Review

A Dharma Reader: Classical Indian Law, translated and edited by Patrick Olivelle. New York: Columbia University Press, 2017. xii + 410 pp., \$80.00. ISBN 978-0-23117-956-0.

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Patrick Olivelle's *A Dharma Reader* is a powerful pedagogical tool, the continuation of Olivelle's decades-long work on the legal literature of classical South Asia. It belongs to a new series in which it is preceded by Sheldon Pollock's *A Rasa Reader*, on aesthetics, and is followed by Johannes Bronkhorst's *A Śabda Reader*, on philosophy of language. In this series, students are initiated into the discipline through translations of primary sources which are connected by a clear and coherent historical narrative. Patrick Olivelle has produced seemingly innumerable translations of premodern South Asian texts. The most well-known of these, the *Manusmṛti* (*The Law Code of Manu*, 2004) has become a classroom staple for over a decade. Recently, Olivelle has released a new translation of the *Yājñavalkyasmṛti* (*A Treatise on Dharma*, 2019) as well as *A Sanskrit Dictionary of Law and Statecraft* (2015), edited with David Brick and Mark McClish. Finally, Patrick Olivelle and Donald Davis have edited *Hindu Law: A New History of Dharmasāstra* (2018), a reference work whose chapters each address a particular legal issue in premodern South Asia. With all these new resources, we are indeed in the Golden Age of dharma research.

Olivelle makes a very interesting choice in the organization of his *Dharma Reader*. It is essentially two books. The reasoning for this division he makes explicit in his introduction. Olivelle follows H. L. A. Hart's *The Concept of Law* (1961), in proposing that law is really about two sets of rules. Primary rules, that condone or condemn conduct, and secondary rules which are about the primary rules. That is a distinct set of rules which ascertain, evaluate and respond to violations of the primary rules and establish who shall do the ascertaining, evaluating and responding to potential violations. The Hartian 'secondary rules' are divided into two groups. The first are rules of recognition and the second are rules of adjudication. Thus, the first half of the source book is a history of the epistemology of law, while the second half is a history of judicial procedure. Another way of thinking about it is that the first half is

about how law articulates its authority, whereas the second half is a history of how the law authorizes legal actors and actions. In essence we get to stroll through the same history twice, but we are directed to thematically different sections of the same set of primary sources. For the sake of brevity, I will reproduce that sketch of history only once.

Olivelle divides dharma literature into three historical phases. The first phase is the production of Dharmaśāstras, which contain the laws themselves. These texts are produced from the beginning until nearly the end of the first millennium CE. Overlapping somewhat with the youngest of the Dharmaśāstras, the end of the first millennium CE witnesses the proliferation of paratextual commentaries each of which quotes and interprets one Dharmaśāstra from beginning to end. These commentaries are produced well into the early medieval period. The medieval period itself sees a new kind of text emerge: the *nibandha* or 'legal digest'. Unlike commentaries, which are devoted to a single Dharmaśāstra, these digests draw from many Dharmaśāstras to juxtapose a range of opinions on a given issue irrespective of the order of topics found in the quoted texts.

Of course, the Dharmaśāstras have textual antecedents. Olivelle opens by discussing the Dharmasūtras, aphoristic texts which date from the first few centuries BCE. These texts can be considered a kind of early law, concerned primarily with proper custom, conduct, and the resolution of disputes. The development of *sūtra* to *śāstra* involves the influence of several key textual actors during the following centuries. The most important of these is Kauṭilya's *Arthaśāstra*, a treatise of realpolitik compiled in the first centuries of the first millennium. Olivelle knows the *Arthaśāstra* very well, having recently released a new English translation (*King, Governance, and Law in Ancient India*, 2013). It seems, then, that the earliest Dharmaśāstra, the *Manusmṛti*, is a fusion of *Arthaśāstra* and the Dharmasūtra genre which places the early Dharmaśāstra at the centre of the law, close to the king, but replaces the *Arthaśāstra*'s cynical consequentialism with the virtuous taxonomy of the Dharmasūtra cosmology. As part of that cosmology, these *śāstras* pursue the claim, first tested in the *sūtras*, that all virtuous conduct is sourced in the Vedas or texts derived from them. Olivelle demonstrates that the influences of Patañjali, Śabara and Kumāṛila on the dharma tradition are through this very vector, a shared commitment to articulating the authority of the Vedas.

A *Dharma Reader* will prove invaluable to teachers of courses on Hinduism or Religion and Law. I contend that it is a special book because of its pedagogical power. Olivelle executes something remarkably thoughtful with the format of his reader. Since he first traces the history of the epistemology of the law, and then he traces a second history of judicial procedures, he creates a model for posing and answering questions about the legal history of South Asia. Through this doubling, the reader can easily see the same method at work in two studies. Like a roadmap, this model can be emulated by researchers new to dharma literature to begin to ask and answer new questions of their own.