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## Old Javanese legal traditions in pre-colonial Bali

Law codes with their origins in Indic-influenced Old Javanese knowledge systems comprise an important genre in the Balinese textual record. Significant numbers of palm-leaf manuscripts, as well as later printed copies in Balinese script and romanized transliteration, are found in the major manuscript collections. A general overview of the Old Javanese legal corpus is included in Pigeaud's four-volume catalogue of Javanese manuscripts, *Literature of Java*, under the heading 'Juridical Literature' (Pigeaud 1967:304-14, 1980:43), but detailed studies remain the exception. In spite of the considerable number of different legal treatises extant, and the insights they provide into pre-colonial judicial practices and forms of government, there have only been a handful of studies of Old Javanese and Balinese legal texts.

A succession of nineteenth-century European visitors, ethnographers and administrators, notably Thomas Stamford Raffles (1817), John Crawfurd (1820), H.N. van den Broek (1854), Pierre Dubois,<sup>1</sup> R. Friederich (1959), P.L. van Bloemen Waanders (1859), R. van Eck (1878-80) and Julius Jacobs (1883), routinely described legal practices in Bali, but European interest in Balinese legal texts was rarely philological. The first legal text to be published was a Dutch translation, without a word of commentary or explanation, of a section of the *Dewadanda* (Blokzeijl 1872). Then, in the early twentieth century, after the establishment of Dutch colonial rule over the entire island in 1908, Balinese (Djilantik and Oka 1909a, 1909b) and later Malay (Djilantik and Schwartz 1918a, 1918b, 1918c) translations of certain law codes were produced at the behest of Dutch officials who maintained that the Balinese priests who were required to administer *adat* law were unable to understand

<sup>1</sup> Pierre Dubois, 'Idée de Balie; Brieven over Balie', [1833-1835], in: KITLV, H 281.

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the Old Javanese or Kawi texts adequately.

The first, and in fact still the only, Balinese legal text to be the subject of extensive study was the untitled law code most commonly known as the *Kuṭāramānawa*, first edited and translated into Dutch by Julius Jonker (1885). In 1967, the Indonesian historian Slametmuljana rearranged the articles in Jonker's edition under thematic headings according to the content of the regulations and translated them into Indonesian. Most recently, and nearly a century after Jonker's edition appeared, M.C. Hoadley and M.B. Hooker (1981) edited and translated into English a *Kuṭāramānawa* text to which they gave the title *Agama*.<sup>2</sup> Their edition was based on a manuscript belonging to the collection of the British Library (BL Add 12277; Ricklefs and Voorhoeve 1977:177), acquired in Bali by John Crawfurd in 1814. Hoadley and Hooker concluded that the text was written in an archaic form of modern Javanese and dated from the mid sixteenth century. Their conclusions concerning the Javanese provenance, dating and the function of the 'Agama', however, have proved largely untenable. As the evidence to be presented below confirms, the *Kuṭāramānawa* dates back to at least the twelfth century and the Crawfurd 'Agama' is in fact a Balinese exemplar dating from the late eighteenth or early nineteenth century, albeit with its roots in earlier, pre-Islamic Javanese legal traditions.

By the early decades of the twentieth century, colonial scholarly attention to indigenous legal traditions in the Indonesian archipelago had turned towards the codification of predominantly oral-based *adat* or customary law, and the documentation of every local variation and nuance in its practice, published in the *Adatrechtbundels* (1910-55) and *Pandecten van het adatrecht* (1914-36), and exemplified in the work of T.C. Lekkerkerker (1918), F.A. Lieftrinck (1915, 1917, 1921) and V.E. Korn (1932). For Bali, colonial concerns with the reform and administration of justice from the late nineteenth century until the end of the colonial period ensured that attention was directed away from the ancient, literary Old Javanese and Balinese law texts towards engagement with actual practices within the colonial state. Apart from the contributions by Jonker and those of Hoadley and Hooker already noted, separated by a

<sup>2</sup> Balinese texts are characteristically anonymous, undated, and customarily referred to by a variety of titles. This text is specifically termed *Kuṭāramānawa* only in the colophons of certain manuscript copies and on the cover leaf of the Crawfurd manuscript (BL Add 12277) used by Hoadley and Hooker. The manuscript used by Jonker bears no title but notes it is an Agama on the cover leaf. 'Agama', however, is not a title of an individual work, but instead a generic term used to refer to a range of texts dealing with moral, religious and legal sanctions and practices. Since *Kuṭāramānawa* is the name given to the manuscripts of this work in the published dictionaries (Van der Tuuk 1897-1912; Zoetmulder 1982) and catalogues (Brandes 1901-26; Juynboll 1907, 1911, 1912; Pigeaud 1967, 1968, 1970, 1980), for convenience, the title *Kuṭāramānawa* will be used here to refer to the text(s) edited by both Jonker (1885) and Hoadley and Hooker (1981).

century, the only studies of law codes dealing directly with textual issues were two articles on aspects of Sanskrit legal influence in ancient Java by F.H. van Naerssen.<sup>3</sup> The nature of indigenous Balinese legal traditions and their application in the administration of justice in the pre-colonial period have therefore remained largely unexplored.

The purpose of the current article is to provide a philological overview of legal literature in pre-colonial Bali and to re-contextualize earlier considerations of Old Javanese and Balinese legal literature in the light of the current state of our knowledge about Balinese textual practices in the pre-colonial period. I am interested in questions such as what kinds of texts were in use, and what were their origins and interrelationships. This study of textual history naturally raises broader questions concerning social, legal and cultural contexts, including questions of who used the texts, when and why. I discuss these issues separately elsewhere (Creese 2008, forthcoming). Here I confine myself to the textual record, seeking to locate the indigenous legal voices later subsumed under the practicalities of twentieth-century legal administration in colonial Bali.

### *Sanskrit legal and moralistic thought in the Indonesian archipelago*

Among the bodies of traditional knowledge and learning that came to the Indonesian archipelago from India in the early centuries of the Common Era is a complex of textual traditions that can be broadly described as 'legal' literature. In pre-Islamic Java (until the end of the fifteenth century) and pre-colonial Bali (until the twentieth century), concepts of law not only encompassed the codification and administration of civil and criminal justice but also concepts of morality and right conduct (*dharma*) that mirrored the broad definition of *dharma* known in ancient India (Doniger 1991:xvii-xviii).

We do not know precisely which Sanskrit legal works spread to the Indonesian archipelago, since so few comparative studies have been done. It is possible that a number of legal traditions and authorities were known from digests and compendia and may have spread to Java and Bali in that form rather than as discrete texts (Hooykaas 1956; Sternbach 1979). Although the earlier stages are undocumented and thus remain obscure, by the twelfth century, legal authority in Java and Bali was firmly vested in traditions drawn principally from the Sanskrit *Mānavadharmasāstra* (*Laws of Manu*). Manu's code, comprising 2,685 verses, was probably compiled at the beginning of

<sup>3</sup> Van Naerssen 1933, 1941. Some attention, however, has been paid to the related moralistic *śāsana* and *nīti* texts and their relationship to Sanskrit literature, see Pigeaud 1924; Hooykaas 1956; Sharada Rani 1957; Singhal 1957; Sternbach 1979.

the Common Era. By the fifth century and possibly as early as the third, it had come to occupy a pre-eminent position as the pivotal text of orthodox Hinduism in India (Doniger 1991:xvii; Olivelle 2004:xvi), a period coinciding with the spread of Sanskrit political, literary and cultural systems throughout what Pollock (2006) has termed the Sanskrit cosmopolis.<sup>4</sup> Adapted and modified to suit indigenous needs, the *Laws of Manu* became the model for legal thought and practice in the Indic courts of the Indonesian archipelago and its textual and legal frameworks continued to underpin the many Old Javanese law codes that remained in use in Bali until the colonial period.

Manu's authority is cited as the basis of juridical decision-making and moral guidance in Old Javanese and Balinese epigraphical and textual sources dating back to at least the twelfth and, in the case of the latter, possibly even as early as the ninth century. Other prominent Sanskrit legal authorities linked to the *arthaśāstra* traditions associated with the science of politics, kingly strategy and judicial procedures on which Manu also drew (Olivelle 2004:xviii-xx) are specifically referenced in the corpus of indigenous sources, including the compendia attributed to Cāṇakya (Kauṭilya), adviser to the founder of the Mauryan dynasty Candragupta (ruled circa 321-29 BCE), as well as works by Manu's successors, such as Bṛhaspati (also called Wṛhaspati in Old Javanese) and Kāmandaki, author of a core *nītiśāstra* text, the *Nītisara*.

The earliest reliably dated epigraphical references to Manu's code in the Indonesian archipelago come not from Java but from Bali, where the *Mānawaśāstra* is noted as the basis of legal judgements in three inscriptions issued by the twelfth-century Balinese ruler Jayapangus.<sup>5</sup> Although strong Javanese cultural and administrative influences in Bali date from the time of Airlangga (died 1049 CE), by the twelfth century Balinese rulers, including Jayapangus, appear to have been independent of Javanese political hegemony, before once again entering Java's cultural and social sphere during the Majapahit period. These long-standing shared cultural and scholastic traditions are evident in the Jayapangus inscriptions as well as in the legal codes and processes described below. The earliest of these Jayapangus inscriptions, the Mantring A inscription issued on 18 January 1178 CE, deals with rights conferred on the village community (*karāman*) at Katulikup.<sup>6</sup> The second

<sup>4</sup> For the spread of Sanskrit in the Indonesian archipelago see Gonda 1973. See also Pollock's comprehensive analysis (2006) of the spread of Sanskrit culture throughout the Sanskrit ecumene, which encompassed the Indian subcontinent and Southeast Asia, including pre-Islamic Java and Bali.

<sup>5</sup> Over 30 inscriptions, all written in Old Javanese, were issued in the name of Jayapangus (Goris 1954:31-40). All but one, the Mantring A inscription described below, bear the same date in the year 1103 *śaka*, which Damais (1952:94-5) has calculated to be equivalent to 22 July 1181 CE.

<sup>6</sup> Goris 1929:74, 1954:32 (#601). The Mantring C inscription (Goris 1929:75, 1954:39 (#666)) is a copy comprising only plate 4.

inscription, the Buwahan D inscription, dated 22 July 1181 CE and found near Lake Batur in north-central Bali, comprises five copper-plates.<sup>7</sup> It establishes a freehold in the *karāman* of Juharan. The third inscription, the Cempaga A from Bangli in Central Bali and also dated 22 July 1181, is a copper inscription comprising four plates. This inscription bestows a freehold on the *karāman* of Cempaga.<sup>8</sup> According to the preamble in each of these inscriptions, King Jayapangus drew his prudent and wise conduct from ‘the essence of Manu’s teachings’ (*pōh ning Mānawaśāsanaadharmā*) and in the case of Buwahan D and Cempaga A, also from the *Kāmandaka*.<sup>9</sup> Literary references to the *Kāmandaka* appear predominantly in later texts, including some Balinese works dating from after the end of the Majapahit period, pointing to the presence of a long-standing and resilient ‘Kāmandaka’ tradition in Bali that may have come directly from India.<sup>10</sup>

In addition to these epigraphical data, a number of Old Javanese literary works attest to the ongoing importance in pre-Islamic Java of legal teachings associated with Sanskrit *Mānavadharmasāstra* traditions, referred to variously as *Mānavāgama*, *Mānavatantra* and *Manuśāsana*. Manu is cited a number of times in the oldest extant Old Javanese literary work, the *Rāmāyaṇa kakawin*, believed to date from the ninth century.<sup>11</sup> Later references are found in the thirteenth-century *Bhomakāvya* and in a number of undated works of both Javanese and Balinese origin including the *Nitiśāstra*, the *Kidung Tantri*, *Tantri Kāmandaka*, *Korawāśrama* and *Kidung Harsawijaya*.<sup>12</sup>

From as early as the twelfth century, the core Old Javanese legal tradition in Java and Bali, however, appears to have been a work, or perhaps more accurately a tradition, called *Kuṭāramānawa*. Epigraphical evidence from Java indicates that the – or a – *Kuṭāramānawa*, which will be described more fully

<sup>7</sup> Van Stein Callenfels 1926:36-9; Goris 1954:33-4 (#623).

<sup>8</sup> Van Stein Callenfels 1926:46-8; Goris 1954:35 (#631).

<sup>9</sup> Mantring A 4: *nītikrama gunagrāhī rumēngō pōh ning Mānawaśāsanaadharmā*; Buwahan D IIa 3: *hana pwa kanitijñan pāduka śrī mahārāja, rumēngō pōh ning Mānavakāmandaka*; Cempaga A II 3a: *hana pwa kanitijñan pāduka śrī mahārāja, rumēngō pōh ning Māna<wa>kāmandaka*.

<sup>10</sup> Zoetmulder (1982:783) cites references from the *Abhimanyuwivāha*, *Ariśraya (B)*, *Kidung Harsawijaya*, *Wangbang Wīdeha (A)* and *Sorandaka*. See also Hooykaas 1956.

<sup>11</sup> The earliest dated inscriptions in Java are from the Central Javanese period and date from the seventh century CE. With the exception of a single *kakawin*, the *Rāmāyaṇa*, which has been dated to the ninth century (Robson 1980), all surviving Old Javanese literary works date either from the East Javanese period, that is from the tenth century onward, or from Bali. For an overview of Old Javanese literary history, see Zoetmulder 1974.

<sup>12</sup> *Rāmāyaṇa* 17.45: *Mānavāgama nahan ta tinūtēn*; 17.126: *sari-sari tan len Mānawa winuwus*; 24.82: *Manūpadeśa prih atah rumakṣa ya*; *Bhomakāvya* 1.5: *sājñā sang Mānu hetunya n apagēh irikang śāsaneṅ Mānavādī*; 38.15: *bwat Mānawa*; *Nitiśāstra* 4.4: *yeki n Maānavatantra*; *Tantri (Kaḍiri)* 1.44a: *putus ing Manawatantrasastrādī*; 1.65b: *kajar ing sang hyang Manawagama tantu*; *Tantri Kāmandaka* 20.29: *sang hyang Itihāsa, Purāna mwanng Mānawa*; *Kidung Harsawijaya* 1.3b-4a: *rasa ning Manusasana tinut mwanng Kamandakādī*; *Korawāśrama* 36.20: *ling ning āgama Manuśāsana*.

below, rose to prominence in the Majapahit period. It is named as a legal authority in most law codes and cited specifically as the basis of legal judgments in three fourteenth-century Javanese inscriptions: the Bendosari plates (Decree Jaya Song) of circa 1350 CE, the Ferry Charter of 1358 CE, both issued by Rājasanagara, and the undated Parung fragment.<sup>13</sup> The *Kuṭāramānawa* is first mentioned in the same literary text as the *Laws of Manu*, namely in the ninth-century Old Javanese *Rāmāyana*.<sup>14</sup> The authority of the *Kuṭāramānawa* is again cited in a late twelfth-century *kakawin* from the Kadiri period, the *Smaradahana* written by Mpu Dharmaja, which notes (1:17) that Wṛhaspati ‘understood the sacred texts, the *Kuṭāramānawa* and the teachings on polity of Cāṇakya and Kāmandaka’.<sup>15</sup> The *Kuṭāramānawa* is also mentioned in other undated Old Javanese textual works dealing more generally with the appropriate conduct (*dharma*) for rulers in governance and the administration of justice.<sup>16</sup>

### Old Javanese legal texts

The major Old Javanese pre-colonial legal texts still in use in Bali in the nineteenth century and attested in both the textual record and the reports of Dutch and British colonial officials include the *Pūrwādhigama*, *Kuṭāramānawa*, *Sārasamuccaya*, *Swarajambu*, *Adhigama*, *Dewāgama* (also called *Krētopapati*) and *Dewadanda*. Each of these law codes comprises a compilation of definitions of various criminal and civil offences and their penalties relating to matters such as theft, pawn, boundary disputes, debt bondage and contracts, verbal and physical assault, abduction, divorce, bride-price and adultery. Interspersed among the regulations are definitions of appropriate conduct applicable to all human social relationships. Several shorter, specifically-focused, legal texts

<sup>13</sup> Decree Jaya Song: 5b-6a: *pinametakēn śāstradr̥ṣṭa, deśadr̥ṣṭa, udāharāṇa, guru kaka, makatang-gwan rasāgama ri sang hyang kutāramānawādi*; (Pigeaud 1960a:106); Ferry Charter: 3 recto 5-6: *kuṭāramānawādi śāstra wīwecana tatpara, kapwa samasama śaktā kawiwāksāning śāstra makādi kuṭāramānawa* (Pigeaud 1960a:109). The Parung fragment, cited in Hoadley and Hooker (1986:254-61), was first published in Cohen Stuart 1875:26-7, 401.

<sup>14</sup> *Rāmāyana* 24:167: *wihikan sirēng aji Kuṭāramānawa*. As Soewito Santoso (1980:21-5) argues, this reference may be a later interpolation. His somewhat circular argument, however, is based on the incompatibility between the ninth-century dating attributed to the *Rāmāyana* and the mention in the same text of the *Kuṭāramānawa*, whose origins he places in the fourteenth-century Majapahit era. Nevertheless, as the *Rāmāyana* is the only extant literary work from the Central Javanese period, arguments that rely on the presence (or absence) of particular semantic elements or references are necessarily conjectural.

<sup>15</sup> *Smaradahana* 1:17: *wruh ing śāstra kuṭāramantra nguniweh cārakya [= cāṇakya] kāmandaka*.

<sup>16</sup> For example, in the *Ślokāntara* 84.40: *kṛtarājahita ngaranya wani asor, wruh ing kuṭāramānawa and Nitisāstra* 15.3: *yēkā warah-warahaneka ya karmayukti / sangkeng kuṭāra (= kuṭāramānawa) gēlarēn tēkap ing śumikṣa*.



are listed in the manuscript catalogues. These texts deal with discrete topics, including inter-caste marriage (*Krama ning alaki-rabi*), incest (*Gamya-gamana*) and the conduct of judicial processes (*Krama ning saksi; Pamastu ning cor*), and overlap with the regulations found in the major law codes.

The ancient roots of these textual traditions are firmly embedded in the language of the texts, which is primarily 'Old Javanese'. In reality, however, the law codes incorporate a variety of interrelated language registers, including Old Javanese, Middle Javanese, and various registers of high or literary Balinese. In Bali, these languages are collectively known as Kawi (the 'language of poets'). Although there are clear linguistic differences between Old and Middle Javanese, these differences are not primarily temporal but are instead related to genre concerns. Old Javanese is the language of *kakawin* poetry and of inscriptions and Middle Javanese is the language of *kidung*, but in prose works, as in Balinese *gaguritan* poetry, the various languages that comprise the category Kawi are intermingled with each other and with Balinese. As a textual genre and in linguistic terms, the law codes are, therefore, 'typically' Balinese.

The implied chronological distinction in the use of the designations Old and Middle Javanese, commonplace in twentieth-century scholarship, suggests a linear development that misrepresents the textual reality. There was no synchronic progression from Old Javanese to Middle Javanese (and thence to modern Javanese in Java and modern Balinese in Bali).<sup>17</sup> Instead, the pre-Islamic Javanese world seems likely to have been characterized by the same heteroglossia evident in contemporary Bali, where all these languages and their interrelated genres coexist for specific ritual, literary, textual and performance purposes. Textual knowledge inscribed in unfamiliar languages is made accessible to all through the various modes of textual exegesis that underpin textual and performance practices (Zurbuchen 1987; Rubinstein 2000). Thus even today 'Old' Javanese is neither obsolete nor necessarily ancient, and works written in Old Javanese continue to be not only studied but actively produced in Bali. There is no room to address these issues further here except to underline the point that the complexity of this linguistic map therefore means that the language of an individual manuscript – that is its position on the linguistic continuum ranging from 'pure' Old Javanese to modern Balinese – is an extremely unreliable indicator of its dating or provenance. What does seem clear, however, is that none of the extant legal codes

<sup>17</sup> As Zoetmulder (1974:35) notes, while we have no way of reconstructing the precise linguistic situation in pre-Islamic Java, it seems likely that there were a number of different forms of Javanese in use simultaneously that differed from the Old Javanese used in early prose works and the *kakawin*. Middle and Modern Javanese appear to have developed separately as branches of earlier forms of Javanese. For an insightful reassessment of the relationship between Old and Middle Javanese, see Hunter 2007:42-5.

appears to have been originally written entirely in (modern) Balinese, thus reinforcing the origins of these legal traditions in ancient Indic-influenced traditions shared with pre-Islamic Java.<sup>18</sup> This characteristic blending of languages in a single text points to the active, ongoing use of these legal codes in the administration of justice over many centuries.

A number of characteristics serve to define this corpus of legal texts as a distinct textual genre. The first of these features is their shared links to the *Mānavadharmasāstra*, both in terms of content and, particularly, in terms of structure. Just as in the epigraphical record, the law codes themselves give prominence to the Sanskrit text as the ultimate source of legal authority. Each of them incorporates a number of regulations based on or taken directly from the Sanskrit *Laws of Manu* but interweaves them with a great deal of local, indigenous interpretation and regulation. This adaptation of Sanskrit legal thought as the model for Old Javanese and Balinese legal texts highlights the processes of localization of Indian culture in the Indonesian archipelago. In reworking the Indian law codes, the Old Javanese compilers appear to have been mainly concerned with the regulations necessary for the arbitration of disputes over property and the administration of criminal justice, but less interested in any Indian-influenced regulation of social relationships, in which the two societies showed a marked contrast. This localization, characteristic of all textual traditions adopted from Sanskrit culture (Zoetmulder 1974), is particularly evident in the regulation of sexual relationships and marriage in the law codes, as I have discussed elsewhere (Creese 2008).

The Sanskrit *Mānavadharmasāstra* comprises twelve chapters, but the Old Javanese law codes, in fact, draw on just one section, that is the *aṣṭadaśavyawahāra* (Skt *vyavahāra*) section found in Chapters 8-9, in which the eighteen grounds for litigation are expounded. Olivelle (2004:xxxii-xxxv), who demonstrates convincingly the structural cohesiveness of the Sanskrit original, groups the eighteen grounds for litigation into four sections: those dealing with individual and group disputes (grounds 1-10) and criminal law (grounds 11-15) in Chapter 8, and with personal law (grounds 16-17) and public order and safety (ground 18) in Chapter 9. Strikingly, the vast majority of the regulations in the Old Javanese texts that can be traced directly to Manu are taken from Chapter 8, which deals with judicial procedures and crimes concerned with disputes over property and possessions and criminal law, that is the first fifteen of the eighteen grounds for litigation. One Old Javanese legal code, the *Swarajambu*, in fact comprises a paraphrase of almost the entire Sanskrit text of Chapter 8 (Van Naerssen 1941); a significant section

<sup>18</sup> Only in the twentieth century were Balinese translations of certain law codes produced at the instigation of Dutch officials (Djilantik and Oka 1909a, 1909b; Djilantik and Schwartz 1918a, 1918b, 1918c).



of Chapter 8 is also incorporated in the *Kuṭāramānawa*. Chapter 9, on the other hand, with its emphasis on social and personal relationships (grounds 16-17) and, briefly, gambling (ground 18), is only taken up incidentally or in broad outline, with the details adapted to the local context. Similarly, the thematic content of Chapter 7, which provides a preamble to the *aṣṭadaśavyawahāra* section in the *Laws of Manu* and outlines the principles of the justice system and court procedures, is adapted into the Old Javanese codes as well as into other Old Javanese treatises on statecraft in indigenous terms rather than being directly taken from the Sanskrit text.

Although verses from nearly all the remaining chapters of the *Laws of Manu* found their way into a range of Old Javanese didactic and moralistic texts (Sternbach 1979), only the *aṣṭadaśavyawahāra* section seems to have been considered relevant to judicial practice. As Doniger (1991:1xi) notes, Chapters 8 and 9 of the *Laws of Manu* are not only generally regarded as later additions to the Sanskrit text but are the only parts to deal with ‘what we would recognise as law [;] [...] the rest is a code of a very different sort, an encyclopaedic organisation of human knowledge according to certain ideal goals, a religious world view’. The ancient compilers of the Old Javanese legal texts appear to have shared that view.

The legal texts overlap with the Old Javanese didactic, moralistic texts, the *śāsana*, that prescribe – and sometimes proscribe – behaviour for particular social groups. The two genres encapsulate complementary bodies of knowledge which share an interest in the regulation of social conduct, but there are significant differences in their textual compass.<sup>19</sup> Although occasionally detailing penalties for offences, the *śāsana* texts, which also draw on Sanskrit *dharmaśāstra* and *nītiśāstra* traditions, are more concerned with codifying appropriate conduct, especially for members of the *brahmaṇa* and *kṣatriya* castes.<sup>20</sup> They contain prescriptions for correct behaviour, but they are less likely to incorporate penalties for transgressions than the procedural law texts. In other words, the major difference between the legal texts and the *śāsana* texts is one of emphasis, in which the latter prescribe behaviour and the former detail what happens when those prescriptions are transgressed.

<sup>19</sup> Sternbach (1979) traces the Sanskrit verses in a number of these texts to their Sanskrit originals and demonstrates clear links between a wide variety of Indian sources and the Old Javanese didactic texts.

<sup>20</sup> The major *śāsana* texts include the *Dewaśāsana*, (*Rājapatiguṇḍala*), *Rēṣiśāsana*, *Tutur Sārasamuccaya*, *Sewaśāsana*, *Śiwaśāsana*, *Ślokāntara*, *Wratiśāsana* and *Wṛhaspatitattwa*. Pigeaud (1967:69-75) provides details of the available manuscripts. He suggests that most of the *nīti* and moralistic lessons on virtuous behaviour are of Balinese origin, but the evidence is inconclusive. As is the case with the legal treatises, in my view, most of these Balinese *śāsana* texts are adaptations and rewriting of works that originate in pre-Islamic Java. Only a few of these texts have been edited and published. See, for example, Sharada Rani (1957) and Singhal (1957).

Other characteristics of the law codes relate to indigenous textual practices. Remnants of Old Javanese exegetical traditions survive in all the legal texts. In this tradition, a metrical verse (*śloka* comprising four 8-syllabic feet) or maxim from a Sanskrit text was copied directly. Each Sanskrit concept or term was then defined separately in Old Javanese and the verse as a whole explained in Old Javanese prose. Some Sanskrit *śloka* have been preserved in most Old Javanese law codes, perhaps to lend authority to the pronouncements; elsewhere traces of this exegesis remain in the systematic definition of largely Sanskrit terms and concepts even when the Sanskrit *śloka* have subsequently been lost or have been replaced with indigenous apophthegms that also serve as mnemonic devices in textual interpretation.

The complex intertextuality that is characteristic of all the extant Old Javanese codes can be traced both to the exegetical textual traditions through which Sanskrit knowledge was transferred to the archipelago, in which ideas were selected from a variety of sources for incorporation into Old Javanese, as well as to indigenous textual practices and concepts of authorship and authority that revered knowledge based in the sacred texts the *agama* and *śāstra*. Most of the law codes are compilations showing reordering, gaps and repetitions. Nevertheless, as Doniger (1991:xliv-lij) has noted for their Sanskrit counterparts, while they may seem to us 'disorderly', they were presumably not so to their authors or to those who made use of them. Just as in India, contradictory or repetitive treatment of the same topic was not simply textual 'chaos', but a recognition of general principles and of exceptions to or interpretations of them (Doniger 1991:liv-lxi).

That the *aṣṭadaśawyahāra* section of the *Mānavadharmasāstra* dealing with the eighteen causes of litigation served as the basis for Old Javanese legal thought underlines the fundamentally practical impetus for the incorporation of Sanskrit procedural law into legal practice in Java and Bali. There is no question of a direct 'translation' of Manu, nor of the preservation of a reified text as artefact. Just as in India, the Old Javanese law codes were 'applied legal text[s]' (Donger 1991:lx). The ongoing practical use of the texts over several centuries is illustrated by the treatment of the fines attached to different crimes. In the nineteenth-century manuscripts of the law codes, these penalties are generally expressed in units of thousands of Chinese copper cash in the large denominations that were in use in Bali at the time.<sup>21</sup>

<sup>21</sup> *Kuṭāramānawa* 42 delineates the levels of fines in terms of strings of cash comprising a number of coins as *samas*, *domas*, *rong tali*, *patang tali*, *salakṣa*, *rong lakṣa*, *patang lakṣa*, *sakēti nēmlakṣa*. Jonker (1885:105) provides the following equivalents: 1 *mās*=400, 2 *mās*=800, 2 *tali*=2,000, 4 *tali*=4,000, 1 *lakṣa*=10,000, 2 *lakṣa*=20,000, 4 *lakṣa*=40,000 and 1 *kēti* 6 *lakṣa*=160,000. The *atak*, equivalent to 200 cash, is also used in *Kuṭāramānawa* Articles 2 and 220. In Manu 8:138, three levels of fines are given: low (*niṣṭa*), medium (*madya*), and high (*uttama*). The *Pūrwādhigama* mirrors the Sanskrit text, providing Chinese cash equivalents of 5,000, 10,000 and 20,000 respectively for each of these levels and then

In many regulations, however, the former gold and silver coinage units that were used in Java and Bali until about 1300 CE are retained, including *atak*, *kāti* (*kēti*), *lakṣa*, *suvarṇa* (*su*), *kupang* (*ku*) and *māsa* (*mā*); even occasional references to the original Sanskrit monetary unit, the *pāṇa*, are preserved.<sup>22</sup> By the mid-fourteenth century, the use of Chinese cash (*pisis* or *picis*), usually in denominations of less than 1,000, had replaced the older measures in Javanese inscriptions (Wicks 1986:59, 1992). The older currency units are also found in Balinese inscriptions until the fourteenth century (Van Stein Callenfels 1926; Goris 1954). A contemporaneous shift to Chinese cash in Bali is also hinted at in one inscription, the Batur inscription issued in 1384 by Wijayarājasa, uncle of the Majapahit ruler, Rājasanagara, in which the fine is expressed as a relatively moderate 800 Chinese cash (Korn 1932:18-20). By the late nineteenth century even the smallest fines recorded in the written texts were around 4,000 and fines of 20,000 were common.<sup>23</sup> The variety of coinage is testament to the ongoing practical nature of the texts as manuals for legal practice until the colonial period.

On balance, it seems probable that the *aṣṭadaśavyawahāra* section of the *Laws of Manu* was adopted as the model of legal textual principle in the early stages of contact between ancient India and the Indonesian archipelago. Over the course of many centuries, the regulations were then incorporated into various legal codes, were used to inform legal and judicial practice, explained, interpreted, supplemented and no doubt also at times ignored, in Java until the advent of Islam, and in Bali until the colonial period in the late nineteenth and early twentieth centuries. In other words, although the surviving exemplars of the legal texts are all eighteenth- or nineteenth-century Balinese copies and as such really only representative of legal practices and procedures at that time, internal textual evidence shows that all the core texts reflect to a considerable extent earlier, probably pre-Islamic Javanese versions of the same texts. Culturally conservative religious and royal social institutions ensured the preservation of the common legal heritage that had been shared with Java until the end of the fifteenth century and that remained fundamental to Balinese juridical practices.

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adds a higher (two-fold) level (*dwiguṇottama*) of 40,000 cash. See also Jonker 1885:174-5.

<sup>22</sup> Zoetmulder (1982:s.v.) provides citations found in inscriptions and texts to these different forms of coinage. The original Sanskrit *pāṇa* is retained in a single regulation in the *Kuṭāramānawa* (Jonker 1885:164), as well as in the *Krētopapati*, *Swarajambu* and *Sārasamuccaya*.

<sup>23</sup> The relative value of the fines is difficult to determine with certainty, but according to the missionary W.H. Medhurst (1837:85-96), who visited North Bali in 1829-30, one *atak* or 200 cash was enough to sustain a man comfortably for a month.

*The manuscript corpus*

Each of the law codes belongs to a shared tradition of legal thought and practice that comprises dozens of interrelated manuscripts, some complete and some fragmentary. Finding a way through the maze of textual intersections and historiographical traces is a formidable task: there are discrepancies between the names provided in the body of the texts and those recorded in the colophons; the same name is sometimes used to designate texts which overlap only partially or are fragments of more extensive works, and completely different texts are designated by the same title. In addition, the listings in the published catalogues provide divergent and sometimes conflicting titles, which in many cases have been allocated by cataloguers rather than by the copyists or the owners of manuscripts.<sup>24</sup> Although there are a number of well-defined texts or 'titles', this tangled intertextual web, which it should be noted is by no means unusual in the Balinese manuscript tradition more generally, presents challenges for concise description, and most certainly defies the reconstruction of any kind of Ur-text for any individual code. Nevertheless, close study of the existing manuscripts and their interrelationships provides a more comprehensive, albeit still partial, picture of the indigenous legal traditions prevailing in Bali at the beginning of the major encounter with colonial imperialism in the late nineteenth century.

Rather than undertaking a detailed content analysis, in this article I am primarily concerned with textual history.<sup>25</sup> To this end, I have combined the focus on textual detail of traditional philological methodology based on my own readings of the various law codes with broader questions of intertextuality that are characteristic of contemporary textual criticism. My specific focus is the comparative study of the treasure-trove of extra-textual information that is provided by two major sources: the texts themselves and the published descriptions of them. For different reasons, both traditional philological concerns with the reconstruction of the Ur-text and contemporary textual deconstruction that seeks to see a text purely in its own terms marginalize this extra-textual information.<sup>26</sup>

The first major source is the textual evidence that can be drawn from close attention to the textual boundaries and the characteristics of the individual

<sup>24</sup> See Juynboll 1911:180-205; Pigeaud 1967:71, 304-8. The individual manuscripts are described in Pigeaud 1968. See also Brandes 1901-26, IV:109 for details of fragmentary texts without titles.

<sup>25</sup> Elsewhere I discuss the content of the law codes in relation to the regulation of sexuality and marriage (Creese 2008) and their use in judicial practices (Creese forthcoming). Hoadley and Hooker (1986) provide summaries in English of the Djlantik and Schwartz Malay translations (Djlantik and Schwartz 1918a, 1918b, 1918c).

<sup>26</sup> The importance of the study of colophons for Balinese history has been shown in a number of recent articles. See, for example, Vickers 1990; Rubinstein 1996; Creese 1996.

manuscripts representing each of the major legal codes, together with the colophons or end notes attached to them which sometimes note the date and the purpose of the copy. Read individually, random colophons may seem insignificant but viewed more broadly, taken as a whole and applied to a well-defined and specific historical context, these minor details provide important points of reference in the anonymous and largely undated manuscript traditions of Bali.<sup>27</sup> The second major source of extra-textual information is derived largely from colonial sources, namely the textual detail and incidental insights recorded by the compilers of the major manuscript catalogues working in the late nineteenth century, J.L.A. Brandes (1901-26) and H.H. Juynboll (1907, 1911, 1912).

The major source of nineteenth-century Balinese manuscripts is the Van der Tuuk Collection of the Leiden University library. Herman Neubronner van der Tuuk, the most notable colonial linguist, lived on Bali between 1870 and 1894, devoting himself to the collection and study of Balinese texts and the compilation of his major lexicographical contribution, the posthumously-published four-volume *Kawi-Balinesesch-Nederlandsch woordenboek* (1897-1912). The 1,658 manuscripts in the Van der Tuuk Collection (LOR 3265-4717; Pigeaud 1968:112-224) represent a 'snapshot' of Balinese textual traditions in the late nineteenth century and provide evidence of the kinds of texts that were important to his largely *brahmana* informants. The entire collection – comprising original palm-leaf manuscripts, transcriptions and copies on paper in Balinese script commissioned by Van der Tuuk, as well as some of his romanized autograph copies – was extensively described and catalogued by Brandes (1901-26) in his four-volume *Beschrijving der Javaansche, Balineesche en Sasaksche Handschriften*.<sup>28</sup> Together, the Van der Tuuk Collection and the Brandes catalogue provide invaluable information about Balinese textual activity in the last quarter of the nineteenth century.

My discussion draws heavily on Brandes's catalogue. The entries are alphabetically ordered and numbered sequentially (Br #1-#1658). They provide immensely rich data for textual history, because Brandes included the opening and closing stanzas of each manuscript, the texts of any colophons attached to them, and the first lines of each canto in works of poetry; he reproduced Van der Tuuk's own incidental notes and marginalia on the features of and differences between various exemplars of the same work; he provided brief summaries in some cases, as well as occasional editorial annotations. The catalogue

<sup>27</sup> Additional, detailed discussion of these colophons is also found in Creese forthcoming.

<sup>28</sup> Pigeaud excluded Balinese-language manuscripts from his catalogue, although many of the texts he describes as written in 'Javano-Balinese' are predominantly Balinese. These 'missing' Balinese manuscripts, however, are described in detail in Brandes's catalogue and in the third volume of Juynboll's catalogue (1912).

is largely written in Balinese script with a few entries in Javanese and Arabic script; only Brandes's own notes and comments are in romanization, so that this important work is largely inaccessible to present-day scholars.

Although the later catalogues of Javanese and Balinese manuscripts by Juynboll (1907, 1911, 1912) and Pigeaud (1967, 1968, 1970, 1980) are more comprehensive and considerably more accessible, they lack the detail and textual information incorporated by Brandes. Juynboll (1911:180-205), who occasionally provides incidental information about individual manuscripts not found in Brandes's catalogue, arranged his description of the Leiden collections alphabetically by genre, thus providing a useful overview of the corpus of legal texts in a relatively small range of pages. Pigeaud's catalogue (1970, 1980) is arranged by the number of the Leiden codex, so that locating individual titles requires extensive cross-referencing and the use of the not always comprehensive index.

A second major European collection of Balinese and Javanese manuscripts, the Lombok Collection (LOr 5012-5435), was requisitioned by the Dutch during the conquest of the Lombok Balinese court of Cakranagara in 1894 and passed to Leiden University in 1906. The collection is described by Juynboll (1911) and Pigeaud (1967:9). The Balinese courts in Lombok were important centres of textual activity, and Balinese textual concerns are therefore strongly represented in the Lombok Collection. Many of the Lombok Collection manuscripts have Balinese origins, dating from the period in the early eighteenth century when the rulers of the East Bali kingdom of Karangasem conquered Western Lombok and established Balinese courts at Mataram and later Cakranagara.<sup>29</sup> The two major late nineteenth-century manuscript collections are supplemented by the transcriptions that have been made available through the Hooykaas-Ketut Sangka Bali Manuscript Project (HKS).<sup>30</sup> Of course only a relatively small number of manuscripts in these collections are legal texts.

For the dating of manuscripts, I rely mainly on the work of L.C. Damais

<sup>29</sup> Lieftrinck (1915, 1917, 1921), who collected and edited the royal edicts of both the Balinese and Lombok rulers, notes (Lieftrinck 1917:1-2) that the last independent ruler of Mataram, Lombok, had a particular interest in documenting state practices and recording decisions of state. The major legal texts from the Lombok Collection are compilations of an encyclopaedic nature that suggest a systematic and deliberate collection of legal opinion. Two examples that indicate systematic documentation of legal literature include LOr 5095 and LOr 5250 *Tatwa ning Wyawahāra*. See Pigeaud 1968:264, 292.

<sup>30</sup> The Hooykaas-Ketut Sangka (HKS) Balinese Manuscript Project was established by Professor C. Hooykaas in the early 1970s, and continued until 2004 under the leadership of H.I.R. Hinzler, Leiden University. More than 6,000 manuscripts have been transcribed. For an overview of the Bali Project, and descriptions of the manuscripts transcribed until 1980 to HKS 1871, see Pigeaud (1980:94-241). A searchable online index to the collection of HKS transcriptions made between 1973 and 1992, from HKS 1/1 to HKS 5684, and now held at the Australian National University, (Creese 2004).



(1952, 1955, 1958), who used the Brandes and Juynboll catalogues to establish the dates for all manuscripts in the Van der Tuuk and Lombok collections where dating elements could be reconciled.<sup>31</sup> Where dates cannot be determined with any certainty, I have noted any dating elements and where possible calculated tentative datings.

### *Description of the law codes*

The names of a number of law codes and *śāsana* are documented in the accounts of nineteenth-century European visitors to Bali (see Table 1).<sup>32</sup> These lists give insights into the law codes known and used in Bali over the course of the nineteenth century. The first observers to detail Balinese law codes by name were Thomas Stamford Raffles (1817) and his contemporary John Crawfurd (1820), who visited Bali independently, and very briefly, in 1814-1815 during the British interregnum. In 1849, in the initial stages of Dutch colonial intervention in Bali, the German Sanskritist R. Friederich (1959), who accompanied the Dutch military expedition to Bali at the behest of the Bataviaasch Genootschap van Kunsten en Wetenschappen with the express purpose of seeking out Bali's Sanskrit texts, included a description of those found in South Bali in his account of Bali. In the second half of the nineteenth century, after Dutch administration had been established in the north of the island and the Dutch had already begun to take an active interest in Balinese justice, details of legal practices and texts were noted by colonial officials such as the Assistant Resident P.L. van Bloemen Waanders and the missionary R. van Eck. Nearly all the texts in these lists, which show considerable overlap with each other and were compiled at different times in different historical and political circumstances, are also attested in the extant manuscript record, indicating a close match between texts in use and the knowledge of them gleaned by Europeans.<sup>33</sup> A number of them are now described below.<sup>34</sup>

<sup>31</sup> At the very least, we can pinpoint a *terminus ante quem* of the late nineteenth century on the basis of the known provenance of manuscripts belonging to the Van der Tuuk and Lombok Collections. Damais (1958) passes over in silence any manuscripts for which he was unable to reconcile the cyclical calendrical information. For a comprehensive and illuminating overview of the calendrical system used in manuscript traditions and the many difficulties inherent in the accurate interpretation of dates, see Proudfoot 2007.

<sup>32</sup> I have reproduced the spelling of each of the original listings in Table 1 in order to highlight each writer's perceptions of the names of the legal codes supplied by their informants.

<sup>33</sup> These lists are not necessarily independent. Friederich (1959:29) acknowledges both Raffles (1817) and Crawfurd (1820), while Van Eck's account (1879) relies heavily on Van Bloemen Waanders (1859).

<sup>34</sup> The order in which the different law codes are described below reflects their intertextual links and not any relative importance or chronological ordering.

Table 1. Legal texts in use in nineteenth-century Bali according to European accounts

Raffles (1817:391-2)	Crawford (1820:256)	Friedrich ([1849-50] 1959:30) according to Raja Kasiman, Badung	Friedrich ([1849-50] 1959:30) according to the Pandita of Taman Intaran, Sanur	Van Bloemen Waanders (1859:205)	Van Eck (1879:367)
Agama	Agama	Agama	Agama	Agama	Agama
Adigama	Adigama	Adigama	Adigama	Adigama	Adigama
Dewagama	Dewagama	Devāgama	Devāgama	Dewa Gama	Déwagama
Surcha, Muschayagama	Sarasmuschayagama	Sarasamuchchaya		Sara Samoestijaja	Sarasamoestijaja
Purwa Digama			Pūrvādigama or Sivasāsana	Poerwadigama	Poerwadigama
Kuntara or Sastra Menawa				Koetara-mendawa	Oetara-menawa
Satmagama	Satmagama	Yajñasadma			
Dasta Kalabaya	Dustakalabaya	Dustakalabaya			
Gamiga Gamana	Gamiyagamana				
Maiswari, Tatwa	Maiswaralatwa				
Wiya Wasaha	Wiyawahara				
Slakan Taragama	Slokantaragama				
	Svara Jambu	Swarajambu- Svarajambu			
	Devandaṅḍa			Dewa Danda	Déwadanda
				Siwa Sesana	Siwa-Sesana
				Oepa pati	Darma oepapati

### 1. *Pūrwādhigama*

The *Pūrwādhigama* appears to have been a core law text in Badung, South Bali, in the mid-nineteenth century and Friedrich (1959:31-3) describes it at length. The preamble to the *Pūrwādhigama* confirms its use as a primary code in the administration of justice and as the source of primal knowledge of the law. It begins: 'This is the first and most excellent *agama*, containing the essence of the books of learning and of the ancient knowledge that flows eternally (*Pūrwādhigama śāsana sarodr̥tha śāstra pūrwarembah*) from those who are learned scholars (*wr̥ddhācārya*), and chief priests of the court (*rājapurohita*). It incorporates the laws for the conduct of all.'<sup>35</sup>

Perhaps more than any other Old Javanese legal text, this law book encapsulates both the antiquity of the legal traditions and the intertextuality that informs all the law codes and their interrelated *śāsana*. As such it provides a bridge between late pre-colonial Bali in the nineteenth century and pre-Islamic Java.<sup>36</sup> The text cites a number of specific authorities to be used by judges (*prāgwiwāka*) as the basis of legal authority, including the *Dharmaśāstra Kuṭāramānawa*, the *Sārasamuccaya*, the *Cāṇakya* and the *Kāmandaka*, (HKS 5268 139b-140b). It thus demonstrates its interdependence with the *Laws of Manu* as well as with the earlier *arthaśāstra* traditions. The citation of these legal authorities also clearly links the *Pūrwādhigama* with earlier Old Javanese and Balinese textual concerns, since an almost identical list of legal textual authorities appears in the twelfth-century Balinese inscriptions and literary works discussed above.

The *Pūrwādhigama* defines the roles of judicial officials, describes legal processes, and details the texts on which legal judgements should be made. According to Friederich (1959:32) it applied only to the *brāhmaṇa* caste and was not used in lawsuits of those belonging to the other three castes. A number of Sanskrit *śloka* are incorporated in the text and Sanskrit technical-legal terms are defined and explained. Procedural matters including specific penalties, expressed in *lakṣa*, to be applied for breaches of the law are integrated into the text and, in scope, it covers the grounds for litigation familiar from the *aṣṭadaśawyawahāra* section of the *Laws of Manu*.

The titles of the named officials correspond to those known from inscriptions and textual sources from the Majapahit period. Van Naerssen (1941), who discusses this text at length, highlights its links to the Majapahit tra-

<sup>35</sup> This preamble is cited and translated by Friederich (1959:32-3) and Pigeaud (1960a:91). My interpretation differs slightly. There may be a chronogram year hidden in the phrase *sakalāgracudamāṇi sarasi pratiṣṭha* ('the incarnation of the peak jewel established in the lake') pointing to the *śaka* year 'peak (1) jewel (1) lake (4) established (1)', that is 1411 *śaka* or 1489 CE, but the values of the chronogram words are uncertain.

<sup>36</sup> Citations from the *Pūrwādhigama* are taken from HKS 5268.

Table 2. *Pūrvādhigama* manuscripts in the major collections

Manuscript	Notes
LOr 881	complete palm-leaf manuscript from Den Pasar originally from the collection of the Bataviaasch Genootschap (Juynboll 1911:191).
LOr 3723 (1) (Br #876)	palm-leaf manuscript; first of four texts in a single <i>cakĕpan</i> , together with <i>Widhi Papiñcatani</i> , <i>Widhiwākyā</i> and <i>Wratīsāsana</i> ; original of LOr 3988 (1); colophon gives the year of copying as 1532 <i>śaka</i> but dating elements cannot be reconciled.
LOr 3988 (1) (Br #875)	copy of LOr 3723 (1); on paper in Balinese script.
LOr 3902 (3) (Br #877)	approximately the first half of the complete text, ending with <i>yekā mangāntĕpi agiran ngāranja</i> (HKS 5268 149a); third part of a <i>cakĕpan</i> preceded by an edict ( <i>pasuara</i> ) issued by Gusti Anglurah Kut Jlantik of Buleleng (1854-1916) and a copy of the <i>Adhigama</i> ; copy on paper in Balinese script of manuscript belonging to Pedanda Wayan; date of copying given as <i>dik piuput ring dinā Pūrvādhigama, u, ca, thiithi sūklāpakṣa, ping, wolu, śasi, ka, 6, swanithanya sapiāmi, tĕnggĕk, pitu, i śaka warabāla</i> , equivalent to 17 December 1855.
LOr 4431 (Br #878)	contains the complete text except the final two Sanskrit verses, includes oath formula; ends with an additional appendix.
LOr 4432 (Br #879)	complete text to the beginning of the oath formula; with interlinear Balinese gloss.
LOr 3852 (1) (Br #880)	Van der Tuuk autograph; with complete text ; first part of a compilation of 12 legal texts.
LOr 3989 (2) (Br #881)	Van der Tuuk autograph from a manuscript belonging to Pedanda Sangket; follows the <i>Adhigama</i> ; comprises a fragment of the <i>Pūrvādhigama</i> text containing a section of aphoristic rules beginning <i>nihan waluya muwah kawĕnung sang krĕtia</i> and ending at <i>yekā katiban wangke kĕbunan ngaranja</i> (HKS 5268 144a-148a); colophon (romanized) <i>puput anyurat ring dina, woge wara kuningan, tanggal, 1 śasih 3, rah, 12, tĕ, 9, i śakawarsa 1792</i> , equivalent to 28 August 1870.
LOr 5098 (1)	first of four texts in a single <i>cakĕpan</i> , together with <i>Widhi Papiñcatani</i> , <i>Widhiwākyā</i> and <i>Śiwāsāsana</i> ; colophon gives the date of copying as follows: <i>iti śiwāsāsanaśārodirĕta, ilas limikita ring dina, ma, pa, ra, wana gumrĕg, śasih, ka, 5, tanggal ping, banga, i śakā 1775, rah, 5, tĕnggĕk, 7</i> (Juynboll 1911:191), equivalent to 13 November 1853.
LOr 13.350	= HKS 9/90; copy of the <i>Pūrvādhigama Sasana Sarodireta Sastra</i> from the collection of Ida Pedanda Gede Ngenjnung from Banjar Liligundi in Buleleng.
LOr 14.943	= HKS 1799; copy of K 491 (Pigeaud 1980:146).
LOr 14.973	= HKS 1829; copy of K 65 (Pigeaud 1980:234).
HKS 3307	copy of <i>Pūrvādhigama</i> from Jero Karginan, Sidemen, Karangasem.

- HKS 4760 transcription of a manuscript entitled *Purwadigama Sasana Sarodreta* from Jero Baler Sidemen, Karangasem; first part of a compilation which includes the *Widhi Papiñcatan*, *Widhiwākya*, *Wratiśāsana*, *Krama ning aguron-guron* and *Putraśāsana*.
- HKS 4924 part of a compilation (76b-98a) entitled *Tutur Haricandana* which also contains *Widhi Papiñcatan*, *Widhiwākya*, *Swarajambu*, *Krama ning alakyarabi* and *Putraśāsana*.
- HKS 5268 part of a compilation (138b-176a) entitled *Purwadigama Sasanasastra*, belonging to I Gusti Ketut Kaler from Jero Bakungan, Tabanan with *Widhi Papiñcatan* and *Widhiwākya*.
- HKS 5613 final part of a set of nine transcriptions of legal and *sāsana* works (HKS 5605-5613); manuscript entitled *Purwadigama Sasana Sarodreta* from the collection of I Dewa Wayan Pucangan, Jero Kanginan, Sidemen, Karangasem.
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ditions known from the inscriptions and texts of the period, including the *Nāgarakṛtāgama*. The *Pūrwādhigama* and *Kuṭāramānawa* are interlinked textually. Not only does the *Pūrwādhigama* cite the *Kuṭāramānawa* tradition as an authority, but the *Pūrwādhigama* is one of the authorities cited for appropriate conduct in the preamble to the *Kuṭāramānawa* (*Agama*) manuscript (BL Add 12277) acquired by John Crawfurd on his visit to Bali in 1814.<sup>37</sup>

Its textual roots, however, can be pushed back even further than the Majapahit period. The final part of the *Pūrwādhigama* text comprises an oath formula (*pamastu ning cor*) invoking the deity Haricandana (Yellow Sandals) that was used to test witnesses in a legal case recorded by P.L. van Bloemen Waanders, the Controleur and later Assistant Resident of North Bali. The oath text was subsequently published in his account of the island (Van Bloemen Waanders 1859:221-7). Kern (1873, 1874) later traced this nineteenth-century text to two Old Javanese inscriptions dated 840 CE and 931 CE respectively. Although both these inscriptions appear to be later Singasari-Majapahit copies (Damais 1952:28, 58-9), they provide clear evidence of the continuity of the legal traditions in Indic Java and Bali from its earliest stages to the colonial period. The identity of the deity Haricandana is uncertain. He is cited in various Old Javanese inscriptions in connection with oath-taking, and is named in literary works including the *Mośalaparwa*, the *Niṭisāra* and *Tantu Panggĕlaran*.

### *Pūrwādhigama manuscripts*

The extant manuscripts of the *Pūrwādhigama* are shown in Table 2.<sup>38</sup> Of the seven *Pūrwādhigama* manuscripts in the Van der Tuuk Collection two, namely LOr 3902 (2) and LOr 3989 (2), have been reliably dated to 17 December 1855 and 28 August 1870 respectively (Damais 1958:163, 158). The Lombok Collection also contains a dated manuscript LOr 5098 (1) copied on 13 November 1853 CE (1775 *śaka*) (Juynboll 1911:191). The oldest dated manuscript, however, is LOr 3723 (1) (and its copy 3988 (1))<sup>39</sup> which incorporates a colophon indicating that the manuscript was copied in the year 1532 *śaka* (equivalent

<sup>37</sup> This intertextuality is also reflected in the Balinese literary work *Tantri Dĕmung* 1.3b: *rasa ning aji Uttara* [read *Kutara*] *Manawa mwang sastra sarodrĕti*; cited in Zoetmulder 1982:1697.

<sup>38</sup> The manuscripts in the tables are ordered by LOr number, with cross-references given to Brandes's numerical sequence of the Van der Tuuk Collection. HKS transcriptions and cross-references to manuscripts from the Kirtya Collection in Singaraja are also included where they provide additional information, although we can be less certain of the provenance of these transcribed copies which date from the 1970s onwards. The notes in the tables provide a brief synthesis of information from the various catalogues and from Damais's discussion of dates, as well as data drawn from my own readings of the texts and HKS transcriptions.

<sup>39</sup> In a number of cases such as this one, both the original palm-leaf manuscript and a transcription of it on paper, usually in Balinese script, are included in the Van der Tuuk Collection as separate codices.



to 1610 CE) by a scribe named Nirāgraha from the village of Hyang Pĕnuh.<sup>40</sup> The dating elements cannot be entirely reconciled, and thus Damais (1958) does not include it in his study, but a tentative date based on the days of the five, six and seven-day weeks of the week Sinta in *śaka* 1552 is 31 July 1610. Friederich (1959:31) notes that the copy of the text to which he had access was made in 1682 *śaka* (1760 CE).<sup>41</sup> A number of later copies of the *Pūrwādhigama* are included in compilations in the HKS collection, namely HKS 9/90, HKS 1799 (K 941), HKS 3307, HKS 4924, HKS 5268 and HKS 5613.

## 2. *Widhi Papiñcatan and Widhiwākya*

Two other short texts of just a few pages each in length, the *Widhi Papiñcatan* (or *Pipiñcatan*) and the *Widhiwākya*, share intertextual links with the *Pūrwādhigama* and various *śāsana* texts with which they usually form a single codex (*cakĕpan*). The *Widhi Papiñcatan* deals principally with the duties of the four classes, while the *Widhiwākya* takes up issues of marriage partners and incest (*gamya-gamanya*). Both texts incorporate Sanskrit *śloka* with Old Javanese exegesis. The colophon of LOr 3723 (2)/3988 (2) notes that the teachings in the *Widhi Papiñcatan* derive from the *Śiwaśāsana Śiwadharmā*, another designation for the *Pūrwādhigama*, while according to LOr 3723 (3)/3988 (3) the teachings found in the *Widhiwākya* come from the *Maheśwariśāstra*, a work noted as a legal text by Raffles and Crawford at the beginning of the nineteenth century but not preserved as a separately titled text in any of the manuscript collections.

### *Widhi Papiñcatan and Widhiwākya* manuscripts

As detailed in Table 3, the *Widhi Papiñcatan* and *Widhiwākya* are found together with the *Pūrwādhigama* and the *Wratisāsana* in LOr 3723 (and its copy LOr 3988), and in Van der Tuuk's autograph compilation of law texts, LOr 3852, as well as

<sup>40</sup> Brandes 1901-26, II:256-7: *iti śiwāśāsana sarodrĕtta, i śaka, 1532, kālīmāmasa, tithi catūr, śuklapakṣa, tung, pwa, śa, wāra sinta, irika diwāsa ning pustākapūrṇa likita ring thani hyang pnuh, ngkāne śurat anūki len, de sang ng aparab Nirāgrahā, pāryyantusakna wirupa ning aksara mwang kurang lĕwihnya kapahajĕnga de sang krĕttā, apan ulih ing ng atyanta mūdha <-> om ganāḍipātaye namostu om, dirghhāyurastu, om śubhamāstu, <-> om am saraswatyenamostu.*

Damais was unable to reconcile the dating elements. The conjunction of the six, five and seven-day weeks, Tungleh, Pon, Saniscara (Saturday) respectively, in the week Sinta in *śaka* 1532 falls on 31 July 1610 CE, but we would then need to assume an error in the *fifth* month and *fourth* day of the bright moon to read the *fourteenth* day of the *first* month, Kasa.

<sup>41</sup> The dating elements are Mahulu Paing Anggara (Tuesday) of the week Sungsang, month Śrāwaṇa day 8 of the white half [of the moon] in Wilwatikta 1682. Two dates in 1760 correspond to the conjunction of these days in the week Sungsang, namely 25 March and 21 October, but the month Śrāwaṇa (July-August) and the moon phase cannot then be reconciled.

Table 3. *Widhi Papiñcatan* and *Widhiwākya* manuscripts in the major collections

Widhi Papiñcatan	Widhiwākya	Notes
LOr 3723 (2) (Br #1418)	LOr 3723 (3) (Br #1425)	colophon 1. LOr 3723 (2) reads <i>iti wicldh?ji pipiñcatan</i> (sic), <i>sangké śiwaśāsanaśiwaadharmma</i> .
		colophon 2. LOr 3723 (3) reads: <i>iti widhiwākya, antuk ning mangūddhrēta sangkeng mahesuarisāstra, kayatnakēn de paramacāryya tripadhyadhi; haywa pramadeng rāsa ning wārahmōkta, bwaat mamanggih paramōpadhawa; siddhirastu.</i>
LOr 3988 (2) (Br #1417)	LOr 3988 (3) (Br #1424)	copy of LOr 3723.
LOr 3852 (3) (Br #1419)	LOr 3852 (4) (Br #1426)	Van der Tuuk autograph; part parts 2 and 3 of a compilation of 12 legal texts.
LOr 5098 (2)	LOr 5098 (3)	with <i>Pūrwādhigama</i> and <i>Śiwaśāsana</i> .
HKS 4760 (25a-26b)	HKS 4760 (27a-28b)	with <i>Pūrwādhigama, Krama ning Aguron, Wratīśāsana</i> and <i>Putrasāsana</i> .
HKS 4924 (3a-4a)	HKS 4924 (4a-7b)	part of a compilation entitled <i>Tutur Haricandana</i> which also contains <i>Pūrwādhigama, Swarajambu, Krama ning alakyarabi</i> and <i>Putrasāsana</i> .
HKS 5268 (158a-159b)	HKS 5268 (159b-163a)	following the <i>Widhi Papiñcatan</i> on 159b is a colophon giving the year of copying as 1653 <i>saka</i> (=1731 CE) and noting the copy was made by the scribe Nirartha Pamasah from the <i>banjar</i> of Iranya in Sayawanasunya.
LOr 5316		<i>Widhiwākya</i> colophon (163a) is the same as that in LOr 3723 (3). palm-leaf manuscript of three leaves from the Lombok Collection; interlinear Balinese translation; ends <i>iti widhi pipiñcatan</i> (sic), <i>sangkēng śiwaśāsana, śiwaadharmma</i> (Juynboll 1911:199).
LOr 13.349		= HKS 9/92; from the collection of Ida Pedanda Gede Ngenjung, Banjar Liligundi, Singaraja.
	LOr 13.348	= HKS 9/86; from the collection of Ida Pedanda Gede Ngenjung Banjar Liligundi, Singaraja.
	LOr 971(4)	manuscript from Klungkung, with <i>Wratīśāsana, Śiwaśāsana, Silakrama</i> and <i>Putrasāsana</i> ; ends <i>iti widhiwākya</i> .
	LOr 14.941	= HKS 1797; copy of Kirtya 937.
	HKS 5612	from the collection of I Dewa Wayan Pucangan, Jero Kanginan, Sidemen, Karangasem.

with the *Śiwaśāsana* in LOr 5098 from the Lombok Collection. In LOr 971 (4), a manuscript originally from Klungkung from the collection of the Bataviaasch Genootschap, the *Widhiwākya* is the fourth and final part of a manuscript comprising the *Wratiśāsana*, *Śiwaśāsana* and the *Silakrama Putraśāsana*.

Recent transcriptions of these two texts include HKS 5268 and HKS 4760.<sup>42</sup> In HKS 4760, the *Widhi Papiñcitan* and *Widhiwayka* are followed by the *Krama ning Aguron*, *Wratiśāsana* and *Putraśāsana*.<sup>43</sup> Both texts also occur in the compilation HKS 4924 named *Tutur Haricandana*, which begins with the oath formula invoking Haricandana found at the end of the *Pūrwādhigama* and includes the remainder of the *Pūrwādhigama*, the *Swarajambu* and a number of other texts. The *Widhi Papiñcitan* is also found on its own in a manuscript from the Lombok Collection, LOr 5316, with an Old Javanese interlinear translation of the first Sanskrit verse and a Balinese interlinear translation of the Old Javanese paraphrases in the remainder of the manuscript. Three single copies of the *Widhiwākya* are also found in recent transcriptions in LOr 13.348 (HKS 9/86), LOr 14.941 (HKS 1797) and HKS 5612.

The only extant copy of these texts to contain a detailed colophon date is the recent transcription, HKS 5268, which indicates that the manuscript was copied by the scribe Nirartha Pamasah in the Banjar of Iranya in Sayawanasunya in 1653 *śaka* (1731 CE). Nirartha Pamasah is the copyist of a number of other works dating from the early eighteenth century.<sup>44</sup> An almost identical colophon to this one follows the *Adhigama* in LOr 3852(2) (see Table 5).<sup>45</sup>

<sup>42</sup> There are a number of twentieth-century transcriptions, most of them from the Kirtya Collection, entitled *Widhi Papiñcitan* which are also associated with the *Śiwaśāsana* (LOr 10.264; LOr 9193, see Pigeaud 1968 s.v.; LOr 12.705/HKS 2148; LOr 13.001/HKS 5/47; LOr 13.814/HKS 1355; LOr 14.731/HKS 1583 see Pigeaud 1980 s.v.; HKS 5182; HKS 5910). A preliminary scrutiny indicates these copies are excerpts from various *śāsana* and differ from the nineteenth-century manuscripts described here.

<sup>43</sup> The *Wratiśāsana* in this transcription is followed by a colophon noting the year '97 *śaka*, possibly equivalent to either 1849 or 1949.

<sup>44</sup> HKS 5268:159b: *Tekèng wiwitan ang Hyang Śiwa-śasana-śastra-śarodretha tumut tang widhi wakyashastra ring pamekas. Ndah samangkana sinerat dé Nirartha Pamasah ngkanèng Nusa Bali tembing kilyan ing Sayawanasunya banjar ing Iranya kampuraha dé sang wijnyèng śastra antuk ning tan tamèng ksara, ri śaka 1653 [1731], Karttika-masa pratipat ri sapandirinira yaśasarantik sang ginawèng yuddha ri ratna rasa.*

<sup>45</sup> HKS 5268 is a copy of a compilation of texts from Jro Bakungan in Tabanan and appears to be a copy – or the original – of the Brandes transcriptions found in KBG 467, KBG 478 (Brandes unpubl.) that were copied by Gunning and incorporated in the Leiden collection as LOr 6203a (6); see Pigeaud 1968:346-7. The transcription begins with the *Pūrwādhigama*, then continues with the *Widhi Papiñcitan* and *Widhiwākya* and the remaining texts in LOr 6203a (6). The Brandes transcriptions in LOr 6203a (6) parallel the twelve texts contained in Van der Tuuk's compilation of legal texts in LOr 3852, but omit LOr 3852 (2), the *Adhigama*.

### 3. *Kuṭāramānawa*

A legal work or body of legal knowledge known as '*Kuṭāramānawa*' is referred to frequently in Balinese law codes dating from the eighteenth and nineteenth centuries. As we have seen, the Old Javanese epigraphical and literary record shows that this *Kuṭāramānawa* tradition goes back to at least the twelfth century. *Kuṭāramānawa* is also the name ascribed by scholarly convention to a specific legal text including by Van der Tuuk and by the compilers of the major catalogues, Brandes, Juynboll and Pigeaud. The existence of a legal code called *Kuṭāramānawa* was first noted by Raffles in the early nineteenth century (Table 1), but its dating and provenance have been considerably misrepresented, partly because not every manuscript containing this work refers to the text by this name, and partly because the conventions of Balinese manuscript traditions regarding the naming of texts have not been well understood.

On the cover leaf of the oldest surviving exemplar of this code, the British Library manuscript (BL Add 12277) edited by Hoadley and Hooker (1981), which was acquired by John Crawfurd from the Raja of Buleleng in 1814, is a note that indicates the text was known as *Cuntara Manawa Sastra* (*Kuṭāramānawaśāstra*).<sup>46</sup> Hoadley and Hooker (1981) argued unconvincingly that this extra-textual information about the name of the text should be regarded as unreliable and insisted that the title of the text was actually *Agama*. Moreover, they claimed the *Agama* text was written in an archaic form of Modern Javanese (its idiom is in fact closest to Middle Javanese) and dated from around 1550 (Hoadley and Hooker 1981:51-86). They assigned to it anachronistically a special place as the oldest extant Javanese legal text, the 'vintage *Agama*'. Their conclusions concerning the language, dating and function of this text were called into question by a number of reviewers at the time of publication in the early 1980s (Ricklefs 1982; Supomo 1982; Carey 1983). The authors responded briefly to these critiques (Hoadley and Hooker 1983). Nevertheless, in a later essay on pre-modern Javanese and Balinese legal traditions in which they again discussed the '*Agama*' text extensively, they reiterated their original conclusions (Hoadley and Hooker 1986).

In 1885, Jonker had edited and translated a different, and longer, version of the same text based on LOr 2215, a manuscript acquired by Leiden University in 1876 (Pigeaud, 1968:8, 85-7). Jonker (1885:31-2), who divided the text into 275 articles, noted that the manuscript did not have a specific title, with only the word *agama* written on the cover leaf as an indication of the genre to which it belonged. The Crawfurd *Kuṭāramānawa* manuscript edited by

<sup>46</sup> There is no textual evidence to support the claim that *agama* in this text is anything other than a generic term for sacred writings. It seems possible that the authors were influenced (or misled) by the Djlantik and Schwartz editions (1918a, 1918b, 1918c) of the Balinese law codes.

Hoadley and Hooker comprises 181 articles.<sup>47</sup> It begins with a preamble, not found in any other manuscript of this text, outlining the mythical genealogy of legal authorities on proper conduct (*śīlakrama*) including *bhaṭara Rāma*, the *Sang Hyang Aji Pūrwādhigama*, *Sang Hyang Agama*, Hyang Yamadipa (Lord of the Dead), and the judge (*upapatti*) of the gods, Bhagawan Adi Mandhawya.<sup>48</sup> With a few minor variations, this text paral the first 182 articles are the same as those found in the text edited by Jonker (1885).

Internal evidence suggests that the Leiden manuscript on which Jonker based his edition was a composite text, comprising the regulations found in the Crawford manuscript (but excluding the preamble) then continuing with an additional 94 regulations with close links to the Sanskrit *Laws of Manu*. The Leiden manuscript breaks off abruptly in the middle of the final article (Art 275), although this lacuna is completed in a number of other manuscripts, including LOr 3904 (1), LOr 3905(1) and LOr 4278 (see Table 4). A small number of regulations appear twice, once in each of the major sections of the text.<sup>49</sup> Jonker (1885:11-4) points out that although there are a number of regulations directly translated from the *Mānavadharmśāstra* found in the *Kuṭāramānawa*, in the first part of the text, that is in the sections shared with the Crawford manuscript (BL Add 12277), the many indigenous regulations interspersed in the text give it a 'local' character. He notes also that there was a tendency in the first part to group the regulations by topics. In the second part of the text, on the other hand, a distinct 'Hindu character' is in evidence to which the indigenous element is only appended. The regulations that can be directly traced to the *Laws of Manu*, from Article 204 onward, are drawn from Chapter 8 (*Manu* 8:200-370) and appear in the same sequence as those found in the Sanskrit original. It is possible that this section of the *Kuṭāramānawa* and the *Swarajambu* share a common source, although the treatment of the regulations is too different to assume interdependence.

The *Kuṭāramānawa* is not simply an indigenous interpretation of the *Mānavadharmśāstra*. According to the text itself, it is a compilation of two legal codes – the *Mānawaśāstra* and the *Kuṭāraśāstra*. The *Kuṭāraśāstra* is attributed to Bṛḡu, the disciple of Manu to whom the latter reveals the teachings of the

<sup>47</sup> Although the numbering of articles is a convention of Western editing and publishing, the original palm-leaf manuscripts in Balinese script incorporate punctuation marks that do in fact delineate 'articles'.

<sup>48</sup> The interpretation of the text of the preamble is very problematic, but there are clear links to *śāsana* texts in the references to the legal authorities and particularly to the realm of Mēdhang known as the ancestral site of Javanese kings and (Sanskrit) knowledge where the lord of men (Manu) rules, and mentioned also in the introductory section of the *Sārasamuccaya* and in the *Śevaśāsana* in which an edict dated 226 *śaka* is attributed to the lord of Mēdhang (Pigeaud 1968:557). See also Pigeaud 1924.

<sup>49</sup> Art. 8 = 211, 131 = 236, 143 = 254; Jonker 1885:11.

creator in the *Laws of Manu* (1:59) and who, in turn, passes on those teachings to the world. No work or author named Kuṭāra is known from Sanskrit sources. In his edition, Jonker (1885:15) suggested that the name of the text might be associated with the Sanskrit word *kuthāra* 'axe', since Article 121 (Jonker 1885:60; Hoadley and Hooker 1981:191-2, Article 110) also mentions as an authority a later descendant of Bhṛgu, Rāma Paraśu, or 'Rāma the axe wielder' (*paraśu* is a synonym of *kuṭāra*).<sup>50</sup> Rāma Paraśu, or Rāma Bhārgawa, is well known in epic traditions as the warrior-ascetic who vows to annihilate all the *kṣatriya* to avenge the death of his father Jamadagni at the hands of the sons of Arjuna Sahasrabahu. He appears to have been an important figure in pre-Islamic Java and Bali. The teachings ascribed to him are contained in the *Bhārgawaśikṣa* ('The Teachings of Bhārgawa'), a didactic *kakawin* detailing the imminent destruction of the world as a result of human misdeeds and immorality. This regulation notes two different periods of time for the lapse of pawn on cattle as either three or five years according to the *Mānawaśāstra* and the *Kuṭāraśāstra* respectively, a discrepancy the compiler of the text felt required additional commentary. He continues:

One or the other must be followed, it is mistaken to consider that one is better than the other because they are equally from the *āgama*: from the *Mānawaśāstra* king Manu imparted teachings when humankind was new [in the Kṛtayuga] and he was incarnated as God Wiṣṇu; from the *Kuṭāraśāstra* priest Bhṛgu promulgated the teachings during the Tretayuga; they were adhered to by Rāma Paraśu and by the whole world; and furthermore they were given thus in a direct line [of descent] from the *śāstra* from the beginning of time.<sup>51</sup>

Among the first matters that Bhṛgu explicates when he takes up Manu's teachings in the Sanskrit *Laws of Manu* (1.79-86) is the four ages of the world, from the golden age of the Kṛtayuga to the current Kaliyuga or age of destruction. By the second age, the Tretayuga, the human lifespan had diminished by 400 years and religious duties had changed. The differentiation drawn in the *Kuṭāramānawa* between the *Kuṭāraśāstra* attributed to Bhṛgu for the Tretayuga

<sup>50</sup> Later eighteenth-century Javanese Pasisir traditions, recorded in the *Serat Kanda ning Ringgit Purwa* (LOR 6379; Pigeaud 1968:359-60), recall a prime minister named Kuṭāra who served under Marta Wijaya of Prambanan and his son ḍangḍang Gēndis who, as we will see below, is associated in Balinese tradition with the *Kuṭāramānawa* textual tradition. This coincidence may reflect an ancient mythological connection or tradition since lost.

<sup>51</sup> Jonker (1885:60) Article 121; Hoadley and Hooker (1981:135-6) Article 110: *salah tunggala tuṭēn dudu arana angadeni apan pada saking āgama* [var BL 12277 *ring krēttayuga*]; *ring Mānawaśāstra, mahārāja Manu angajarakēn, mahu ning hana wong samāna sira sāksāt bhaṭāra Wiṣṇu*; *ring Kuṭāraśāstra, bhagawān Bhṛgu angajarakēn samangkaneng tretāyuga, sira sāksāt bhaṭāra Wiṣṇu, tinut de ning bhagawān Rāma Paraśu, tinut de ning rāt kabeh, dudu ginawe mangko, sipat saking śāstra mula ning mula.*



and the *Mānawaśāstra* promulgated by Manu suggests that these two law codes were not immutable but had to be adapted to suit the changing needs of the new, and more fraught, world order. Old Javanese and Balinese legal texts certainly treat the two authors and traditions as distinct, with regulations often referring specifically to the words of Manu or of Kuṭāra. Whether this distinction originated at the time of the original adaptation of the *Laws of Manu* or is a later development remains obscure. The same two legal authorities figure prominently in the second of the major legal textual traditions, the *Adhigama*, to be described below, as well as in other texts including the *Sārasamuccaya* and *Krētopapati*.

Whatever the case, the *Kuṭāramānawa* law code(s), or perhaps more appropriately 'school' of legal thought, remained the predominant legal authority in the legal texts and moral treatises until colonialism obliterated indigenous legal jurisdiction in the late nineteenth and early twentieth centuries.

#### *Kuṭāramānawa manuscripts*

Friederich (1959:30-1) rejected Raffles's claim that the *Mānawadharmasāstra* was known in Bali, largely on the grounds he was unable to acquire a copy himself in spite of strenuous efforts. He did acknowledge that Manu's code was mentioned in the *Pūrwādhigama* under the title *Kuṭāramānawa*, but concluded that the *Kuṭāramānawa* itself was either kept secret or had never been brought from Java to Bali. The former appears to have been the case since not only did the Crawford manuscript come from North Bali but Van der Tuuk later acquired copies from all over the island, including from Badung, Klungkung and Karangasem.

Brandes (1901-26, I:98-102; #546-544) lists nine separate manuscripts of the *Kuṭāramānawa* from Karangasem, Klungkung and Badung (see Table 4).<sup>52</sup> This geographic spread indicates the existence in the last quarter of the nineteenth century of a number of '*Kuṭāramānawa*' texts roughly concordant with the one used by Jonker in his edition which Van der Tuuk, and later Brandes, employed as the 'vulgate' for the comparative description of related manuscripts. None of the individual *Kuṭāramānawa* manuscripts has a colophon

<sup>52</sup> The ninth manuscript (LOr 4280; Br #554), called *Kuntara Raja Niti* and written in Arabic script, is from Lampung and is completely different from Jonker's text. Hoadley and Hooker (1986:275) also discuss briefly a text called *Undang Wangsul Kuntara Manawa Sastra* (BL Add 12321), a paraphrase of their *Agama* text from Sumenep, written in Madurese-Javanese and dated 1814. I have not seen this text but it seems likely it is a direct translation of BL Add 12277. The ruler of Sumenep was considered an expert on Kawi by Raffles, and the Madurese court had long-standing cultural and military ties with the Balinese (Ricklefs 1998:164-5, 224-8, 336; Creese 2000:31-2).

Table 4. *Kuṭāramānawa* manuscripts in the major collections

Manuscript	Notes
LOr 2215	palm-leaf manuscript acquired by Palmer van den Broek, edited by Jonker (1885); 275 articles; final article incomplete.
BL Add 12277	palm-manuscript acquired by John Crawford in 1814 from the ruler of Buleleng, North Bali, edited by Hoadley and Hooker (1981) under the title 'Agama'; comprises 181 articles; matches Jonker to Art 182; preceded by a preamble not found in any other manuscript.
LOr 3905 (1) (Br #546)	complete text, Balinese script on paper (pp. 1-58), from Karangasem with variants from a manuscript from Klungkung; completes Art. 275; followed by the <i>Agamāpitan</i> (pp. 58-59).
LOr 3904 (1) (Br #547)	complete text, Balinese script on paper (pp. 1-54); followed by the <i>Swarajambu</i> (pp. 54-65).
LOr 3878 (1) (Br #548)	van der Tuuk romanized autograph, to end of Jonker Art. 232; together with copies of the <i>Rāmāyana</i> and <i>Kērtābasa</i> fragments.
LOr 3957 (7) (Br #549)	fragment comprising Jonker Article 1.
LOr 3954 (Br #552)	a digest, Balinese script on paper (pp. 1-74), which includes most of the Jonker articles but in a different order; [19 articles are missing: 8, 11-12, 19, 32, 146, 155, 158, 177, 194, 200-201, 204, 212, 214, 219, 246-249] (Brandes 1901-26, III:100-1); followed by a <i>pasawara</i> (pp. 74-8); articles are ordered systematically by topic.
LOr 4279 (Br #553)	Balinese script on paper, includes the regulations up to Jonker Art 74; a digest similar to LOr 3954.
LOr 3650 (Br #551)	palm-leaf manuscript; includes 120 of Jonker's 275 articles which are arranged in a different order [21-27, 33, 134-144, 153-155, 157-166, 275, 167, 171-175, 186-186, 194, 33, 225-274, 1-20, 29-36]; the manuscript begins with Art 21 dealing with the eight thieves ( <i>ring asta corah mangke wahanakua; laksana hamama ling haaveh pangging maling</i> ); arts. 1-20 are incorporated towards the end of the manuscript.
LOr 4278 (Br #550)	copy of LOr 3650; Balinese script on paper.
HKS 5250	called Agama; first part of two transcriptions from a single <i>lonitar</i> belonging to the collection of I Gusti Ketut Kaler, Jero Bakungan, Tabanan. Like LOr 3905 this transcription (1a-67a) includes the <i>Agamāpitan</i> (67a-71a) to which is added a colophon dated 1652 <i>śaka</i> (1730 CE) naming Nirartha Pamasah of Banjar Iraya as the copyist; the transcription continues in HKS 5251 with the <i>Adhigama</i> , fol 71b-100a (see Table 5); the combined transcription appears to be a copy of Kirtya 971 of which HKS 1949 is also a transcription but does not include the colophon. Before the opening phrase of the <i>Kuṭāramānawa</i> : 'we will tell of the eight malefactors' ( <i>ring astadusta warhakēna</i> ), both these transcriptions begin with a statement indicating the copy was from a text originating from Iraya and Kuthara Gajah ( <i>kang tinular dhëve mwaang saking Iraya mwaang Kuthara Gajah</i> ) which links the text to the scribe Nirartha Pamasah as well as to Kuṭāra traditions.

that would allow more precise dating. No two texts are exactly the same; instead, as Table 4 indicates, they are related texts that share a common textual heritage.<sup>53</sup>

#### 4. *The Adhigama*

The *Adhigama*, literally ‘first (best) among *agama*’, is the most prominent law code in the nineteenth-century textual record and colonial reports. Van der Tuuk describes it as a legal text that had ‘the force of law in Buleleng’ but lamented that ‘no good copies were to be found’ (Brandes 1901-26, I:1). The *Adhigama* appears to have been of particular relevance in the administration of the legal processes that were overseen by the *kërta*, the council of justices appointed by the ruler. It has explicit links to Majapahit and begins with an introduction in praise of the ruler of Wilwatikta (Majapahit). The opening lines note that in times past the ruler was provided with advice on kingly strategy by the Upapati, a group of seven high court officials whose role was to explain the texts on law and religion and who are also invoked in the *Dewāgama/Krētopapati* to be discussed below (Van Naerssen 1933; Zoetmulder 1982:2134-5). This council of advisors provided the ‘protection of the banyan tree’ for the ruler. All the court officials – the *patih*, *dēmung*, *tumēnggung*, *rangga*, *kanuruhan*, *wado haji pacatanda*, *anglurah*, *angabēhi*, *mbēkēl* – followed the rules of the *Adhigama*, which the Upapati had gifted to the lord of Majapahit. To fail to do so would bring disaster.<sup>54</sup>

<sup>53</sup> Although a number of transcriptions in the Bali Manuscript Project have titles that contain either Kutara or Manawa or both, there are no transcriptions that match exactly the *Kuṭāramānawa* texts edited by Jonker and Hoadley and Hooker. I have not attempted to provide a concordance with transcriptions from the HKS collection in this table. It would only be possible to determine which of the HKS manuscripts variously titled *Agama* or *Kuṭāramānawa* incorporate sections of the *Kuṭāramānawa* text discussed here by undertaking a detailed comparative analysis. For example, HKS 1949 (= HKS 5250), which carries the overall title *Agama*, is a compilation of a number of different texts. The first part of the text (1b-5a) overlaps with the text of the published *Kuṭāramānawa* editions as far as Jonker Article 28, Hoadley and Hooker Article 29. HKS 3495 is entitled *Kutharamanawa*, but is actually a copy of the *Adhigama*; HKS 1552, called *Aji Kutara Agama*, is entirely unrelated and focuses on genesis and mythology (see Pigeaud 1980:198); HKS 3621, called *Sastra Kutaragama*, is, in fact, the *Dewāgama/Krētopapati* (see below), which is also found in two separate parts in the HKS Collection as HKS 5491 *Purwagama* and HKS 5492 *Kutaragama*.

<sup>54</sup> LOr 3989: *Oṃ śri swasta satawarṣa, śri wilatikṭa, śangdra 23, samangkana diwāsaning purwawakathā śri nāreṇdra ring wilatikṭa, sinangeraha ring niṭi de sirāryopapāti, kaprayatnakna dening para mantri niran samādaya, sahub ing waringin, kwirnya sang añcanāgara, rakryan apatih, rakryan dēmung, rakryan tumēnggung, rāngga kanuruhan, wado haji pacatandā, muwah hanglurah hangabehi para bēkēl, wang asikēp, muwah wawang sawarṇnanipun, sami kumayatnaha rasaning niṭi hadigama, pagawe sirāryopapāti ring wilatikṭa, yan hana hanuwalā rasaning niṭi hadigama sang prabhū* (Brandes 1901-26, I:1).

The same introduction also occurs in a number of differently titled HKS transcriptions which

In its interest in the court and its officials, as well as in its title, the *Adhigama* establishes textual links with the *Pūrwādhigama*, but it also has direct connections to the *Kuṭāramānawa*. A number of copies end with a colophon that names the work *Kuṭāramānawa* and attributes its authorship to Ḍaṇḍang Gēndis the ruler of Majapahit.<sup>55</sup>

This is the *Kuṭāramānawa* now revealed, established in Daha, in Majapahit, the exemplar of the meritorious deeds of King Ḍaṇḍang Gēndis.

*Iti Kuṭāramānawa, tēlas winahyakēn, pratiṣṭha ring Daha, ring Majapahit, sang tuladēn kirtti sang Prabhu Ḍaṇḍang Gēndis*

Ḍaṇḍang Gēndis, or Kṛtajaya, was the ruler of Kadiri (Daha) from circa 1195 to 1222 CE, whose defeat by Rājasa (Ken Angrok), recorded in the *Nāgarakṛtāgama* and *Pararaton*, led to the establishment of the kingdom of Singasari.

There is a somewhat obscure reference in the opening lines of the *Adhigama* to the year '23, which has generally been interpreted to refer to the year 1323 *śaka* (1401 CE), largely on the basis of the accompanying references to Majapahit found elsewhere in the *Adhigama* text, particularly in the last section, which returns to the theme of judicial practice that marks the opening section. Nevertheless, the historicity of this attribution to Kṛtajaya has been called into question because of the inherent contradiction between a date equivalent to 1401 CE and references elsewhere in the *Adhigama* text (Djilantik and Oka 1909a:89-90) to two Majapahit figures known from the *Pararaton* to have lived at other times, namely a reference to the ruler of 'Majapahit' as Bra Siwa, an epithet of the Singasari ruler Kṛtanāgara (ruled 1268-1292) and another to his *patih* Tuhan Kanaka, who in the *Pararaton* serves as the *patih* of Majapahit in a later period from circa 1421 to 1441 CE (Brandes 1901-26, I:1; Krom 1931:445). In the light of these contradictory historical facts and the colophon dates from the early eighteenth century attached to a number of the extant manuscripts (to be discussed below), Brandes (1901-26, I:1) suggested the year '23 should perhaps be interpreted as a reference to 1623 *śaka* (1701 CE), an interpretation later shown by Damais (1958) to be untenable.

Early Dutch scholars including Brandes, and later Krom, arguably placed undue reliance on the accuracy and significance of the *Pararaton* data.<sup>56</sup> The col-

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overlap in part with the *Adhigama*: HKS 1594 (*Aji Manawa Agama*), HKS 2817 (*Dharma-upapati*), HKS 5251 (*Agama*).

<sup>55</sup> LOr 3852, LOr 3879, LOr 3987, LOr 4701; see Table 5.

<sup>56</sup> This reliance on the *Pararaton* illustrates the tendency noted recently by Hunter (2007:27) in his reassessment of the Singasari period for Javanese historiography 'to produce a seamless narrative, when in fact the textual record is marked by conflict, contradiction and ambiguity'.

ophon information that attributes the *Adhigama* to Kṛtajaya (ḍangḍang Gēndis) need not be dismissed out of hand. The year '23 can as readily be interpreted as 1123 *śaka* (1201 CE), a year that coincides with the period of his reign. In the *Pararaton*, just like Kṛtanāgara, Kṛtajaya is said to be Bhatara Guru (Siwa) (Phalgunadi 1996:85), while the Tuhan Kanaka (Golden Lord) of the *Adhigama* text may not necessarily be the same prime minister as the one referred to in the *Pararaton*. Moreover, the *Nāgarakṛtāgama* (40.3-4) describes Kṛtajaya as 'learned in the scriptures and teachings on reality' (Robson 1995:53), so that his key role in the codification of the law is certainly credible.<sup>57</sup>

While his attribution as a ruler of 'Majapahit' is therefore somewhat anachronistic, it need not be taken literally. Although the formal establishment of the Majapahit dynasty did not take place until 1293 under Kṛtarājasa (*Nāgarakṛtāgama* 45:1-2; Robson 1995), in Balinese historiography, based on historical *kidung* such as the *Kidung Harsawijaya*, *Rangga Lawe*, and *Kidung Sunda* which describe the dynastic upheavals of thirteenth-century Java, 'Majapahit' encompasses the Singasari (Tumapēl) period. The Majapahit attribution to Kṛtajaya's reign on the cusp of the transition from the Kadiri period may be seen as a reflection of the importance of the trope of 'Majapahit' more widely in Bali in the eighteenth and nineteenth centuries (Schulte Nordholt 1996; Creese 2000).

### *Adhigama manuscripts*

In contrast to the *Kuṭāramānawa* manuscripts which provide no additional textual data, the *Adhigama* manuscript corpus contains a number of dated works (see Table 5). These dated texts indicate that the *Adhigama* was in use in Bali throughout the eighteenth and nineteenth centuries. Van der Tuuk's complaint concerning the absence of any 'good copies' of the *Adhigama*, may instead reflect the diverse nature of texts designated as *Adhigama*. As we have seen was the case for the *Kuṭāramānawa*, there is no 'standard' version of the *Adhigama*, but instead a number of interrelated versions that for the most part overlap and which share regulations found in other law codes.<sup>58</sup>

Three of the *Adhigama* manuscripts from the Van der Tuuk Collection

<sup>57</sup> Javanese Pasisir historical traditions from the eighteenth century recorded in the nine-volume *Serat Kanda ning Ringgit Purwa* relate (volume 8) that ḍangḍang Gēndis of Kahuripan/Daha (or, as he is better known, ḍangḍang Gula) had as *patih* a man named Kuntara, whose name evokes and reinforces an association with the *Kuṭāramānawa* (Pigeaud 1968:359-60).

<sup>58</sup> Brandes worked extensively on Old Javanese and Javanese legal traditions. His unpublished transcriptions of the *Adhigama* (Brandes unpubl.) comprising 475 articles in two parts (articles 1-297 and 298-475) are included in the Gunning Collection, LOr 6203a (1) and (2) (Pigeaud 1968:346-8). Hoadley and Hooker's summary (1986:325-31) of the *Adhigama*, based on LOr 3891, comprises only the second half of the text, commencing with Brandes Article 269.

Table 5. *Adhigama* manuscripts in the major collections

Manuscript	Notes
LOr 3989 (1) (Br #1)	Balinese script on paper, from north Bali belonging to the Pedanda of Sangsit; Brandes' (unpubl) articles 1-269 (= HKS 1594 1b-34a; Djilantik and Oka 1909:1-52).
LOr 3879 (1) (Br #2)	continuation of LOr 3989; Balinese script on paper from north Bali belonging to the Pedanda of Sangsit; begins with <i>muwah uvang andahut sawi walagaton</i> ; Brandes (unpubl) articles 270-475 (=HKS 1594 34a-65b; Djilantik and Oka (1909:52-93); two colophon dates, copy made by Liladnyana, from Wanyarep in 1630 <i>śaka</i> (15 July 1708 CE); the second date is (17)08, 15 September 1786.
LOr 4005 (Br #3)	Balinese script on paper from text belonging to Pedanda Wayan; beginning with Brandes (unpubl) article 203 ( <i>muwah uvang desa kaifiban wargke lemahnya de ning dusta kala ning wengi</i> ), ending incomplete (=HKS 1549 26a-64a; Djilantik and Oka 1909:40- 91).
LOr 3852 (2) (Br #4)	Van der Tuuk romanized autograph; begins with Brandes (unpubl) article 203, continues to end (=HKS 1594 26a-65b; Djilantik and Oka 1909:40-93); scribe is Nirartha Pamasah of Sayawanaksuma; chronogram reads fire-five-feelings-sun ( <i>i saka agni manca rasa surya</i> ) 1653 <i>śaka</i> 23 March 1731; the same chronogram is found in HKS 5265.
LOr 3902 (2) (Br #5)	second part (pp. 2a-23a) of compilation of three texts; Balinese script on paper, preceded by a <i>pasuwara</i> (pp. 1-2a) and followed by the <i>Pūrvādhigama</i> (pp. 23a-28; see table 1); like LOr 3852 (2) begins with Brandes article 203; same colophon and chronogram as LOr 3852 (2).
LOr 4701 (Br #6)	Balinese script on paper from Badung; begins with Brandes article 209, <i>muwah uvang hama manuwatoken</i> (=HKS 1594 2b; Djilantik and Oka 1909: 43); there is a lacuna from article 217 to 253 then continues to end; dated 1631 <i>śaka</i> , 7 July 1709.
LOr 3987 (1) (Br #7) HKS 1594	Balinese script on paper from Klungkung; Brandes article 1-330 with different ending; continues with another <i>agama</i> text. <i>Kawi</i> text of <i>Adhigama</i> ; entitled <i>Aji Manawa Agama</i> ; same text is found in HKS 1949 (56b-109a), HKS 2817 (entitled <i>Dharma-upapati</i> ), HKS 3029, HKS 3676 and HKS 4688; HKS 3199 is incomplete comprising HKS 15491 b-64b; HKS 1594 and HKS 2817 do not include the final attribution of the text to Dangdang Gēndis.
HKS 5251	contains first half of the <i>Kawi</i> text to HKS 1549 29a; continuation of same palm-leaf manuscript as HKS 5250 from Jero Bakungan containing the <i>Agama</i> (see Table 3); ends with the colophon from the <i>Sārasamuccaya</i> dated 17 October 1731 CE (1653 <i>śaka</i> ) detailing an oath formula found in LOr 3852 (10).
HKS 5265	<i>Kawi</i> text entitled <i>Purwadhigama</i> ; ends with same colophon as LOr 3852 (2) with added note indicating the manuscript is from the collection of I Gusti Putu Jlantik in 1898.
HKS 3495	Balinese language version entitled <i>Kutaramanawa</i> ; palm-leaf (re-)transcription of the Djilantik and Oka (1909a) translation; same text is found in HKS 2011 1b-72b which continues with the <i>Agama</i> (72b-153b).



contain additional dating elements that provide insights into the longevity and continuity of the textual tradition. LOr 3879 (Br #2) has a colophon dated 1630 *śaka*, which Damais (1958:248) has established as equivalent to 15 July 1708. The copyist, who is named Liladnyana, lived in the region of Wanyarep in the *banjar* of south Mamangkup, north of the bridge (*setubhandha*). A later colophon, bearing a date several decades later, which Damais (1958:248) has calculated as equivalent to 15 September 1786, notes that a new copy of the text was made in order to ensure the longevity of the writer and the passing of its textual knowledge to future generations as well as for the edification of all citizens and subjects.<sup>59</sup> The second dated manuscript is LOr 4701 (Br #6); it was completed about one year later than LOr 3879 in *śaka* 1631 (1709 CE), a date Damais (1958:248) suggests, with some reservations, is equivalent to 7 July 1709. This copy, which also comes from North Bali, was written by a scribe named Gunāngkara who lived in the district of Bhararukṣa, in the Banjar Hāraharah Kidul on the flanks of the three mountains at Pangañjur Lor. In this case the copying of the *Adhigama* was carried out to record a legal judgement concerning the theft of a buffalo and a horse and the subsequent payment of a fine of 14,000 cash.<sup>60</sup>

LOr 3852(2) (Br #4) is a copy of the *Adhigama* dated 1653 *śaka* in which the dating elements equate to 25 March 1731 (Damais 1958:248). The manuscript was written in Iranya Banjar Kilyan by the scribe Nirartha Pamasah, discussed above in relation to the *Widhi Papiñcatan*.<sup>61</sup> The same colophon, with

<sup>59</sup> LOr 3879 (1): *iti kuṭaramanawa, tlas winahyakēn, pratiṣṭa ring daha, ring majapahit, sang tuladēn kirtti sang prabhū dangdang gēṅdis <-> i śakā, 1630 <-> titi,, śrawaṇe,, dwidasi,, krēṣṇapākṣa,, ra,, u,, dwara,, gu,, tung,, wara,, langkir <-> irika, mahatta linikiteng nuṣa bali,, ikang hadigama, de nira sang ng aparab, liladnyana,, haponggwanan nama pradeseng wanyarep, bañjar mamangku pinang kidul lering setubanda, paryantusakna rupa ning ng aksara, kurang lwih de kaparjā, de nira sang widyajnyaneng śāstrā byapibyapakā, dur likita, bapa kawrang <-> madika dirgayuṣa nira sang ng anurat, drakmōktangke, mwang kaswaṣṭa nira, sang akon manrating adigama, saputrapotripetraka, mwang kapagēhan ing bala-wargi haniwi <-> om namaṣiwaya <-> om śaraswatyenamah dhirghāyur astu, tatastu, astu, sang hamaca surat <-> putus inurat ring dina, śu, pa, wara dungulan, titi, panglong, ping, 7, śaśih, ka, 3, rah, 8, tēnggēk, 0 <->.*

<sup>60</sup> LOr 4701: *iti kutaramanawa, tlas winayakēn, pratiṣṭa ring daha, ring majapait, sang tuladēn kirtti sang prabhū dangdang gēṅdis <-> i śakā, 1631 <-> titi,, asadde,, triyoḍsaśih,, suklapakṣa,, wa,, ra,, pwa,, dwa,, bra,, pa,, wara kurantil <-> irika, mahartta linikiteng nuṣa bali, ikang hadigama, de ning rasa ng aparab, gunāngkara, haponggwa nama pradeśa bhararukṣa, bañjar hāraharah kidul, ri paswa ninggang mahendratiga, pangañjur lor <-> muwah yan wong lyan cuma kuparing wicarane, sang ahulah dūṣṭacorah, yeka kneng stanaḍḍah, ḍandā hutama sahaśa, 24000 <-> muwah hana kbosapi, kuda kunang, ring hawan tan pakaranā, mati hikang siningat, tan wēnang mangēlyanana, sang madrēwya, tan doṣa linging sastra, wanang manawar parēga ning kbo sapi, kang pinaten <-> tlas <-> om namobuddaya,, om namaṣiwaya, om saraswatyai namah dirghayurastu, tatastu astu, sang amaca nurat.*

<sup>61</sup> HKS 5265 (137a-137b) has the same colophon with a few minor differences indicated here in brackets. LOr 3852 (2): *iti kuṭaramanawādī, tlas winahyākēn, pratiṣṭa ring dahā, ring majapahit, sang tuladēn kirtti prabhū dangdang gēṅdis.*

*samaptā antukning manular, tkāpnirāntapamāsā [read: nirartha pamasah], ri sapāndirinira yaśāsārantik*

minor variations, is found in HKS 5265.

Because of its practical importance in North Bali, a government-sponsored Balinese translation of the *Adhigama* was published immediately after the Dutch colonial conquest (Djilantik and Oka 1909a). The Kawi manuscript on which the translation was based is not known, but is likely to have been one from Gusti Putu Jlantik's personal collection.<sup>62</sup> The existence of this translation into Balinese may be a factor in its later (erroneous) reputation as more 'Balinese' (and thus less Old Javanese) than other law codes. The published Balinese translation appears to have been later 're-textualized' as a palm-leaf manuscript, recently transcribed in the Balinese Manuscript Project as HKS 2011 and HKS 3495.<sup>63</sup>

### 5. *Sārasamuccaya*

Another legal code with clear links to Old Javanese exegetical traditions is the *Sārasamuccaya*, which comprises a series of Sanskrit verses with Old Javanese exegesis. It is related to the traditions drawn from the *wyawahāra* section of the *Laws of Manu* covering topics such as the eight malefactors, bonded slaves, forbidden women, and oath-taking. There is considerable overlap with regulations in the *Kuṭāramānawa* to which Jonker draws attention in the notes to his translation.<sup>64</sup> It is mentioned as a law code in use in Bali in the nineteenth century from the time of Raffles onward (see Table 1). Its intertextual links to epigraphical and textual sources from Java and Bali point to a pre-Islamic Javanese origin. Except for two or three instances where the fines are given in

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*rātনারসা, sang umandiri ring sāyawaṇa suksmā, ngkāneng nūsa bāli [var. wètaning kali] undā, ring hiranya bañjar kilyan, kèwalya makāpratālyaning tumūt hanurat, sāstrawawan byūka wnang, uṇnādikānikā [var. urnadikanika] kāmpuraha janira [var. kampa hadyanira] si wijnyèng śāstra, makādi sang hadrēwyaṅ dlaha mīwang sang amaca, wnang hamudānana [var. hamadana] ri kāpahārjjanya, ulihaning rūg pasang-anya ngkè, tan tamèng śāstra; i śāka, agni mancarasa sūryya, 1653, cètramāsa ḍwitiya krēṣṇā pakṣa [var. saksa], ring, sūryya, lor ning dalang wāra [var. waru], nāhan donya pūrṇa sinērat, makādwaṅjan lalana [var. ta lana] dè sang mahyun, mungsirang kawyāwara ring [var. awyāwara ri] krèttaning bhūwana, manūt ing śilāyukti yogya bhyaśakna dè sang darmmadyakṣa, ring sang hyang kuṭārmanāwādi, samapta „ung sāma sāmpūrṇāya nāma swāha, ung dirgghyāyūr astu tatastu.*

<sup>62</sup> The most likely manuscript is the 54-leaf *Adhigama* manuscript from Puri Kawan, Singaraja, transcribed in HKS 3199. Gusti Putu Jlantik appropriated manuscripts for his personal use from *brāhmaṇa* and royal households throughout Bali as he accompanied Dutch officials in his role as translator. The origins of many manuscripts belonging to the royal collections of the kingdoms of South Bali have thus been obscured. Many of these manuscripts were later incorporated in the Kirtya Collection in Singaraja, established in 1928, of which Jlantik became foundation curator.

<sup>63</sup> HKS 3880 and HKS 5199 are also entitled *Adigama*, but are composite texts incorporating sections of the *Adhigama* and other legal texts.

<sup>64</sup> Juynboll (1911:193) notes that two regulations dealing with witnesses are from Manu 8:64 and 8:77.

units of thousands of cash, the penalties are expressed in Old Javanese monetary units, including several references to the original Sanskrit *pāṇa*. It mentions both the *Mānawaśāsana* (LOR 3852 (10):61, 71) and the *Kuṭārasāsana* (LOR 3852 (10):72) as the basis for the regulations and thus shows interdependence with the wider *Kuṭāramānawa* tradition. There is also a philosophical moral treatise of the same name, but this is a different work entirely and draws mainly on verses from the *Mahābhārata* (Sharada Rani 1957; Sternbach 1979).

### *Sārasamuccaya manuscripts*

There is only a handful of extant manuscripts of the *Sārasamuccaya*, three of which are dated and attest to its use throughout the eighteenth century. It is one of the legal texts included in Van der Tuuk's compilation in LOR 3852(10) (Br #994), in which the colophon includes references to two dates equivalent to 17 October 1731 CE (1653 *śaka*) and 14 July 1732 CE (1654 *śaka*) respectively (Damais 1958:68-9). In addition to the usual dating elements referring to the days of the week, the *śaka* year of the second date is given in chronogram form as 'four-demons-six-temple' (*i śaka catur bhūtā sād kahyangan, 1654*).<sup>65</sup>

In LOR 3796 (2) (Br #996), the *Sārasamuccaya* follows a copy of the *Agamāpitan*. Three dates are included in the colophon. Damais (1958:142, 144) calculates the first two dates as equivalent to 8 September 1839 CE (1761 *śaka*) and 28 May 1842 CE (1764 *śaka*), but could not reconcile the dating elements of the third *śaka* year, 1762 (1840 CE). A third manuscript from the Van der Tuuk Collection, LOR 4472 (Br #995), is a compilation of texts with close dependence on the *Sārasamuccaya*. It is not dated. A single copy of the text from the Lombok Collection, LOR 5037, is dated 1658 *śaka* (1736 CE). Twentieth-century transcriptions include LOR 9537 (= K 940; Pigeaud 1968:73) and HKS 5269.

### 6. *Swarajambu*

The *Swarajambu* is another Old Javanese law code that was still in use in the eighteenth and nineteenth centuries. Van Naerssen (1941) concludes the work dates from the Majapahit period and draws attention to possible links with late fourteenth-century Sanskrit commentaries on Manu's code. As an Old Javanese prose paraphrase and exegesis of Chapter 8.1-386 of the *Laws of Manu*, that is approximately ninety percent of the 420 verses of the original Sanskrit text, the *Swarajambu* is somewhat unique. In his translation and commentary,

<sup>65</sup> This colophon is also found in the HKS transcription, HKS 5251, where it follows a copy of the first half of the *Adhigama* text.

Olivelle (2004:151) marks regulation 8.386, that is the final article incorporated in the *Swarajambu*, as the end of the fifteenth of the eighteen grounds for litigation, Sexual Crimes Against Women. He then denotes the final section (8.387-420) as an excursus comprising miscellaneous regulations of various kinds including a section on trade, ferrymen and tolls, and the occupations of the social classes. This structural coincidence between the *Swarajambu* and the core Sanskrit text identified by Olivelle raises interesting questions about the relationship between the Sanskrit and Old Javanese texts and points to the possibility that the *Swarajambu* should not be considered an 'incomplete' version of Chapter 8 of the *Laws of Manu* but instead may have been a reworking of a complete work that finished with article 8.386 at the end of Cause 15, and thus that the compilation of the Old Javanese *Swarajambu* predated the inclusion of the excursus in the Sanskrit original.

Like the original Sanskrit text, the Old Javanese version is marked by 'transitional verses' to introduce a change of topic (Olivelle 2004:xxvii), although these transitional markers differ from those found in the Sanskrit original. The name *Swarajambu* appears to be a corruption of *Swayambhu Manu* 'The Self-Existent', a name that appears about halfway through the text following one of these transitional markers at the end of the subsection on witnesses which concludes 'Thus are the deeds of witnesses' (*iti sakṣicāritādi*).<sup>66</sup> As noted earlier, this systematic incorporation of an entire section of the *Laws of Manu* is also found in the Leiden manuscript of the *Kuṭāramānawa*. Nevertheless, in both cases there are digressions and additional explanations and it is not possible therefore to speak of a direct 'translation' of the Sanskrit text.<sup>67</sup> That the two texts do share intertextual links is intriguingly hinted at by the fact that they form part of a single manuscript in LOr 3904 (Pigeaud 1968:157-8).

### *Swarajambu manuscripts*

There appears to be only one surviving complete manuscript, namely LOr 4530 (Br #1102) originating from Badung.<sup>68</sup> LOr 3904 (2) (Br #1104) comprises

<sup>66</sup> Manu 8:124 deals with the varieties of punishment and begins: 'Manu the son of the Self-Existent One has proclaimed ten places upon which punishment may be inflicted. They are applicable to the three classes' (Olivelle 2004:132), for which the Old Javanese paraphrase (LOR 4530:11) reads: 'God Manu the Self-Existent proclaimed the site of punishment for the three classes' (*bhaṭārā swāyāmbuhā mānu, mawarah sirāstāna ḍaṇḍa ring triwarṇa*). In the Old Javanese version Manu is proclaimed to be the Self-Existent himself rather than being his son.

<sup>67</sup> Juynboll (1911:196) suggests the correspondence is less close after page 38 (of LOR 4530) and that the text is then written in a younger language. My own reading of the manuscripts does not support this statement and the work appears to be an integrated text.

<sup>68</sup> LOr 3904 (2) includes Manu 8:35, 371 and 373 plus other articles that can be traced to Manu 8:27, 8:290, 292, 293 and 297 and Manu 11:195.

sections of the regulations but in a different order. LOr 4531 (Br #1103), a palm-leaf manuscript of six leaves dealing with bonded slaves, contains a small portion of the text. There is also a fragment comprising the first part of the text, LOr 4531 (Pigeaud 1968:158, 225-6). The final section of the *Swarajambu* on violence towards women, the *strīsanggraha*, gives its name to two recent copies of this text, namely K 280, preserved in the Kirtya Collection in Singaraja, Bali, and HKS 3046, a copy of K 280 also called *Strīsanggraha*; the same *Strīsanggraha* text is incorporated in the compilation HKS 4924 (31b-76b).<sup>69</sup>

### 7. *Dewāgama /Krētopapati*

The *Dewāgama* – also called *Krētopapati* and *Dharma Upapati* (or *Dharmopapati*) – is the title of another legal text with direct links to the *Mānavadharmśāstra* tradition. The name, or rather title, *Krētopapati* occurs in the opening line. It designates a judicial functionary, one of seven officers of the court charged with explaining the texts on law and religion (*Nāgarakṛtāgama* 10.3, 29.1; Zoetmulder 1982:2134-5). Balinese tradition, however, gives this text the title of *Dewāgama*, and most copies end with ‘this is the *Dewāgama*’ (*iti Dewāgama*). Written predominantly in Old Javanese, it covers the main topics of litigation known from other procedural law texts, including false complaints, buying and selling, creditors, marriage, assault and divorce (Juynboll 1911:184). The *Dewāgama* is cited as an authority in the *Kuṭāramānawa* (Articles 204 and 210). It is also a designation of the practice of bearing witness by oath-taking, which still formed part of Balinese judicial practice in the late nineteenth century, and thus links this text also to the oath formula in the *Pūrwādhigama*. The antiquity of the legal thought in the *Dewāgama /Krētopapati* is also indicated by references to the god Haricandana (Yellow Sandals) known from the inscriptions and Old Javanese texts described earlier.

Table 6. Manuscripts of the *Krētopapati / Dewāgama* in the major collections

Manuscript	Notes
LOr 3955 (1) (Br #531)	first of a two-part compilation (1-28a), Balinese script on paper; ends: <i>iti dewāgama</i> ; together with LOr 3955 (2) (pp. 28a-30b) containing notes and an oath formula.
LOr 4269 (Br #532)	Balinese script on paper; colophon is dated <i>śaka</i> 1793 (1871 CE) [Juynboll (1911:184) has 1783 <i>śaka</i> (1861 CE)].

<sup>69</sup> There is a lacuna in the HKS transcription, HKS 3046, corresponding to LOr 4530:25-34 and HKS 4924:55b-65a, covering the sections on assault and boundaries in Manu 8:200-270.

LOr 4270 (Br #533)	Balinese script on paper; same text as LOr 4269; <i>śaka</i> 1735; Damais (1958:107) has calculated the date as 25 April 1813; manuscript belonging to Wayan Kebon.
LOr 4271 (Br #534)	Balinese script on paper; same text as LOr 4269.
LOr 4272 (Br #535)	same text as LOr 4269; Van der Tuuk romanized autograph.
HKS 1990	= HKS 3621; a copy of Kirtya 621.
HKS 5491	= HKS 1990 1b-19b; Kawi text of <i>Purwa Agama</i> (Djlantik and Schwartz 1918c).
HKS 5492	= HKS 3121; the continuation of HKS 5491 = HKS 1990:9b-52a; the Kawi text of <i>Kutara Agama</i> (Djlantik and Schwartz 1918b).

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### *Dewāgama manuscripts*

Table 6 lists the extant manuscripts of the *Dewāgama*. There are five manuscripts of the complete *Dewāgama* text in the Van der Tuuk Collection – LOr 3955 (1) (Br #531), LOr 4269 (Br #532), LOr 4270 (Br #533), LOr 4271 (Br #534), LOr 4272 (Br #535). All are closely interrelated. LOr 4270 (of which LOr 4271 is Van der Tuuk’s autograph copy) has a colophon that records the date of copying as 25 April 1813 CE (*śaka* 1735) (Damais 1958:107). LOr 4269 also contains a colophon date of *śaka* 1793 (1871 CE), but the dating elements cannot be reconciled.<sup>70</sup> These two dated manuscripts indicate that the *Dewāgama* remained in use in Bali throughout the nineteenth century.

The complete text also occurs in HKS 1990, originating from Lombok and copied in 1931 for the Kirtya Collection (K 621). The same text, from an original copied in 1933, is found in HKS 3621. The *Dewāgama* was also one of the Balinese law codes translated into High Balinese and Malay in 1918 by I Gusti Putu Jlantik, under the direction of the former Assistant Resident H.E.J.F. Schwartz. The identity of the whole text, however, was subsequently ‘lost’ since in its published version it appeared in two parts under the separate titles of *Kutara Agama* and *Purwa Agama* respectively.<sup>71</sup> It seems probable that the original Kawi text may have been known to Jlantik and Schwartz as two separate works. In the transcriptions from the HKS Collection, these two subsections occur as separate transcriptions, namely HKS 5491 (=HKS 3621 1b-14a) and HKS 5492 (=HKS 3621 14b-39b) respectively. HKS 5492 is

<sup>70</sup> Juynboll (1911:184) erroneously notes the year as *śaka* 1783 (1861 CE).

<sup>71</sup> Djlantik and Schwartz 1918b, 1918c. The HKS transcriptions lack the final regulation in the published *Kutara Agama*, possibly a consequence of Schwartz’s effort to ‘revise and correct’ the texts. Hoadley and Hooker (1986:331-41) give detailed summaries of each of these translations, under their separate titles.



a transcription of a manuscript from Jlantik's own collection bearing his signature and dated 28 November 1899. HKS 3621 also indicates it was copied originally from two separate manuscripts since the two texts are separated (14b) by the customary opening phrase *Awighnam astu* – 'May there be no hindrances'.

### 8. *Dewadanda*

The *Dewadanda*, also called *Dharmawicara*, is a compilation of principles concerning judicial procedures and regulations. The earlier sections of the text set out legal terms and definitions and show influence from the *Adhigama* and *Pūrṅwādhigama*. It explains the procedures of the *kërta*, including the administration of the oath, the transfer of the sentence to the accuser if the case is not proven, and the role of the witnesses and guarantors. The remainder of the text deals with particular crimes and penalties, including the fines levied for insulting a *brahmana* and for abducting someone to sell into slavery, for cutting down trees, being bitten by a dog, and for the regulation of water to rice fields and dykes. It was the first Balinese legal text to be reproduced in translation by Western scholars (Blokzeijl 1872). Blokzeijl provided only a paraphrase of 35 of the regulations and no information about the provenance or nature of the original, an oversight that attracted the scorn of his contemporary, Van der Tuuk, in a letter to the Bataviaasch Genootschap on 28 April 1873 (Groeneboer 2002:272-3).

#### *Dewadanda manuscripts*

There are a number of manuscripts of the *Dewadanda* in the Van der Tuuk Collection. The most complete manuscript is LOr 3957 (1) (Br #336). LOr 3957 (4) (Br #338) is a romanized transcription of the former in the same codex and LOr 3956 (1) (Br #337) is yet another copy.<sup>72</sup> The remaining manuscripts are extracts of the complete manuscript. One of these extracts, LOr 4193 (Br #340), which covers the first sixteen pages of the complete text, is dated and was copied on 31 July 1842 (Damais 1958:145). LOr 3899 (2) (Br #341) contains the first eleven pages of the complete text. In the HKS collection there are two copies, namely HKS 1726 which is a copy of K 799 and is the complete version, and HKS 5324, a composite text incorporating parts of the *Dewāgama* including the oath formula.

<sup>72</sup> Juynboll (1911:183) gives an incorrect concordance to Brandes's numbers.

9. *Minor texts*

There are a number of other minor texts dealing with various aspects of law and regulation. Most are short compilations of extracts from the other law codes and deal with specific topics. Many of them are incorporated in Van der Tuuk's autograph compilation LOr 3852 (1-12); some occur as independent manuscripts or parts of compilations.

A. *Wyawahāra*

Related to the subject matter of the *Swarajambu* and dealing specifically with the eighteen causes of litigation as well as interrelated aspects of cosmology and legendary history are three short texts, the Bataviaasch Genootschap manuscript LOr 882 called *Aṣṭadaśa Wyawahāra*, and two manuscripts from the Lombok Collection, LOr 5095 and LOr 5250, both entitled *Tatwa ning Wyawahāra*, to which Schrieke (1957) ascribes a Majapahit origin. Juynboll (1911:188-9) notes that the *Aṣṭadaśa Wyawahāra* mentions Majapahit several times and is written in 'pure' Old Javanese.

B. *Agamāpitan/Lwir ing Apitan*

A text dealing with geomancy and boundaries, the *Apitan* is found together with the *Sārasamuccaya* in LOr 3976 (Br #622) and follows the *Kuṭāramānawa* in LOr 3905 (2) (Br #621). Some of its regulations are incorporated in the Agama compilation translated by Jlantik in 1918.<sup>73</sup> Manu 8.245-266 deals specifically with boundary disputes and the *Apitan* reflects that ancient textual genealogy, but with considerable Balinese reworking.

The HKS transcription, HKS 5250, includes some additional information. In this transcription, the *Agamāpitan* (67a-71a) follows a text named *Sang Hyang Agama Kuṭarasāstra*, which according to its colophon draws on the *Mānawaśāstra Pūrwādhigamaśāsanaśāstrasarodṛta*, *Sārasamuccaya* and *Kuṭāramānawādi*, the work of King Ḍaṇḍang Geṅḍis. At the end of the text following the *Agamāpitan* is a colophon giving the name of the copyist as Nirartha Pamasah from Iranya Banjar Kilen, dated 1652 *śaka* (1730 CE).<sup>74</sup>

<sup>73</sup> Djlantik and Schwartz 1918a. This perhaps suggests that LOr 3905 (2) may have been the source of the latter.

<sup>74</sup> HKS 5250 (71a): *ity agamapitan samapta. Tingkah ing makadhang wargg[a]. Sampurnna pwa ya nglikita tekapni punartha [tekap nipun artha ] pamasah ngkanèng Nusa Bali ring Iranya Bañjar Kilen. Ngkanèng Sayawana suksma lèr ing Wratmara göng, maka pratalinyang anurat Sang Hyang Agamaśastra. Kampura hadyan ira sang sudya macca, makadi sang madrewya kawekas, sang kummit ing praja mandala, mangdé tustajny irangku mampura, ryantuk ning manurat ing Sang Hyang Agamaśastra hina dinan ing pasangan lawan rug ning śilakramanya mbyuka wenang tan anut ing tuladhan-ya. Ndon-yang ampunana lawan dumang dadyaken kadirghyayusan ing wwang manular. Isaka paksa bayu ghana candra 1652. Poyamasa Kresna paksèng awami. ANG ning julung Kresna. Mangkana kowusanya.*

While it is similar to the other colophons by Nirartha Pamasah discussed above, I have not found exactly the same colophon elsewhere in the manuscript collections.<sup>75</sup>

#### C. *Durmanggala lawan Subhamanggala*

A short text of only a few pages known only in one manuscript and one recent transcription (LOr 3852 (8); HKS 5268), the *Durmanggala lawan Subhamanggala* deals with auspicious and inauspicious events and portents in times of war to be heeded by the commander of the army (*senopati*). It has a colophon dated 1653 *śaka* or 1731 CE, linking it to the *Pūrvādhigama* complex of early eighteenth-century copies of legal texts discussed above. Juynboll (1911:267) notes that the text is not 'pure' Old Javanese.

#### D. *Krama ning Saksi*

The *Krama ning Saksi* is a short text of only a few leaves dealing with witnesses, a subject incorporated in the *Kuṭāramānawa*, *Adhigama* and *Dewāgama/Krētopapati* and also found in LOr 3852 (6), K 302, K 942, HKS 5268 and HKS 4942 (43b). The second Sanskrit *śloka* is a paraphrase of Manu 7:62.

#### E. *Caste*

A number of short texts deal with the social relationships between the four classes (*varṇa*). These include the *Krama ning śudra* (LOr 3852 (5)) on the duties of the *śudra*, which also makes reference to the *Kuṭāramānawa*; the *Krama ning Alakyarabi* (LOr 3898 (2), LOr 3852 (7), LOr 3852 (12); LOr 5286; K 939, HKS 5268), which details appropriate marriage partners; and the *Krama ning Agama-gamana* (K 944), which like the *Widhiwākya* focuses on prohibited incestuous relationships. These texts generally constitute extracts from the major texts. It is possible that they may have been extracted and compiled at the instigation of colonial authorities from the late nineteenth century onwards.

<sup>75</sup> This transcription of a palm-leaf manuscript from the collection of I Gusti Ketut Kaler, Jero Bakungan, Tabanan has the title *Agama*. It comprises the *Kuṭāramānawa* (1a-67a), the *Agamāpitan* (67a-71a) and continues, in HKS 5251, with the *Adhigama* (71b-100a); see Table 4. The colophon attached to the *Agamāpitan*, occurs in the middle of the original *lontar*. HKS 1949 is another copy of this composite manuscript, and appears to be a copy of Kirtya 971, but does not include the colophon. At the beginning of the text, however, both HKS 5250 and HKS 1949 begin with a statement indicating the copy was from a text originating from (H)iranya and Kuthara Gajah (*kang tinular drēwe mwang saking Iranya mwang Kuthara Gajah*), which links the text not only to the place of residence of the scribe Nirartha Pamasah but also to a specifically Balinese understanding of the *Kuṭāra* tradition(s). Both transcriptions then continue with the opening phrase of the *Kuṭāramānawa*: 'we will tell of the eight malefactors' (*ring aṣṭadusta warahakēna*).

*Conclusion: Legal authority and textuality*

Old Javanese legal textual traditions, with their roots in the earliest Sanskrit-influenced history of ideas in the Indonesian archipelago, remained the backbone of judicial processes in Bali until the transition to colonial administrative practices at the end of the nineteenth century. This legal corpus was heavily indebted to the *dharmasāstra* traditions embodied in the *Laws of Manu*, but encapsulated centuries of indigenous adaptation and development. The textual and epigraphic evidence points to the thirteenth century as a time of intensive codification of these legal traditions with further consolidation of their authority at the height of Majapahit political and cultural ascendancy in the fourteenth century. The complex of 'Majapahit' culture and politics on which Balinese courts modelled their practices of governance also encompassed judicial practices and law codes. The same texts and traditions continued to be used in the administration of justice in the royal courts of Bali, which were presided over by a council of priests and nobles called the *kërta*, until the imposition of Dutch colonial administration in the late nineteenth century.

The two major textual traditions in use in late nineteenth-century Bali were the *Kuṭāramānawa* and the *Adhigama*, which, as we have seen, were interrelated, drawing on the authority of both the *Mānawaśāstra* and the *Kuṭāraśāstra*. The same intertextuality and links to Indic-influenced pre-Islamic Javanese kingship and administration pervade the other legal codes described above as well as the various *śāsana* texts. It is also clear that all these texts, although they differ in scope and emphasis, are closely intertwined in a body of legal precedence and practice. The names attached to individual law codes do not merely define specific texts. Instead they refer to different bodies of knowledge or traditions, not all of them written, that together provided the authority on which rulers could draw. Thus, terms such as *agama*, *śāstra*, *adhigama* and *dewāgama* have general as well as text-specific meanings.

According to the *Adhigama*, there are three forms of legal authority, *agama*, *adhigama* and *dewāgama*, which are hierarchically ordered and have different origins and different functions. According to the *Adhigama* text, within this tripartite division, *adhigama* is born of kingly strategy, *agama* from the knowledge of Manu, and *dewāgama* from Awanatya (Djilantik and Oka 1909a:38). The *Adhigama* explains further:

Now the resolution of suits is as follows: *adhigama*, *agama*, *dewāgama*; these provide the verdicts in determining cases. *Adhigama* arises from kingly strategy. *Agama* arises from the laws of Manu; *Dewāgama* arises from *Awanatya*.<sup>76</sup> Thus [decree]

<sup>76</sup> The question again arises here as to whether *awanatya* should be considered as a general concept or as the title of a particular text. *Awanatya* appears to be linked to the processes of governance

those who determine the law and who know the sacred texts.

The *Tatwa ning Wyawahāra* (LOR 5095:31a; Juynboll 1911:188) mentions the same tripartite division of legal traditions or texts, stating that the *agama*, *Kuṭāramānawa* and *dewāgama* make up the 'three sacred doctrines' (*sang hyang tryagama*). This definition makes it clear that, as indicated by the colophon data discussed above, the terms *Kuṭāramānawa* and *adhigama* are at times used interchangeably, and the works thus titled belong to a single tradition. The *Adhigama* text then goes on to incorporate higher levels of authority beyond those that are available in written form by noting that:

*adhigama* is defeated by *agama*; *agama* is defeated by *dewāgama*; *dewāgama* is inferior to *ubaya*; *ubaya* is inferior to *satma*; *satma* is defeated by *widhi*. Thus say those who are learned.<sup>77</sup>

According to this explanation, *agama* refers to texts and social practices in which the teachings of Manu are invoked, that is the written texts; *adhigama* reflects the legal jurisdiction of the ruler in cases brought before the council of priests and the application of the *agama*; while *dewāgama* refers to the administration of sacred oaths as an integral part of the judicial process, but one which drew its authority not from human princes or priests but from the gods (*dewa*) themselves. Above these three authorities sit the royal edicts and pronouncements (*ubaya* in Javanese, *paswara* in Balinese) that were made by individual rulers to deal with specific legal issues (see Liefrinck 1917, 1921). Korn (1932:118), writing in 1932, also noted somewhat critically that the princes of Java and Bali saw their pronouncements as more powerful than the law codes. The meaning of *Satma* is obscure but is perhaps related etymologically to *atma*, the supreme soul(s), above whom sits Lord *Widhi*, the supreme godhead. Raffles (1817:391-2) and Crawford (1820:256) attest to a 'text' called *Satmāgama* in the early nineteenth

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and conduct within the royal court. In his study of Majapahit (Pigeaud 1960a:81-6, 1960b:19-28), Pigeaud discusses a text that deals with the behaviour of courtiers known as *Nawanatya* (LOR 5091), a term referring to dance forms and probably mistakenly conflated with *Awanatya*. The concept of *awanatya* is attributed to Gajah Mada in the *Kaketusan Usana Jawa* (HKS 5403:1b) which begins: 'We will now tell of Patih Gajah Mada of Majapahit, who put into use (or: lived according to) the *awanatya*, *tatakrama* (regulations) and *silakrama* (good manners or conduct)'; (*nihan tucapan ira sira Patih Liman Madha ring Mahospahit, kang linampahakēn den ing Rakryan Madha, ingaranya Awanatya tatakrama silakrama*). The question again arises here as to whether these words should be considered general concepts, or titles of particular texts or doctrines.

<sup>77</sup> HKS 1594:24a: *muwah pamegat ing wyara, lwirnya: adigama, agama, dewagama. Adigama piturun saking raja nithi. Agama piturun saking widhi Manawa. Dewagama piturun saking Awanathya, Mangkana de nira parakreta, sang wruh wing widhi sastra. I kang Adigama alah de ning Agama. I kang Agama, alah de ning Dewagama. Dewagama alah de ning Ubhaya. Ubhaya alah de ning satma. Satma alah de ning Widhi. Mangkana de sang wruh*. For the Balinese translation, see Djilantik and Oka 1909a:38.

century, but no manuscript is known by that title in the manuscript record.

A similar definition of the legal traditions found in the *Adhigama* is included in the *Dewāgama/Krētopapati* (HKS 3621:36a-36b; Djlantik and Schwartz 1918b:78-81; Article 163). There are some significant variations in this version. *Agama* is said to come from knowledge (*widhi*) and *adigama* from kingly strategy (*rājanīti*); the source of *dewāgama* from *awanatya* remains the same, but here it is relegated to the bottom of the hierarchy and is defeated by *adigama*, which in turn is inferior to *agama*; *ubaya* and *satma* retain their relative positions.

At the heart of the Balinese judicial system, then, lay a set of principles articulated in the law codes, originating from Sanskrit *dharmasāstra* traditions. As in India, the core requirements were a specialized body of written knowledge, the *śāstras*, and a set of procedures by which crimes could be tried and the guilty punished. These two aspects of judicial practice were embodied in the Old Javanese legal texts still in use throughout Bali in the nineteenth century in the traditions of *agama* and *adhigama*. The third arm of Balinese justice, not considered here, was the trial by oath, known as *dewāgama* (or *dewasakṣi*).<sup>78</sup> Each of these traditions – the heritage of textual knowledge, the human exercise of justice by the ruler, and divine justice in the oath-taking ritual – also lent their names to individual legal codes.

The surviving nineteenth-century manuscript corpus is the end point in a centuries-long process. Not surprisingly, all the legal codes show some evidence of Balinese influence, but cultural continuities make it impossible to disaggregate Balinese from either earlier Javanese let alone still earlier Indian elements. Regardless of their origins, the legal texts and the regulations in them remained of practical relevance until the colonial period.

<sup>78</sup> I explore in detail the trial by oath (*dewāgama*) and the practical application of the written law codes to the administration of justice in nineteenth-century Bali (Creese forthcoming).

#### *A note on spelling*

In the body of the paper I have standardized the spelling of Old Javanese terms in accordance with the system used in Zoetmulder 1982. When citing directly from the texts, however, I retain the spelling of the original, including in the transcriptions of Balinese script from Brandes (1901-26) and from the HKS transcriptions.



*Abbreviations*

Br	Manuscript numbers cited in Brandes 1901-26
HKS	Hooykaas-Ketut Sangka Collection, Balinese Manuscript Project
K	Kirtya Collection, Singaraja
LOr	Codex Orientalis, Leiden University Library

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