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## **Legal Diglossia: Modeling Discursive Practices in Premodern Indic Law**

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Abstract: The central problem for the study of premodern Indian law is the elusive interplay between the scholastic system of the Dharmaśāstra and the regional, local, and group-specific customary legal standards and practices which generally remained unwritten (i.e., *lex non scripta*). Inscriptions and other legal documents (formularies like the *Lekhapaddhati*, legal documents from Nepal, Maratha records) provide precious (if unevenly distributed) evidence of the latter. This paper offers a preliminary comparative analysis of selected examples drawn from a few diverse regions of India and Southeast Asia. I propose a model of a phenomenon that I call ‘legal diglossia’, the use of two distinct registers of language (or even different languages altogether) to express different but ostensibly complementary notions of justice and legality: Sanskritic language to denote overarching ideals and jurisprudential categories, as well as citations of Śāstric authority; and a Prakrit or the local vernacular to frame pragmatic concerns and circumstantial particulars. The well-known epigraphical convention of the ornate Sanskrit *praśasti* followed by the ‘business portion’ in a Prakrit or a vernacular is only one form this can take; I focus attention on the more fluid interpenetration of Sanskritic and vernacular terminology and idiom that can begin to approach a legalese *maṇipravāḷam*. As compared with examples from India, the relatively more self-conscious adoption of Śāstra-based law in Southeast Asia seems to be the reason for the greater frequency of recorded decisions (e.g., *jayapattra*), and references to Śāstric texts.