

## Vyavahāra in the Dharma-literature

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In the history of Dharma-literature, *Manusmṛti* is epoch-making. It is because of following two points.

(1) Renunciation of life is situated as the Brahmanical way of life.

(2) Rājadharmā and vyavahāra, both of which were not main subjects of older Dharmasūtras, occupies one third of *Manu*.

As to the second point, *Arthasāstra*'s influence could be considered and it is, in my opinion, "secularization of dharma". The vyavahāra section became one of main subjects of the Dharmasāstras or the smṛtis after *Manu* and *Dharmabandha* literatures. But the meaning of vyavahāra has historically changed, therefore in this paper I trace it according to the Dharma-literature, *Arthasāstra* and Buddhist literature especially in Pāli.

In Dharmasūtras examples of vyavahāra mostly mean . . .

[1] commercial transaction

[2] coming of age (in compounds *vyavahāraprāpaṇa* and *āptavyavahāra*)

And only two examples, except for *Viṣṇusmṛti*, mean judicial matters. (*Gutama* 11.19, *Vasiṣṭha* 16.1)

*Manu* has a Vyavahāra section divided into 18 heads, of which origin may come from *Arthasāstra* of *Kauṭilya*. In the Dharmasāstras and smṛtis these heads are called *vyavahārapadas*, but not in *Kauṭilya*. On the other hand we find about 50 examples of vyavahāra in *Kauṭilya*, but almost all of them don't mean judicial matters. Only in vol. I and III, there is only one example meaning judicial matters respectively.

In Buddhist Pāli literature we come across many examples of *vohāra*, most of which however mean commercial transaction, secular affairs and verbal expression. But in the Parivāra section of *Vinayapiṭaka*, there is a chapter "*vohāravagga*", where *vohāra* means a decision about violation of rules in the Saṅgha. This is one of few examples in Pāli literatures meaning a kind of decision. It is not certain whether the *vohārika mahāmatta* means "Minister for Justice" or not.

I lead the following conclusions from the above-mentioned consideration. Vyavahāra does not mean judicial matters originally. Even in the tradition of Dharma-literature, such use is not always common before *Manu*, but *Manu* adopted the judicial matters as main topics and such topics came to be called *Vyavahāra*.