

Gutama 10

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GUATAMA CHAPTER X.

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1. (The lawful occupatio; common) to (all) twice-born men are studying the (Veda), offering sacrifices (for their own sake), and giving (alms).
2. Teaching, performing sacrifices for others, and receiving alms (are) the additional (occupations) of a Brahmana.
3. But the former (three) are obligatory (on him).
4. Instruction in the Veda (may be given) without the above-mentioned (vows and ceremonies) in case a teacher, blood relations, friends or Gurus (receive it), and in case (the Veda) is exchanged for money or learning.
[X. 1. Twice-born men, i.e. Brahmanas, Kshatriyas, and Vaisyas. Haradatta says that some believe the term 'twice-born' to have been used in order to indicate that the three occupations may be lawfully followed after the second birth, i.e. the initiation only. But he declares that alms may be given even by an uninitiated Aryan, while studying the Veda and sacrificing are specially forbidden to him.
2. Apastamba II, 5, 10, 4.
3. Manu X, 76. The former, i.e. the three beginning with studying (Sutra 1), must necessarily be followed. If he neglects them, he commits sin; if he follows them, he will be exalted. But the other occupations, teaching, &c., shall be followed if there is occasion for them. No sin is committed by neglecting them, nor any greatness gained by following them. They are merely means of livelihood.'--Haradatta.
4. Apastamba I, 4, 13, 15-18. The expression 'above-mentioned' refers to the whole of the rules regarding a pupil's conduct given above, I, 52-II, 51. It is difficult to understand what is intended by 'the exchange of the Veda' for wealth or money,' if it is not the bhritakadhyapana or teaching for money which Manu III, 156 blames so severely. It seems to me unlikely that Gautama means simply to sanction this practice. It is more probable that his rule refers to the case of Brahmanas in distress, who avail themselves of the permission given above, VII, 4.]
5. Agriculture and trade (are) also (lawful for a Brahmana) provided he does not do the work himself,
6. Likewise lending money at interest.
7. To protect all created beings is the additional (occupation) of a king,
8. And to inflict lawful punishments.
9. He shall support (those) Srotriyas, (who are) Brahmanas,
10. And people unable to work, (even if they are) not Brahmanas,
11. And those who are free from taxes,
12. And (needy) temporary students.
13. And (to take) measures for ensuring victory (is another duty of a king),
14. Especially when danger (from foes threatens the kingdom);

[5-6. These rules which allow Brahmanas to be gentlemen farmers and sleeping partners in mercantile or banking firms, managed by Vaisyas, do not occur in other Smritis. But they agree with the practice followed at present in many parts of India, and the praise bestowed in Vedic works on those who present land to Brahmanas as well as the numerous ancient land grants show that from early times many Brahmanas were holders of land, which, as a rule, was cultivated by Sudras.

7-8. Apastamba II, 5, 10, 6; Manu VII, 27.

9. Apastamba II, 10, 25, 11; Manu VII, 135.

11. Haradatta takes this Sutra differently. He says: 'The immunity from taxes which has been granted to Brahmanas and others by former kings he shall maintain in the same manner as formerly! But I think that 'akara' must be taken as a Bahuvrihi compound, and is used to designate widows, orphans, ascetics, &c.; see Apastamba II, 10, 26, 10-7.

12. Haradatta observes that others explain upakurvana, 'temporary students,' opposed to naishthika, 'permanent students,' to mean 'men who benefit the people,' i.e. physicians and the like.

13. Manu III, 103-110, 160-200; X, 119.]

15. And (to learn) the management of chariots and the use of the bow (is a further duty of the king),

16. As well as to stand firm in battle and not to turn back.

17. No sin (is committed) by injuring or slaying (foes) in battle,

18. Excepting those who have lost their horses, charioteers, or arms, those who join their hands (in supplication), those who flee with flying hair, those who sit down with averted faces, those who have climbed (in flight) on eminences or trees, messengers, and those who declare themselves to be cows or Brahmanas.

19. If another Kshatriya is supported by (the king), he shall follow the same occupations as his (master).

20. The victor shall receive the booty gained in battle.

21. But chariots and animals used for riding (belong) to the king,

22. And a preferential share, except when the booty has been gained in single combat.

23. But the king shall equitably divide (all) other (spoils).

24. Cultivators (must) pay to the king a tax

[16. Manu VII, 87-89; X, 119; Yagnavalkya I, 233.

17-18. Apastamba II, 5, 10, 11. Persons who declare themselves to be cows or Brahmanas become inviolable on account of the sacred character of the beings they personate. Historical instances are narrated where conquered kings were forced to appear before their victors, holding grass in their mouths or dancing like peacocks in order to save their lives.

20. Manu VII, 96.

22-23. Manu VII, 97.

24. Manu VII, 130. The amount depends on the nature of the soil and the manner of cultivation.]

(amounting to) one-tenth, one-eighth, or one-sixth (of the produce).

25. Some declare, that (there is a tax) also on cattle and gold, (viz.) one-fiftieth (of the stock).

26. In the case of merchandise one-twentieth (must be paid by the seller) as duty,
 27. (And) of roots, fruits, flowers, medicinal herbs, honey, meat, grass, and firewood one-sixtieth.
 28. For it is the duty (of the king) to protect the (tax-payers).
 29. But to (the collection of) these (taxes) he shall always pay particular attention.
 30. He shall live on the surplus.
 31. Each artisan shall monthly do one (day's) work (for the king).
 32. Hereby (the taxes payable by) those who
- [25. Manus VII, 130. The above translation follows Haradatta's explanation, while Sir W. Jones' rendering of Manus gives a different meaning to the identical words.
26. Manus VII, 127.
 27. Manus X, 120.
 28. Manus VII, 128.
 29. Manus VII, 128, 139.
 30. Haradatta takes this Sutra differently. He says, 'Adbika, "additional," means the money which is paid on account of (the additional occupations) which have been explained above (Sutra 7 seq.) "To protect all created beings," &c. Thereon shall he live, he himself, his servants, his elephants, horses, and his other (animals).' If this explanation is adopted, the Sutra ought to be translated thus, 'He shall live on (the taxes paid for his) additional (occupations).' It seems, however, more probable that Gautama means to say that the king shall live on the surplus which remains after providing for the external and internal security of the kingdom, and that his object is to forbid the application of the whole revenue to the personal expenses of the ruler.
 31. Manus VII, 131.
 32. Haradatta says that wood-carriers, dancers, and the like are intended.] support themselves by personal labour have been explained,
 33. And (those payable by) owners of ships and carts.
 34. He for him must feed these (persons while they work).
 35. The merchants shall (each) give (every month one) article of merchandise for less than the market value.
 36. Those who find lost (property) the owner of which is not (known), shall announce it to the king.
 37. The king shall cause it to be proclaimed (by the public crier), and (if the owner does not appear) hold it in his custody for a year.
 38. Afterwards one-fourth (of the value goes) to the finder (and) the remainder to the king.
 39. A (man becomes) owner by inheritance, purchase, partition, seizure, or finding.
 40. Acceptance is for a Brahmana an additional (mode of acquisition);
 41. Conquest for a Kshatriya;
 42. Gain (by labour) for a Vaisya or Vidra.
 43. Treasure-trove is the property of the king,
- [36-38. Manus VIII, 30-36; Yagnavalkya II, 33, 173; Macnaghten, Mitakshara I, 1,

6.

39. Manu X, 115; Mayukha IV, 1, 2; Colebrooke, Mitakshara I, 1, 8; III, Digest IV, 22. 'Partition, i.e., the division (of the estate) between brothers and other (coparceners); seizure, i.e. the appropriation before (others) of forest trees and other things which have no owner; finding, i.e. the appropriation of lost property the owner of which is unknown, such as treasure-trove.'--Haradatta.

43. Manu VIII, 38; Yagnavalkya II, 34; Macnaghten, Mitakshara V, 1, 10.]

44. Excepting (such as is found) by a Brahmana who lives according to (the law).

45. Some declare, that a finder of a non-Brahmanical caste even, who announces (his find to the king), shall obtain one-sixth (of the value).

46. Having recovered property stolen by thieves, he shall return it to the owner;

47. Or (if the stolen property is not recovered) he shall pay (its value) out of his treasury.

48. The property of infants must be protected until they attain their majority or complete their studentship.

49. The additional (occupations) of a Vaisya are, agriculture, trade, tending cattle, and lending money at interest.

50. The Sudra (belongs to) the fourth caste, which has one birth (only).

[44. Manu VIII, 37; Yagnavalkya II, 34; Macnaghten loc. cit.

46. Manu VIII, 40; Yagnavalkya II, 36; Macnaghten, Mitakshari V, 1, 14.

47. Apastamba II, 10, 26, 8; Macnaghten loc. cit.

48. Manu VIII, 27.

49. Apastamba II, 5, 10, 7.

50. Apastamba I, 1, 1, 6; Manu X, 4. Between this Sutra and the next, my MSS. insert an additional one, not found in Professor Stenzler's edition, Sudrasyapi nishekapumsavanasimantonnyanagatakarmanamakaranopanishkramanannaprasanakaulany amantrakani yathakalam upadishtaniti, 'for the Sudra also the Nisheka (or impregnation), the Pumsavana (or rite for securing male offspring), the Simantonnyana (or arranging the parting of a pregnant wife), the Gatakarman (or ceremony on the birth of the child), the name-giving, the first walk in the open air, the first feeding, and the Kaula (or tonsure of the child's head) are prescribed to be performed at the proper periods, but without the recitation of sacred texts.' But I am inclined to consider it spurious: first, because there is no proper commentary; secondly, because the enumeration of the Samskaras given here does not agree with that given above, VIII, 14; and thirdly, because, according to the practice of Gautama, this Sutra should begin with 'tasyapi' instead of with 'Sudrasyapi,' and the 'tasyapi' in the next would become superfluous. The rule agrees however with Manu X, 63, 127.]

51. For him also (are prescribed) truthfulness, meekness, and purity.

52. Some (declare), that instead of sipping water, he shall wash his hands and feet.

53. (He shall also offer) the funeral oblations,

54. Maintain those depending upon him,

55. Live with his wife (only),

56. And serve the higher (castes).
57. From them he shall seek to obtain his livelihood.
58. (He shall use their) cast-off shoes, umbrellas, garments, and mats (for sitting on),
59. (And) eat the remnants of their food;
60. And (he may) live by (practising) mechanical arts;
61. And the Arya under whose protection he places himself, must support him even if he (becomes) unable to work.
62. And a man of higher caste (who is his master and has fallen into distress must be maintained) by him.
63. His hoard shall serve this purpose.
64. If permission has been given to him, he
- [51. Manu IX, 335.
53. Manu X, 127-128.
55. 'Another commentator explains the Sutra to mean that he shall live with his wife only, and never enter another order (i.e. never become a student, hermit, or ascetic).'-Haradatta.
56. Apastamba, I, 1, 1, 7-8; Manu X, 121-123.
57. Manu X, 124.
- 58-59. Manu X, 125.
60. Manu X, 99.]
- may use the exclamation namah (adoration) as his Mantra.
65. Some (declare), that he himself may offer the Pakayagnas.
66. And all men must serve those who belong to higher castes.
67. If Aryans and non-Aryans interchange their occupations and conduct (the one taking that of the other, there is) equality (between them).
- [65. Manu X, 127. Regarding the Pakayagnas, see above, VIII, 18.
67. 'There is equality between them, i.e. the one need not serve the other. A Sudra need not serve even a Brahmana, (much less) any other (twice-born man) who lives the life of a non-Aryan (Sudra). A Sudra, even, who conducts himself like an 'Aryan must not be despised by men of other castes, who follow the occupations of non-Aryans, on account of his inferior birth.'--Haradatta.]