

## AN INQUIRY INTO ETHICAL RELATIVISM IN HINDU THOUGHT

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### I

Relativism in ethics can be propounded either at the sociological (descriptive) level; or at the normative level; or at the meta-ethical level. At the sociological or anthropological level, ethical relativism may merely assert the platitude that there are marked differences between the ethical codes of different societies or cultures; or it may further affirm that all ethical codes are necessarily derived from one's group and its cultural heritage. But the fact of sociological diversity in morals need not become the basis of any theory professing normative relativism.

Normative relativism starts with this contention that any morality is relative to the place, the age and circumstances in which it is affirmed and practiced. What is more important, normative relativism declares that a particular moral code or its norms and standards are valid or 'true' in that societal context; but would be invalid outside that society. according to it, there are no norms or standards which can be applied to the entire humanity, as being culture-specific they cannot claim universal objectivity.

Meta-ethical relativism validates normative relativism by pointing out that the meaning of moral concepts, as also the standards of both morality and reasoning, differ from culture to culture. That is why, it is near impossible to arrive at universal moral norms or standards.

### II

(a) Indian (Hindu) thinkers did not propound meta-ethical relativism, but they did advocate relativism at both the sociological and ethical or normative levels. Hindu morality is relativistic on several counts. Duties of a person are strictly relative to his class (*varṇa*), stage of life (*āśrama*), and sex (the duties

of women were treated as a class apart); as well as to the place (*desa*) and times (*kāla* or *yuga*).

Some scholars, such as S. K. Maitra, have contended that universal morality of *sādhāraṇa dharma* is prior or foundational to specific duties or *varṇāśrama dharma*.<sup>1</sup> One does not get that impression while reading Dharmaśāstra, which give a detailed and even elaborate account of duties of various *varṇas*, *āśrams* and women; while they list the *sādhāraṇa dharma* or virtues (the term *dharma* being used both for duties and virtues) common to all briefly in a few verses.<sup>2</sup> Not only the duties but even virtues are generally presented, not as common to all but, as specific to particular class of persons.<sup>3</sup> Even the *Bhagavadgītā* with its exalted concept of spirituo-moral ideal for man develops that ideal in the framework of *varṇa dharma*. The *Gītā*'s 'svadharma', thus, turns out to be only the duties specific to various classes (*Varṇas*) of persons.<sup>4</sup>

Of course, there are innumerable passages in the Epics and Dharmaśāstra which ask men to be righteous, kind and compassionate; and above all to do their respective *varṇa* duties in the right (pure and detached) frame of mind.<sup>5</sup> Such passages are obviously concerned with the morality of motivation, and generally, occur in the context of man's spiritual quest. This morality of virtue and purity of heart is best understood as internal or personal morality. It is also universal in its import; but it leaves untouched the obligatoriness and inviolability of specific social duties (*svadharma*) which remain relative to the agent's *varṇa*, *āśrama*, sex etc.

Most *smṛtis* and later commentaries on them divide *dharma* into six kinds, as *varṇa dharma* (duties according to *varṇa* or hereditary class, *āśrama dharma* (duties according to the stage of life); *varṇāśrama dharma* (duties according to both); *guṇa dharma* (duties according to one's role in society, as that of a king); *naimittika dharma* (ritualistic duties to be performed on specific occasions) and *sādhāraṇa dharma* (universal duties). Medhatithi, the celebrated commentator on the *Manu Smṛti*, has left *sādhāraṇa dharma* altogether, and has enumerated only five categories of duties.<sup>6</sup>

It seems to me that Aryans belonging to Vedic-Dharmaśāstric tradition did not see the individual as a person in his own right, but only as a member of this or that group, *varṇa* being the most important basis of classification. Both person's duties and rights were determined by his hereditary class (*varṇa*).

While the Brāhmaṇs were exalted as the lords of creation who were beyond all punishment,<sup>7</sup> the śūdras were denied even the minimum dignity as a person.<sup>8</sup> The concept of equality before the law was non-existent in Hindu socio-moral thought. And for one and the same offence very different punishments were prescribed in strict accordance with the class *varṇa* of the offender and the victim.<sup>9</sup>

Man's duties were also relative to *āśrama* or stage of life. The scheme of the *āśramas* was in a way conceived in the context of man's spiritual quest, and so should have been universal. But not only the right to enter different *āśramas* and practice their specific more disciplines was denied to the śūdras, it was for all practical purposes beyond the reach of all women and other *varṇas*. The entire scheme was developed with brāhmaṇas in mind. Also, the conception of *āśrama dharma* is strictly relativistic. Significantly, the householder (*grahastha*) and to a limited extent the forest dweller (*vānaprastha*) were expected to have social obligations, while the student celibate (*brahmachārī*) and the renunciate (*sannyāsin*) were exempted from all social obligations.

(b) Human conduct is further declared to be relative to or determined by, the customs (*ācāra*) of various regions (*deśa*) and professional groups or guilds. Ancient Aryans were very conscious of the differences in the norms, customs and ways of the people of this vast subcontinent, especially between those of the North and the South. To give but one example, south Indians marry among near relations. Smṛtis strictly prohibit such marriages. Unlike the followers of semitic religions, those of vedas did not force their values and norms upon others; nor did they criticise, far less condemn, those whose norms and social mores were divergent from theirs. Instead, they asserted that it is right for a people to follow the customs peculiar to their community, because the norms and customs (*ācāra*) that are in vogue in a given community are authentic or valid for the members of that community.<sup>10</sup> There were only two conditions - first, those norms should not contradict the Vedas and Smṛtis, and second, the norms peculiar to a particular group should not be followed by members of another group; for then, their practice would constitute a sin. *Ācāra* or traditional behaviour which was accepted as a valid criterion for human conduct was generally defined as one which is prevalent in a specific region, which has been handed down by earlier generations, which is practiced by the good men (*śiṣṭas*) of the community, and which is not against Vedas and Smṛtis.<sup>11</sup>

Customs or customary laws and norms have been accepted as an authoritative source or criterion of *dharma*. Gautam has given three sources of *dharma* : *Veda*, *Smṛti* and *śiṣṭācāra* (Conduct of learned and righteous persons).<sup>12</sup> Manu enumerates four, adding the satisfaction of the self to the above three.<sup>13</sup> At another place, Manu calls *ācāra* as the supreme duty (*parama dharma*), along with the *dharma* as revealed in the Vedas and Smṛtis.<sup>14</sup>

He also declares that he has given in his Dharmasastra : “the primeval laws of the countries (*deśa*), of castes (*jāti*), of families, and the rules concerning heretics and guilds (*śreṇi*)”<sup>15</sup> *Such passages give a special sanction or sanctity to the various laws and customs of different groups.*

Āpastamba has distinguished between Vedic (*Śrauta*) *dharma*s and *samayācārika dharma*; the latter being the outcome of agreement among, or pronouncements (*samaya*), of learned and good men of the society.<sup>16</sup>

Medhātithi simply contends that Dharmaśāstra is that which gives the knowledge of *dharma*; therefore, the conduct of righteous persons (*śiṣṭas*) is also a Dharmaśāstra or Smṛti.<sup>17</sup> Viśvarūpa, a commentator on the *Yājñavalkya Smṛti*, even says that the Smṛtis should be followed only in those cases wherein they are in accordance with the agreed mode of conduct of the *śiṣṭas* of the Aryan society.<sup>18</sup> Does it imply that in injunctions and prohibitions of religious texts can be overruled in practice if they go against the conscience of a given society or age?

It is frankly recognised that the Vedas cannot possibly provide guidance to all walks of life and their varied situations. Therefore, the injunctions of Vedas and laws of the Smṛtis should be supplemented by the customs of various groups. The king is advised by Manu not to impose the customs (*ācāra*) of his people over those of the vanquished; he should also follow those customs while judging law suits.<sup>19</sup> According to Gautama, the customs or social norms of various regions (*deśa*), classes (*varṇa*), *sub-groups* (*jāti*), professional groups (*śreṇi*) and even families (*kula*) should be consulted by the king along with the Vedas and Smṛtis while administering justice.<sup>20</sup> Yājñavalkya has even contended that the varying usages or conventions of all these groups (including the atheists) should be respected by the king in the same manner as he respects those of the brahmanas (the ultimate criterion of respectability).<sup>21</sup>

In all fairness it should be remembered that the criterion of conduct was

*sadācāra* or *śiṣṭācāra*, that is, the conduct of learned and virtuous men, and not merely *ācāra* or traditional conduct of the people. Had the two prefixes - *sat* and *śiṣṭā* - been consistently used, probably the relativistic implications of Hindu moral thought could have been avoided. But often these two prefixes were left out, and *ācāra* as such was declared the criterion of righteousness (*dharma*).

(c) These customs or norms of conduct are also relative to time. Hindu thinkers were very much aware of the power of time and the changes it brings in the values, perceptions and ways of the people of a given society. As early as Manu, the idea had taken roots that the same morality of *dharma* cannot be applied to all ages, and that both the duties and values of men are different in different ages.<sup>22</sup>

The impact of Buddhism and Jainism, transformed Hinduism making them averse to violent vedic sacrifices. With changing times certain socio-moral values of the society also changed, and as a result some of the earlier social customs as *niyoga* were deprecated as immoral. But both, Vedic sacrifices and customs as *niyoga*, were prescribed or sanctioned in the sacred texts. This led to an innovative assertion in the later *Smṛtis*, *Purāṇas* and *Nibandhas* (commentaries) that the *dharma*s or duties of different ages (*yuga*) are different; and some of the norms of conduct, which were valid in earlier ages would be invalid or immoral in the modern age of degradation (*kali yuga*). Such customs came to be known as *kali-varjya*.<sup>23</sup>

Manu has asserted that a person should not follow what was practiced earlier and even has been sanctioned by the sacred text, if the same conduct has become reprehensible to the moral consciousness of his age.<sup>24</sup> Later commentators, as Medhātithi and Viśvarūpa, firmly contend that the killing of cows, whether in Vedic sacrifices or in honor of guests, which was sanctioned by the *Dharmaśāstras* must not be under-taken now. Significantly, as pointed out by Prof. P. V. Kane, the term used here is 'that which is reprehensible to the people (*loka vidviṣṭa*)', suggesting that a norm of conduct may be given up even if it is prescribed in the *Dharmaśāstra* and advanced by the *śiṣṭas* or men learned in the Vedic tradition.<sup>25</sup> This apparently is a revolutionary provision but unfortunately it was applied in a very dogmatic and negative manner. As a result, innumerable practices were prohibited in middle ages as *Kali-varjya*, most of these prohibitions being ritualistic in nature.

(d) Theoretically the principle of the hierarchy of various sources of, or

authorities for, *dharma* was affirmed. According to it, Vedas, Smṛtis, *śiṣṭācāra* and the conscience were to be followed in that order. In case of any conflict between any two, the authority of the previous source was stronger than that of the next in the order.<sup>26</sup> Though the order in which the three or four sources of *dharma* were given implied their hierarchy, this fact was not specifically mentioned frequently. Especially, the *Mahābhārata* discusses these sources of *dharma* on innumerable occasions, but hardly ever refers to the gradation in their authority.

Dharmaśāstrakāras and Mīmāṃsakas realised very early that this hierarchy was difficult to maintain. There were instances wherein Smṛtis were seen as deviating from the Vedas. Such instances were explained away in a typical scholastic manner. The problem was more serious when two or more Smṛtis differed from each other on one particular issue. This happened frequently and even Gautama, whose Dharma Sūtras are among the oldest, refers to these conflicts. Both Gautama and Manu stipulate that in case of conflict between sacred texts which have equal strength, one must have *vikalpa* (alternative), meaning that any one of the alternative cognitions may be followed.<sup>27</sup>

The Mīmāṃsakas elaborately discussed the issue of *vikalpa*, and contended that in case of conflict between the stipulations of various Dharmaśāstras or even Śrūtis regarding the manner of performance of any Vedic ritual, any of the alternatives would be equally valid. This relativistic approach in rituals would not have mattered much had the authors of Dharmaśāstras and Mīmāṃsakas not equated rituals with moral. Inasmuch as the same term '*dharma*' was used both for ritualistic acts and moral acts proper, the theory of *vikalpa* or alternative was unconsciously transferred to conflicting norms of duty. Ethical (normative) relativism naturally followed. Traditionally, all Dharmaśāstrakāras quote a large number of other past or contemporary authors. Unlike the tradition of philosophical Sūtras (e.g. *Vedānta Sūtra*), Smṛtis do not always present these views as *purva pakṣa* or the opinion which has to be rejected in the process of proving one's views. Reference to divergent views are given and accepted just as a matter of fact. The contentions and injunctions of various Smṛtis diverged so much that Viṇṇāśwara was faced to observe that no final opinion can be put forward, as in view of these divergences it is futile to try to reconcile various contentions of Smṛtis<sup>28</sup> It seems to mean that any community or group is free to accept any one of various Dharmaśāstric norms, there being no objective criterion to judge their relative worth.

On occasions, the *Māhābhārata* seems to support an extreme relativistic position. It affirms that the essence of *dharma* is mysterious and difficult to fathom, and reasoning alone leads us nowhere. It adds that since different seers affirm different things, we cannot accept any one of them as authoritative; and advises that one must follow the path followed by *mahājana*.<sup>29</sup> The term 'mahājana' has been translated and understood differently by various scholars as meaning great or good men of one's society, or majority of men, but whatever meaning we accept, it does imply ethical relativism.

At another place, the Epic makes an even more drastic statement of relativism. It argues against accepting either the Vedas or Smṛtis as unconditional authority for determining one's *dharma*. It observes that the Vedic injunctions and prohibitions have a very limited scope, and they cannot possibly cover all the eventualities of life. It then rightly points out that with the changing times, circumstances in people's life also change, so that whatever was morally right in the earlier times may not be so in modern times. It goes as far as to say that there is no ethical norm or custom which is conducive to the good of all equally.<sup>30</sup>

This is ethical relativism at its boldest. Does it mean that the entire Hindu ethics is relativistic? Should we regard the scheme of *varṇāśrama dharma* as expressing relativism in morals? What does the importance given to region (*deśa*) and times (*yuga*) in Hindu ethical thought mean - a pluralistic and open approach to socio-moral issues, or an undesirable form of ethical relativism, We shall try to face these questions in the concluding section.

### III

As we have seen, an individual's code of duties (*dharma*) is relative to various factors. We can tentatively divide these factors into three classes or groups. The first group of relevant factors mainly consists of class (*varṇa*) and/or caste (*jāti*) and stage of life (*śrama*); second group consists of region (*deśa*), but we may include miscellaneous categories of professional group (*sreṇi*) and family (*kula*) also in this class; and the third group consists of time (*kāla* or *yuga*).

(a) It may be pointed out here that the conception of *varṇāśrama dharma* which asserts that a person's duties are determined by his station or role in the society is comparable to Bradley's conception of 'my station and its duty', or

contemporary western scholars' conception of role morality. If the latter two are not regarded relativistic in the strict sense of the term, *varṇāśrama dharma* should also not be pronounced relativistic. It seems to me that while the above western conceptions are 'relational' and not relativistic, the rigidity, inviolability and all-comprehensiveness of the Indian conception of *varṇa dharma* makes it relativistic, even though strict normative relativism might not have been intended. It is ironical, though, that while relativism in the West is intimately related to a liberal, tolerant approach, Indian brand of moral relativism is distinguished by its rigidity and inviolability.

It is possible that my understanding of *varṇa dharma* is wrong, and it was meant, not as an expression of a relativistic approach to morality but, as a means for the harmonious functioning of the social order, in which each group of persons does its allotted work and thereby contributes to the harmony and stability of the social order. If so, it would be comparable to Plato's famous conception of justice. On the other hand, the Dharmaśāstras' manner of dealing with the issue suggests that they acknowledged it as a relativistic conception. For example, Manu first discusses how moral codes differ from age to age, or are relative to the times; and immediately afterwards launches into a description of the different duties of various varnas, or what is the same, the relativity of man's duties to the *varṇa* he happened to be born into.<sup>31</sup>

(b) The affirmation of region (*deśa*) as one of the determining factors of *dharma* is much more relativistic contention. The motive behind this was clear - not to condemn anybody, but to act on the principle of live and let live. It was but another expression of the principle of religious toleration which has characterized Hindu 'religio-culture' all through its history. If a group of persons abstains from asserting that its religion is the only true or final one; the same group cannot possibly assert that its code of morals alone is the final and absolute one which must be followed by all others. This expresses a pluralistic and tolerant approach to life and society. But at the same time, too much emphasis on tolerance makes Hindu morality a relativistic one.

It not only says that the norms and values of different groups are different, and various groups should be allowed to follow their own norms and mores, but also asserts that these norms are valid or authentic for that group alone, but are to be regarded as sinful for all other people. Such a stand reduces all ethical questions to sociological ones; derives 'ought' from 'is'; and rejects the



possibility of any common (universal) criterion in morality. The question whether the norms and mores of a given group are moral becomes meaningless in this approach, because whatever is practiced, or is in vogue in a particular group is moral. Such a position can only be labeled as ethical relativism.

(c) All ethical discussions and judgement presuppose the universalizability of our concepts and standards. When judging an act to be right or good (or its opposite), the moral subject presumes that an exactly similar act would be right (or its opposite) in exactly similar circumstances. Hindu moral thought seems to deny it. It asserts that that is right for one person (as fortitude and non-violence for a *brāhmaṇṣṣ*) is wrong for another person (e.g. a *kṣatriya*).<sup>23</sup> And a custom (e.g. marriage among near relations) is both right and wrong according to the region (*deśa*) one happens to be born in. It seems to us that if it is right for one person to be non-violent and forbearing, it should be so far all, at least under similar circumstances. And if it is wrong for the North Indians to marry among near relations, it should be so far all others, or vice versa.

Does the above assertion imply the further arrogant assertion of the finality of one's own moral code? Or, can one assert ethical universalism and still not claim that one's own moral code is the only true and final one? We feel that one can affirm that at least some moral norms and values are common to the entire humankind, and also refrain from any dogmatic claim on behalf of one's own moral code.

It seems to me that Hindu moral thinkers and law givers wanted to accommodate various heterogeneous groups into the Vedic (Hindu) fold, and simply stated that these groups were free to practice their specific socio-moral customs and norms. At the same time perhaps, they did not want a total integration with the non- Aryans. Thus it was added that the mores and norms of community or group would be valid only within it, but not outside it (i.e. for others). It was an excellent expression of a liberal, pluralistic and tolerant approach at the sociological level. But at the ethical level, it necessarily meant normative relativism.

(d) This kind of relativism could have been avoided had the Hindu thinkers insisted on the hierarchy of standards, so that local norms etc. were necessarily subordinated to the vedas and Dharmasastras. It would have been a dogmatic approach with all the limitations of such a one. But it would have

ensured the acceptance of certain common ethical principles over and above the particular rules and customs throughout the pluralistic Indian society. Of course, a hierarchy of three sources of *dharma* was always accepted in principle; but as we have seen above section II (d). It was generally neglected in practice.

Of course, the Mīmāṃsakas were very emphatic about the hierarchy of various sources of *dharma*. They even insisted that *dharma* is inscrutable or non-cognizable through any means except vedas, and this excluded both the testimony of spiritual perception (*yogi pratyakṣa*) and consensus among the *śiṣṭas*. *Dharma* is *vedamūlak*, that is, rooted in the vedas, and it is characterized by Vedic injunctions and prohibitions or imperatives (*codāna lakṣaṇa*). Clearly, the Mīmāṃsakas are identifying *dharma* with Vedic rituals.

Though Mīmāṃsā had a considerable influence on the dharmaśāstric tradition, their concerns and emphases were different. While the prime concerns of Mīmāṃsā was to provide a theoretical justification for the supremacy and finality of Vedic injunctions, the chief concern of the authors of *Smṛtis* was to offer norms and rules to regulate the every day life of members of the Aryan society. Their specific aim was to secure harmony in the stability of social order. Since Vedic injunctions could not provide guidelines for every day conduct, the Dharmaśāstras were constrained to rely more and more on the beliefs and practices of *śiṣṭas* as the norm or standard or every day conduct.

(e) This resulted in an excessive emphasis on *śiṣṭācāra* or even *ācāra*. In case of conflict between the contentions of various *smṛtis*, it was often asserted that one should depend on *śiṣṭācāra* (conduct of learned and good people) either as the final source of *dharma*, or for understanding and interpreting the meaning of *śāstras*.<sup>33</sup>

This alternative could have saved the Vedic-Dharmaśāstric morality both from dogmatism and relativism, had they insisted on the *śiṣṭas'* right to interpret the texts. As it exists now, it only leads to ethical relativism as the existing (what 'is') *śāstrācāra* or *ācāra* is accepted as the criterion which is naturally relative to the region and age. Of course, there are texts which suggest the role of region, agreement of *śāstras* (which might involve dialogue at a rational level), and conscience.<sup>34</sup> But these ideas are casually given and not sufficiently developed or emphasized.

(f) Ethical relativism of Hindu would further have been much less

objectionable, had the initial emphasis on *sadācāra*, rather than *ācāra*, was maintained. The term '*sadācāra*' is derived from the root '*sat*', which means right or good, so that *sadācāra* (or *śiṣṭācāra*) is the conduct of good or righteous people. As explained by Apastamba, *śiṣṭas* are "those Aryans of the three 'upper' classes, who are humble, aged, have full control over their senses, and are free from moral vices, such as avarice, or hypocrisy."<sup>35</sup>

According to Kumarila, only those customs or traditions, which are not against any vedic injunction, which are practised by the *śiṣṭas* (as explained above) with this belief that they constitute right conduct (*sadācaraṇa*), which are not undertaken for any explicit motive, and are not immoral, can be regarded as a criterion or standard of conduct.<sup>36</sup>

Now, the concept of *sadācāra*, i.e., that conduct which is not immoral or blameworthy and which is practised by individuals who are free from vices, unselfish and selfrestrained etc., is an ethical one. Also it has to be a conduct which is undertaken as a conscious act of choice as duty or righteous course of action, without any considerations of expediency. Thus, *sadācara* is recognised by the purity of motive and the character of the moral agent, which criterion is both moral and universalistic.

(g) The concept of *sadācāra* may seem to involve circular reasoning, as *sadācāra* is the conduct of good people, and good people are those who undertake such conduct. But we do not think that this is so. We must have clear notions of a moral agent and moral (morally praise worthy) conduct before we can decide as to who are *śiṣṭas* or good people whose conduct is to serve as a criterion of model for others. The conduct of *śiṣṭas* only exemplifies the moral ideal which is taken as axiomatic (e.g. the description of *śiṣṭas* in the *Āpastamba Dharma sūtra*).

Unfortunately, the criterion for determining *śiṣṭas* was neither critically applied, nor used to understand and evaluate their conduct. *Sadācāra* was simply the conduct of *śiṣṭas*, and no other moral criterion was implied in the assessment of *sadācāra* as the source of *dharma*. Interestingly, the Dharmaśāstrakāras and other scholars were conscious of another fact, that the conduct of great men is often much short of the ideal. Service stock examples were cited wherein the conduct of great men like Rāma and Viśvāmitra did not conform to the Dharmaśāstric injunctions. Great scholastic ingenuity was exercised to justify their conduct; and it was usually argued that those who have power, either

physical or spiritual, need not adhere to the beaten path. But Kumārila takes a moralist stand and says that all actions of great men cannot be regarded as ideal, especially those which are done under the influence of greed and other vices.<sup>37</sup>

Now if the conduct and ways of *śiṣṭas* or senior persons of the society are to be regarded as the criterion of conduct, then there is no answer to the question why great men themselves often acted in a manner which seems immoral to us. Even if some apologetic explanation were given, it would leave us uncertain as to which acts of the great men were to be followed and which not. Or, if we were to clarify in the beginning itself that only the moral actions of great men were to be followed, then, not the conduct of good men (*sadācāra*) but, certain moral norms and laws would have supreme authority. If we were to accept the latter position, then we are taking a universalistic stand in ethics. Whereas if we stick to the former position, i.e., regard the conduct of good or great men (*sadācāra*) alone as the criterion of righteous actions, then we are affirming a relativistic position. It is so because few people can totally transcend their cultural ethos, so that the values, norms and conduct of even good people are mostly determined by the society they are born into. Also, in view of the variability of the conduct of *śiṣṭas*, our moral standards would always remain indefinite or confused.

And yet, as long as the criterion is *sadācāra*, and not mere *ācāra*, the moral quality of the criterion is preserved, as also some amount of universalizability of the ideal. But the moment the prefix '*sat*' is removed and mere *ācāra* is declared a source of *dharma*, a rigorous relativistic position in morals is affirmed.

(h) With time these *śiṣṭas* come to be identified as simply the elders of a particular group who were naturally ethnocentric and conservative. They resisted any change or accommodation of new values. As a result, various groups constituting the society, whether based on caste, religion, or profession, hardened into closed semi-autonomous units within which their own laws or norms were given priority to even Dharmaśāstric injunctions and prohibitions. (For example, divorce and remarriage of widows is quite common among so-called lower castes, even though all Dharmaśāstras, with the possible exception of Narada's text, strongly prohibit it.) Inasmuch as Dharmaśāstras themselves have sanctioned the practice of various groups having their own norms, the division

and stratification of Indian society into innumerable semi-autonomous units both reflects and strengthens the relativistic approach of Hindu law-givers.

(i) What is more, the term '*ācāra*' was often used for a moral social customs, mores and ritualistic practices which may very well differ from place to place, and community to community. The stock example was that of *Holākādhikaraṇa* of the *Mīmāṃsā Sūtra*, wherein it is discussed how various ritualistic functions as Holi, Vasant etc. are celebrated in various regions, and not observed in others. Much scholastic effort was wasted in either justifying or questioning such diversity in customs. The term used was, of course, '*dharma*' so that the diversity and relativity of ritualistic customs was unconsciously transferred to moral acts proper. It has been the writer's contention all through that the use of the term '*dharma*' for both ritualistic acts and genuinely moral duties has resulted in great confusion in Hindu moral thinking.<sup>38</sup> It has further resulted in an otherwise avoidable ethical relativism.

(j) Finally, not only the conduct of the people is relative to times, but the people or rather the *śiṣyas* are given a right to challenge and reject the Dharmaśāstric injunctions, if the latter offend their moral sense. This is a very progressive sounding provision. It provides for versatility and openness, avoids, any rigidity of those moral theories which are based on sacred texts; and allows reformulation, or even rejection, of ancient moral norms and injunctions according to the changing perceptions and values.

But as we have seen earlier [Section II (c)], this revolutionary ideal was never practised in a rational and progressive manner. The acts, which were prohibited for modern age (*Kali Yuga*), were mostly ritualistic in nature, and not much progress in moral consciousness is reflected in them. The potential for moral progress and refinement in the right to change, or even reject, old norms with changing times was trivialized by keeping the relativity of morals to changing times at par with their relativity to place (*deśa*), group and such contingent factors. In the absence of any universal moral criterion, any changes brought out by time or circumstances were acceptable. Thus, we come back to cultural relativism in morals.

(k) It seems to us that the ethical relativism of Hindus was a resultant of several factors : (i) Their commitment to religious toleration or tolerance for divergence in men's metaphysical beliefs, which attitude made them intensely

catholic and syncretic. (ii) Their desire to accommodate heterogeneous groups into the vedic - Hindu fold. (iii) An almost opposite desire to keep the original Aryans or the followers of vedas from intermingling with the newly inducted ethnic groups by emphasizing their different ways of life and norms. (iv) Their confusion between ritualistic practices which are naturally culturally conditioned and morally proper. (v) and their unconscious equation between 'is' and 'ought', so that what was practised actually (*ācāra*) was accepted as the criterion of conduct.

This confusion between various concepts and categories of morality resulted in a continuous shifting of the standpoint of Hindu law-givers and other scholars. At first, a hierarchy between the usually agreed three sources of *dharma* - Vedas, *śmṛtis* and *śiṣṭācāra* - was affirmed. Then, often this hierarchy was undermined and the three were treated as if they were of equal strength. Similarly, at first, the *sadācāra* or *śiṣṭācāra* (conduct of good men) was accepted as the criterion of conduct. Then equally often the prefix 'sat' or 'śiṣṭa' was removed, and simply *ācāra* as such was accepted as the criterion or norm of conduct. Again this '*ācāra*' itself could have been conceived in a normal context. Instead, it was discussed and exemplified as rituals and mores. While different developed societies share some values and intuitive perceptions of right or wrong, rituals, customs and mores are necessarily culturally conditioned. If the criterion of conduct is neither any universal moral principle, nor even the conduct of good people, but the customs prevalent in a given community, then since such customs are necessarily relative to place, time, culture etc., ethical relativism is inevitable.

(1) Significantly, relativism in Hindu moral thought seems to be heterogeneous to its basic world-view. The latter is centered round the concept of a moral order of the universe, variously called *ṛta*, *dharma*, or *karma*.

This moral order ensures that everyone reaps the good or bad fruits of his *karmas*. The moral quality of an action depends upon the purity of heart or motive, and not upon the external factors of caste, region etc.

Thus in Indian (Hindu) thought *dharma* is understood in two different contexts : (i) morality of interpersonal relations which is mostly conceived in relativistic terms and (ii) personal morality which is developed in the context of men's quest for *mokṣa*, and which is universal in its import. It is difficult to say which of the two is the basic or dominant tendency. While in the

Vedic-Dharmaśāstric tradition the former or relativistic approach seems to be more predominant, if we were to take Hindu moral thought as a whole, the two moralities are found existing together sometimes opposing and sometimes complementing each other.<sup>39</sup>

### NOTES

1. *The Ethics of Hindus*, 1963, pp. 3,17.
2. I have argued this thesis in *Aspects of Hindu Morality*, 1989, p p. 73ff, 177ff. I am indebted to Prof. P. V. Kane, *History of Dharmasastra* (henceforward referred to as History), for my understanding of *ācāra* in Hindu moral thought.
3. *Bhagavadgītā* XVIII. 40-44; *Manu Smṛti*, I 88ff.; X. 75ff. etc.
4. *Bhagavadgītā* III.35 XVIII 45-47.
5. *Ibid.* II. 47-48; III. 17-19; IV, 15ff. etc.; *Manu Smṛti* IV. 171ff.; X.63 etc.
6. Quoted in P. V. Kane, *History of Dharmaśāstra*, Vol. II, Part I, Ch. I, p. 3.
7. *Manu Smṛti* I. 93-96; IX 131-313; XI. 83-86; *Gautama Dharma Sūtra* VIII. 12-13; *Mahābhārata*, *Śanti Parva* 12-13; 60. 40-42 etc.
8. *Manu Smṛti* VIII. 413-417; X. 49ff.; *Āpastamba Dharma Sūtra* II. 1.2. 8-9.
9. *Manu Smṛti* VIII. 270ff.; 359ff.; 347ff.; XI. 127ff.; *Āpastamba Dharma Sūtra* I. 9.24. 1ff.; I. 9. 25. 11-13; II. 10. 27. 8ff.; *Gautama Dharma Sūtra* XII. 1ff.
10. *Bāudhāyana Dharma Sūtra* I. 1. 19-26.
11. *Manu Smṛti* II. 1; 18; VIII. 41-46.
12. *Gautama Dharma Sūtra* I. 1-2.
13. *Manu Smṛti* II. 6-12; IV.161; Cf. *Yājñavalkya smṛti* I.7.
14. "Ācārah paramo dharmah śrutyakti smārta eva ca." *Manu Smṛti* I. 108. This text is translated differently by various scholars, I have followed P. V. Kane's translation.
15. *Ibid.* I. 118.
16. *Āpastamba Dharma Sūtra*, I. 1. 1. 1-3.
17. Commentary on *Manu Smṛti* II. 10, quoted in *History*, vol. III, Ch. 33, p. 874.
18. Commentary on *Yājñavalkya Smṛti* III. 250, quoted in *Ibid.*, p. 874.
19. *Manu Smṛti* VII. 203; VIII. 41, 46.
20. *Gautama Dharma Sūtra* XI. 19-22.

21. *Yājñavalkya Smṛti* II. 192.
22. *Manu Smṛti* I. 85-86.
23. See *History*, vol. III, Ch. 34, pp. 926ff.; vol. v, part II, Ch. 29, pp. 1264ff.
24. *Manu Smṛti* IV. 176; Cf *Ibid* IV. 161.
25. *History*, vol. v, Part II, Ch. 29, p. 1270.
26. *Manu Smṛti* II. 6-12; *Mitākṣarā* on *Yājñavalkya Smṛti*, I. 7.
27. *Gautama Dharma Sūtra* I.4; *Manu Smṛti* II.14.
28. *Mitākṣarā* on *Yājñavalkya Smṛti* III. 22.
29. "Mahajano yena gatah sā panthah."
30. *Śānti Parva* 252. 6-19, especially 17.
31. *Manu Smṛti* I. 85ff.
32. Both Arjuna and Yudhisthira revolt against the killings involved in the war, but are firmly silenced by Kṛṣṇa and other relatives, saying that being Kāstriyas, waging war is their *svadharma*; and moreover, virtues like non-violence and forgiveness are meant for brahmanas and not for kṣatriyas. Just as an example see *Mahābhārata*, *Vana Prava*, Ch.s 29 to 37.
33. "What may have been practised by the virtuous, by such twice-born men as are devoted to the law, that he (king) shall establish as law, if *it be not opposed to the customs* of countries, families and castes." (Italic mine)  
*Manu Smṛti* VIII. 46; Cf. *Ibid*. II.1, 18; XII. 108 etc.; *Yājñavalkya smṛti* II. 21; *Āpastamba Dharma Sūtra* I. 1. 1. 1-2; *Nārada Smṛti* I 40.
34. *Manu Smṛti* II. 6, 8, 12; IV. 161; XII. 106; *Gautama Dharma Sūtra* XI. 23.
35. *Āpastamba Dharma Sūtra* I. 7. 20. 7-8; Cf *Manu smṛti* II. 1; VI. 155, 178.
36. Quoted in *History*, Vol. V, part II, Ch. 29, p. 1264.
37. See *Ibid*, pp. 1279-80
38. *Op. cit.*, pp. 55ff.
39. *Ibid*; pp. 1ff.; 73ff.; 120ff.