

CHAPTER

4

DATE OF THE ŚĀṆKHA-LIKHITA SMṚTI:

Unlike some classical Sanskrit Scholars, the writers of Dharmasāstra, normally do not mention anything about themselves in their works. As a consequence thereof, it becomes difficult to know about their lives in details. In almost all cases for this we have to depend on inferences drawn from whatever little information is available from various sources.

There are no two opinions about accepting sūtra type prose form of literature as an earlier one, while the Smṛtis written in verses are of later period. Ś.L. had two versions the earlier and the later one. The version found in prose and verse form is definitely an earlier one, while the version purely in verse form is a later one. S.N. Dasgupta opines that "The versified Śāṅkha is probably a work of later date though it may have had an earlier version."¹

Some ancient authors refer to Ś.L. or the quotations of Ś.L. Dharmasūtra. The commentators like Viśvarūpa (about 800-825 A.D.)² gives quotations from Ś.L. Dharmasūtra.

1. Dasgupta S.N. A history of SK. Lit. Vol. 1 (Introduction) P. 25

2. This date is given by Mm. Dr. P. V. Kane, cf. Hist. of Dharma, Vol. I. P. 263.

In Pādatāditakam¹ caturbhāṇī composed by the poet Śyāmilaka, enumerates Śaṅkha and Likhita in the ~~right~~ list of the Writers of Dharmaśāstras. This text was composed during 410 to 415 A.D.² From this we can safely infer that ~~Ś.L.~~ Śaṅkha and Likhita flourished before 410 A.D. Any author to attain high position may take 100 to 200 years. On considering this point we may conjecture that Ś.L. would have been before 200 A.D.

The Treatment of the Subject—The internal part of the text— gives invaluable help in fixing the date.

Mm. Dr. P. V. Kane discusses the problem of date in the introduction of the Reconstruction of Ś.L. Dharmaśāstra published by Journal of BORI, Poona (Vol VI & VII). To fix up the probable date of Ś.L. he argues on the following lines.

Ś.L. agrees very closely with the Dharmaśūtras of Gautama and Āpastamba and some times reads same Sūtras as in those works, e.g. c.f. Gautama with Sūtras No. 35, 36, 39, 62, 133, 135 and No. 95, 105, 116 & 276 for Baudhāyana.

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1. भोः साधो अवलोकितान्यस्माभिर्मनुयमवसिष्ठगौतमभरद्वाज-
शङ्खलिखितापस्तम्बहारीतप्रचेतोदेवलवृहद्गायत्र्य-
प्रभृतीनां मनीषिणां धर्मशास्त्राणि ।
पादताडितकम् - ३२.

Śyāmilaka (Ed. Moti candra) Caturbhāṇī (P. 156.)

2. Ibid (Bhūmikā) P. 7 .

In some sūtras we find that Śaṅkha sometimes expresses for more advanced opinions in comparison to Gautama, Āpastamba and Baudhāyana. With regard to Dāyabhāga, Śaṅkha gives more details than Āpastamba and Baudhāyana. In Ś.L. the limits of Aryāvarta (Quot. No. 7) are more extensive towards the east and west than shown in Baudhāyana (1.1.25) and Vasīṣṭha (1.8.9)

The style of the work of Ś.L. resembles with that of Kautilya rather than that of Gautama and Āpastamba (243.245)

The quotations hardly exhibit any ungrammatical form.

Yājñavalkya Smṛti (in verse form) itself has cited Ś.L. as an ancient authorities on Dharmaśāstras. This would mean that we can easily assign Ś.L. to the period earlier to Yājñavalkya Smṛti. Some other topics such as Rights of woman etc. show that Ś.L. Dharmaśūtra is much earlier than the extent Yājñavalkya Smṛti, though it is certainly later than Gautama and Āpastamba.

The prose Quotations from Ś.L. refer to the Vedāṅgas, Sāṅkhya Yoga and Dharmaśāstras (Quotation No. 455).

Ś.L. recognised eight forms of marriage (Quot. 132.134). The views of Ś.L. about the status of the offspring of mixed marriages differ from those of Baudhāyana and Manu, and are intermediate between the later two. (Quot. No. 173).

The Tarapana (Quot. No. 288) which resembles that in Baudhāyana Dharmaśūtra refers to the six vedāṅgas, to Bhārata but not Mahābhārata, to twenty writers an Dharmaśūtra and contains numerous details about geography, mythology, and cosmogony which are generally found in the Purāṇas.

The Ś.L. Dharmaśūtra refers to the opinions of others in the words of EKE '.

It mentions by name the views of Yama, Kātyāyana, Prajāpati etc. The Complete list is given in Appendix No. 3.

Mr. Dr. P. V. Kane concludes from the above points, " It would not be far from the truth if the Dharmasūtra of Ś.L. be placed some where between 300 B.C. to 100 A.D."

Śaṅkha himself states that after studying Manu Smṛti thoroughly he has composed his sūtras based on Vedas (quot. 1). This undoubtedly puts him after Manu. Ś.L. might be referring to ^{va}Syambhūva Manu of 4th Century B.C. So the date of Ś.L. may be placed later than 4th Century B.C. A. A. Macdonell opines " Although the chronology of the legal literature is uncertain, it can be assumed with probability that the older Dharmasūtras belonging to the vedic schools date from between 800 and 300 B.C." ¹

The Sūtra style was prevalent during 3rd century B.C. Kautilya's Arthasāstra is composed in Sūtra style. Ś.L. is also written in the same style. Hence it can be concluded that Ś.L. might have been composed between 300 B.C. to 100 A.D..

1. Macdonell A. A. India's Past P. 166.