

22. Afterwards the king must support (such women and damsels),

23. And protect them from defilement.

24. If they agree to undergo the (prescribed penance, he shall make them over to their (lawful) guardians.

### PRASNA II, PATALA 10, KHANDA 27.

1. If (adulteresses) have performed (the prescribed penance), they are to be treated as before (their fault). For the connexion (of husband and wife) takes place through the law.

2. (A husband) shall not make over his (wife), who occupies the position of a 'gentilis,' to others (than to his 'gentiles'), in order to cause children to be begot for himself.

3. For they declare, that a bride is given to the family (of her husband, and not to the husband alone).

4. That is (at present) forbidden on account of the weakness of (men's) senses.

5. The hand (of a gentilis is considered in law to be) that of a stranger, as well as (that of any other person except the husband).

6. If the (marriage vow) is transgressed, both (husband and wife) certainly go to hell.

7. The reward (in the next world) resulting from observing the restrictions of the law is preferable offspring obtained in this manner (by means of Niyoga)

8. A man of one of the first three castes (who commits adultery) with a woman of the Sûdra caste shall be banished.

9. A Sûdra (who commits adultery) with a woman of one of the first three castes shall suffer capital punishment.

10. And he shall emaciate a woman who has committed adultery with a (Sûdra, by making her undergo penances and fasts, in case she had no child).

11. They declare, that (a Brâhmana) who has once committed adultery with a married woman of equal class, shall perform one-fourth of the penance prescribed for an outcast.

12. In like manner for every repetition (of crime), one-fourth of the penance (must be added).

13. (If the offence be committed) for the fourth time, the whole (penance of twelve years must be performed).

14. The tongue of a Sûdra who speaks evil of a virtuous person, belonging to one of the first three castes, shall be cut out.

15. A Sûdra who assumes a position equal (to that of a member of one of the first three castes), in conversation, on the road, on a couch, in sitting (and on similar occasions), shall be flogged.

16. In case (a Sûdra) commits homicide or theft, appropriates land (or commits similar heinous crimes), his property shall be confiscated and he himself shall suffer capital punishment.

17. But if these (offences be committed) by a Brâhmana, he shall be made blind (by tying a cloth over his eyes).

18. He shall keep in secret confinement him who violates the rules (of his caste or order), or any other sinner, until (he promises) amendment.

19. If he does not amend, he shall be banished.

20. A spiritual teacher, an officiating priest, a Snâtaka, and a prince shall be able to protect (a criminal from punishment by their intercession), except in case of a capital offence.

### Questions

(1) What ritual/spiritual significance does Hindu law attach to water?

(2) What would entitle an individual to tax-exempt status?

(3) How does the students' training regimen compare/contrast to that of a Sumerian scribe (see Document 2-7)?

(4) To what degree of rigor is the law to be applied to Sudras? To Brahmins?

## 9-3

### Mahavira: the "Great Hero" of the Jain religion.

*As Hinduism became more legalistic and written codes like "Apastamba" reinforced the tendency towards transforming the faith into a vehicle for perpetuating a rigid social system, there were inevitable reactions against it. One of the earliest and most effective of these was Jainism, founded by Vardhamana Mahavira (c. 540-468 B.C.E), a holy man who is reputed to have wandered for 12 years, observing isolation from human society until he attained spiritual enlightenment. Jain precepts stress nonviolence, vegetarianism, austerity, fasting, and self-denial.*

Source: Hermann Jacobi, *Sacred Books of the East* (Oxford: 1884, pp. 85-87. Quoted in Mircea Eliade *From Medicine Men to Muhammad* (N.Y: Harper & Row, 1974), pp. 43-45.

## CHAPTER 9

I. 3. For a year and a month he did not leave off his robe. Since that time the Venerable One, giving up his robe, was a naked, world-relinquishing, houseless (sage).

4. Then he meditated (walking) with his eye fixed on a square space before him of the length of a man. Many people assembled, shocked at the sight; they struck him and cried.

5. Knowing (and renouncing) the female sex in mixed gathering places, he meditated, finding his way himself: I do not lead a worldly life.

6. Giving up the company of all householders whomsoever, he meditated. Asked, he gave no answer; he went and did not transgress the right path.

7. For some it is not easy (to do what he did), not to answer those who salute; he was beaten with sticks, and struck by sinful people....

10. For more than a couple of years he led a religious life without using cold water; he realized singleness, guarded his body, had got intuition, and was calm.

11. Thoroughly knowing the earth-bodies and water-bodies and fire-bodies and wind-bodies, the lichens, seeds, and sprouts,

12. He comprehended that they are, if narrowly inspected, imbued with life, and avoided to injure them; he, the Great Hero.

13. The immovable (beings) are changed to movable ones, and the movable beings to immovable ones; beings which are born in all states become individually sinners by their actions.

14. The Venerable One understands thus: he who is under the conditions (of existence), that fool suffers pain. Thoroughly knowing (karman), the Venerable One avoids sin.

15. The sage, perceiving the double (karman), proclaims the incomparable activity, he, knowing one; knowing the current of worldliness, the current of sinfulness, and the impulse.

16. Practising the sinless abstinence from killing, he did no acts, neither himself nor with the assistance of others; he to whom woman were known as the causes of all sinful acts, he saw (the true state of the world)....

III. 7. Ceasing to use the stick (i.e. cruelty) against living beings, abandoning the care of the body, the houseless (Mahāvīa), the Venerable One, endures the thorns of the villages (i.e. the abusive language of

the peasants), (being) perfectly enlightened.

8. As an elephant at the head of the battle, so was Mahāvīa victorious. Sometimes he did not reach a village there in Ladha.

9. When he who is free from desires approached the village, the inhabitants met him on the outside, and attacked him, saying, 'Get away from here.'

10. He was struck with a stick, the fist, a lance, hit with a fruit, a clod, a potsherd. Beating him again and again, many cried.

11. When he once (sat) without moving his body, they cut his flesh, tore his hair under pains, or covered him with dust.

12. Throwing him up, they let him fall, or disturbed him in his religious postures; abandoning the care of his body, the Venerable One humbled himself and bore pain, free from desire.

13. As a hero at the head of the battle is surrounded on all sides, so was there Mahāvīa. Bearing all hardships, the Venerable One, undisturbed, proceeded (on the road to Nirvāna)....

IV. 1. The Venerable One was able to abstain from indulgence of the flesh, though never attacked by diseases. Whether wounded or not wounded, he desired not medical treatment.

2. Purgatives and emetics, anointing of the body and bathing, shampooing and cleaning of the teeth do not behove him, after he learned (that the body is something unclean).

3. Being averse from the impressions of the senses, the Brāhmana wandered about, speaking but little. Sometimes in the cold season the Venerable One was meditating in the shade.

4. In summer he exposes himself to the heat, he sits squatting in the sun; he lives on rough (food); rice, pounded jujube, and beans.

5. Using these three, the Venerable One sustained himself eight months. Sometimes the Venerable One did not drink for half a month or even for a month.

6. Or he did not drink for more than two months, or even six months, day and night, without desire (for drink). Sometimes he ate stale food.

7. Sometimes he ate only the sixth meal, or the eighth, the tenth, the twelfth; without desires, persevering in meditation.

8. Having wisdom, Mahāvira committed no sin himself, nor did he induce other to do so, nor did he consent to the sins of others.

### Questions

- (1) In what ways might Mahāvīa's behavior have provoked such violent responses in others?
- (2) What did Mahāvīa's diet consist of while he sought enlightenment?
- (3) What often occurred when Mahāvīa approached a village?
- (4) What admirable traits does the writer see in Mahāvīa?