One way of assuring the first-person perspective is by admitting, *a la* Prābhākara, that whenever we have cognition we have to take ourselves to be the subject of the cognitive awareness. The self, being aware of itself as the grasper/experiencer and not the grasped/thing experienced, is able to take a first-person perspective on her experience, and to that extent has an authority over her own experience. However, like the Vedāntins, these philosophers also accept the groundless and authoritative features of this form of knowledge. Unlike Vedāntins, they deny that self-knowledge is salient (which is a feature similar to that of self-luminosity).

3.3 SELF-CONSCIOUSNESS AS SELF-RECOGNITION/SELF-INTIMATION

One of the simplest ways of understanding the idea of self-knowledge as self-consciousness is found in the Yogācāra Buddhism, in particular, in Dīñnāga. Echoing the Humean position that whenever we look inside ourselves we come across a series of singular mental happenings without the further awareness of any persistent self, philosophers belonging to this tradition hold that a momentary unrepeatable and indivisible mental state is necessarily self-aware by imagining itself as having two parts: the grasper or the subjective part and the grasped or the objectual part. A sensation blue comes in dual aspect form: the sensation-form, which pretends to be a mere self-luminous revealer, and the blue-form, which pretends to be a quality over there outside of the sensation. One can say that the objectual aspect of our mental state can be understood in terms of the feature of aboutness or directedness that characterizes any mental state. Can the subjective aspect be understood in terms of property of phenomenality of consciousness, a property of “what it is like” to be in that state? According to Ganeri, we should not identify Dīñnāga’s notion of the subjective aspect with the phenomenal quality of one’s experience, because “attending to the phenomenological quality of an experience will not give one any information as to what the experience is about.”¹⁰

Just as awareness of objects/properties has two aspects, so does self-awareness as self-intimation (*sva-samvedanā*), according to these philosophers. That is, when I am aware of my awareness, e.g., my awareness of my perception of an object, or my awareness of my hunger, love, fear, etc., that awareness also has a double aspect—it has both a subjective aspect and an objective aspect. The subjective aspect of the first thought becomes the objectual awareness of the self-awareness, which the self-awareness has its own subjective aspect.¹¹ The double aspect theory helps us in distinguishing between a thought or awareness and the awareness of that awareness.

As Ganeri points out, Dīñnāga makes use of the double aspect thesis of mental states to establish the self-intimation thesis, the thesis that “particular awareness is reflexively aware of itself.”¹² Dīñnāga does this based on his idea memory, in particular, the fact that remembering a past experience is different from remembering a past event, followed by the further fact that if someone remembers an event, then she would have previously experienced it, which together implies that if someone remembers a mental event, then she would have previously experienced that mental event.¹³ So our recollection also has double aspect to it. It involves an awareness of both the object that has been previously cognized and the previous cognition itself.

This in itself does not prove the self-intimation thesis, because “it remains a possibility that the past experience that I am recalling was experienced by some “third-party,” and not by that very past experience itself.”¹⁴ According to Dīñnāga, this is not possible, for this would lead to infinite regress of experiencing of experiences. We can explain this with the help of an example. Suppose I experience a severe toothache and recall that toothache at a later time. I, in recalling such an event, not only recall the toothache but also recall my experiencing such a toothache. Now, if to recall an event I need to have experienced that event before, then it follows that in order to recall my experiencing a toothache I need to experience that experiencing a toothache. If it is now possible that the past experience that I am recalling was experienced by somebody else, then we have to say that recalling my experiencing a toothache and the experience of that experience are two distinct experiences, starting off an infinite regress of experiences, which is an impossibility. As Ganeri says,

It cannot be the case that, subsequent to any ordinary experience, there follows a distinct chain of higher order thoughts. . .

The obvious way out of this paradox is to suppose that each experience is reflexively aware of itself. . . . That is to say,

If S “experiences” e then S thereby experiences experiencing e.

Since the reverse conditional is trivial, we finally arrive at the self-illumination thesis:

S experiences e iff S thereby experiences experiencing e.¹⁵

Now, the question that arises in this connection is how do we distinguish this position from the Naiyāyikas on the one hand and the Advaita Vedāntins and the Prābhākara Mīmāṃsakas on the other? It is different from the Naiyāyikas because unlike the Naiyāyikas, they use this double-aspect theory to establish the self-intimation thesis, that is, we are necessarily aware of our awareness. Naiyāyikas do not think that our experiences necessarily have dual aspect. Though the Buddhists and the Prābhākaras adhere to the self-intimation thesis, their positions are ontologically very different from each other. The Buddhists talk in terms of awareness and awareness of awareness without committing to the existence of the self as a substantive entity, while the Prābhākara would say that the awareness reveals the substantive permanent self as one of the factors of the three-fold factors of cognition. So there is a distinction to be drawn between *svaprakāśatva* and *svasañvedanā*. Though there are very strong similarities between the Buddhists and the Advaitins regarding the self-luminosity of consciousness, there are a couple of differences that may be highlighted here. Advaitins deny the Buddhist position that awareness of object and awareness of the awareness of object are distinct from each other. Furthermore “the heart of the Advaitin critique of Buddhism is the two-fold argument: one in support of the unity of consciousness, and the other against the doctrine of momentariness.”¹⁶

4. SELF-CONSCIOUSNESS AS LAYERED CONSCIOUSNESS

There is no doubt about the fact that these three self-illuminating theses have very different ontological and epistemological commitments. But we may here note that there is one point in which all three of these philosophical positions agree and which needs highlighting at this stage.

They are all opposed to the other-illumination thesis, not merely because it leads to a vicious infinite regress or that it makes distinction between the subject of experience and the object of experience blurred, but because of the further implications that these rather technical difficulties have. As we have noted, according to the Nyāya position introspection is the higher-order perception or introspection of the self-qualified by the properties of pleasure, pain, etc. Many contemporary philosophers like David Armstrong have argued for a close analogy between perception and introspection. In describing Armstrong’s position Dan Zahabi writes,

A perception is a mental event whose intentional object is a situation in the physical world. Introspection is a mental event whose intentional object is other mental happenings occurring in the same mind. . . . Just as one must distinguish between the perception and that which is perceived, one must distinguish the introspection and that which is introspected . . . introspection may itself be object of further introspective awareness and so on.¹⁷

So, for the Naiyāyikas and Armstrong, self-knowledge can be regarded as authoritative because

- 1) It is derived from the first-person perspective from which the subject comes to know her own psychological states, be it phenomenal or intentional, and
- 2) it is further maintained that due to this first person perspective the kind of direct knowledge that we have is a form of perception of our own mental states.
- 3) And, finally, it is claimed that this perception is a form of inner observation or introspection.

But this view takes self to be object of introspection, and a problem with treating self as an object is that it leads us to see such mental objects as wholly passive. Thus, this kind of position undercuts the agential feature of self-knowledge. Many of those philosophers who adhere to the self-illuminating thesis question this form of self-awareness.

And related to this point is the account of self-knowledge which claims that, like any other form of knowledge, self-knowledge is also a cognitive achievement; it reveals, with a certain accredited method of knowing, something which has been till now unknown to us. But whether self-knowledge as a form of self-awareness is a mere cognitive achievement is also questionable.

Here we may end our discussion by pointing out some of the difficulties that philosophers have felt with this account. Richard Moran in his book *Authority and Estrangement*, echoing the criticisms that Wittgenstein raises against the inner observational model and, hence, of privacy, says that this kind of a picture of knowledge of our own minds

present(s) an essentially superficial view of the differences between my relation to myself and my possible relations to others. For in essence what we have here is a picture of self-knowledge as a kind of mind-reading as applied to oneself, a faculty to be aimed in one direction rather than another.¹⁸

This idea of “mind reading” completely misses the point of the person being engaged with and being in command of her mental life. It is part of our commonsense understanding of an intentional state, like belief, that belief carries with it the commitment to truth, though we may not be completely aware of it. It is this commitment that helps a person

to make up his mind, change his mind, endorse some attitude or disavow it. This a form of authority tied to the presuppositions of rational agency and is different in kind from the more purely epistemic authority that may attach to the special immediacy of the person’s access to his mental life.¹⁹

If we can extend our notion of first-person authority from being a purely cognitive achievement to an ethical and agential commitment, then we may try to understand its cognitive base on something other than a passive perceptual experience. Moral development of first-person authority

based on conscious agential commitment seems to be better suited for the idea of the subject of our phenomenal and intentional states, who also is an agent and can try and attain liberation/nirvana/freedom. A cognitive account of first-person authority, according to Marcia Cavell,

ignores the fact that the first-person perspective of any one person is part of what constitutes that person; *it gives us subjectivity without a subject . . .*" (Italics mine)²⁰

Here one can understand the spirit of the above positions by distinguishing between the notion subject of experience from the subjectivity of experience.²¹ It is only when we realize that being a subject cannot be stripped off from subjectivity that we can realize that the subject cannot become the object of perception.

We can end our discussion by noting this point of what constitutes the being of a subject. A mere perceiver of one's mental states hardly has the capacity of modifying and modulating oneself to a person, ready for liberating herself from the mundane existence and experiences of a spectator. If that is the main goal of the various schools of Indian philosophy (called "Darshana Shastra" in Sanskrit), then the intrinsic subjectivity of the subject cannot be given up in favor of a subject, who merely by looking inwards, is able to say what he is thinking, feeling, apprehending, etc. Even if she does so, her engagement with herself and the world cannot be exhausted by the epistemic enterprise of looking inwards.

Philosophy, for classical Indian philosophers, was similar to that of classical Greece, as it was concerned to "Know Thyself." This knowledge has been considered as transformatory in nature; it brings about a transformation in the knower itself. So the question that may be asked here is as follows: What kind of knowledge is it that changes the thing known? It certainly cannot be a simple act of "looking inside." Rather, it is a consciousness that makes us better human beings, by removing certain illusions about ourselves. What does that really mean? One can try and understand it in the following way. The illusion that we are talking about is twofold: (1) That I have a special access to my consciousness which no one else has, and (2) What I am is determined completely by what I see myself to be. Both these stances create an illusion of authority over our own selves. But these illusions can be overcome by systematic and organized control of our sense of ego. Self-consciousness, in the true sense of term, is hidden behind this elusive ego. So the aim of philosophical enquiry is self-discovery leading to self-transformation, and this can come through the unfolding of layers of self-consciousness.

If we keep these points in mind and look at the three forms of self-illuminating thesis, then we can say that they need not be taken as distinct theories of self-consciousness. The subject of the Prābhākara may be regarded as the radical knower, the subject of the Vedāntins is the radical experiencer, the subject of the Buddhists is the radical selflessness.²² The point that may be emphasized is that in all these theories, and more so in the latter of the two, there is a call for overcoming of the self or the ego, because it

is this sense of the ego which binds us with the mundane existence, and the aim of philosophy lies in aiding us in arriving at this selflessness or subjectlessness in an ethical sense.²³

NOTES

1. B. K. Matilal, *Perception: An Essay in Classical Indian Theories of Knowledge* (Oxford: Clarendon Press, 1986), 148.
2. The importance philosophical enquiry has for classical Indian philosophers will be discussed in detail in the final section of the paper. One can say, at this point, that according to these philosophers, philosophical enquiry is not merely an epistemological enterprise. The epistemological query as to how we come to know the self is important because it is a way to an ethical transformation of the knower herself.
3. See Quassim Cassam's introduction to his edited volume *Self-Knowledge* (Oxford: Oxford University Press, 1994).
4. For a detailed discussion, see Srilekha Datta, "The Self and Self-knowledge in Indian Tradition," in *Rabindrabharati Journal of Philosophy*, 2005.
5. See Matilal, *Perception*, 306.
6. Datta, "The Self and Self-knowledge in Indian Tradition," 6.
7. Sukharanjan Saha, "Inner Sense and 'Higher Order Consciousness': A Indian Perspective," in *Perspectives on Consciousness*, ed. Amita Chatterjee (New Delhi, Munshiram Manoharlal, 2003).
8. We find a similar kind of self-illuminating thesis in Brentano, though there is an important difference between Brentano's position and the position under consideration here. Brentano thinks that every mental state, which is necessarily marked by intentionality, has both a primary and a secondary content. The primary content is, of course, the object towards which the mental state is directed. The secondary content is in the form of reflexive self-awareness. The Advaita Vedantins do not admit of reflexive self-awareness as secondary content of consciousness. It is, in fact, identified with consciousness, and that is why consciousness is by its very nature self-luminous or self-illuminating.
9. Saha, "Inner Sense and 'Higher Order Consciousness'."
10. Jonardon Ganeri, "Self-intimation, Memory, and Personal Identity," *Journal of Indian Philosophy* 27, no. 5 (1999): 472.
11. For a detailed discussion see Ganeri, "Self-intimation, Memory, and Personal Identity," 471; and Matilal, *Perception*, 151–53.
12. Ganeri, "Self-intimation, Memory, and Personal Identity," 471.
13. *Ibid.*, 472–74.
14. *Ibid.*, 474.
15. *Ibid.*, 477.
16. Chakravarthi Ram-Prasad, "Situating the Elusive Self in Advaita Vedānta," in *Self? No Self?—Perspectives from Analytical, Phenomenological and Indian Tradition*, ed. Mark Siderits, Evan Thompson and Dan Zahavi (Oxford: Oxford University Press, 2013), 236.
17. Dan Zahavi, *Subjectivity and Selfhood: Investigating the First-person Perspective* (Cambridge, MA: Bradford Books, 2008), 15.
18. Richard Moran, *Authority and Estrangement* (Princeton: Princeton University Press, 2005), 91.
19. *Ibid.*, 92.
20. Marcia Cavell, *Becoming a Subject* (Oxford: Clarendon Press, 2006), 142.
21. This distinction has been made in Dan Zahavi's *Subjectivity and Selfhood*, 126.
22. I coin the terms: (a) "radical knower" because of the claim made by the Prābhākara philosophers that the self is revealed as the knower (jnātā) in a piece of cognition without it being revealed as the object of cognition; (b) "radical experiencer" because of the claim made by the Advaitins that the subject of experience can never be the object of experience; and (c) "radical selflessness"

because of the Buddhist position of their being no permanent entity to be called the self.

23. An earlier version of this paper was presented in the Centre for Subjectivity Research in Copenhagen and in a workshop in University of Odense in Denmark. I would like to thank the audience in both these places, in particular, Dana Zahavi, Nivedita Gangopadhyay, Berit Brogaard, and Lars Binderup, for their comments on the paper.

The Nature of Resemblance: Some Indian Views*

Prabal Kumar Sen

INDIAN COUNCIL OF PHILOSOPHICAL RESEARCH, NEW DELHI

The nature of resemblance, especially its ontological status, has been a matter of dispute between different Indian schools of philosophy. In general, it is seen that nominalists, who do not admit universals as independent or irreducible entities, tend to explain the employment of class-words (like "cow," "horse," etc.) on the basis of similarity or resemblance between the entities to which such words are applied. Among the Indian thinkers, the Buddhist philosophers, who do not admit universals as real entities, maintain that the word "cow," for example, is applied to individuals that are different from non-cows; and such individuals are grouped together due to the similarity that obtains between the functions that can be performed by these individuals. In this way, common properties like cowness, etc., are explained in terms of resemblance by these nominalists, who are wary of abstract entities like universals. The realist schools like Nyāya-Vaiśeṣika and Bhāṭṭa Mīmāṃsā maintain that similarity or resemblance is nothing but the possession of a large number of common properties, and among such properties, one may also include universals, which are as real as the individuals. The Prābhākara Mīmāṃsakas, who are also realists, and who also admit the existence of universals, nevertheless accept similarity or resemblance as a fundamental or irreducible type of entity. Here, we should also note that according to the Prābhākara Mīmāṃsakas, universals can characterize only the perceptible substances that have some specific configurations, whereas the Bhāṭṭa Mīmāṃsakas and Nyāya-Vaiśeṣika thinkers maintain that *all* substances, qualities, and movements are characterized by various universals, which can be arranged in a hierarchy in accordance with their pervasiveness. Thus, for example, the property substancehood (*dravyatva*), which is located in all perceptible as well as imperceptible substances, is a genuine universal (*jāti*) according to the Nyāya-Vaiśeṣika and Bhāṭṭa Mīmāṃsā schools, whereas according to the Prābhākara Mīmāṃsā school, it is a "pseudo-universal" or "imposed property" (*upādhi*). The same is true about common properties like colorhood (*rūpatva*), blueness (*nīlatva*), motionhood (*gamanatva*), etc. Whether the two doctrines of the Prābhākara Mīmāṃsakas that have been stated here are interconnected or not can be decided only after further investigations. For the present, however, we propose to give only a short account of the disagreement among the Nyāya-Vaiśeṣika, Bhāṭṭa Mīmāṃsā, and Prābhākara Mīmāṃsā schools regarding the ontological

status of similarity (*sādṛśya*). The Nyāya-Vaiśeṣika school (at least in its later phase) admits seven kinds of entities, which are known as *padārtha*-s. These are (i) substance (*dravya*), (ii) quality (*guṇa*), (iii) motion (*karma*), (iv) universal (*sāmānya*), (v) particularity/differentiator (*viśeṣa*), (vi) inherence (*samvāya*), and (vii) negation/absence (*abhāva*).¹ Among these seven *padārtha*-s, particularity and inherence are not admitted by the Bhāṭṭa Mīmāṃsakas, but they admit the five other *padārtha*-s mentioned in this list.² Among the seven *padārthā*-s admitted by the Nyāya-Vaiśeṣika school, particularity and negation are not admitted by the Prābhākara Mīmāṃsakas, but in addition to the five other *padārtha*-s, they also admit power (*śakti*), similarity (*sādṛśya*), and number (*saṃkhyā*) as additional *padārtha*-s.³

Let us now consider briefly the arguments given by the Prābhākara Mīmāṃsakas for admitting similarity (*sādṛśya*) as an additional *padārtha*. In their opinion, the existence of similarity has to be admitted on the basis of uncontradicted experiences like "the *gavaya* is similar to the cow" (*gosadṛśo gavayaḥ*) and so on. Since similarity possesses some features that are not present in any of the *padārtha*-s that are admitted by either the Nyāya-Vaiśeṣika or the Bhāṭṭa Mīmāṃsā schools, it cannot also be included in any one of those *padārtha*-s. Let us explain this in some detail. According to both the Nyāya-Vaiśeṣika and Bhāṭṭa Mīmāṃsā schools, the entities (*vastu*-s) inhabiting this world can be either positive (*bhāvātma*) or negative (*abhāvātma*) in nature. Entities that belong to the first group are attested by cognitions that are affirmatory in nature (*vidhimukhapratyaya*), i.e., which make us aware of the fact that something *is* the case, whereas those that belong to the second group are attested by cognitions that are prohibitory in nature (*niśedhamukhapratyaya*-s), i.e., which make us aware of the fact that something *is not* the case. *Abhāva* belongs to the second group of entities, while the six other categories comprise the positive entities. Among the positive categories, only substance (*dravya*) can act as the locus (*ādihāra*) of quality (*guṇa*) and movement (*karma*); substance, quality, and movement *alone* can act as the loci of universal (*sāmānya*); eternal substances *alone* can act as the locus of particularity (*viśeṣa*); while inherence (*samavāya*) acts as the relation that obtains between (i) a non-eternal substance and its constituent parts, (ii) a quality and the substance where it is located, (iii) a movement and the substance in which it is located, (iv) universals and the loci in which they are instantiated (i.e., substance, quality, and movement), and (v) an eternal substance and the particularity located in it.

Even a cursory examination of the nature of these positive entities makes it amply clear that none among these six types of positive entities can be located in any universal. Each universal is eternal, one, and located in its instantiators through the relation of inherence (*samavāya*). [The Bhāṭṭa Mīmāṃsakas do not admit inherence (*samavāya*), but in lieu of it, they admit the relation of "identity-in-difference" (*tādātmya*).] Thus, any two universals must have *at least* three features in common, viz. unity (*ekatva*), eternity (*nityatva*), and the property of having multiple locations (*anekāśritatva*), and by virtue of these three properties, any universal is similar to any other universal. Accordingly, universals are characterized by similarity (*sādṛśya*), which,

on account of being located in universals, cannot be included in any of the six positive *padārtha*-s admitted by the Nyāya-Vaiśeṣika school or the four positive *padārtha*-s admitted by the Bhāṭṭa Mīmāṃsā school.⁴

Such arguments have been, however, rejected by the Naiyāyikas, Bhāṭṭa Mīmāṃsakas, and Advaita Vedāntins on the ground that similarity is nothing but *some* common properties like component parts or limbs, qualities, actions, universals, etc., that may be observed in a number of entities. Thus, the cow and the *gavaya* are similar, because many of them have limbs of an almost identical nature. Two flowers of the same tree are similar because they have similar component parts, similar colors, and the same universals. Thus, in order to explain the similarity that is apprehended in a number of entities, we need not admit similarity as a distinct category—because similarity is nothing but the possession of many such common features that different things may happen to possess (*bhūyo'vayavasāmānyayoga*).⁵

The Prābhākara Mīmāṃsakas may try to reject this view on the basis of the fact that in some cases, it is simply not possible to explain the similarity between two things as the possession by both those things of a set of common properties like component parts or qualities or movements or universals, or a combination of some of these possible common factors. Thus, two qualities or two movements may resemble one another, and in such cases, the explanation of similarity given by the Bhāṭṭa Mīmāṃsakas is simply not applicable. Two qualities or two movements cannot share in common either some component parts or qualities or movements, which can belong to substances alone. How, then, are we to explain the similarity that is felt to obtain between the smell of *ketaki* flower and the smell that a snake emits during its mating season? How, again, are we to explain the similarity of the gait of a beautiful woman with the gait of a swan, which is at the basis of figurative expressions like *haṃsagāminī*? Nor can the common property here be a set of universals or some other sort of properties, because if similarity is reduced simply to an identical set of some commonly shared properties, then in the case of X and Y that happen to be similar, one would have the experience of the form “(X is)Y” [or simply of the form “that” (*tat*)] and *not* of the form “this is like that,” “X is like Y,” or “X is similar to Y” or “X resembles Y” (*tatsadṛśah*). Thus, it transpires that even in the case of similar substances, the theory of similarity offered by the Bhāṭṭa Mīmāṃsakas is not tenable since it cannot account for the *difference* that invariably obtains between two things that are similar. Moreover, two substances cannot even *have* any two component parts, or two qualities, or two movements in common. Composite substances (*aṃśī*-s) are ‘whole’s (*avayavin*-s) that are produced by their constituent parts or components (*aṃśa*-s *avayava*-s) in which these ‘whole’s inhere, and since such composite substances are impenetrable (*sapratigha*), two ‘whole’s cannot inhere in the selfsame parts, which would be required in the case of similar wholes in the opinion of Bhāṭṭa Mīmāṃsakas. So far as qualities and movements are concerned, they inhere in the substances to which they belong, and apart from a few qualities like contact (*saṃyoga*), disjunction (*vibhāga*), separateness (*pṛthaktva*), etc; no individual quality like color, taste, etc., can belong

to two different substances, and no movement whatsoever can ever belong to two different substances. Nor can it be said that while two similar ‘whole’s (e.g., two banyan trees) have no *common* or *identical* component parts, qualities, or movements, they can nevertheless have *similar* component parts, qualities, or movements, because this will only result in pushing back the problem by one step, and ultimately, it will result in an infinite regress (*anavasthā*) since similarity of parts, etc., of two things will have to be explained likewise by another set of similar properties.

In the case of two universals that are cognized to be similar, we cannot obviously explain similarity in terms of common components, common qualities, common movement, or common universal, because even according to the opponents, among these four types of entities, the first three can belong to substances *alone*, and universals can belong *only* to substances, qualities, and movements. Bhavanātha Miśra, an adherent of the Prābhākara Mīmāṃsā school, has raised this issue in his *Nyayaviveka*.⁶

The Bhāṭṭa Mīmāṃsakas are not, however, impressed by such counter-arguments. Thus, Rāmakṛṣṇa, the author of the commentary *Yuktisnehaprapūṇī* on *Śāstradīpikā* of Pārthasārathi Miśra, maintains that the expression “relation with a large number of component parts or universals” (*bhūyovayavasāmānyayoga*) should not be understood here in a narrow and literal sense. Here, the terms *avayava* and *sāmānya* should be considered to be *upalakṣaṇa*-s, i.e., terms which express, in addition to their specific meanings, also something else. Thus, the word *avayava* stands not for component parts or limbs alone, but also for properties as such, while the term *sāmānya* also indicates, in addition to universals, something else that is sharable. This is why figurative expressions like “this boy is like fire” (*agniriva māṇavakah*) are used, even though the fire and the boy do not have any common component parts or universals. In the cases where some component part of a thing is found to be similar to a component part of another thing [as is seen in the figurative expression *padmadalākṣī*, i.e., a woman whose eyes are like the petals of a lotus (where the eyes are the limbs of the woman, while the petals are the limbs of the lotus)], the component parts of the first set of component parts (i.e., the component parts of the eye and the petal) are similar. So far as the similarity of two qualities belonging to two things is concerned, it is due to the fact that the component parts of those things have similar qualities. In this manner, due to the presence of common properties like universals or qualities or movements or potency, etc., similarity can be explained, and depending on the number of such common properties, there can also be degrees of similarity between two things. This has been clearly stated by Kumārila Bhaṭṭa himself in his *Ślokavārttika*. Nor can it be urged here that the multiplicity of common properties itself should be treated as similarity, and not the relation (*yoga*) of such common properties, because an unrelated set of properties cannot produce the awareness of similarity between two things. Those who (like the Prābhākara Mīmāṃsakas) treat similarity as an independent category cannot explain either (i) how similarity can have degrees or (ii) why it is always understood in terms of some counter-correlate.⁷

Cidānanda Paṇḍita in his *Nītitattvāvirbhāva*, and following him, Nārāyaṇa in his *Mānameyodaya*, have also tried to meet the objection of Bhavanātha Miśra that the Bhāṭṭa theory about similarity cannot explain the fact that similar things, which are characterized by an identical set of common properties, do *not* appear to be the *same* (i.e., the *gavaya* is not cognized as a cow, instead of being cognized as “similar to a cow”). Cidānanda Paṇḍita has answered this objection by saying that just as Devadatta, when understood as someone who has Yajñadatta as his progenitor, is cognized as the son of Yajñadatta, whereas when considered by himself, he is cognized simply as Devadatta; similarly, when a set of properties that characterize a *gavaya* are cognized as also belonging to a cow, they produce the cognition of the form “this is like a cow,” but when considered in themselves, they produce the cognition of the form “this is a cow.”⁸

This argument has been stated almost verbatim by Nārāyaṇa in his *Mānameyodaya*. He has also reiterated and explained the claim by Rāmakaṣṇa that the Prābhākara view [viz. that similarity is separate category (*padārtha*)] cannot satisfactorily explain the undeniable fact that similarity can have degrees, which is attested by uncontradicted experiences like “this cow is very much similar to a *gavaya*, while it is only slightly similar to a boar.” If, as claimed by the Prābhākara Mīmāṃsaka-s, similarity of a thing (say X) with another thing (say Y) is an independent category (i.e., which cannot *ex hypothesi* be reduced to some other entity/entities), then it would be specified or determined (*nirūpita*) by Y alone, and in that case, the similarity of Y, irrespective of the loci where it is present, would be of the same type or the same degree. It cannot be claimed that similarity with a certain thing can have size or magnitude (*parimāṇa*) which can vary from one locus to another, because magnitude is a quality which can belong to substances alone, and the Prābhākaras themselves maintain that similarity is not a substance. Nor can it be claimed that the degrees of similarity with a certain thing that may be apprehended in different loci depends on the respective sizes or magnitudes of those loci, because it may happen in some cases that X is smaller than Y in size or magnitude, and yet X is very much similar to Z, while Y is only slightly similar to Z. Moreover, the cow, which is very similar to a *gavaya* and only slightly similar to a boar, can have only one fixed size at any time, which is incompatible with the property of having different degrees, if the size of the locus of similarity determines the degree of similarity. But if, as per the Bhāṭṭa view, similarity is reduced to a set of a large number of common properties, then the different degrees of resemblance to a certain thing that may be exhibited by other things can be easily explained in terms of the greater or lesser number of the members constituent of such a set that are present in different loci.⁹

Naiyāyikas like Udayanācārya have tried to show in a different manner that similarity cannot be anything over and above the seven *padārtha*-s admitted in the Nyāya-Vaiśeṣika system. [These seven categories (*padārtha*-s) are (i) substance (*dravya*), (ii) quality (*guṇa*), (iii) movement (*karma*), (universal (*sāmānya*), (v) particularity (*viśeṣa*), (vi) inherence (*samavāya*), and (vii) negation (*abhāva*)]. The arguments in favor of such a view are found in the

autocommentary on verse no. 3/8 of Udayanācārya’s *Nyāyakusumāñjali*. The argument proceeds by initially splitting up all the possible entities into two groups, viz (i) those that are positive in nature (*bhāvapadārtha*-s), and (ii) those that are negative in nature (*abhāvapadārtha*-s). It is obvious that the subgroups obtained by such a dichotomous division are (i) mutually exclusive (since each of them is the contradictory of the other) and (ii) jointly exhaustive (since in such a case, there cannot be any third alternative, because the negation of one of them automatically results in the affirmation of the other alternative). Since similarity is invariably revealed in some affirmatory cognition (*vidhimukhapratyaya*), it cannot be negative in nature, and hence, it must be *positive* in nature. Now, a positive entity can again be either characterized by some quality (*saguna*), or it may be devoid of any quality (*nirguna*). It is obvious that here also we have obtained, by way of a dichotomous division, the *two*, and *only two* alternatives that are possible in this case. Now, if we admit that similarity is characterized by some quality, then it has to be included in substance (*dravya*), since substances *alone* can be characterized by qualities. If, however, it is devoid of qualities, then again it must be either (i) resident in some locus through the relation of inherence (*samaveta*) or (ii) not resident in any locus through the relation known as inherence (*asamaveta*). Here, again, for obvious reasons, we have two, and only two possible alternatives. If the second alternative is applicable to similarity, then it has to be brought under inherence (*samavāya*), because among the positive entities (apart from eternal substances), *samavāya* alone is such that it can *never* inhere in anything, since a supposition to the contrary would result in an infinite regress (*anavasthā*). If, however, it resides in something through the relation of inherence, then, again, in the same manner, there are only two possibilities about it—it is either (i) characterized by some universal (*sāmānyavat*) or (ii) not characterized by any such universal (*niḥśāmānya*). If the first of these alternatives holds good of similarity, then, again, in the same manner, either (i) it may involve vibration (*spanda*), that may cause some displacement in its locus, or (ii) it may not involve any such vibration. If similarity falls under the first of these two alternatives, then it is to be included in movement or action (*karma/kriyā*), and if it falls under the second of these two alternatives, then it has to be brought under quality (*guṇa*). If, however, similarity be something that is (a) devoid of universals, (b) devoid of qualities, and yet (c) resident in some locus through inherence, then again we have, by the same argument, two and only two alternatives here—because it may be either (i) located in *only one* entity or (ii) located in more than one entities. Whatever comes under the first of these specific alternatives is the same as particularity or differentiator (*viśeṣa*), and whatever comes under the second of these alternatives is nothing but a universal (*sāmānya*). The identification of each of these alternatives with some one or other of the *padārtha*-s admitted in the Nyāya-Vaiśeṣika categorical framework is done on the basis of the definitions of these categories. [This argument also shows the principles on the basis of which this categorical framework has been conceived.] There being no other possible alternatives about existent entities, one must either include similarity in any one of these seven categories or deny straightaway that similarity is something that is existent in its own right. Udayanācārya

also maintains that with the help of similar arguments with suitable alterations, it can be shown that potency (*śakti*) and number (*saṅkhyā*), both of which are regarded as independent categories by the Prābhākara Mīmāṃsakas, can brought under this seven-fold scheme of categories (*padārtha*-s) admitted by the Nyāya-Vaiśeṣika school.¹⁰

Finally, it may be noted here that later adherents of the Nyāya-Vaiśeṣika school like Vardhamāna Upādhyāya (who has also commented on *Nyāyakusumāñjali*) prefer to define *sādṛśya* as “difference from something along with the possession of many properties of that thing” (*tadbhinnatve sati tadgatabhūyodharmavattva*). The first of the clauses that constitute this definition has been inserted for preventing the possibility of something being similar to itself, which is counter-intuitive. But if this portion alone is regarded as the definition of similarity, then even any two disparate things like chalk and cheese would also become similar to one another. Moreover, if difference *simpliciter* is regarded as similarity, then just as difference between two things is described by expressions like “this is different from that” (*idaṃ tasmāt bhinnam*), similarity between two things would also be described by expressions like “this is similar from that” (*idaṃ tasmāt sādṛśam*), though in everyday language, competent speakers employ the expression “this is similar to that” (*idaṃ tena sādṛśam*). In order to prevent this unwelcome consequence, the second clause has been inserted in this definition. The term “many” (*bhūyas*) in the second clause is not strictly necessary since in some cases, two things may resemble each other even in respect of a single property. Nevertheless, it has been added here to indicate that usually, things that share a large number of properties in common are regarded by people as similar to each other. This definition of similarity is clear and unambiguous, unlike the definition given by earlier Bhāṭṭa Mīmāṃsakas, many constituent terms of which have to be understood in a secondary sense.

*Unfortunately, the editors faced significant formatting software problems with some Sanskrit diacritics in this paper. We have tried to amend them within the constraints allowed for the timely publication of the newsletter, but we apologize for any that we missed.

REFERENCES

1. This can be seen from the following verse of *Bhāṣāpariccheda*, a text that discusses Vaiśeṣika ontology and Nyāya epistemology:
*Dravyaṃ guṇastathā karma sāmānyaṃ saviśeṣakam /
samavayāstathā bhāvaḥ padārthāḥ sapta kīrtitāḥ //*
(Bhāṣāpariccheda, verse no. 2)
2. This can be ascertained from the following verse in *Mānameyodaya*:
*vayaṃ tāvat prameyaṃ tu dravyajātiguṇakriyāḥ /
abhāvaśceti pañcāitān padārthān ādriyāmahe //*
(Mānameyodaya, section on Prameya, verse no. 5, p. 142)
3. This can be ascertained from the following verse quoted in *Mānameyodaya*:
*dravyaṃ guṇaḥ karma ca jātiśakti
sādṛśyasamkhye samavāya ete /
aṣṭau padārthā iha tān vibhajya
samkṣipyā vakṣyāmi guromatena //*
(Mānameyodaya, p. 267)

A similar verse is found also in *Gurusammatapadārthāḥ*, a small text by an unknown author, which deals with the *padārtha*-s admitted in Prābhākara Mīmāṃsā, and has been printed as an appendix to *Mānameyodaya* (pp. 293–307).

[Jayapurī Nārāyaṇa, the author of the commentary *Nyāyasiddhi* on *Prakaraṇapañcikā*, adds one more *padārtha* to this list. This is sequence (*krama*), as can be gathered from his remark quoted below:

atra ceyaṃ prābhākaraṇām padārthaprakriyā — navadhā padārthāḥ; dravyaṃ, guṇaḥ, karma, sāmānyaṃ, samavāyaḥ, śaktiḥ, saṅkhyā, sādṛśyam, kramaśceti.

(Prakaraṇapañcikā with Nyāyasiddhi, p. 78)

But authoritative texts of the Prābhākara school like *Brhāṭī*, *Rjūvalā*, *Prakaraṇapañcikā*, *Nayaviveka* etc. do not mention *krama* as an independent *padārtha*.]

4. The following passage in *Prakaraṇapañcikā* states these arguments:

kiṃ punaridaṃ sādṛśyam? nedaṃ dravya-guṇa-karma-sāmānya-samavāya-viśeṣāṇām anyatamam, teṣāṃ samgrahe'syāpāthāt. ucyate —

viśayo'sya vittisiddho bhinno dravyādibhāvebhyaḥ //

sarvavastūni saṃvidekaśaraṇāni. asti ceyaṃ 'sadrśa'iti saṃvit. sā ca sarvaiva viśayāvvyabhicāriṇīti darśita Nayavithyām. tacca na dravyam, guṇakarmanoropyāśritatvāt. gandhādayo hi sadṛśabodhagocaribhavanti, bhavanti ca karmāḍyopi karmāntarasadṛśabuddhibodhyāni. ata eva na guṇatvam, nāpi karmatvam. anuvṛttapratyayanimitābhāvācca na sāmānyam. samavayāstu sambandharūpa iti na tatrāntarbhāvaḥ. viśeṣākhyaṃtu padārtham pramāṇavādinō nānumanyante... ataḥ padārthāntaramevedaṃ śaktivat, saṅkhyāvacceti Prameyapārāyaṇa evoktam.

(Prakaraṇapañcikā, pp. 267–68)

5. Such an argument is found in the following passage of *Śāstrādīpikā* by Pārthasārathi Mīśra:

kiṃ punaḥ sādṛśyam. arthāntarayogibhiḥ sambandhisāmānyair arthāntarasya tādṛśayogaḥ sādṛśyam. yathā gojātiyogibhiḥ karṇādyavayavasāmānyair gavayajāteryogo gavayasya gosādṛśyam, gavayasamyogibhiḥ ca goryogastatsādṛśyam. ataeva ca sāmānyabhūyasivālpavavaśena sādṛśyaprakarsāprakarsau saūsādṛśyam iṣatsādṛśyam iti. ye tu sāmānyayogātiriktam eva tattvam sādṛśyam manyante, teṣāṃ prakarsāprakarsabhedāḥ kiṃnimitta iti cintaniyam. na ca tattvāntaratve pramāṇam api kiñcidastitīyastām tāvat.

(Śāstrādīpikā, p. 75)

6. The remarks of Bhavanātha on this issue are as follows:

na teṣāṃ yogaḥ, asambaddhatvāt. 'tadvat' — iti hi taddhīḥ, na tu 'tad'īti, 'sambaddha', iti vā.

(quoted in Mānameyodaya, p. 147)

7. Such arguments are found in the following passage of *Yuktisnehapūraṇī* on the paragraph from *Śāstrādīpikā* quoted earlier:

lakṣaṇārtham vivṛṇoti — yatheti. etacca sādṛśyam sadṛśa-pratyayotpādakatvena 'gavayasadrśena yajete'tyevamādicodanārthaniṣpādakatvena cārthakriyākāriṇivād vastveveti bhāvaḥ. avayavagrahaṇam ca dharmamātropalakṣaṇārtham, jātigrahaṇam copalakṣaṇāntarapradarśanārtham. ato' aginiriva mānavako' 'yajñadattasadrśaśca devadatta'ityapi sidhyati. yatra punaravayavayoḥ sādṛśyam yathā 'padmadalākṣī'yatra padmasyākṣośca, tatrāpi tayoh svāvayavasāmānyayoga eva sādṛśyam. yadapi guṇayoḥ sādṛśyam yathā — 'ketakīgandhasadrśaḥ sarpagandha'iti, tatrāpyavayaviguṇāṇām avayavagunasāmānyayoga eva sādṛśyam. karmaṇāmapi svasambandhi-dravyadevatāsāmānyayoga iti. evaṃ jātyādisāmānyairapi vyastaiḥ samastair vā vicitraṃ sādṛśyamūhaniyam. yathāhuḥ —

*evaṃ jātiguṇadravyakriyāśaktisvadharmataḥ /
ekaikadvitrisāmasyabhedādetasya citratā //*

(Ślokaṅkīrtika, chapter on upamāna, verse no. 20)

nanu sāmānyabhūyastvam eva sādṛṣyam astu, kim 'yoga'grahaṇena. na, yogam vinā tadapratīteḥ, gojātiyāvayavasāmānyayuktātugavayajātiḥsādṛṣyayuktāgrhyata itī yoga eva sādṛṣyāvagamāt. . . .nanu vyāsajyavartamānasya kathamekatra grahanam? maivam, jātivadekatra sādṛṣyasya parisamāptatvena dvayonyāsajyavṣṭtyabhāvāt. Matāntaram nirasyati — **ye tviti**. nyadeva svatantram kiñcidityarthāb. teṣāṃ mate prakarsāprakarsābhedaḥ pratyogyapekṣā ca na syāt— ityarthāḥ.

(Yuktisnehaprapūraṇī on Śāstradīpikā, p. 75)

8. The following passage of *Nītitattvāvirbhāva* contains this answer:

guṇāvayavasāmānyānāmamevaikatra pratīfānām anyatra sādṛṣyabuddhiviśayatvāt. yathā devadatto yajñadattajanyatvenopalakṣyamāṇo yajñadattaputrabuddhiviśayo bhavati, svarūpeṇatunirūpyamāṇodevadattabuddhereva. tathā guṇāvayavasāmānyāni gavayāśritākāreṇopalakṣyamāṇāni gavi gavayasādṛṣyabuddherviśayaḥ, svarūpeṇaiva nirūpyamāṇāni tad'ityanuvṛttabuddhereva viśayaḥ.

(quoted in *Mānameyodaya*, p. 150)

9. The relevant passage of *Mānameyodaya* is as follows:

api ca sādṛṣyasya tattvāntaratve 'gavayena gaurbahusadrśaḥ varāheṇa punaralpasadrśa' ityādi pratyayānām kathamupapattiḥ? nahi bhavānmate sādṛṣyasylpatvabahutve sambhavatāb. na ca parimāṇabhedādālpavabahutve itī vācyam, dravyavya-tirikṭasyāparimāṇatvāt. na cāsrayaparimāḍabhedāt parimāḍabhedāḥ, ekasyaiva gorāśrayatvāt. asmanmate guṇāvayavasāmānyānām alpasamkhyābhājām sādṛṣyālpavam, bahusamkhyābhājām sādṛṣyabahutvam itī vivekaḥ sukaṛaḥ. tasmāt dravyādiṣveva sādṛṣyasylpyantarbhāvaḥ.

(*Mānameyodaya*, p. 270)

10. The relevant passage of *Nyāyakusumāñjali* reads as follows:

. . . na tāvat . . . sādṛṣyavyapadeśyam padārthāntarameva sambhāvanīyam —

parasparavirodhe hi na prakārantarasthithḥ /

naikatā'pi viruddhānām uktimātravirodhataḥ //

na hi bhāvābhāvābhyām anyāḥ prakārah sambhāvanīyaḥ, parasparavidhīnīśedarūpatvāt, 'na bhāva'itī bhāvanīśedha-mātreṇaivābhāvavidhiḥ. tataḥ taṃ vihāya katham svavacanenaiva punaḥ sahrdayo niśedhet — nābhāva itī. evaṃ 'nābhāva' itī niśedha eva bhāvavidhiḥ. tatastaṃ vihāya svavācaivānunnattāḥ katham punarīśedhena bhāva itī. ata evaūbhūtānāmekatā'pyāsakyapratipattiḥ, pratīśedhavidhyor ekatrasambhavāt. tasmādbhāvābhāvāveva tattvam. bhāvate'pi guṇavannirguṇaṃ veti dvayameva pūrvavat. pūrvam dravyam eva. uttaram cāsritamanāśritam veti dvayameva pūrvavat. tatrottaram samāvāya eva, anavasthābhayāt. āśritam tu sāmānyavanniḥsāmānyāceti pūrvavat dvayameva. atra prathamam api spando'spanda itī dvayameva. etacca yathāsamkhyam karma guṇa itī vyapadiśyate. niḥsāmānyam nirguṇamāśritam tvekāśritam anekāśritam veti prāgiva dvayam eva. etadapi yathāsamkhyam viśeṣaḥ sāmānyācetyabhiyate. tadetatsādṛṣyam etāṣvekāṃ vidhām āśādayannātiricyate, anāśādayanna padārthibhūya sthātum utsahate. etena śaktisamkhyādayo vyākhyātāḥ. tato'bhāvena saha saptaiva padārthā itī niyamaḥ. . .

(*Nyāyakusumāñjali*, pp. 258–59)

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The Practice of Textual Interpretation in Indian Tradition

Anindya Bandyopadhyay

UNIVERSITY OF KALYANI, INDIA

INTRODUCTION

The paper will focus on the practical application of interpretive rules developed by the Mīmāṃsā tradition of Indian philosophy. I will discuss how the Mīmāṃsā philosophers are able to provide a distinctive practical stance in classical Indian philosophical systems, often by resolving conflicting passages of the Veda based on exploiting their theory of the rules of interpretation. Such rules are often borrowed later by thinkers in various fields of Indian thought in order to solve various problems of interpretation.

In developing my account, I take the term *mīmāṃsā* to mean “examined decision” or “decision after investigation” although the term *mīmāṃsā* is usually translated as “investigation” or “examination.” The difference between the six “orthodox” systems of Indian philosophy and three “heterodox” systems is usually framed in terms of their acceptance and rejection of the authority of the Veda. The former rely on the authority of the Veda, while the latter do not. It is worth mentioning that, actually, the four of the “orthodox” schools appeal to the Veda as testimony in support of their own independent arguments. Apart from this, they do not depend much on the Veda. In contrast, the two schools, called *Pūrva-Mīmāṃsā* and *Uttara-Mīmāṃsā*, fundamentally belong to the hermeneutic tradition, focused exclusively on the Veda. Hermeneutics is the theory and methodology of textual interpretations. The above mentioned two schools examine Vedic statements with arguments and counter arguments to see how those sentences could be suitably interpreted and applied to society. Both Mīmāṃsā systems hold that the Veda is the supreme authority; as a result, each and every sentence of the Vedic literature remains unimpeachable as each word in the sentence is sacrosanct and immune to change.

The Veda consists of four parts: *Samhitā* (or a collection of Hymns), *Brāhmaṇa* (an assemblage of injunctions relating to the performance of different rituals), *Āraṇyaka* (which focuses mainly on worshipping the formless power), and *Upaniṣad* (various narrations relating to Brahman, the ultimate reality). Among them, the *Pūrva-Mīmāṃsā* emphasizes the *Brāhmaṇa* part of the Śruti, whereas the *Uttara-Mīmāṃsā*, the *Upaniṣadic* part of the Śruti.

Followers of Mīmāṃsā believe that attainment of heaven or other desired things can only be achieved through

sacrifices or sacrificial rites. Their philosophy is anchored in the slogan, “sacrifice is righteousness.” However, a problem emerges regarding the correct reading of the Veda. Sacrifice has to be performed exactly as prescribed in the scriptures. The rules of performing those sacrifices are recorded in the Brāhmaṇa texts. Yet, many of the texts of the Brāhmaṇas have become hardly understandable with a passage of time (just many of the words and expressions Shakespeare used are hardly understandable today without a proper commentary). The problem exacerbates further because various injunctions are found which apparently contradict each another. In addition, it is not uncommon to come across ambiguity with multivalent meanings. The fundamental issue confronting the Mīmāṃsā philosophy is thus how to decipher the real intention of the Vedic passages. The Mīmāṃsā philosophers think that the only way to fathom the real intention of the Vedic passages is to develop appropriate principles of interpretation. Otherwise, it won’t be possible to perform the sacrificial rite correctly. As a result, we might be barred from going to heaven, considered one of the most pressing goals for the Mīmāṃsā philosophy.

RULES OF INTERPRETATION

The *Mīmāṃsā* principles generally deal with the obligatory and non-obligatory injunctions of the Veda. Among them, the obligatory rules are called *injunction* (or *prohibition*, which is injunction available in a negative form). Besides these obligatory injunctions, there are various non-obligatory injunctions in the Vedic literature. The *Mīmāṃsā* called them *arthavāda*. An *arthavāda* is a statement of no legal force by itself, but it is not entirely useless. It helps to understand the original intention of various ambiguities concerning *injunction* and provides the proper Vedic direction. Often an *injunction* is couched in the form of an *arthavāda*, or vice versa.

In his famous *Tagore Law Lecture (TLL)* series on *mīmāṃsā* principle, Professor K. L. Sarkar¹ mentions six specific axioms of interpretation. They are as follows:²

- a) **Axiom 1:** Every word and sentence must have some meaning.
- b) **Axiom 2:** The construction which makes the meaning simpler and shorter is to be preferred.
- c) **Axiom 3:** A double meaning should not be attached to a word or sentence occurring at one and the same place. Such a double meaning is regarded as a fault in a theory of interpretation.
- d) **Axiom 4:** If a word or sentence purporting to express a subordinate idea clashes with the principal idea, the former must be adjusted to the latter, or must be disregarded altogether.
- e) **Axiom 5:** All attempts should be made in reconciling apparently conflicting texts. We call this the *axiom of the Harmonious Construction*, which we will be using a great deal in the paper.

- f) **Axiom 6:** It will only be applied when there is a real and irreconcilable contradiction between two legal rules having equal force.

Apart from the above mentioned axioms, the *Mīmāṃsā* also provide the following four general rules of interpretation.

- a) **The literal rule:** According to this rule, when a sentence is complete and explicates its sense unambiguously, no attempt should be made to strain or twist its meaning.
- b) **The suggestive power of a word rule:** According to this rule, when a word or expression has more than one meaning, and the natural and ordinary meaning (of a word or expression) does not harmonize with the context or subject, its technical sense is to be determined by the context or reference to other parts of the subject.
- c) **The sentence rule:** According to this rule, if words and sentences are not connected explicitly in a sentence, they should be connected grammatically to make sense of the sentence.
- d) **The contextual rule:** The principle says that when a sentence or a clause makes no complete sense by itself, then the former should be interpreted by connecting the sentence or clause to some other passages, and considering the nature of this connection in the perspective of the entire subject-matter.

The above mentioned list only expresses some of the major accepted rules of the interpretation formed by the *Mīmāṃsā*. This interpretational system of *Mīmāṃsā* was subsequently incorporated in other branches of the Sanskrit literature like Philosophy, Law, Grammar, etc. Thus Śāṅkarācārya (788–820 CE) has used the *Mīmāṃsā* principle frequently in his commentary on *Vedānta-sūtra*. Likewise, ancient and medieval legal luminaries like Medhātithi (author of *Manubhāṣya*), Vijñāneśvara (author of *Mīṭākṣarā*), Jīmūtavāhana (author of *Dāyabhāga*), Nanda Pāṇḍita (author of *Dattakamīmāṃsā*), and many others habitually used the *Mīmāṃsā* principles in their commentaries to interpret the primary legal texts. The legal experts of ancient India used various maxims like the maxim of the black beans³ and the maxim of the partridge⁴ in their texts to resolve the conflicting directions of the *Dharmaśāstra* literature.

In this paper, I would like to illustrate the way in which some of these rules have been applied in the field of ancient and modern laws. I will especially focus on the axiom of the harmonious construction.

DHARMAŚĀSTRA: TWO BASIC FEATURES

The term *dharma* in Hindu jurisprudence witnessed several transitions of its meaning over centuries although primarily it signifies “duties” and “obligations” of an individual as a member of the so-called Aryan community. Olivelle (2004: 31) argues, “[t]he term “*dharma*” was probably a neologism invented by the poet of the Ṛgvedic hymns; it has no

cognates in other Indo-European languages, including Avestan.”⁵ In many cases, the meaning of the term *dharmā* can be translated as “righteousness.” For the sake of discussion, we accept this tentative meaning.

Regarding the category of literature called *dharmāśāstra* (literally, “theoretical treatises on *dharmā*”), we should keep in mind two basic features:

- a) It has taken a long span of time (at least two thousand years) for the formation of the relevant literature.
- b) The existence of a good number of *dharmāśāstras* demonstrates that other texts do also have equal importance and force in the decision-making process.⁶ Nārada, Br̥haspati, or Kātyāyana have composed their texts with a view to offering newer ideas unavailable in the earlier texts. Commentaries are also written in different periods on the primary texts with the intention of clarifying texts hitherto unavailable in the original texts and in the commentaries composed earlier.

We will discuss how these interpretational systems applied by the commentators are about to alter the directions of the *Dharmāśāstra* literature.

TRADITIONAL LEGAL INTERPRETATION

As stated above, the axiom of the harmonious construction states that a sustained effort must be made to reconcile apparently conflicting texts. This axiom can further be understood with the help of another axiom called the axiom of combining two wholesome features of distinct items. Kumāṛila (*Tantravārtikam* p-15) has used this axiom to reconcile an injunction with a non-obligatory statement. As an example of the problem, we may consider a passage from the *Taittirīyasaṃhitā* (2/1/1). The latter consists of apparently three independent accretions regarding Vāyu: 1) If anyone desires prosperity, he should sacrifice a śveta (white) animal dedicated to Vāyu. 2) Vāyu is the quickest deity. 3) He leads an individual to prosperity.⁷ According to an objector, the sentence, “Vāyu is the quickest deity” does not indicate any action (which has to be done) or anything connected with an action. As a result, it has to be connected to an injunctive sentence to make it binding independently. According to the theory of *Mīmāṃsā*, the non-obligatory sentences must be reconciled with the injunctive sentence. Otherwise, those non-obligatory sentences have no independent force by themselves. However, commentators reconcile the non-obligatory sentence with the injunctive one and explain that if the person desiring prosperity confused the result of his sacrifice with the god Vāyu, the non-obligatory sentence like “Vāyu is the quickest deity” encourages him to perform the sacrificial work. It means if anyone desires prosperity must sacrifice for the sake of Vāyu, as he is the quickest deity, so that Vāyu will expedite sacrificial results quickly. So, the non-obligatory sentence eulogizes the injunctive sentence and helps the worshiper perform the Vedic right without any doubt who desires the sacrificial result quickly.

In this way, the *Mīmāṃsākās* always reconcile the apparently conflicting or ambiguous Vedic sentences and connect them with other Vedic sentences or passages, thus defending their significance with the other sacrificial auxiliaries (*yajñāṅga*).

RULES OF INTERPRETATION AS APPLIED TO ANCIENT SMṚTI LAWS:

In this section, I will discuss two apparently conflicting directions stemming from the works of Manu and Yājñavalkya. Theoretically, the supremacy of Manu’s texts has been endorsed by all ancient scholars on social customs and conventions including Br̥haspati. However, Kane points out that Br̥haspati himself often differs from Manu on some key issues.⁸

While discussing inheritance, Yājñavalkya (*YDh* – 2/114) records that when a father divides his property among his sons, he may divide it as he pleases. He could also willingly bestow the best share to his eldest son or decide to divide it equally among them. However, scholars ponder over the exact intention of the direction of *YDh*. If both provisions are accepted, then the first half of the same verse would be useless. Even Manu himself (*MDh* – 9/105) supports the *law of primogeniture* and advises that the eldest son alone ought to enjoy the entire parental estate and the others should live as his dependents just as they did when their father was alive.

THE PROBLEM

Yājñavalkya records two provisions (*YDh* – 2/114) regarding partitions of inheritance among one’s sons. According to the first provision, the *law of primogeniture* should prevail during the time of the division of property. This has also been endorsed by the direction of *MDh*. However, according to the second provision, the father must share the property equally among his sons. This provision is also approved by Manu himself. However, he advises (*MDh* – 9/115) that when brothers equally divide their paternal property, something extra should be given to the eldest as a token of respect. So, the question that arises is “what would be the proper law regarding inheritance?” According to the theory, when both the *smṛti* directions are equal in force or contradict each other, the principle of option (*vikalpa*) should be applied (*Gautama Dharmasūtra* – 1/4). *Mīmāṃsākās* generally use the *vikalpa* principle, which forces the choice of only one side only when all other means of reconciliations appear unavailable. How, then, can the conflicting directions of Yājñavalkya be reconciled?

THE SOLUTION

Following the *Mīmāṃsaka*, Vijñāneśvara, the author of *Mitākṣarā* commentary on *YDh*, reconciles the mentioned self-contradicting directions of Yājñavalkya (*YDh* – 2/114) with the help of the axiom of the harmonious construction. He advises that if the father himself allots his *self-acquired* properties (and not by inheritance) based on the *law of primogeniture* (or the unequal allotment of property among his successors), then his unequal share could be justified. However, in the time of dividing the *ancestral* property the father must follow the principle of equal distribution. Therefore, Vijñāneśvara (*Mitākṣarā* – 2/114) restricts

unequal distribution to one's *self*-acquired property while allowing an equal distribution for the ancestral property.

KATJU'S JUDGMENT USING THE RULES OF MĪMĀMSĀ

I will discuss a famous judgment of the Justice Markandey Katju, one of the judges of the Supreme Court of India, who uses the axiom of the harmonious construction of *Mīmāṃsā* to reconcile two apparently conflicting decisions of two division benches. The case has been branded as the *Tribhuwan Mishra vs. District Inspector School, Azamgarh*. It raises the issue regarding who will officiate as a principal of a high school or an intermediate college on the vacancy created by the death, retirement, removal, or resignation of the previous principal until the regular selection occurs by the Secondary Education Commission under the Uttar Pradesh Secondary Education Service Act, 1982. The petitioner, Tribhuwan Mishra, is admittedly the senior-most lecturer in the institution. The position of the principal became vacant due to the resignation of the former principal, Devi Prasad Singh. The vacancy was notified by the commission. Meanwhile, Mr. Satya Narayan Tewari, being the senior-most lecturer, was appointed as an acting principal. In the meantime, Mr. Tewari also retired and the rank of the principal became vacant again. As the commission was yet to select a regular principal, the petitioner, Mr. Tribhuwan Mishra, assumed that in the normal course he, being the senior-most lecturer, would be appointed as a principal. The managing committee of that college, however, disregarded his seniority and appointed someone else in the vacant post as an *ad hoc* principal. The appointed individual happened to be junior to the petitioner, Mr. Mishra. The petitioner claimed that he was wrongly denied the rank of the principal, and it was done on an *ad hoc* basis.

There were two apparently conflicting division benches' judgments on this point. The division bench presided over by Mr. Justice R. M. Shahani, J. held that the senior-most teacher shall officiate as an *ad hoc* principal, while the division bench presided over by Mr. Justice V. N. Khare, J. held that in such a situation it is the discretion of the College Managing Committee to appoint anyone as an *ad hoc* principal.

Mr. Justice Katju, however, using the axiom of the harmonious construction, reconciled both the verdicts of the two division benches and declared the final verdict. He argued that *ordinarily* the senior-most teacher can officiate as an *ad hoc* principal and only in exceptional circumstances (e.g., if there are any serious charges against him like murder, robbery, or embezzlement or any kind of physical disability for which he cannot properly perform the function of a principal), the management could only request the next on the line in terms of seniority to succeed. It is noteworthy that in such a case, reasons and a brief opportunity of hearing should be given to the senior-most teacher. In this way, using the ancient *Mīmāṃsā* rules of interpretation system, the Justice Katju reconciled the two apparently different division bench judgments without referring the case to a Full Bench. Based on his landmark judgment in the Indian Supreme

Court, the case was settled in favor of the petitioner, Mr. Tribhuwan Mishra.

INTERPRETATIONS OF LAW: LINKS BETWEEN TRADITION AND MODERNITY

Both equal and unequal distributions of property have been recorded in *YDh* (2/114) and *MDh* (9/105, 117). However, these conflicting directions need to be reconciled to have a consistent legal system to be operative. In addition, changes take place in the structure and nature of a society in which a proper distribution of property requires a clear and unambiguous law for the subject of the land. Ancient Indian history informs us that the *law of primogeniture*, practiced for a long time, was perhaps considered not adequately democratic due to the unequal inheritance of property. It is also possible that the dynamics of a society opposed this practice for some time. This raises skepticism regarding whether ancient seers are as authoritative as they are taken to be, challenging the core of the theory of the divine origin of those sacred laws like the law of sharing property unequally. According to this theory, both of these laws have divine origins; consequently, they cannot be changed or altered, like creating a new set of rules by the legislature for the purpose of fitting a new group of people into an existing society. In this scenario, the *Mīmāṃsā* system of interpretation encourages the legal experts of ancient India to reconcile different rules of maintaining a divine set of rules with being amenable to changing rules and practices of a dynamic society. Even the theory as mentioned by Vijñāneśvara helps ancient judges announce a verdict in favor of an equal distribution of property. According to him (*YDh* – 1/156), if the *dharma* causes hatred between common people, then it must not be performed, as it leads to the situation comparable to being in hell. Referring to this provision of *YDh* (1/156), Vijñāneśvara (*Mitākṣarā* – 2/117) has even gone as far as to recommend an equal division of property among one's heirs.

In ancient time, the divine law is assumed to be something which is not subject to annulment or altering. However, the rules of interpretation helped legal experts annul or alter those laws to make them consistent with one another in addition to responding to new demands of a changing society. In modern judiciary, those rules help modern judges provide quick and convincing verdicts. Sometimes, like the instance of *Tribhuwan Mishra vs. District Inspector School, Azamgarh* case, the rules of interpretation are able to make two apparently divergent judgments of the two division benches compatible with one another. Otherwise, according to the provision, if the two division benches provide conflicting judgments in a single case, it will be automatically regarded as a problematic case and be relegated for proper verdict to the full bench. This means it would likely be both time-consuming and enhancing expenditure. However, the *Mīmāṃsā* rules of interpretation help reconcile both the direction of two division benches together and thus expedite the process for the petitioner along with the court.

Alternation of meaning or shifting the emphasis in application of any textual law or directions by interpretation

is derived from the survival instinct of a long tradition of a changing society and is very much typical of inherent characteristics of a living organism. Through this method, ancient legal experts serve the purpose of a society. This is usually accomplished by amendment or annulment of certain laws where there is no such provision to change any existing *smṛi* & *śruti-vacanam*.

CONCLUSION

Applications of Mīmāṃsā rules of interpretation help to resolve contradictions in directions provided by a single text or various directions given by different texts written in different periods. It is able to do so by accommodations and adjustments of different aspects of these texts to make them consistent. Theoretically, the entire system appears as a constant body of information although, actually, it undergoes changes like a living organism.

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NOTES

1. See Kisorilal Sarkar, *The Mimamsa Rule of Interpretation as Applied to Hindu Law* (Calcutta: Thacker, Spink & Co., 1909), 71–87.
2. For our readers, we have dropped the original Sanskrit terms for each axiom to be hereafter designated as axiom 1, axiom 2, and so on, where each axiom will be defined according to its Sanskrit meaning.
3. A Vedic injunction prescribes that black beans and some other cereals are unsuitable for sacrifices. Another injunction prescribes that on certain occasions, offerings must be made with green beans (*mudga*). Now the doubt (*saṃśaya*) arises that if sometimes green beans are not available, can they be replaced by black ones? The doubt can be resolved, according to the rules of Jaimini (5/3/20). Its resolution is that as the use of black bean is strictly forbidden, according to the injunction, one must not use it even when it is mixed with green variety. So the rule is that every act contrary to the law is forbidden.
4. According to Jaimini (2/1/38-45), a Vedic text prescribes that on the occasion of the horse-sacrifice one should sacrifice white partridges as an offering to Vasanta (the god of spring). Here the original intention of the use of the plural term "partridges" (*kapiñjalān*) is to be consulted with this axiom. According to this axiom, when there is a plural number, not more than three should be taken. One would do wrong if one sacrifices more than three partridges (loc. cit.).
5. Patrick Olivelle, "The Semantic History of *Dharma*: The Middle and Late Vedic Periods," in *Dharma: Studies in Its Semantic, Cultural, and Religious History*, ed. Patrick Olivelle, 31 (New Delhi: Motilal Banarsidas). For detailed studies of the early history of the term "dharma", see Paul Horsch, "From Creation Myth to World Law: The Early History of *dharma*," in *Dharma: Studies in Its Semantic, Cultural, and Religious History*, ed. Patrick Olivelle, 423–48 (New Delhi: Motilal Banarsidas, 2004).
6. The pre-eminence of Manu, therefore, as substantiated by Bṛhaspati, is not to be taken literally as Bṛhaspati himself deviates from the path of Manu.
7. *vāyavyaṃśvetamālabheta-bhūtikāmovāyurvaikṣepiṣṭhādevatāvāyumevasvenabhāgadheyenopadhāvati.....* (Taittirīya-saṃhitā-2/1/1)
8. P. V. Kane, *History of Dharmaśāstra: Ancient and Medieval Religious and Civil Law* (Vols. 1–5). (Poona [now Pune]: Bhandarkar Oriental Research Institute, 1930–1970), Vol. I, Part I: 487.

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