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अपवर्गः

The Exception: the Limits of a Rule

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Abstract

Apavarga is the exception: the removal of some cases from a rule that would otherwise cover them all. Kauṭilya defines it as "withdrawal from what has been flooded over", with a rule of military prudence: "he should always keep the enemy's troops quartered near him — except when there is suspicion of revolt within." Suśruta defines it as "withdrawal after pervading": "those affected by poison are not to be given sudation — except in insect poison." Cakrapāṇi defines it as "the withdrawal of a part from what was enumerated in full", with Caraka's rule of diet: "one should not take stale food — except meat, green vegetables, dried vegetables, fruits and prepared eatables." In all three examples the exception is marked by the same word, *anyatra*, "except". This article shows the structure the definitions share — a rule that first pervades and then a class withdrawn from it — traces Suśruta's exception to its reason in his own chapter on poisons, sets the device beside the grammarians' doctrine of general rule and special rule, and answers three objections: that an exception contradicts its rule, that apavarga is the same as *anekānta*, and that exceptions are arbitrary. It concludes that apavarga is the device by which a śāstra states the limits of its rules, and that its modern forms are the exclusion criterion, the contraindication, the legal proviso and the boundary condition.

Keywords: apavarga; apavāda; utsarga; tantrayukti; exception; general rule; special rule; contraindication; exclusion criteria; proviso; boundary condition; Arthaśāstra; Suśruta; Caraka; poison; sudation

1. प्रवेशः · Place in the lists

Apavarga is twenty-second in Kauṭilya's list, eleventh in Suśruta's (where it is called *apavarja*) and eighteenth in Caraka's. In Suśruta it follows atideśa (TY-11), and the sequence is apt: atideśa extends a rule beyond its stated domain, apavarga withdraws cases from within it. The word, from *apa-* + √*vṛj*, "to turn away, to set aside", also means final release in the philosophical schools; here it means the setting aside of a case from a rule.

2. लक्षणानि · The definitions

> अभिप्लुतव्यपकर्षणमपवर्गः
>
> नित्यमासन्नमरिबलं वासयेदन्यत्राभ्यन्तरकोपशङ्काया इति
>
> "Withdrawal from what has been flooded over is apavarga." — Example: "He should always keep the enemy's troops quartered near him — except when there is suspicion of revolt within."

Kauṭilya, *Arthaśāstra* 15.1.49–50

> अभिव्याप्यापकर्षणमपवर्गः। यथा अस्वेद्या विषोपसृष्टाः, अन्यत्र कीटविषादिति ॥
>
> "Withdrawal after pervading is apavarga. For example: those affected by poison are not to be given sudation — except in insect poison."

Suśruta, *Uttaratantra* 65.18

> अपवर्गो नाम साकल्येनोद्दिष्टस्यैकदेशापकर्षणं; यथा- "न पर्युषितान्नमाददीतान्यत्र मांसहरितकशुष्कशाकफलभक्ष्येभ्यः" (सू.अ.८) इति। अत्र हि सामान्येन पर्युषितभक्षणनिषेधं कृत्वा मांसादेः पर्युषितस्यापि भक्षणमपकृष्य विधीयते।
>
> "Apavarga is the withdrawal of a part from what was enumerated in full. For example: 'one should not take stale food, except meat, green vegetables, dried vegetables, fruits and prepared eatables' (Sūtrasthāna 8). Here, having made a general prohibition of eating what is stale, the eating of meat and the rest even when stale is withdrawn and permitted."

Cakrapāṇidatta, *Āyurvedadīpikā* on Caraka, *Siddhisthāna* 12.41–44

3. लक्षणपरीक्षा · Testing the definitions

3.1 Pervade, then withdraw

The three definitions describe the same two-step structure. Kauṭilya's image is a flood (*abhipluta*): the rule spreads over all cases like water over land, and the exception draws some back. Suśruta says "having pervaded" (*abhivyāpya*): the rule must first cover the case before the case can be withdrawn. Cakrapāṇi says "what was enumerated in full" (*sākalyena uddiṣṭa*): the rule is stated for the whole class, and a part is then removed. In each example the word *anyatra*, "except", marks the withdrawal.

Authority	General rule	Exception	Kind of rule
Kauṭilya	Keep enemy troops near (where they can be watched)	When revolt within is suspected	Strategic prudence
Suśruta	No sudation for poisoning	Insect poison	Therapeutic contraindication
Caraka	No stale food	Meat, vegetables (green and dried), fruits, prepared eatables	Dietary prohibition

3.2 Suśruta's exception and its reason

Suśruta does not leave his exception unexplained. In the chapter on poisons of the Kalpasthāna he states the general rule with its reason, and then the exception with its reason:

> यस्मादत्यर्थमुष्णं च तीक्ष्णं च पठितं विषम्। अतः सर्वविषेषूक्तः परिषेकस्तु शीतलः ॥
>
> "Because poison is described as extremely hot and sharp, cold affusion is prescribed in all kinds of poisoning."
>
> Suśruta, *Kalpasthāna* 3.30

> मन्दं कीटेषु नात्युष्णं बहुवातकफं विषम्। अतः कीटविषे चापि स्वेदो न प्रतिषिध्यते ॥
>
> "In insects, poison is mild, not very hot, abounding in vāta and kapha; hence in insect poison too sudation is not forbidden."
>
> Suśruta, *Kalpasthāna* 3.31

The exception follows from the reason of the rule. Sudation is forbidden in poisoning because poison is hot and sharp, and heat would aggravate it. Insect poison is mild and not very hot, and it is dominated by vāta and kapha — the very doṣas that heat relieves. Where the reason of the rule fails, the rule is withdrawn. This is the model of a well-grounded exception.

3.3 Caraka's sentence in full

Caraka's rule appears in a long sentence of the Sūtrasthāna on the conduct of eating, which contains several exceptions of the same form:

> नारत्नपाणिर्नास्नातो नोपहतवासा नाजपित्वा नाहुत्वा देवताभ्यो नानिरूप्य पितृभ्यो नादत्त्वा गुरुभ्यो नातिथिभ्यो नोपाश्रितेभ्यो नापुण्यगन्धो नामाली नाप्रक्षालितपाणिपादवदनो नाशुद्धमुखो नोदङ्मुखो न विमना नाभक्ताशिष्टाशुचिक्षुधितपरिचरो न पात्रीष्वमेध्यासु नादेशे नाकाले नाकीर्णे नादत्त्वाग्रमग्नये नाप्रोक्षितं प्रोक्षणोदकैर्न मन्त्रैरनभिमन्त्रितं न कुत्सयन्न कुत्सितं न प्रतिकूलोपहितमन्नमाददीत, न पर्युषितमन्यत्र मांसहरितकशुष्कशाकफलभक्ष्येभ्यः, नाशेषभुक् स्यादन्यत्र दधिमधुलवणसक्तुसर्पिभ्यः, न नक्तं दधि भुञ्जीत, न सक्तूनेकानश्नीयान्न निशि न भुक्त्वा न बहून्न द्विर्नोदकान्तरितात्, न छित्त्वा द्विजैर्भक्षयेत् ॥
>
> "One should not eat without a gem in one's hand, without bathing, in soiled clothes, without reciting prayers, without offering to the gods, without offering to the ancestors, without giving to teachers, guests and dependants, without fragrance, without a garland, without washing hands, feet and face, with an unclean mouth, facing north, with a distracted mind, served by attendants who are not devoted, ill-mannered, unclean or hungry, from unclean vessels, in an improper place, at an improper time, in a crowded place, without first offering to the fire, without sprinkling with consecrating water, unconsecrated by mantras, while blaming it, food that is blameworthy, or served by one hostile. One should not eat stale food, except meat, green vegetables, dried vegetables, fruits and prepared eatables. One should not leave nothing over, ex-

> cept of curd, honey, salt, barley-meal and ghee. One should not eat curd at night; nor barley-meal by itself, nor at night, nor after a meal, nor in large quantity, nor twice, nor with water in between, nor bite it with the teeth."
>
> Caraka, *Sūtrasthāna* 8.20

Two exceptions in one passage (stale food; leaving something over) show that apavarga is a habitual form of Caraka's rule-making. The same passage contains the prohibition of curd at night that served as Cakrapāṇi's example of arthāpatti (TY-14) — a reminder that a single sentence of a śāstra may exercise several devices at once.

3.4 General rule and special rule

The grammarians built their science on the same structure. A general rule (*utsarga*) is stated for a whole class, and a special rule (*apavāda*) for part of it; where both apply, the special rule prevails, for otherwise it would have no domain in which to operate. Kauṭilya's and Suśruta's apavarga is the same relation stated in a single sentence: the general rule and its special withdrawal side by side.

4. पूर्वपक्षः खण्डनं मण्डनं च · Objections and replies

4.1 Does an exception not contradict its rule?

> ननु "अस्वेद्या विषोपसृष्टाः" इति सर्वविषविषयः नियमः; "अन्यत्र कीटविषात्" इति तस्य बाधः। यदि नियमः सत्यः, अपवादः मिथ्या; यदि अपवादः सत्यः, नियमः मिथ्या। अतः विरोधः इति चेत्, न। अपवादः नियमस्य विषयं परिच्छिनत्ति, न सत्यत्वं हन्ति। "अन्यत्र" इति पदेन नियमः एव पूर्णः भवति — कीटविषव्यतिरिक्तानि विषाणि अस्वेद्यानि। अपवादं विना नियमः अतिव्याप्तः स्यात्, सः एव तस्य मिथ्यात्वम्। किञ्च "अभिव्याप्य" इति पदं दर्शयति — अपवादः नियमम् अपेक्षते; नियमं विना अपवादस्य किम् अपकर्षणम्? उत्सर्गापवादौ परस्परापेक्षौ, न विरोधिनौ।
>
> **Objection:** "those affected by poison are not to be given sudation" is a rule for all poisons; "except in insect poison" overturns it. If the rule is true, the exception is false; if the exception is true, the rule is false. So they contradict each other. **Reply:** No. The exception defines the scope of the rule; it does not destroy its truth. With the word "except", the rule itself is completed: poisons other than insect poison are not to be sudated. Without the exception the rule would over-extend, and that would be its falsity. Moreover, the word "having pervaded" shows that the exception depends on the rule; without the rule, what would the exception withdraw from? General rule and special rule depend on each other; they are not opposed.
>
> Śaṅkā–samādhāna composed for this article.

4.2 Is apavarga not the same as anekānta?

> ननु अनेकान्तः “क्वचित्तथा क्वचिदन्यथा” — अपवर्गे अपि “विषे न स्वेदः, कीटविषे स्वेदः” इति क्वचित् तथा क्वचित् अन्यथा। अतः अपवर्गः अनेकान्तः एव इति चेत्, न। अनेकान्ते कः पक्षः कदा इति न निर्धार्यते — “अन्यतरपक्षानवधारणम्” इति चक्रपाणिः। अपवर्गे तु निर्धारणम् — कस्मात् अपकर्षणं, कस्मिन् विषये, इति स्पष्टम्: कीटविषम्, आभ्यन्तरकोपशङ्का, मांसादयः। अनेकान्तः अनिश्चयस्य स्वीकारः, अपवर्गः निश्चितस्य विषयविभागः। एकः “कदाचित्” इति वदति, अपरः “अत्र न” इति।
>
> **Objection:** anekānta is “so in some cases, otherwise in others”. In apavarga too — no sudation in poisoning, sudation in insect poison — it is so in some cases and otherwise in others. So apavarga is just anekānta. **Reply:** No. In anekānta it is not determined which side holds when — “the non-determination of either side”, as Cakrapāṇi says. In apavarga it is determined: what is withdrawn and in what domain is clear — insect poison, suspicion of internal revolt, meat and the rest. Anekānta acknowledges uncertainty; apavarga divides the domain of a certainty. The one says “sometimes”; the other says “not here”.
>
> Śaṅkā–samādhāna composed for this article.

4.3 Are exceptions not arbitrary?

> ननु शास्त्रकारः यथेष्टम् अपवादान् कुर्यात् — “अन्यत्र अमुकात्” इति। तत्र हेतुः न उच्यते। अतः अपवर्गः शास्त्रस्य स्वेच्छाचारः इति चेत्, न। अपवादस्य हेतुः नियमस्य हेतोः एव ज्ञायते। “अत्यर्थमुष्णं च तीक्ष्णं च विषम्, अतः शीतः परिषेकः” इति नियमहेतुः; “मन्दं कीटेषु नात्युष्णं बहुवातकफम्, अतः स्वेदः न प्रतिषिध्यते” इति अपवादहेतुः — यत्र नियमहेतुः न वर्तते, तत्र नियमः निवर्तते। कौटिल्ये अपि — अरिबलस्य आसन्नवासः तस्य निरीक्षणाय; आभ्यन्तरकोपे तु तत् बलं कोपकारिभिः सह मिलेत् — अतः निवर्तते। यः अपवादः नियमहेतोः अभावेन न सिध्यति, सः एव स्वेच्छाकृतः।
>
> **Objection:** an author can make exceptions at will — “except such-and-such” — without stating a reason. So apavarga is the arbitrariness of a śāstra. **Reply:** No. The reason for an exception is known from the reason of the rule. “Poison is extremely hot and sharp; hence cold affusion” is the reason of the rule; “in insects poison is mild, not very hot, abounding in vāta and kapha; hence sudation is not forbidden” is the reason of the exception: where the reason of the rule is absent, the rule ceases. So in Kauṭilya: enemy troops are quartered near in order to be watched; but when revolt within is feared, those troops might join the rebels — so the rule ceases. An exception that cannot be grounded in the absence of the rule’s reason is the arbitrary one.
>
> Śaṅkā–samādhāna composed for this article.

5. सिद्धान्तः · The settled view

> सकलं विषयम् अभिव्याप्य उक्तस्य नियमस्य, यस्मिन् अंशे तस्य हेतुः न वर्तते, तस्य अंशस्य "अन्यत्र" इत्यादिना निर्दिष्टस्य अपकर्षणं, येन नियमस्य विषयः परिच्छिद्यते, सः अपवर्गः।
>
> "Apavarga is the withdrawal, marked by 'except' or the like, of a part from a rule stated to pervade a whole domain — the part in which the reason of the rule does not hold — by which the scope of the rule is defined."
>
> Definition composed for this article.

The definition adds to the classical structure (pervade, then withdraw) the criterion that Suśruta's chapter on poisons supplies: the exception lies where the rule's reason fails. That criterion answers both the charge of contradiction and the charge of arbitrariness.

6. आधुनिकसंवादः · The modern counterpart

Classical form	Modern counterpart
Suśruta: no sudation in poisoning, except insect poison	**Contraindications** and their exceptions in clinical guidelines
Caraka: no stale food, except …	Food-safety rules with listed exemptions
Kauṭilya: a standing order with a stated exception	The **proviso** in legislation ("provided that …"); standing orders with emergency exceptions
Pervade, then withdraw	**Inclusion and exclusion criteria** in study design
The exception where the reason fails	**Boundary conditions** and scope conditions of a scientific law; exception handling in software

The design of a clinical trial follows the form of apavarga exactly: an inclusion criterion that pervades ("adults with condition X"), followed by exclusion criteria that withdraw ("except those with Y"), each exclusion justified by a reason why the treatment or the measurement would not apply.

7. प्रयोगाः · Uses

7.1 In research

For every general claim, ask where its reason fails, and state those cases as exceptions. For every exclusion criterion, state the reason. When reading classical rules, look for *anyatra* and similar markers, and seek the reason of each exception in the text, as Suśruta's chapter on poisons supplies it.

7.2 In teaching

Teach rules with their exceptions, and ask students to explain each exception from the reason of the rule. A student who can derive the exception has understood the rule.

7.3 In daily life

Good rules have exceptions, and good exceptions have reasons. When making a rule for a household or an office, state its purpose; the exceptions will then follow, and they will not seem arbitrary.

8. अभ्यासः · Exercise

1. Find three uses of *anyatra* in Caraka or Suśruta. For each, state the rule, the exception and the reason of the exception, if the text gives one.
2. Take a rule from your field and identify the cases in which its reason fails. Write it with its apavarga.
3. Draft inclusion and exclusion criteria for a study in your field, and give the reason for each exclusion.

9. उपसंहारः · Conclusion

Apavarga is the exception. Kauṭilya, Suśruta and Caraka all state it with *anyatra* after a rule that first pervades a domain; Suśruta's own chapter on poisons shows the exception following from the failure of the rule's reason. An exception does not contradict its rule but defines its scope; it differs from anekānta because it is determinate; and it is not arbitrary when it lies where the rule's reason does not hold. Contraindications, provisos, exclusion criteria and boundary conditions are its modern forms.

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