

THOUGH HE IS ONE, HE BEARS ALL THOSE DIVERSE NAMES: A COMPARATIVE ANALYSIS OF JAYANTA BHAṬṬA'S ARGUMENT FOR TOLERATION



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In the *Āgamaḍambara* ("Much Ado about Religion"), Jayanta Bhaṭṭa appears to be making a case for religious toleration and pluralism. The fact that his circumstances are far removed from our own, both geographically and temporally, indicates that some care should be taken when examining his work for instances of either phenomenon. It is fair to ask, for example, whether Jayanta has a concept like toleration in mind at all, or at least something that we today might understand to be toleration. If he is doing neither, our understanding of the nature of tolerance and its conceptual limits may be furthered by determining exactly what he is talking about and why it looks so much like tolerance.

Toward this end, it would be fruitful to examine the arguments for toleration given by philosophers in a position somewhat analogous to that of Jayanta's. John Locke and Pierre Bayle are well suited for this comparison, as both, like Jayanta, are concerned about the power of the religiously orthodox to influence the sovereign to repress certain 'heretical' groups. Each of the two also bases his plea for toleration on his own understanding of theology. Though I shall not prematurely beg the question as to whether Jayanta is arguing in favor of toleration, it is at the very least clear that his case against the orthodox tradition's understanding of the king's duty and power rests upon his own particular theology.

It is the admixture of both political theology and the precursors to modern liberal theory found in the arguments for toleration given by the Europeans that also makes their views suitable for comparison in this regard. Mark Lilla has compared the transition from political theology to modern political theory to the playing of two related, but different, chess-like games taking place on different boards:

A strategy that works on the first board may not work on the second, and alien pieces won't work at all. Again, the observer has to watch a number of games to learn how the new pieces work, which strategies are successful, and what the new underlying rules are. He can now begin to compare the two games and see where they seem similar and where they differ. He can also watch the players and see how, at the psychological level, the structure of each game affects the way it is played. (Lilla 2008, par. 8)

Locke and Bayle serve as transitional thinkers in the history of political theory, which is why they are often described as 'early Modern' or 'early Enlightenment' figures. Following Lilla's metaphor, such transitional figures are masters who have some skill both in the game of political theology and in what would eventually develop into

modern, liberal political theory. The point here is to suggest that Jayanta, like Locke and Bayle, can be better understood by considering his thought in terms of a theoretical transition. In Jayanta's case, the transition is from social organization predicated on Vedic orthodoxy to one based on *dharma* shared by all groups. Following Lilla's metaphor, Jayanta incorporates his opponent's political ideologies, showing their internal contradictions. At the same time, he develops a new understanding of a *political dharma*, and incorporates elements of Vedic tradition to show how even the orthodox are committed to accepting a broad-based, political conception of *dharma* if they are to be consistent.

I. The Limits of Reason

A prominent theme in the works of Locke, Bayle, and Jayanta is the limits of reason, particularly when it comes to discerning the truth of obscure and subtle religious claims. Locke's stated aim in *An Essay Concerning Human Understanding* is "to enquire into the Origin, Certainty, and Extent of human Knowledge; together, with the Grounds and Degrees of Belief, Opinion, and Assent" (*ECHU* I.i.2). One of the reasons he is concerned to uncover these limits is the practical bearing this may have on disputes that have their basis in disagreements over obscure facts:

Thus Men, extending their Enquiries beyond their Capacities, and letting their Thoughts wander into those depths where they can find no sure Footing; 'tis no Wonder, that they raise Questions and multiply Disputes, which never coming to any clear Resolution, are proper to only continue and increase their Doubts, and to confirm them at last in a perfect Skepticism. Whereas were the Capacities of our Understanding well considered, the Extent of our Knowledge once discovered, and the Horizon found, which sets the boundary between the enlightened and the dark Parts of Things; between what is and what is not comprehensible by us, Men would perhaps with less scruple acquiesce in the avow'd Ignorance of the one; and employ their Thoughts and Discourse, with more Advantage and Satisfaction in the other. (*ECHU* I.i.4)

On the matter of religious belief, Locke distinguishes between faith and reason, thinking that a hard distinction will be a boon to the resolution of religious disputes. Reason is defined as "the discovery of the Certainty or Probability of such Propositions or Truths, which the Mind arrives at by Deductions" (*ECHU* IV.xviii.2). Faith, on the other hand, "is the Assent to any Proposition, not thus made out by the Deductions of Reason; but upon the Credit of the Proposer, as coming from GOD, in some extraordinary way of Communication" (*ECHU* IV.xviii.2). Some things we may know either through reason or through faith, such as the propositions of Euclidean geometry. When it comes, however, to claims such as "that Part of the Angels rebelled against GOD, and thereby lost their first happy state: and that the dead shall rise, and live again" (*ECHU* IV.xviii.8), these are revelations which can only be known through faith. The role of reason in these matters is limited to judging the testimony considered as coming from a reliable person and "to judge of the truth of its being a Revelation, and of the significance of the Words, wherein it is delivered" (*ECHU* IV.xviii.8).

Bayle accepts Locke's distinction between matters of reason and faith and that the former has primacy over the latter. He furthermore stresses that even those who would appeal to religious authorities on doctrinal disputes must still admit the primacy of reason. For in order for someone to know that he should believe the opinions of the Church, he must first determine that the Church knows better than he does on some matter. This determination can only be made through the use of reason. Therefore, an individual's sincere religious beliefs are determined by his own natural light, and he will only believe that something is revealed "because his good sense, his natural light, and his reason inform him that the proofs of its revelation are sufficient" (*PC*, p. 33). Bayle also stresses the limitations faced by all human beings:

They are then creatures who drag a body along, the cause of the soul's whole capacity being incessantly occupied with a thousand confused sensations and a thousand unavoidable worldly cares. The passions and habits of childhood, the prejudice of education, take possession of us before we take time to know what it is we admit into our minds. All that makes the search after truth exceedingly painful. (*PC*, p. 179)

When it comes to the claims presented by competing religions, each of us is encumbered with all manner of passions and prejudices that make it difficult to discern which is true.

In his discursive work the *Nyāyamañjarī*, Jayanta expresses the view that the primary use of reason or logic (*nyāya* or *tarka*) is to serve in apologetics for the Vedas. It is "the main pillar upon which all branches of learning rest,"¹ which "throws light on the means to the highest human end"² (*NM*, p. 4). Reason is useful because it can establish the existence of God and the divine authorship of the Vedas and defend them from being "gainsaid by the unfair criticism of the bad logicians"³ (p. 4). The bad logicians in this case are Buddhists, Jains, materialists, and others who use reason in an attempt to disprove the validity of the Vedas. That which is designated by Jayanta as 'logic' is an ancillary science of the Vedas, however, so it is not proper to call the methods of these heterodox groups 'reason' or 'logic'. (It is only the materialists, however, who are denied the status of being reasonable.) Reason is thus considered akin to the handmaiden of theology. This approach is typical of the orthodox tradition in classical India:

Reason . . . is misapplied when it is used in a purely negative, destructive way. In other words, the proper use of reason should be to support, and not to undermine, one's beliefs, goals and values. The objection to the reasoners . . . is that for them the use of reason has become a goal in itself. It is goalless, capricious, ungrounded. (Ganeri 2001, p. 7)

Jayanta conceives of logic as primarily a product of the tradition in which it is practiced, as it is only when doubts arise about the reliability of a tradition that a system of logic develops (cf. *NM*, p. 7):

Jayanta namely establishes already at the outset, that the essential philosophical-scientific task of the Nyaya-system is to protect the authority of revelation of the Veda—that is, defend it against those who dispute, dismiss or demean it. (Wezler 1976, 2.5.4)

By Jayanta's account, any system of reasoning is largely confined to defending the tradition of which it is subsidiary, as a degree of incommensurability persists between competing systems of reasoning. Just as Buddhists must ultimately reject *nyāya* because of the essentialist Vedic suppositions that underlie it, so a *naiyāyika* cannot rely on reasoning that depends upon denying the authority of the Vedas and the essential substance of the terms used in inference. The fact that the methods of reasoning relied upon by Buddhists and others are not directly commensurate with the Vedas does not mean that their arguments are without merit, as we shall see in the following section.

We see in the case of all three philosophers a recognition that reason has limited application to the discovery of religious truths. For Locke and Bayle, reason serves a regulatory function, a means for critical examination of revelatory claims. It cannot, however, provide proof of the truth of consistent claims, and for Bayle it is important to recognize that human limitations may prevent even a person with the utmost integrity from recognizing the truth when he sees it. Jayanta sees reason as subservient to a larger tradition, which it defends and promotes. He recognizes, however, that even 'reason' may have its biases and that one must be aware of these before engaging opponents. Because reason alone is not sufficient to justify a religious tradition, another means of cognizing religious truths is necessary. Recognition of this fact is the starting point for each philosopher's case for toleration.

II. The Theological Bases of Toleration

The arguments in favor of toleration presented by each of the three are as much theological as political. In the case of Locke, the place, time, and manner of an individual's worship are entitled to complete toleration. This is first because each individual will in the end answer to God for his own manner of worship, not for that of any other. The magistrate thus cannot force any mode of worship on anyone else, because the magistrate will not be the one who is held accountable before God for any of his subjects' beliefs. Furthermore, the allowance of such power to the magistrate is contrary to the principles that underlie other rights of property and person that people are already assumed to possess:

Laws provide, as much as possible, that the goods and health of subjects not be injured by the fraud or violence of others; they do not guard them from the negligence or ill husbandry of the possessors themselves. No man can be forced to be rich or healthful, whether he will or no. Nay, God himself will not save men against their wills. (*LCT*, p. 28)

One's manner of worship is further assumed not to reflect in any way on one's loyalty to the state, nor does it affect whether someone is a good neighbor. Because of this, and the fact that each individual will only be judged according to his own choice, a person's manner of worship is to be allowed full toleration.

The second limitation on the power of the magistrate is that of men's consciences. The individual person, Locke says, has no right or power over his own conscience and thus cannot surrender power over it to the magistrate. Should the magistrate,

however, attempt to compel people “contrary to the sincere persuasions of their own consciences” (*ET*, p. 143), they are then entitled to resist the power of the magistrate, albeit non-violently and without spectacle. Such resisters must still submit to temporal punishment.

A curious fact of Locke’s allowance for conscience is that he does not consider it to be limited to any particular form of Christianity, nor even to any particular religion. Though Locke has spoken of the conscience as an inner court and maintained that those who are consistent will follow it demurely when it compels them to act contrary to the magistrate’s law, he does not say how it is constituted or from whence it derives its authority. Instead, he seems to take it for granted that the meaning of ‘conscience’ as he is using it is already clearly understood.

It may be useful, then, to consider the history of the word itself. From the usage of the term by Locke, it is clear that it is no longer conceived as being in the mould of ‘guilty secrets’ or a mere internal witness to an act (Lewis 1967, p. 185), where other faculties are relied upon to indicate whether the act in question is right or wrong (p. 190). The term has also clearly absorbed synderesis, or the faculty that guides one’s conduct, by this time (pp. 194–195), as can be seen when Locke elsewhere speaks of the conscience as “nothing else, but our own Opinion or Judgment of the Moral Rectitude or Pravity of our own Actions” (*ECHU* I.iii.8).

Locke then appears to be using the word much in the same way it is used today, as consciousness of right and wrong, though with more theological overtones:

When synderesis (whether distinguished in name from *conscience* or not) is thought about within a Christian frame of reference, the tendency to regard it as a separate, and special, and specially divine, faculty in man, will be increased. For the inner lawgiver must now be conceived either as God himself or as his specially appointed lieutenant in the soul. Who else could claim such legislative rights? (Lewis 1967, p. 197)

We can now see why Locke would hold that a man’s conscience is more binding on him than the law of the magistrate, for the former comes from God, while the latter from men. Hence why Locke declares that “no human law can lay any new obligation on the conscience” (*OPL*, p. 236), for “The individual is morally responsible only to God” (Sommerville 2004, p. 167). Thus, following one’s conscience is no mere opinion or judgment, but a form of obedience to God.⁴

Furthermore, the ability to determine which of various practices are integral to salvation should be left to the individual conscience, for “religion becomes known to men not so much by the light of nature as by divine revelation” (*ELN*, p. 110). Though these consciences may not be of an accord on the matter of true religion, if God’s will is to be known at all, Locke thinks, it is through the individual conscience and its consent to revelation. We would thus do well to tolerate any differences that result from its operation.

Bayle’s views on conscience have much in common with Locke’s. Bayle claims that in every man the conscience “is the voice and law of God in him” (*PC*, p. 66), and to order him to disobey would be, in his eyes, to be ordering him to act against God. Since the conscience has its source in God, and God would not confer the

power upon any man “to order the hatred or contempt of Himself” (ibid.), the sovereign therefore must not have power over a man’s conscience. In the matter of contracts, men would be unreasonable to agree to give the sovereign power over their consciences, as they must know that their opinions on what is true and best may change over time. In fact, men do not really have control over the dictates of their conscience, and they most certainly cannot create any obligations on the consciences of their progeny, so any contracts concerning men’s consciences necessarily exceed their power and are “therefore null and void in themselves” (PC, p. 67).

Bayle, however, goes further than Locke in his analysis, making clear that the use of torture and persecution to force people’s consciences can only make them into hypocrites or martyrs. Bayle is also keen to defend the rights of the erroneous conscience against those who claim that only the conscience that knows the truth is entitled to toleration. The right of the erroneous conscience is assured by the fact that “whatever is done against the dictates of conscience is a sin” (PC, p. 151). Every person who has a religion accepts that there is a moral law and that this law is found in God’s nature. Thus, to say “My conscience judges such an action to be good or bad” is the same as saying “My conscience judges that such an action is pleasing or displeasing to God” (ibid.). Everyone must accept this, if not because conscience is a proxy for God, then because every man must rely to some extent on his conscience to distinguish between what is good or evil and what pleases or displeases God.

In the *Āgamaḍambara*, Jayanta claims that not only are Vedas divine in origin, but that that same divine source is also “the one and only author of all scriptures” (MAR, p. 227).⁵ He defends this claim against the objection that there exists ‘mutual contradiction’ among sacred texts by saying first that within the Vedas—and sometimes even within a particular Veda—supposed contradictions are obviated by distinguishing among the contexts in which individual statements or injunctions occur (ibid.). The same defense can be given, he says, “regarding the propositions of other religions” (ibid.).⁶

To make this point, Jayanta points to the source of the Vedas’ authority. The Vedas are authoritative because they are the product of divine authorship. Besides this, Shaivas of his tradition, as well as many other sects, accept the following:

Though He is one, inasmuch as he assumes various bodies fashioned by His will and teaches all kinds of scriptures for the benefit of all beings, he bears those diverse names which are celebrated in all the worlds. (MAR, p. 231)⁷

It may be that the founders of other religious traditions are, if not God Himself, then men inspired by God, for “an extraordinary, eminent man clearly bears the Lord’s luster” (MAR, p. 231).⁸ The full implication is that if *dharma* comes from God, and other religions teach or practice *dharma*, then their teachings must have originated with God in some way. Unless one has good reason to think that one of the human sources of a sacred tradition was motivated by greed, deceit, or other ulterior motives, it should be assumed that such a person was either an avatar of God or else acting in accordance with God’s wishes.

In response to the objection that this account would allow any religion to claim authority, Jayanta offers this reply:

Provided it has a widely acknowledged, unbroken tradition, provided the Aryas are not repulsed by associating with it or discussing it, provided its accepted practice is neither antisocial nor dangerous, provided it has not just recently sprung into being, provided it is not based upon the ramblings of a madman, nor on something outlandish, nor simply on something like greed: for such scriptures this method of validation is applicable, but it cannot be used for just any text. (MAR, p. 247)⁹

Though some of the criteria—such as what counts as ‘outlandish’ and what may count as ‘the ramblings of a madman’—are surely vague, the fact that the only group in the play explicitly eliminated from the polity by these criteria are the publicly antinomian “Black-Blankets” indicates that these negative criteria are intended to be applied conservatively (MAR, p. 143).

Albrecht Wezler (1976, 2.5.1) suggests that the primary criterion for toleration offered by Jayanta is not that religions that accord with *dharma* share a common, divine origin, but that they are based on the Veda. His basis for saying this is that the necessity of Vedic origins is third in Jayanta’s three given reasons for tolerating other traditions (the other one, besides divine origin, is that it derives from the testimony of an *āpta*, or authoritative person). By the standards of Indian philosophical writing, Wezler claims, the final reason given should be assumed to be the one favored by the author. The problem with Wezler’s account, however, is that Jayanta has already shown that he is using ‘Veda’ quite broadly, such that it can apply to texts that fall clearly outside the traditional Vedic canon:

Nor do I say that there are five or six Vedas here, for their number is well known to be limited: they are only four. But they diversely branch into many recensions, so let this Pañcaratra be one of their particular recensions. (MAR, p. 235)¹⁰

Given that a recurring argument by Jayanta in the is that the validity of the Vedas is based on their being authored by God, it is unlikely he would find other traditions to be valid simply because they are commensurate with the Veda. Csaba Dezső as well understands Jayanta to privilege divine origins as the basis for toleration: “So in fact all scriptures derive from God, each of them being adjusted to our particular needs and talents” (Dezső 2011, p. lx). If there is any significance to be attributed to the order in which Jayanta gives his reasons for toleration, perhaps it is this: while followers of one tradition may be skeptical of the divine origins of another tradition, or the virtue of its founder or founders, they can at least readily recognize whether the tradition promotes the same general virtues—that is, those virtues incumbent on members of all castes—as the Vedas. The latter, therefore, is the minimal recognition that a tradition must receive from others if widespread toleration of it is to be feasible, even if such recognition does not lead to general acceptance of the other two options.

Jayanta draws two significant, political conclusions from his case for toleration. These are, first, that the traditions must take it upon themselves to ensure that each particular tradition does not exceed its scope and that they do not become inter-

twined, thereby invalidating their authority. Second, they must concede that the king secures the public morality and justly prosecutes those who mouth religious platitudes “and then overthrow both scripture and Dharma with their wicked behavior” (MAR, p. 251).¹¹ There is therefore a quid pro quo between the king and certain religions of his realm. The king is obligated to defend order and justice in his kingdom. These are best guaranteed when religions do not sympathize with those who disturb the peace or promote disorder. As each tradition is assumed to be divine in origin, the maintenance of order also requires that the adherents of each should do their part to help preserve it. In exchange for their cooperation in the security of the kingdom, the king allows a multitude of competing religious groups to exist in social harmony.

There is, then, a theological underpinning to the case for religious toleration presented by all three philosophers. Locke and Bayle locate the basis for toleration in the rights of conscience, while for Jayanta it is certain well-established and respected traditions that merit toleration. In the case of each, toleration is merited because the basis of toleration is either a source of divine sanction or a proxy for it. Conscience, for example, is either a source for God to reveal to man what he should believe and do, or else a proxy for divine revelation, which every person must depend upon in order to determine these things. Valid traditions, for Jayanta, must be condoned by God because they are widely acknowledged to be noble and decent, and morality has its basis in the commands of God. What all three share in common is that the basis of their own religious conviction—either conscience or tradition—cannot be justified on the basis of reason or logic alone. If a right to follow the dictates of conscience is to be claimed, it cannot be limited only to those who share my beliefs or who have the ‘right’ beliefs. Similarly, if a tradition is to be considered valid because it comes from reliable and authoritative sources, it cannot be denied that other religions may make similar claims of reliability and authority. Part of the theoretical basis of toleration is found in the recognition that claiming power for only one group would require special pleading on contentious theological issues.

III. Varieties of Toleration

In order to distinguish the form of toleration promoted by each philosopher, I am relying on work by Rainer Forst. Locke’s toleration falls under the respect conception of Forst’s rubric. In the respect conception of toleration, toleration is conceived as a situation in which people on moral grounds “regard themselves and others as citizens of a state in which members of all groups—majority or minorities—should have equal legal and political status” (Forst 3003, p. 74). Locke argues that people should regard each other as equals before the magistrate on moral grounds regardless of their individual religious beliefs, putting him squarely in the respect camp. His form of toleration follows the formal model of the respect conception. This means that Locke makes a strong distinction between the public and private spheres, with religious matters largely relegated to the former. Locke does allow, of course, the presumption that religious beliefs and practices that are indifferent ought to be tolerated. This allowance, however, is singularly dependent upon the largesse of the magistrate,

who decides such matters in line with what he perceives to be conducive to the peace and security of the state. The distinction between those matters that are speculative and thus strictly private and those that concern the public good typifies the formal model, wherein ethical and religious differences are “confined to the private realm, so as to avoid differences and strife in the political sphere” (p. 74).

Bayle, who believes that all subjects should be considered to be equal before the magistrate in matters of law, regardless of their individual religions, also subscribes to a respect conception of toleration. Bayle’s view often appears to also be within the formal model of the respect conception, such as when he says that it “suffices to have permission to assemble, to perform divine service, and to argue modestly in behalf of one’s own persuasion” (*PC*, p. 132). This, however, is merely a statement of the minimum of toleration.

Elsewhere, he appears to subscribe to a qualitative model of the respect conception, described as follows:

[O]n the ‘qualitative equality’ model, persons respect each other as political equals with distinct ethical-cultural identities that must be tolerated as (a) especially important for a person and (b) providing good reasons for certain exceptions from or changes to existing legal and social structures, in order to promote material and not just formal equality. (Forst 3003, p. 75)

When Bayle discusses the case of unjust punishment, he suggests that conviction of conscience entitles people to be exempt from certain laws. For example, before it can be said that a certain group of people merits punishment for their disobedience of a law, it must first “be shown that they could comply in honor and conscience to what was ordered” (*PC*, p. 65). The situation is similar when he explains why it is acceptable not to permit atheists to engage in ‘blasphemous’ behavior, while members of one sect critiquing the beliefs of another sect can. Unlike the follower of another religious sect, the atheist recognizes no law higher than those of men. He therefore cannot appeal to conscience as a defense of his defamations, for doing so requires belief in a legislator superior to any man. In both situations, it is made clear that a conviction of conscience may exempt a person from following certain laws. Bayle’s overall point, however, is that such laws are unjust, rather than that some people may justly refuse to follow them. To the extent that there is any vagueness on whether Bayle’s toleration falls into the formal or qualitative model of the respect conception, it can at least be acknowledged that his views, like Locke’s, more often fall under the formal model.

It is reasonable at this point to infer that Jayanta is arguing in favor of some form of toleration. Jayanta is promoting a view that mirrors what Forst describes as the esteem conception of toleration. According to this conception,

[B]eing tolerant does not mean respecting members of other cultural forms of life or religions as moral and political equals though objecting to their ethical ways of life. Rather, it means having some kind of ethical esteem for them; that is, regarding their beliefs as ethically valuable conceptions that are—even though different from one’s own—in some way ethically attractive and held for good reasons. (Forst 3003, p. 75)

Jayanta claims that traditions that merit toleration should be assumed to have a divine origin, and that knowledge of this origin, like that of the Vedas, is reliably available to them—or at least no less available to them than knowledge of the origin of the Vedas is to their adherents. He is in effect claiming that people believe in these traditions for good reasons and that these traditions are legitimately considered to be ethically attractive. This is made apparent, for example, when Jayanta defends these traditions from claims by the orthodox that they must be the result of men's greed or delusion, "For delusion might make them last for a few days, but it would be fantastic to say that such delusion persists for aeons" (*MAR*, p. 243).¹² The implication is that it must be conceded that people's adherence to other valid traditions should be assumed to be neither morally nor intellectually suspect, even to the extent that they fall short of the demands of one's own tradition.

We see, then, that the two European philosophers we have looked at promote a respect conception of toleration, with tendencies toward the formal model, while Jayanta promotes an esteem conception. At least part of this must be attributed to the fact that rights, in classical Indian political theory, are held not to belong to individuals as such but qua members of certain groups. This is why Jayanta refers to the obligation of the king to protect and preserve valid traditions rather than individuals, not because individuals are irrelevant but because the legitimate pursuit of individual interest is determined by one's tradition. The idea that all persons might merit equal political status and rights is largely alien to the *varṇāśramadharmā* system, so the respect conception of toleration is simply not a viable option for someone like Jayanta. Likewise in modern political thought, the idea that certain people might be entitled to rights that are denied to others is often considered antithetical to justice, so Locke and Bayle cannot seriously consider the possibility of allowing exemptions to certain laws or protecting certain behaviors only with respect to members of one group rather than for all citizens.

IV. The Limits of Toleration

All three philosophers are concerned to show that toleration has its limits. In the case of Locke, toleration is limited by its contribution to the public good. In theory, all speculative beliefs are to be tolerated, but the public manifestation of such beliefs is tolerated only when it does not endanger the health of the state. Toleration, however, is really a boon to the state, for the best way of securing the peace is if the magistrate's "friends at home be many and vigorous, and [his] enemies few and contemptible" (*ET*, p. 151).

For Bayle there is also a concern for the security and peace of the state, which limits toleration. Though men are entitled to act according to the dictates of their consciences, a man who acts from conscience is still justly punished by the secular authority. It is still the case in this instance that "the sovereign does not lose his inherent right to rid the republic of whatever necessarily destroys the security of its members and tends to break the bonds of society" (*PC*, p. 121). It is thus clear that not all acts of conscience are immune to just prosecution by the state. Like Locke however,

Bayle resolves this dilemma by saying that toleration is in fact a better contributor to the peace and security of the state than oppression, and that this is borne out by a careful study of history.

The limits of toleration for Jayanta are determined by social stability and security. It is instructive to consider whom Jayanta does not think is entitled to toleration to get a fuller picture of his view in this regard. One of the groups clearly excluded from counting as having a valid tradition is the materialists or *cārvākas*, whose texts are proclaimed to have no moral authority:

No duty has been prescribed by the materialistic system. It is purely dialectical in its character. No work of this system is entitled to the designation of Āgama [tradition].¹³ (NM, p. 561)

The materialists have an ethic of hedonism, but this is not a valid tradition according to Jayanta. We can see why this is so if we consider the role of tradition in the proper governance of the king. The king is obliged primarily to “enable [his] subjects to pursue in peace the ends common to all men” (Biardeau 2002, p. 53). Though the king is also allowed limited pursuit of worldly and material pleasures, the materialist would whisper into his ear that his concern should be only for those indulgences, to the detriment of his political obligations. It should be easy to see why such teachings would be troubling to someone concerned about social stability. The ethic of the materialists is that one’s duty only extends so far as seeking pleasure for oneself. In a society governed by hedonistic impulses, there can be no concern with justice, or at least no reason for the king to be concerned with it. If the king is not concerned with justice, his particular function becomes unnecessary, and society suffers due to a lack of stability. Thus, the king must be protected from the seductive teachings of the materialists.

The reason given for excluding the materialists from being members of a valid tradition is also useful for determining who is not excluded. The materialists, after all, are not excluded due to their atheism but because of their antisocial ethic. The orthodox, Vedic tradition and the Buddhists are allowed the status of valid traditions, yet both are atheistic in their own fashion. Those groups that teach that it is proper for the king to be concerned with matters of justice, fairness, and stability are entitled to toleration by others.

It is clear, therefore, that in the case of all three philosophers, the primary concern is the peace and security of the state, and that this concern underlies the case for toleration made by each. One difference between Jayanta and the Europeans is that he is arguing in favor of a contemporary policy of toleration against orthodox objectors, while Locke and Bayle are arguing against intolerant policies in their native countries. This does not mean that the Europeans neglect religious arguments against toleration—far from it, as we have seen. The difference instead is that Jayanta largely overlooks the strictly political aspect of his argument for toleration. He is instead content to let the traditional picture of justice stand—albeit empty of the metaphysical content that underlies it (MAR, p. 239)—if this will maintain the present political stability achieved by the king.

V. Conclusion

The purpose of this essay has been to make the case that Jayanta can be understood to be making an argument for toleration that has contemporary relevance. The comparison with Locke and Bayle primarily serves to preempt some possible, wrong-headed objections one might make against seriously entertaining the views of a tenth-century Kashmiri, such as that they are based on theological concerns no longer relevant to us today or else needlessly exclude from toleration groups that are currently tolerated. To a large extent, however, modern liberal notions of toleration are derived from views like those of Locke and Bayle, which makes them clearly relevant to contemporary concerns, and yet these two also based much of their views on their theological understandings. Locke did not consider atheists or Catholics worthy of toleration, and while Bayle was more circumspect on the matter, he did not think that Catholics could be fully tolerated in his time, nor did he think that atheists were entitled to the same right as were the faithful to criticize other religions. Returning to Jayanta, some modern defenses of pluralism and multiculturalism in modern society depend as well upon a picture of people as members of particular groups of communities rather than strictly as individuals. The comparison of these three thinkers should make it clear that the study of classical Indian thinkers such as Jayanta can contribute to modern debates on toleration, both in contemporary India and elsewhere.

Notes

Abbreviations are used in the text and Notes as follows:

ECHU *An Essay Concerning Human Understanding*. See Locke 1979.

ELN "Essays on the Law of Nature." See Locke 1997b.

ET "An Essay on Toleration." See Locke 1997a.

LCT "A Letter Concerning Toleration." See Locke 1991.

MAR *Much Ado about Religion*. See Jayanta 2005.

NM *Nyāyamañjarī*. See Jayanta 1995.

OPL "Obligation of Penal Laws." See Locke 1997c.

PC *Pierre Bayle's Philosophical Commentary*. See Bayle 1997.

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1 – *nyāya vistaras tu mūla stambha bhūtaḥ sarva vidyānām* (*NM*, p. 3).

2 – *puruṣārtha sādhana sanopāyatvamevocyate* // (*NM*, p. 3).

3 – *tārki kara cita kutarka vip̄lāvita prāmānyeṣu* (*NM*, p. 3).

4 – As Locke notes in the *Second Tract on Government*: "The law of conscience we call that fundamental judgment of the practical intellect concerning any

possible truth of a moral proposition about things to be done in life. . . . God implanted the light of nature in our hearts and willed that there should be an inner legislator (in effect) constantly present in us whose edicts it should not be lawful for us to transgress even a nail's breadth" (Locke 1997d).

- 5 – *tad vat sarvāgamānāṃ bhavatu sa bhagavān eka eva praṇetā* // (MAR, p. 226).
- 6 – *saraṇir iha tīrthāntara girām* // (MAR, p. 226).
- 7 – *eko'py asau sakala sattva hitāya kāyam icchā vinirmitam anekam upāda-dhānaḥ nānāgamān upadiśan vividhā bibharti tās tāḥ samasta bhuvana prathitāḥ samākhyāḥ* // (MAR, p. 230).
- 8 – *sātīśayo bhavati ko'api nūnam asau tejo bibharti bhagavata* // (MAR, p. 230).
- 9 – *avicchinnā yeṣāṃ vahati saraṇiḥ sarva viditā / na yatr'āryo lokaḥ paricaya kathālāpa vimukhaḥ / yadiṣṭānuṣṭhānaṃ na khalu jana bāhyaṃ na sabhayaṃ / na rūpaṃ yeṣāṃ ca sphurati navam abhyutthitam iva / pramatta gītattvam alaukatvam ābhāti lobhādi na yatra mūlam / tathā vidhānām ayam āgamānāṃ prāmāṇy amārgo na tu yatra tatra* // (MAR, p. 246).
- 10 – *vayaṃ api na vadāmaḥ pañca ṣaḍv' ātra vedān / vidita niyata saṃkyās te hi catvāra eva // bhavati tu bahu śākhā vistaras tatra citras / tad ayam api hi teṣāṃ astu śākhā viśeṣaḥ* // (MAR, p. 234).
- 11 – *bhavādīyaṃ nāma mukhe dattvā durācāratayā ye viplāvayanti śāstraṃ dharmam ca teṣāṃ svāśrameṣv avakaśo na deyaḥ* // (MAR, p. 250).
- 12 – *vyāmohāc ca hi vartante kāmam katipayair dinaiḥ / so'yam yuga pada sthāyī vyāmoha iti vismayaḥ* // (MAR, p. 242).
- 13 – *na hi lokāyate kiṃ cit kartavyam upadiśyate / vaitaṇḍika kathaivāsau na punaḥ kaścid āgamaḥ* // (NM, p. 290).

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