

# HINDU ADMINISTRATIVE INSTITUTIONS

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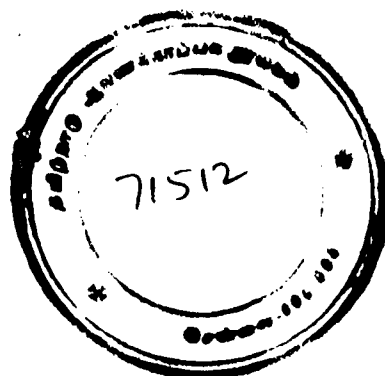
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## ABBREVIATIONS

|                         |                                                                      |
|-------------------------|----------------------------------------------------------------------|
| Ait. Br.                | = <i>Aitareya Brāhmaṇa</i>                                           |
| Ar. Śās.                | = <i>Arthaśāstra of Kauṭilya</i>                                     |
| A.V.                    | = <i>Atharva Veda Samhita</i>                                        |
| Alt. leben.             | = <i>Altindische Leben</i>                                           |
| Br. sūtra               | = <i>Bārhaspatya sūtras</i>                                          |
| C.H.I.                  | = <i>Cambridge History of India</i>                                  |
| Cal. Orient.<br>Series. | = <i>Calcutta Oriental Series</i>                                    |
| Ep. Ind.                | = <i>Epigraphia Indica</i>                                           |
| Ep. Rep.                | = <i>Epigraphist Report</i>                                          |
| F.G.I.                  | = <i>Fleet Gupta Inscriptions</i>                                    |
| H.O.S.                  | = <i>Harvard Oriental Series</i>                                     |
| I.H.Q.                  | = <i>Indian Historical Quarterly</i>                                 |
| In. Ant.                | = <i>Indian Antiquary</i>                                            |
| J.A.O.S.                | = <i>Journal of the American Oriental Society</i>                    |
| J.B.O.R.S.              | = <i>Journal of the Bihar and Orissa Research Society</i>            |
| J.R.A.S.                | = <i>Journal of the Royal Asiatic Society</i>                        |
| Kāma.                   | = <i>Kāmandakanīti</i>                                               |
| Kauś. Br.               | = <i>Kauśītaki Brāhmaṇa</i>                                          |
| Mbh.                    | = <i>Mahabharata</i>                                                 |
| P.T.S.                  | = <i>Pali Text Society</i>                                           |
| Pañch. Br.              | = <i>Pañchavimsa Brāhmaṇa</i>                                        |
| R.N.R.                  | = <i>Rājantīratnakara</i>                                            |
| Raghu.                  | = <i>Raghuvamśa</i>                                                  |
| R.V.                    | = <i>Rig Veda Samhita</i>                                            |
| S.B.E.                  | = <i>Sacred Books of the East, Oxford</i>                            |
| S.B.H.                  | = <i>Sacred Books of the Hindus, Allahabad</i>                       |
| S.I.I.                  | = <i>South Indian Inscriptions</i>                                   |
| S.T.R.                  | = <i>Śivatattva Ratnakara</i>                                        |
| ukra.                   | = <i>Śukranītisara</i>                                               |
| it. Br.                 | = <i>Taittiriya Brāhmaṇa</i>                                         |
|                         | = <i>Vedic Index</i>                                                 |
|                         | = <i>Yajñavalkya-smṛti</i>                                           |
| Z.D.M.G.                | = <i>Zeitschrift der Deutschen Morganlandischen<br/>Gesellschaft</i> |



## INTRODUCTION

THE pages following attempt to present a picture of the administrative institutions of the Hindus, based primarily on the political portions of the Dharmaśāstras, and Arthaśāstra treatises. It is the work of V. R. Ramachandra Dikshitar, M.A., as a research student at the University during the years 1923-27. He attempts by a frankly synthetic method, to collect together such information as could be got on the political ideas and the principles underlying the institutions of the Hindus for carrying on administration. A subject such as this can hardly be regarded as fully worked up until the ideals of government obtaining at the time when they happen to be set down in writing, whether as general principles in the Dharmaśāstras or specific instructions in the Arthaśāstras, are clearly and fully exhibited in the first instance. When this is done, the result has to be compared and checked by such information as could be gleaned from even didactic works such as the portions of the *Mahābhārata* bearing upon Rāja Dharma for instance, and other chapters scattered through the work. This has again to be compared with such details as could be got from works of a similar character. These two items may be regarded as constituting the literary side of the work.

How far these ideas of literary men actually found vogue has next to be examined, and it can be done only by a study of the inscriptions ranging from the time of Asoka to quite modern times. The details that can be got in this body of records may not give us a

general conspectus of Hindu political institutions as a whole. But such hints as we get may enable us, with the aid of the literary sources, to reconstruct to a great extent the institutions as they existed. This would prove a valuable source of confirmation of what we may be really able to reconstruct from the literary sources alone. This can again be checked and verified wherever possible, from accounts that we get of the institutions that prevailed at any particular time from foreigners that left accounts of them either by design, or when they made casual remarks regarding them, in the course of their writing on other themes. It is when all this work is done exhaustively that we can at all hope to obtain a picture, complete in all its details, of the administrative institutions of India under the Hindus.

What follows is an attempt at reconstructing Hindu administrative institutions primarily from the first of these four items, letting in information wherever available from the other sources to fill in where necessary and complete the account of the institutions as given in the Kauṭīliya Text Book. This itself is adequate work for the time that the research student had for doing this. It may be that he is enabled to complete the work in the future; but, as it is, the work is an attempt at doing this and no more. The discovery of the *Arthaśāstra* of Kauṭīliya, now called Kauṭalya, more popularly called Chāṇakya, may be regarded, in some respects at any rate, epoch making. The publication in 1909 of the text by Dr. R. Shama Sastri and a partial translation in the pages of the *Indian Antiquary* immediately set scholars at work; and since then many books have been written on the subject and one may fairly expect many more perhaps before the subject is exhausted. All of them have the general object of expounding the *Arthaśāstra*

in an attempt to present a complete picture of the administrative institutions of Hindu India. Each one of these works has its own particular merit, and perhaps even its own particular contribution. But what may perhaps be claimed for the following pages is an attempt to present a faithful picture of the administrative institutions as depicted in the *Arthaśāstra* from a conservative point of view, without attempting to expound these with a view to establishing any particular thesis as to the character of the government of the time. A work of this kind naturally is not precisely chronological in its character. Illustrations and illuminating comments are drawn without detriment from works of different times and perhaps even of places at great distances. The idea merely is to exhibit what the particular institutions were by means of which the functions of government were actually carried out. Unless we gain a correct idea of the actual character of the institutions as they prevailed from time to time as described in different treatises, or sources that may not really be treatises, it will be difficult to trace anything like a development of these institutions. Where that is not possible, the next best effort ought to be to get as complete a picture of these institutions as we can, and that is what is attempted to be done here, and, to that extent, it may lay itself open to the objection that it is not rigorously chronological; but in our present state of knowledge of the subject, that is as yet hardly possible.

The question would arise from this limitation whether the *Arthaśāstra* of Kauṭīliya is a unified work of a single author or of a single age, and whether it actually portrays the institutions of the time. The matter has been discussed with energy, very nearly a score of years now, and anything like an unchallenged conclusion can hardly

be said to have been reached so far. It seems, however, to be generally accepted that it is the work either of an individual Kauṭilya, or of a school that adopted his teaching. The age of the work has again been discussed and acute differences of opinion exist as yet. There are those that would regard it as the work of the individual minister of the emperor Chandragupta Maurya; there are others equally earnest for enforcing the conclusion that it is a work compiled somewhere about A.D. 300, when somebody felt the need for incorporating the Kauṭilyian traditions in a text-book. As far as can be judged from the discussion on the work and on a study of the work itself, the conclusion of Prof. Meyer seems nearer correct, and, for a conservative position, the following sentences of Monahan seem sound: 'There is, however, sufficient evidence of a persistent tradition in India ascribing to Chandragupta's minister the authorship of the *Arthaśāstra* in question and the very existence of such a tradition seems to support a presumption that, whether the whole treatise or any part of it be the work of Chāṇakya or not, it deals with social conditions and institutions which prevailed in the Maurya Period, and especially in the region nearest to the Mauryan dominions, namely, Bihar and Bengal. This does not mean that we should expect to find in the administration depicted, agreement in all details with that which may have been observed by Megasthenes at Pāṭaliputra, when the Magadha State had grown into an Empire.'

We may perhaps go a little further. There is nothing *prima facie* in its having been the actual teaching of an individual such as the minister of Chandragupta had been. One objection that we have found stated in regard to this particular position is that the work seems to be the work of a pandit, and not of a practical statesman

such as the chancellor of the Mauryan Empire must have been. This reminds us of the impatience that Bismark often exhibited against the professorial members of the Reichstag soon after the formation of the German Empire that they were ponderous doctrinaires whose discussions or advice could hardly avail much for carrying on practical administration. Whatever justification Bismark may have had, it is a patent fact that, under the Hindu administration in India from the days of Kauṭilya to Govinda Dikshita who lived in the seventeenth century, nobody could ordinarily be a minister who was not a pandit. That Kauṭilya was a pandit would certainly be no objection to his having been a minister, carrying on the actual administration of the state. We may therefore take it with Prof. Meyer that Kauṭilya, whether he be Kauṭilya or Kauṭalya, was the minister of that name who assisted Chandragupta in the establishment of, and in laying down the lines of the administration for, the Mauryan Empire.

This leads us to the point whether the administration that is depicted in the *Arthaśāstra* is an administration fit for a large empire such as that of Chandragupta came to be, or whether it is suitable only for a small kingdom surrounded by equally small kingdoms. It is hard to see where the distinction lay. Empires in India under the Hindus attempted to be no more than kingdoms, of a small compass comparatively, which gathered together under the aegis of the leading state, which went by the name of imperial state for the time being, other kingdoms constituting merely an expanding *mandala* in political dependence. The administration that had to be carried on by the imperial state was a comparatively simple one, as by a well-established principle of devolution, most of the actual administration was carried

on by local bodies for comparatively small states. That remained the bedrock of civil administration and the administration of states, kingdoms and empires, was built upon this bedrock of ordered government. If that is granted, there is no difficulty in understanding that what seems to be laid down for a congeries of smaller states cannot be far different from what was necessary for a really imperial state. Examined in this light, it will be found that even the *Arthaśāstra* polity provides the machinery for carrying on the imperial administration as well as the administration of a comparatively small state. The fact that Kauṭilya lays down the means by which a state, placed in the middle of a number of states round about it of equal strength, can make conquests of its neighbours and become an imperial state is just what gives the indication that Chāṇakya helped to evolve from out of a powerful single state an empire, far flung and reaching to the frontiers which British statesmen, even of the twentieth century, have sighed for in vain, at least on one side of India.

The Central administration, as it is described, is administration of a centralized character which provides for the carrying on of only such part of the administration as falls to the lot of the imperial head-quarters. The actual details of the administration given in the work cannot be understood unless we postulate an efficient local administration for the rural localities as a whole, such as we are able to claim for periods much later than Kauṭilya in certain parts, but not necessarily one part of the whole of India. Local administration has to be studied in detail in the different localities of India, and it seems to be that they were of the same character in localities for which we have more information and in localities for which we seem to have almost

none. If that is granted, what is left to be administered by governments of petty kingdoms and broader ones did not differ much, and if, within this, a division is made, between the imperial head-quarters and the separate state head-quarters or provincial head-quarters, it cannot be difficult to understand that what the Kauṭīliyan administration in principle, as well as in the practical machinery, provided, would be adequate even for the requirements of the Mauryan Empire at its best.

That this is not altogether drawn from the imagination will become clear if a careful comparison be instituted between the Kauṭīliyan polity and the polity lying behind the inscriptions and edicts of Asoka. Such details as we get in the edicts of Asoka seem to go only to confirm that the polity behind the edicts is the Kauṭīliyan polity. There seems therefore no very particular incompatibility between the administration of a kingdom, even a comparatively small kingdom, and the Mauryan Empire so far as a treatise on political institutions can make out. What therefore the *Arthaśāstra* lays down as the necessary machinery of administration of the head-quarters of the kingdom, when understood properly, would prove to be adequate to the needs of the empire. Such details as we get of a real and reliable character from Megasthenes and writers of that kind would only go to confirm this position if too much is not made of differences and omissions that we may note in the account of Megasthenes as compared with that of the *Arthaśāstra*. 'The government contemplated by the *Kauṭīliya Arthaśāstra* appears to be that of a relatively small state, such as Magadha may have been in the early period of Chandragupta's reign, before his dominions had been much extended by conquests, and,

although the Mauryan Empire, when fully developed through the policy of systematic aggression inculcated in this treatise, was of the decentralized Indian type, each of its outlying provinces enjoying a measure of independence, yet it is natural to suppose that, by the time Pāṭaliputra had become the centre of a great federal state, a somewhat more elaborate form of administration had developed in the home provinces, and especially in the capital, than had sufficed for the original kingdom of Magadha. We may expect, then, to find in this *Arthaśāstra*, not exactly the administration described by Megasthenes, but institutions which might have grown in the course of a quarter of a century or thereabout into that described by him.'

This theory would be reasonable enough if we can be sure that there is such a difference in kind or character between the description that we get from Megasthenes for the administration of the city of Pāṭaliputra and what is laid down in the *Arthaśāstra* of Kauṭilya. Judged by what we know of the administration of towns in later times, there seems to be nothing incompatible between the description given by Megasthenes and the institutions as described in the *Arthaśāstra*. Megasthenes probably attempted to describe to his countrymen, at least to the readers of Greek, the institutions as found in the Mauryan Empire in a way that they might understand. This necessity has naturally introduced modifications in the description which can hardly be regarded as an actual rendering in parts of the institutions that existed in Mauryan India. If we can make allowance for this, the differences shown do not amount to very much. We may therefore take it roughly that the institutions as described in the *Arthaśāstra* are more or less the Mauryan institutions as they obtained even in the imperial days

of Maurya rule. To quote again Monahan's *Early History of Bengal* :

'Megasthenes's account is obviously superficial and inaccurate, and, when all allowances have been made, there remain discrepancies which it is difficult to explain. But, on the whole, it seems that this theory bears the test indicated above, and that, for the purposes of history, the best means of arriving at an idea of the social conditions in Bihar and Bengal during the Maurya period will be by analysis of the *Kauṭilya Arthaśāstra* and its comparison with the description attributed to Megasthenes and with the Asoka Edicts. There is evidence of the survival in those countries, in various forms and with diverse changes, through later centuries, of political institutions and the ories of the Maurya age, and to the *Arthaśāstra* we may look for elucidation of expressions occurring in records of the Gupta period in the fourth and fifth centuries of our era, of the time of Harṣa's Empire in the seventh, and of the Pāla and Sena Kings.'

Some hints in the records of the Andhras of the Dekkan seem to tell the same tale. The account that follows attempts to reconstruct ancient Hindu administrative institutions on the lines sketched out above.

An account of the administrative machinery employed for carrying on the administration ought necessarily to consider first what exactly the ideas were that underlay this administrative machinery. It is obvious that a society must exist before it feels the necessity for an organization such as a state or government is. It is generally taken for granted that when society emerges from out of the stage of the mere group organizations of a primitive character and provides itself with a more general organization for carrying on the functions usually regarded as political or governmental, the idea of the state emerges.

In regard to the emergence of the state, the remarks

of a recent writer seem apt. 'The foregoing sketch may help us to understand the slow beginnings of the state and to justify our contention that the state is a structure not coeval and coextensive with society, but built within it, as a determined order for the attainment of specific ends. The earliest forms of state are extremely narrow in their aims and powers. They scarcely touch the inner purposes of the community which are in the far safer wardship of custom.'<sup>1</sup> While the Hindu notions of the state seem to agree with the above, the state according to them, does not emerge till after a considerable degree of travail in the life of society as a whole, but comes into existence almost in the same manner as elsewhere. It is therefore necessary first of all to determine what exactly was the order that was introduced, how, and for what practical ends. As far as the sources for Hindu Political Institutions go, they seem to agree in this, that society has had a comparatively long period of existence and made an attempt to pursue particular ends of corporate life, and at a certain stage of the existence of society in this manner, the discovery was made that the natural tendency of group life showed itself in the practical assertion of the principle, might is right. Finding that such an unstable position did not conduce to the well-being of society as a whole, society made an effort to devise some kind of machinery to preserve order, and permit of progress of the separate groups, constituting society, prosecuting each its own particular ends. Thus emerged the state of the Hindus, according to such evidence as we have for the origin of the state.

What was it that people living in a society wished to pursue, in what manner did they actually suffer in the

<sup>1</sup> MacIver : *The Modern State*, p. 40.

pursuit of their ends, and what exactly was the form of the institution that they provided themselves for preventing this? To answer these questions, it would be necessary to know what was the ultimate ideal of society among the Hindus and what they regarded as the ultimate aim of that society. Societies existed with a view to subserve the ends that men in society sought when they reached a certain degree of culture, namely, their well-being here, and similar well-being hereafter when they came to recognize a hereafter. As far as our sources containing political discussions go, we do not reach to a state of Hindu society when they had not yet developed a state of hereafter, towards which they had to shape their life, and that hereafter was attainable by the several groups, perhaps in several ways, for which orderly pursuit of their fixed aims, they required the protection of a settled administration. They therefore postulated their Dharma ; and the pursuit of Dharma is necessarily life in this world with a view to the attainment of the ultimate aim of all Dharma, the life in the next. Hence they divided the main objects of existence of man as four, Dharma, Artha, Kāma and Moksha ; and in treating of politics and economics, they naturally took into consideration the first three alone, as having to do with life here, leaving the fourth, the life hereafter, to follow as a matter of course according to the character of the life here. Hence came in the category, Trivarga, as opposed to the four Purushārthas. Trivarga is the first three items enumerated above of the four. Moksha is the ultimate Purushārtha and therefore does not directly come within the purview of any Government.

Life in society, we have therefore to presume, actually was for the purpose of prosecuting Dharma ultimately, in its four divisions. Life in these four divisions,

'the four aims of man' in practical life, reduced itself to the prosecution of the first three of these four, namely, Dharma, Artha and Kāma. Dharma here may be taken to be conduct proper to one's station and circumstances. Artha is the honourable and legitimate earning of the means by which to prosecute the general Dharma of one's duty in life, and Kāma may be interpreted generally as the legitimate enjoyment of that which is really worth enjoying in life. When these are done in the proper place and in the prescribed form, life in society would receive its fulfilment in the prosecution of Dharma as a whole, by leading to the real and happy life hereafter, whatever be the ultimate shape of this life. The idea of Trivarga and its position as the guiding factor of social life seems at once to imply that, whatever kind of social life was contemplated and whatever the organizations that were projected for the carrying on of these were, life in society contemplated a society already composed of various and perhaps even varying groups. Where various groups are congregated to prosecute common life in society, the first essential seems to be the deterring of the stronger groups from doing anything detrimental to the pursuit of life by the weaker or less fortunate groups in their neighbourhood. This can be done only by a supervisory authority which could see to it that each group pursued its life with a freedom which guaranteed a similar life of freedom to other groups to pursue their lives. The organization called for therefore is primarily an organization whose principal function was the doing of justice by administering punishment upon the erring, and that is what the Hindus meant by the term Dandanīti, a life of discipline enforced by punishment.

The organization called into existence had therefore

primarily to discharge the duty of punishing those that molested others and prevented, or in any manner hindered, the pursuit of the life of duty according to their own notions. With the emergence of the authority, emerges a governmental organization from society, and with the emergence of this organization emerges the state as distinct from society.

According to our sources, the state seems to have originated in one of two ways, either by an appeal to a superior being who provided the actual man for shouldering the responsibility of Dandanīti and administering the state; or, more secularly, by an agreement between the most powerful individual or group in society on the one side, and of the rest on the other. These two are the characteristically Brahmanical, and somewhat more secular and Buddhistic, account of the origin of the state as we have it in Indian sources. Whichever way the state originated, the state had the same function to discharge, namely, the prevention of social life lapsing into what they called *mātsyanyāya*, the greater or the more powerful destroying the lesser or the weaker. In both cases alike, the person responsible for Dandanīti had to do his responsible work with unflinching impartiality, and had to be put upon a footing of independence to do that. The individual, or the group or organization, therefore, was provided with whatever may have been requisite for the efficient discharge of this onerous duty. That feature again is common to the two sources, namely, the sacerdotal as well as the lay, and was so clearly understood that, in later times, legal minded people could set about discussing whether the monarch for the time being, who, from another point of view, was regarded as invested with a very considerable amount of divinity, was more than a paid servant of the state discharging his duties and

receiving his emoluments in return therefor. In the net result, therefore, society, as conceived in India, was constituted of groups of varying capacities and the object of the state was to order social life in such a fashion that each group may prosecute its own particular life according to its own special ideals unhampered in the pursuit thereof by a similar pursuit of life's ideals by other groups stronger and weaker alike. Naturally, therefore, the actual religious ideas relating to the other life underlying such a social organization could well be left to the separate groups, and the common organization may content itself with merely seeing to it that each group pursued its life according to its lights.

Jātijānapadān dharmān Śrēṇi dharmāṁscha dharmavit  
Samikshya kuladharmāṁscha svadharmam pratipālayēt.

*Manu.* viii. 41.

Śrēṇi naigama pāshaṇḍi gaṇānāmapiyayam vidhiḥ  
Bhēdanchaishām nṛpo rakshēt pūrva vṛttimcha pālayēt.

*Yagñ.* ii. 195.

The kind of organization required to carry on an administration such as is projected above, ought to be one of absolute impartiality, and above all suspicion in that particular. It is with a view to this that the original compact is made to provide, and place on an immutable basis, the emoluments of the sovereign ruler, whose function it was to assure the impartial administration of Dandānīti. The question would naturally arise as to the guarantee that the person thus entrusted with the administration, assured of ample provision for himself, could give for the carrying on of the administration in the public interest and not degenerate into one who conducted it in his own individual interest. This was assured to Hindu society in various ways. The administration and the administrative machinery was not

entrusted with the legislative or law-making functions. To begin with, law was synonymous with custom apparently. Even when it became necessary to enact law, the enactment usually took on the form of the standard treatises of famous law-givers. These were in the beginning customary laws, as understood in particular schools of teachers, incorporating in it custom that was considered valid and approved by the worthy. As time changed and law itself changed sufficiently, the change was brought about by a new redaction undertaken, it may be, by a very prominent representative teacher of the school, or by a school as a whole receiving the approval of the learned. In still later stages of development, when the so-called Sūtra text-books or Śāstra text-books got to be fixed, commentators took on the rôle of incorporating in the body of laws such changes as had come in, by their commentaries. In other words, as varying practices grew and approved themselves to the learned and worthy members of the society whom it affected, the changed state of things became the law thenceforward. Laws being therefore given by Āchāryas and approved of the learned, were beyond the sphere of the administration, whatever its character.

Therefore the king and his agents who carried on the government were as much subject to the law as the subjects themselves. The king could not change the law in his own favour except to the extent that an administrator of the law could introduce changes in administering law. This absence of legislative power in the administration takes away one important influence that had a tendency to make the ruler degenerate into an autocrat. Next, the ruler was placed in a way above the life of society and therefore out of the struggles of self-interest

for appropriating that which is worthy of appropriation. Being assured of fair means and not being thrown into the current of ordinary life, the administrative head could hold the balance even as between the various groups composing society under his rule. Thirdly, he was constantly reminded that the welfare of society over which he was placed, is his own welfare and unhappiness of those under his care was the surest way of ensuring his unhappiness here and eternal suffering hereafter, popular ill-will in the world here below and the reward of playing false with a trust in the life to come. Law-giver after law-giver went on emphasizing this and placing it prominently before him. The term Raja, by which the ruler was generally known, was interpreted as one whose function was to please the people, 'Rāja prakriti ranjanāt', so that it became almost a habit with him to feel, in the language of Queen Victoria.—'In their prosperity will be our strength, in their contentment our security, and in their gratitude our best reward.' The same idea occurs in such distinct works as the *Vishnu Samhita* and the *Arthaśāstra* of Kauṭilya.

Prajā sukhē sukho rājā ṭaddukhkē yascha duhkhitaḥ  
Sa Kīrttiyuktō lokēsmin prētya svargē mahiyatē.

*Vishnu iii. 70.*

Prajā sukhē sukham rājñāḥ prajānāmcha hitē hitam  
Nātmapriyam hitam rajñāḥ prajānāmtu priyam hitam.

*Kauṭ. Artha S. I. 19.*

Raja Dharma, as the proper discharge of the functions of the king, came to be regarded as of such vital importance to society that failure to carry that out properly involved nothing less than the destruction of society as a whole—destruction of society brought on by the remissness of the person or persons whose function it actually was to protect society from another kind of

destruction which was considered the natural concomitant of social life without this essential administrative machinery.

Majjēt trayī Daṇḍanītau hatāyām  
Sarvē dharmāḥ prakshayēyur viruddhāḥ  
Sarvē dharmāschāśsramaṇām hatāsyuḥ  
Kshātrē nashṭē Rāja dharmē purāṇē.

*M. Bh. Santi, lxii. 28.*

Ā payan kuṇṭum arutoḷilōr nūl maṇappar  
Kāvalan kāvānenin.

*Kural 560.*

'COTTAGE'  
LIMBDI GARDENS  
MADRAS  
October 8, 1929.

S. KRISHNASWAMI AIYANGAR.

## CHAPTER I

### Sec. i. THE CONCEPT OF DAṆḌA NĪTI

AN endeavour is made here to trace the evolution and inter-relation of the state and society in ancient India as a preliminary to the study of administrative and political institutions which distinctly figure in ancient Indian literature. What is *daṇḍa nīti*? It is the science and machinery of government. Hindu texts dealing with the science and machinery of government are many and varied. They deal with recognized systems of constitutional practice in vogue then. In spite of nearly a century of research we are yet far from an authoritative text-book on the history of Hindu India. From the extant literature of the Hindus, *daṇḍa nīti* is understood as the science of Hindu administration dealing both with the function of government and the machinery of government. Ancient Indian writers on political science differ distinctly in one respect from modern ones. The political theorist and philosopher of to-day is concerned more with the machinery of government than with its function. The place assigned to the proper duties and functions of the state is rather meagre and inadequate ; but this factor looms large in the political literature of the ancient Hindus. To them the machinery of government was not of much consequence. Still they did not neglect it, for the subject receives treatment, in the available literature on the *daṇḍa nīti*. Nevertheless the functions of government were considered a more important factor. Any slight deviation from the established duty

which the state owes to the community at large was deemed an unrighteous act of government. Thus in a way the functions of administration might be said to have decided the machinery of government. From this it is not to be taken that both the function and the machinery were merged into one whole ; on the other hand a sense of separateness was felt between the two concepts.

*Danḍa nīti*, then, is the art and science of government. It came to be known later on by other terms such as the *Arthaśāstra*, *Rāja Dharma*, *Rāja Nīti* and *Nīti-śāstra*. In the शब्दार्थविन्यास of *Amara Kōśa* it is said that *ānvikṣikī* and *danḍa nīti* are respectively *Tarkavidyā* and *Arthaśāstra*.

This indicates that *danḍa nīti* was known as the *Arthaśāstra* in later literature.<sup>1</sup>

Goshal seems to read some distinction between *danḍa nīti* and *Arthaśāstra*. He accepts, as others do, that the former is concerned with the art of punishment as well as the art of Government, but 'its scope in the

<sup>1</sup> आन्विक्षिकी दण्डनोतिस्तर्कविद्यार्थशास्त्रयोः (1. 9. 9.)

This statement is further interesting as it helps to refute the remark of Dr. Jolly who says (Introduction, p. 4) that *Ānvikṣikī* philosophy includes the materialistic system of *Lōkāyata* in the *Arthaśāstra* of Kaṭṭālyā in which wealth (*artha*) and pleasure (*kāma*) are the only objects of human pursuit. According to *Amarakōśa* *Ānvikṣikī* is *Tarkavidyā* or the science of logic. This latter is also known as *Nyāya Śāstra* and *Hēlu Vidyā*. Cf. Commentary on verse 47, ch. cixxx of *Mōkṣadharmā Parvan* (*Mbh.*, *Sānti Parvan*).

Pandit Ganapati Śāstri explains the word '*Lōkāyata*' as 'पायाशास्त्रं ब्रह्मगार्योक्तम्' appropriately (Trivandrum edition, vol. i, p. 27). Again on p. 26, he explains how *ānvikṣikī* is 'तयो विशेषो'. This means that it not only closely follows the *Trayī* or the three Vedas—*Rig*, *Yajus* and *Sāman*, but also interprets the correct meaning contained therein. (Cf. *Kāma*, ii. 13; *Śukra*, ii. 155.) Thus the theory of the German scholar becomes untenable.

latter sense falls short of the *Arthaśāstra*.<sup>1</sup> This cannot stand if what Kaṭṭālyā himself has to say on this point be given due weight. He defines the *Arthaśāstra* thus: <sup>2</sup> 'Humanity depends on *artha* and *artha* is the territory where people live together. The means of acquiring and protecting this territory are laid down in the science known as the *Arthaśāstra*. Again *danḍa nīti* he explains as one of the four important sciences figuring in the Schools of Manu, Brhaspati, and Uśanas or Śukra. Kaṭṭālyā quotes the authority of Śukra to the effect that it is the only important science (*vidyā*) inasmuch as all other sciences are dependent on it.<sup>3</sup> Then he proceeds to define the term.<sup>4</sup> This science of *danḍa* is the *sādhana* or means of realizing the *yogakṣhema* or progress of *ānvikṣikī*, *trayī* and *vārtā*. In other words *danḍa nīti* is indispensable for the progressive realization of the objects dealt with in the science of logic, in the Vedas, and the science of economics. In short, *danḍa nīti* shows how best to promote the well-being of society.

Kaṭṭālyā does not stop with this but analyses the subject further by furnishing us with a categorical list of the benefits that would accrue from its adoption.

These are: (1) अलब्धलाभार्थी (attainment of desirable possessions not attainable by other means), (2) लब्धपरिरक्षणो

<sup>1</sup> *Hindu Political Theories*, p. 78.

<sup>2</sup> मनुष्याणां वृत्तिः अर्थः, मनुष्यवृत्तौ भूमिरित्यर्थः, तस्याः

पृथिव्यालभपालनोपायः शास्त्रं अर्थशास्त्रमिति । (Bk. XV. 1.)

<sup>3</sup> Bk. I, sec. 2.

<sup>4</sup> 'आन्विक्षिकी तयोवातीनां योगक्षेमसाधनो दण्डः, तस्य नीतिः

दण्डनीतिः । (Bk. I, sec. 4.)

(protection of what has been acquired), (३) रक्षितविवर्धनो (increasing what is then protected). (४) वृद्धस्य तोर्येषु प्रतिपादनो (dispensing the wealth thus increased on meritorious purposes).<sup>1</sup>

The object sought to be gained by this then is *lokayātra*.<sup>2</sup> *Lokayātra* or the peace and progress of society is the be-all and end-all of *danḍa nīti*. This cannot be attained by itself, but requires active and efficient guidance. The *Arthaśāstra* calls such a guide the king, or leader of men. In this context may be quoted a verse of similar import from the *Mahābhārata*.<sup>3</sup> That these were the main objects with which ancient governments were carried on in practice is evident from a parallel passage in the Junāgaḍh Rock Inscription of Skanda Gupta, dated the year 136 of the Gupta era (A.D. 455-56).<sup>4</sup>

The passage is thus translated by Fleet—'Occupied with the welfare of all mankind : capable both in the lawful

<sup>1</sup> Bk. I, sec. 4.

<sup>2</sup> तस्यामायत्ता लोकयात्रा (*Ibid.*).

<sup>3</sup> अलब्धलाभाय च लब्धवृद्धये ।

यथार्हतोर्थ प्रतिपादनाय च ।

यशस्विनं वेदविदं विपश्चितं ।

बहुश्रुतं ब्राह्मणमेव वामयेत् ॥ (*Vana Parvan*, 26. 19.)

<sup>4</sup> सर्वस्य लोकस्य हिते प्रवृत्तः ॥

न्यायार्जनेऽर्थस्य च कः समर्थः स्यात्

आर्जितस्याऽपि अथ रक्षणे च ।

गोपायितस्याऽपि (च) वृद्धिहेतो

वृद्धस्य प्राप्तप्रतिपादनाय ॥ (II. 7 and 8, F.G.I., No. 14, p. viii.)

acquisition of wealth and also in the preservation of it when acquired, and further in causing the increase of it when protected (and able), to dispense it on worthy objects, when it has been increased.<sup>1</sup> It is then obvious that the science of *danḍa nīti* was also concerned with the art of government.

*Danḍa nīti* is described by K. P. Jayaswal as the 'ethics of the executive'<sup>2</sup> with which Goshal does not agree.<sup>3</sup> We shall now proceed to examine the interpretation of Jayaswal in the light of other *Arthaśāstra* texts. Like his master Kautalya, Kāmandaka speaks of four sciences which tend towards the welfare of the world.<sup>4</sup> Of these *danḍa nīti* treats of *nyāyas* or modes of policy which are known as *nyāyanayo* both in the *Kauṭalīya* and the *Sukrāntisāra*.<sup>5</sup>

<sup>1</sup> *Corpus Inscriptionum Indicarum*, vol. iii, p. 62.

<sup>2</sup> *Calcutta Weekly Notes*, vol. xv, p. 275.

<sup>3</sup> *Hindu Political Theories*, p. 78.

<sup>4</sup> Chap. ii. 2.

<sup>5</sup> i. 153.

Sankarārya comments on this technical expression. Policy consists in

अथायसा संधिः योगश्रेमनिष्पादकत्वात् नयः ।

विग्रहस्तु अनिष्पादकत्वादितरः अपनय इत्यर्थः ।

(Trivandrum Sanskrit Series, *Kāmandakinīṭisāra*, p. 28.) establishing *yogakshema* by a treaty with the superior power. The reverse is impolicy. But it must be remembered that this is only one aspect of *danḍa nīti*. There is an excellent paraphrase of this term in the *Rāmāyaṇa*. Kumbhakarna speaks of it to his brother Rāvaṇa on the eve of the war.

न्यायेन राजकार्याणि यः करोति दशानन ।

न स संतप्यते पश्चान्निश्चितार्थमतिर्नृपः ॥

अनुपायेन कर्माणि विपरोतानि यानि च ।

क्रियमाणानि दुष्यन्ति हर्षोऽप्यप्रयतेष्विव ॥

Kāmandaka proceeds to define the term.<sup>1</sup> 'Repression of crime is known as *danda*. Owing to the possession of this virtue, the king himself is known as *danda*. The administration of the king is called *danda nīti*.' It is called *nīti* because it leads, being derived from the root 'ने' to lead. This is leading the people into right conduct. Sankarārya in commenting on this verse quotes a popular verse from Manu. The whole world is under the influence of *danda*. Purity of conduct is hard to see anywhere. It is through fear of *danda* that the whole earth is made fit for enjoyment.<sup>2</sup> Kāmandaka then speaks of its great value. By means of *danda nīti*, therefore, the king must protect himself and afford protection to other sciences.<sup>3</sup>

More light is thrown by the works of Sukrāchārya and Brhaspati.<sup>4</sup>

य पश्चात् पूर्वकार्याणि कर्माण्यभिचिकीर्षति ।

पूर्वं चापरकर्माणि न स वेद नयानयौ ।

(Yuddha Kānda, xii. 31-33.)

The substance of these lines is as follows : He who acts according to policy in administration will not regret afterwards. He who acts against policy, will regret for ever after. He who postpones deeds which ought not to be postponed and who does deeds which could be postponed is one ignorant of *nayānayan*.

<sup>1</sup> दमो दण्ड इति प्रोक्तस्तात्स्थयात् दण्डो महोपतिः

तस्य नोतिर्दण्डनोतिः नयनान्नोति इत्यते ॥ (ii. 15; cf. Sukra, i. 157.)

<sup>2</sup> सर्वोदण्डजितो कोको दुर्लभोऽहि शुचिः कश्चित् ।

दण्डस्य हि भयात् कृत्स्नं जगत् भोगाय कल्पते (7. 22.)

<sup>3</sup> तयाऽऽत्मानं च शेषाश्च विद्याः पायान्महीपतिः (i. 16.)

<sup>4</sup> Though we are not at present concerned with the date of the composition of their works on polity still one could not help assigning to these a remote antiquity. The reference to gun powder in the *Sukranīti* has made some scholars incline to the view that it is a work of the eleventh or the

Presuming these works are comparatively old and not quite recent as some scholars take them to be, it is interesting to see what they have to say on the concept of *nīti* in general and *danda nīti* in particular. Śukrāchārya says, '*Nītiśāstra* aims at social well-being and leads on to the welfare of mankind. It is admitted to be the very source of *dharma*, *artha* and *kāma*, and hence a means to *śalvation*. Therefore it is for the king to study always this *śāstra*, the knowledge of which helps him to overcome his enemies, and himself to become an object of delight to his people.'

Thus the *Nītiśāstra* is twelfth century. But a comparative study of the extant texts of Śukra with those of the *Mahābhārata* and even Kauṭalya where quotations are often given from Śukra demonstrates the fact that the present work is undoubtedly a fragment of the ancient treatise of Śukrāchārya. The late lamented Pandit Gaṇapati Śāstri pointed out in the course of a personal discussion on the subject that the very fact that the extant treatise has no reference to Kauṭalya shows that it must be a work perhaps anterior to Kauṭalya himself. The *Bārhaspatya Sūtras* on the other hand remind one of the *Chanakya Sūtras* published by Dr. Shama Śāstri in his edition of the text of the *Arthaśāstra*. The present work which is in the form of *Sūtras* in style bears the mark of an ancient work and leads to the supposition that there must have been an elaborate treatise, the *Bārhaspatya Arthaśāstra*, perhaps a *Bhāṣhyam* (commentary) on the *Sūtras*, which has been lost. The archaic expressions, the style and even grammatical errors show that it is an early piece of composition with perhaps redactions of later centuries. That it mentions the town of Śrīrangam and the names of various religious sects cannot be taken to prove that the work is recent. The name Śrīrangam and the names of religious sects are found mentioned in the Sangam Literature of the ancient Tamil land. In works like *Silappadikāram* and *Maṇimēkalai* there are distinct references to these and these works are claimed to be compositions of the earlier centuries of the Christian era. (Vide S. K. Aiyangar, *Ancient India*, pp. 255-382.) Such being the case it is hard to understand why the date of this work should not be fixed some time about or before that of these Tamil classics.

<sup>1</sup> सर्वोपजीवकं लोकस्थितिकृन्नोतिशास्त्रकं ।

धर्मार्थकाममूलं हि स्मृतं मोक्षप्रदं यतः ॥ (i. 5.)

अतस्तदा नोतिशास्त्रमध्यसेधनतो नृपः ।

यद्विद्वानानृपाद्याश्च शत्रुजिह्वोकरंजकाः ॥ (i. 6; also v. 12.)

neither a treatise on ethics nor even on polity, but a synthetic science of society. Its end is social well-being, and this is realized by protection, justice and peace. As a matter of fact these were the functions of ancient Indian states, which were merely the channel of the communal will. To Sukra, *Nitiśāstra* is the very food of the social organism, its precepts supplying blood to, and helping to form the flesh of, human society. Like food supplying the primal wants of physical life, it ministers to the fundamental interest of social existence.<sup>1</sup> In *verse* 15 again Śukra compares a *niti*-less state to a leaky vessel. It is dangerous in the sense that it increases the number of enemies and saps the quality of efficiency in the state. Hence the infinite importance of *niti* to a state. It is said that a king who acts up to the precepts of the *niti* literature is applauded, whilst a king who acts according to his own will is condemned.<sup>2</sup> Here, one can notice the subordination of the individual, though he be a king, to the teachings of *Nitiśāstra* or *Rāja Dharma*. It is for him to promote the good and happiness of the state as well as of himself by adhering closely to the precepts of the science of *niti*.<sup>3</sup> B. K. Sarkar remarks, 'In Kāmandaka and specially in Śukra, we have accordingly not only the pedagogies of Plato, e.g. his "*Statesman*", but also his ethics, the monograph on justice, viz., the *Republic*, as well as his treatise on political administration, the *Laws*, if, indeed, all the three are not to be regarded as equally pedagogical.'<sup>4</sup>

To Brhaspati again there is only one science<sup>5</sup> and

<sup>1</sup> B. K. Sarkar's Translation, p. 3 ; Śukra, i. 11.

<sup>2</sup> Chap. i. 17.

<sup>3</sup> Chap. i. 18.

<sup>4</sup> *S.B.H.*, vol. xxv, p. 29.

<sup>5</sup> Chap. i. 3,

that is *danḍa nīti*. The concept of *nīti* is explained thus :

नितिः किल नदीतोरतरवत् । (i. 102.)

तन्नोहातव्यम् । (i. 103.)

Here *nīti* is compared to a tree on the bank of a river. Just as a tree near the waters is unstable and may fall at any time, so also is *nīti*. It must not therefore be abandoned but kept well-cared for. Here Dr. F. W. Thomas who has edited and translated this work, keeps the original reading *तन्नेहितव्यम्* and translates it 'it must not be desired'. A treatise on moral and political philosophy cannot speak of the non-desirability of *nīti*. Evidently the reading in the text is wrong. In the context the reading *तन्नोहातव्यम्* suggested above seems better. For, it seems to be the idea of Brhaspati that that king who abandons the science of *danḍa nīti* is sure to land himself in misery as a moth burns itself in a flame through sheer ignorance.<sup>1</sup> The result of *nīti* is attainment of *dharma*, *artha* and *kāma*.<sup>2</sup> Brhaspati says that *danḍa nīti* is peculiar to the country of the Bharatas and must therefore be studied by every one of the four divisions of the Hindu community.<sup>3</sup> It is owing to this science alone that the Sun-God is the king, and Vāyu and other gods, creatures (*vs.* 76-78). This *danḍa nīti* is said to be largely read by men of wisdom in the Kṛta Yuga, by the followers of *karma* in the Trētāyuga, by the followers of *tantra* in the Dvāpara, and by ordinary men in the first quarter of *tishya* or Kali Yuga. After this period people become victims to unrighteousness and no more follow the precepts of *danḍa*.<sup>4</sup>

<sup>1</sup> Chap. i. 112.

<sup>2</sup> Chap. iii. 74, 75.

<sup>3</sup> Chap. ii. 43.

<sup>4</sup> Chap. iii. 141-48.

The same ideas more or less are found in the *Dharma Śāstra* literature. In the extant *Manusmṛiti* it is stated

दण्डः शास्ति प्रजाः सर्वा दण्ड एवाऽभिरक्षति ।

दण्डः सुषेष्णु जागर्ति दण्डं धर्मं विदुर्बुधाः ॥ (vii. 18.)

'It is *danḍa* that rules the subjects, it is *danḍa* that protects all. It is *danḍa* that keeps awake and guards people when they are asleep and hence the learned style *danḍa* itself as *dharma*.' It will thus appear that the essential requisite for a state as a state is *danḍa*. It is the means to realize the end, namely, the propagation of *dharma*. The law-giver goes the length of deifying *danḍa* as a goddess with a dark complexion and with red eyes, carrying destruction to avowed sinners, but peace to the innocent. In a country where this goddess, *danḍa*, moves about, there the people never experience difficulties. And the king thoroughly enjoys his position.<sup>1</sup> Deification of *danḍa* is more elaborately made in the *Śānti Parvan* of the *Mahābhārata*.<sup>2</sup> The power of *danḍa*, and especially the dread of it, is such that even the Devas, Asuras, Gandharvas, Rākshasas, Pathagas, and Urugas, do their duty loyally. Kullūka Bhaṭṭa in his commentary on *verse* 23, chap. viii of *Manu* quotes the *śruti*<sup>3</sup> 'through fear of Him, Agni burns : through fear glows the sun : through fear Indra and Vayu : Mr̥tyu runs the fifth.' From these it is evident that the ancients realized the truth 'No *danḍa*, no society ; no *danḍa*, no state.' State and society exist

<sup>1</sup> Chap. vii. 25.

<sup>2</sup> *Rāja Dharma*, chap. cxxi, vs. 14-22.

<sup>3</sup> भयादस्याग्निस्तपति, भयात्तपति सूर्यः ।

भयादिन्द्रश्च वायुश्च मृत्युर्धावति पञ्चमम् ॥

in and through *danḍa*. *Danḍa* is the guiding factor for everything.<sup>1</sup>

Kauṭalya says that *danḍa* which is applied after duly examining the precepts laid down in the *Śāstras* (सुविज्ञातप्रणीतः) alone ends in the realization of *dharma*, *artha* and *kāma*,—the *trivarga* of Hindu literature. We shall examine later the nature of this *trivarga* and its relation to the *danḍa nīti*. An ill-application of the *danḍa* (दुष्प्रणीतः) i.e. not administering justice according to the rules and regulations ordained in the sacred books, cannot realize the end. It is said that *danḍa* which is the consequence of ambition, jealousy, and ignorance, enkindles the anger even of *vānaprasthas* and ascetics. And further the absence of application of *danḍa* gives the occasion for *mātsya nyāya* which we shall explain later on. Protected by *danḍa*, Kauṭalya concludes, the state prospers.<sup>2</sup> In recapitulating the substance of the original *danḍa nīti* of Brahma, the Creator, Bhīṣma remarks, that this treatise is directed by *danḍa*, or *danḍa* is the directing force of this work. This *danḍa nīti* was made for the well-being of the world and for the establishment of *trivarga*. *Danḍa* affords protection to the world by means of repression and favour.<sup>3</sup>

## Sec. ii. ORIGIN OF STATE AND SOCIETY

So far the discussion has been about the nature and scope of *danḍa nīti*. As to its origin, our one source of

<sup>1</sup> Kauṭalya qualifies the general term *danḍa*. According to him it is of three kinds : *likṣṇa danḍa* (cruel), *mṛdu danḍa* (mild), and *yathārtha danḍa* (just.) The first form of punishment alienates the people from the king, the second does not evoke respect for authority, and the third alone must be pursued.

<sup>2</sup> Bk. I, sec. 4.

<sup>3</sup> *Mahābhārata*, *Rāja Dharma*, chap. lviii. 79-82.

information is tradition as embodied in ancient literary works. Here both the divine and human origins of the state and society find mention in a form apparently historical. More and fuller details as to the origin of the state are given in the *Mahābhārata*. Bhīṣma says to Yudhiṣṭhira: 'Listen how the state came into being at first in the Kṛta Yuga. Then, there was no kingdom or king, *daṇḍa* or *dāṇḍika*. It was a state of nature when all people without exception pursued the path of *dharma* and conducted themselves towards one another in an absolutely righteous manner; but in course of time poverty and delusion possessed the minds of the people and this led to embarrassment and affliction of all kinds: Covetousness (*lopa*), lust (*kāma*) and desire (*rāga*) preponderated in the minds of the people. In such a state there was no distinction between right and wrong, between what is moral and the opposite. People yielded to all sorts of unhealthy feelings, spoke what should not be spoken, ate all kinds of food prescribed or prohibited. It appeared that King Dharma was completely dethroned. Devas became subjected to fear and appealed to Brahma for help and grace. The creator composed a science for the social advancement and well-being of the world in a hundred thousand chapters.<sup>1</sup> It included not only the science of *daṇḍa nīti* but also the *trayī*, *ānvīkṣikī* and *vārttā*. It further dealt with the *trivarga*, namely, *dharma*, *artha* and *kāma*; and *śaḍvarga*, namely *ātma* (a clear and free mind), *dēśa* (country capable of being turned into a good one), *kālā* (time well used), *upāyas* (means), *kṛtyam* (good deeds resulting in profit) and *sahāya* (allies).<sup>2</sup>

<sup>1</sup> Cf. Manu, vii. 14; *Samarāṅgaṇa Sūtradhāra*, chap. vi.

<sup>2</sup> *Rāja Dharma*, chap. lviii. 1-33.

Bhīṣma continues: 'Śankara, otherwise known as Śiva or Viśālākṣa, condensed this *Nītiśāstra* into ten thousand chapters. Indra who learnt this from Mahā-dēva further summarized it into five thousand chapters. This is well-known as *Bāhudantaka*. Brhaspati made it into three thousand chapters, while Śukrāchārya further condensed it into a thousand.<sup>1</sup> From the extant *Vaiśampāyananīti* (apparently a later work) it is clear that the process of condensation went on for a long time. Bharadvāja summarized this science into seven hundred chapters and Gaurīśiras and Vyāsa into five hundred and three hundred chapters respectively. It would be legitimate to inquire why this process of condensation went on continuously. The answer is furnished by the authors of the *Śukranīti* and the *Vaiśampāyananīti*. They advance the argument that, as the tenure of life of the people was growing shorter as ages passed by, the political theorists of the various periods felt the need of a book which could be mastered in the short span of life available.<sup>2</sup>

Tradition as to the human origin of the science of *daṇḍa nīti* is not wanting. In the same book of the *Mahābhārata*<sup>3</sup> the authorship of the science is attributed to eight sages. After composing the said science the sages placed it before God Nārāyaṇa for approval. The God was exceedingly pleased with that great and useful work, and remarked that this original work of the sages would last down to the period of King Uparichara and vanish at his death. It would further be a guide to Svāyambhuva Manu who will promulgate the principles of *dharma* to the world at large, and it would also prove a

<sup>1</sup> *Rāja Dharma*, chap. lviii. 82-92.

<sup>2</sup> Śukra, i, li, iv; *Nīti Prakāśa*, i, vs. 21-25.

<sup>3</sup> Chap. cccxxxv; see Carmichael Lectures, 1918, p. 93.

fruitful source of information for the treatises of Bṛhaspati and Sukra.

Whatever was the origin, human or divine, the fact was that there was a science extant in the world, *danda nīti*. The object of the science was to make the world happy and prosperous. This could not be effected by the science itself. It required an authority to enforce its practical application. Towards this end the institution of kingship came into being. Here again there are two traditional schools of thought, one describing the origin of kingship as divine and the other human. In the *Mahābhārata* Bhīṣma recounts how kingship was instituted. When the world was in a state of nature (in the sense in which Hobbes uses the term) and when people suffered untold misery arising from a state of anarchy, the Devas approached Viṣṇu and requested him to appoint the best leader of men. Then from His Mind sprang *Virājasa*. But he did not wish for the overlordship of the earth. His son Kīrtimān and his son Kardama were of the same temperament. But Anāṅga, son of Kardama, ruled the people according to *danda nīti*. So also his son Atibala. But his son Vena conducted himself badly by taking to unrighteous ways. The sages had him killed by the use of a charm (*mantra*). Out of his right thigh sprang Nishādas (hill-tribes) and Mlechchas. Out of his right hand came Vainya, accoutred in military attire and versed in *danda nīti*. He satisfied the sages by promising to rule according to the laws of *dharma*, and to render even-handed justice by looking upon friend and foe alike. On this the sages vested him with the office of kingship and appointed Śukrāchārya his *Purohita* while the Vālakhilya sages and Sārasvata *Gaṇas* became his ministers. Gārga was appointed astrologer, Sūta and Māgadha entered into their respective duties, and Vainya's government

was an ideal government. Wealth and treasure flowed from the mines of the land and the ocean as well as from mountains. Under his rule the whole earth was tilled and cultivated with seventeen kinds of grain. He first got the name *rāja* by giving his subjects the greatest amount of happiness. He got the name Kṣatriya for having freed the peoples from all their troubles. Under him again the earth became *prthivi* for the king's name was Prṥthu. Even Lord Viṣṇu was pleased with his great acts and deeds and entered his body. From that time forward Prṥthu became infused with divinity.<sup>1</sup>

In the *Samarāṅgaṇa Sūtradhāra* of Bhoja the account of the origin of kingship resembles that of other *nīti* texts in regarding Prṥthu as the first king. Here he is described as possessing prowess like Indra and the Lokapālas, and the strength and valour of the lion, the king of the beasts. While consecrating him, the Creator addressed the people: 'Prṥthu is the overlord of you all. He will afford protection to the good and punish the evil-minded. He will be a *nṛpa* by ridding you of all your fears. He will render even-handed justice and carry on an efficient administration so as to preserve the well-being of *varṇas* (castes) and *āśramas* (stages of life).' On this the people addressed the king: 'O lord of the earth, shelter us from the sea of troubles in which we are struggling hard.' Prṥthu replied: 'Do not entertain any apprehension. I shall free you from all your difficulties. I shall establish the *svadharma*, *varṇadharma* and *āśramadharma*, and enforce them with the rod of punishment. I shall establish hamlets, villages, townships and cities, and make the earth yield plenty. In this manner

<sup>1</sup> *Sānti Parva*, lviii. 95-153; *Nīti Prakāśa*, chap. i. 26 ff.

I shall endeavour to increase your happiness and prosperity to the utmost.<sup>1</sup>

There is vast testimony to the fact of the human origin of the institution of kingship. The *Kauṭaliya* says :

मात्स्यन्यायमिभूताः प्रजाः मनुं वैवस्वतं राजानं चक्रिरे ।

Under the storm and stress of anarchy the people elected Manu as their king. In this passage Kauṭalya lends the weight of his authority to the human origin of the state. The word 'प्रजाः' distinctly emphasizes the human origin of kingship. The state of nature became so depressing that the people had Manu, son of Vivasvān, appointed as king. The terms on which the office was conferred on him are also given. The people agreed to pay one-sixth of the grains in kind, one-tenth of other articles of merchandise, besides a portion of the gold in their possession. Such wages to the king were in return for his guaranteeing to the people their *yogakshema* or social welfare. Towards this end the king enforced order and obedience by varied forms of punishment and by means of levy of several fees. In return for the king's protection even hermits in the forest had to give one-sixth of their forest-produce to him. The king was the visible awarder of punishment as well as favours, and hence he occupied a position only equal to that of Indra, the lord of heaven, and Yama, the lord of justice. To disregard him was to incur punishment. On this account it was ruled that kings ought not to be disrespected.<sup>2</sup>

The *Śānti Parvan* of the *Mahābhārata* has also reference to the story how Manu became the first overlord of the earth. Here we meet with the peculiar doctrine of *samaya* or contract. When anarchy showed its abhorred

<sup>1</sup> Chap. vii.

<sup>2</sup> Bk. I, chap. xiii.

head, people felt the need for peace. Hence they entered into a compact among themselves to the effect that the boaster (वाक्शूरः), the cruel man, the violator of women's chastity, and of agreements in general, should be banished from the land so as to create ease and confidence among all the communities. But still the arrangement was not fruitful. They appealed to Brahma who in his turn appointed Manu, the best among men, to rule as well as reign. Manu realized to the full the responsibilities of overlordship and expressed his unwillingness to rule over a people addicted to untruth and all other sins. On this the people agreed to give one cow for every fifty cows sold or bought, one-fiftieth of gold, and one-tenth of grains, besides an accomplished maiden in marriage and a number of armed men to follow him. In return they asked for peace and protection. Manu accepted the office and set out for conquest. People took to *svadharma* and the social welfare of the world was accomplished.<sup>1</sup>

It is worthy of remark that these ideas of election and contract are quite in keeping with the Buddhistic theory of the origin of kingship. In the *Dīgha Nikāya* mention is made of the concept of the state of nature when kingship

<sup>1</sup> *Rāja Dharma*, chap. lxvi. 18-30.

There are then two schools with different traditions, one describing Manu as the first king, and the other Prthu as the first king. At first sight it would appear that the two accounts are contradictory. Both of them agree in the theory of an original state of nature when the laws of nature were highly respected and adhered to. The original state of nature became in course of time transformed into the Hobbesian state when on appeal the Creator appointed Prthu to rule over the earth for the preservation of social *sthiti* (well being) according to *Samarāṅgaṇa Sūtradhāra* and other texts. After the lapse, perhaps, of several centuries commencing with Prthu, there again set in a state of anarchy, another form of the state of nature when the practice of *mātsyanyāya* held sway in the realm of mankind. It was so

was instituted on the basis of contract.<sup>1</sup> The king is known as a *Mahāsammata* and a *Khattiya*. The state of nature represents here a stage of pre-political society in which the institutions of family and property are recognized though the enjoyments thereof are uncertain. It was a social state in which there was no fixed standard, nor a political authority which could prevent the violation of the rights pertaining to property and family. Towards this end a *Mahāsammata* was appointed whose duty it was to enforce the already existing rights and thus be a 'protector of the fields'.<sup>2</sup> It would then appear that both the Brahmanic and Buddhist texts agree as to the existence of the social state in the first instance, and the election of a king on the basis of contract in the second. To use modern political phraseology, the agreement with Pṛthu was a sort of political or social contract which is reckoned as the origin of civil society. That which Kauṭalya refers to is possibly a governmental contract as it deals with certain definite agreements between the ruler and the ruled. It may also be noted in passing that this contractual theory of a governmental compact was not a figment of Kauṭalya's imagination, but a theory already existing. This is evident from the *Kauṭaliya* itself.<sup>3</sup>

distressing that people elected from among themselves the best, namely Vaivasvata Manu as their overlord by entering into a contract with him. In this way both the traditional accounts can be easily and satisfactorily reconciled. That Pṛthu was an earlier king than Vaivasvata Manu is evident from the fact that while there is reference to Pṛthu in the Vedic literature as the first of the consecrated monarches: (Krishna Yajurveda *Tait. Brāhmaṇa*, i. 7. 7. 4.) there is no such reference to Vaivasvata Manu.

<sup>1</sup> *Aggañña Suttanta*, vol. iii. p. 93.

<sup>2</sup> Rockhill, *Life of Buddha*, pp. 1-7.

<sup>3</sup> Bk. I, sec. xiii.

### Sec. iii. THE CONCEPT OF MATSYA NYĀYA

Reference has already been made to the *mātsya nyāya* theory. The guiding principle of this theory is 'might is right'. Literally rendered the term *mātsya nyāya* means the 'logic of the fish', in other words, the law of the greater fish devouring the smaller ones. This supplies the explanation of the Hindu concept of the state of nature. According to orthodox tradition as expounded in the *Arthaśāstra* and the *Itihāsas* the original state of nature was one of ideal bliss when people naturally led a moral life perhaps born of regard for humanity in general. They were not bound down by laws or conventions and systems. This state of innocence, however, in course of time gave place to a period of insecurity and even savagery when chaos and anarchy reigned supreme. Might was the order of the day. People had no regard for human and divine order. The very social existence (*sthiti*) was made impossible. It was felt that over the whole world were spread the wings of destruction, and the day seemed not far off when it would reach its end. On this the Lord, the Creator, out of his abundant love to mankind, set up spiritual and moral standards which were named *daṇḍa nīti*. Any violation of such standards was severely dealt with by the authority in power (*imperium*), and this authority was invariably the king. Out of fear of *daṇḍa* people began to lead a moral and even a spiritually good life. As Kauṭalya acutely remarks, protected by *daṇḍa* the state prospers.<sup>1</sup>

This peculiar state of nature is also described as *arājaka* in the *Śānti Parvan* of the *Mahābhārata*. *Arājaka* simply means a state with no government. According

<sup>1</sup> Bk. I, sec. iv.

to the then prevalent standards, government was indispensable for a state. 'No government, no state,' is the principle underlying the *Rāja Dharma* section of the *Mahābhārata*. *Arājaka* is a state of anarchy as is explained in chapters lxvi and lxvii of the *Śānti Parvan*. It will not be out of place to summarize these here.

Unprotected by an authority the state becomes subject to plunder and devastation by marauders; people devour one another. Life becomes unsafe. A person cannot enjoy the possession of his person and property. The wicked rob the weak and the innocent of their wealth, and themselves also suffer in their turn. Women are forced to give up their chastity. The atmosphere is pervaded by an all-round darkness. Like fishes in a small pool of water, and like birds in the toils of hunters, people injure and kill one another. People in a state of anarchy are compared to a herd of cows without a cow-herd, and hence confront insurmountable difficulties in the maintenance of their family and property. The spiritually-minded are often thrown into the jaws of death. No regard is shown to parents, the aged, the *achārya*, or the guests. The rich every day are murdered or put in chains. Women themselves become loose in morals. Agriculture, trade or commerce, does not thrive. The Vedas begin to disappear and the performance of sacrifices (*yajñas*) ceases. There are no regular marriages, nor well-conducted assemblies. Unrighteousness and injustice prevail. There is an intermixture of castes, and religious authority is openly defied. No one sleeps without fear, and famine stalks naked.<sup>1</sup>

As in the *Mahābhārata* so also in the *Manusmṛiti* the

<sup>1</sup> Cf. Manu, chap. vii. 21.

word '*arājaka*' equates with *mātsya nyāya*.<sup>1</sup> The conception of the law-giver is that in states where government ceases to be, all people live in perpetual dread. In the absence of *daṇḍa* or *daṇḍadhara* the strong would devour the weak as the spike, the fishes.<sup>2</sup>

This text is as corrected by the celebrated commentators like Mēdhātithi and Gōvindarāja. But Kullūka Bhaṭṭa gives another reading in this context.

जलेमत्स्यानिवाहिंस्युः दुर्बलान् बलवत्तराः ।

This indicates the traditional feeling of *mātsya nyāya* and hence may be usefully adopted as the more correct view. It is interesting to recall here that the same line occurs in the *Yuktikalpa-taru*.<sup>3</sup> There is also another reading of the line in the *Śānti Parvan* of the *Mahābhārata* with a slight difference.<sup>4</sup> This idea again of smaller fish being devoured by the larger ones is also found mentioned in the legend of the fish narrated by Mārkaṇḍeya in the *Vana Parvan* of the *Mahābhārata*.<sup>5</sup>

The state of *arājaka* is elaborately described in chapter lxvii of the *Ayodhya Kāṇḍa* of the *Rāmāyana*. 'It is the prime cause of all ruin to the state. There will be no seasonal rain, no fruitful crops, no obedient son or wife, no private property, no truth, no assembly, no beautiful parks or sacred places of pilgrimage, no performance of *yajñas*, no theatrical amusements, no festivals or festivities, no learned lawyers, no pleasure-drive

<sup>1</sup> अराजके हि लोकेऽस्मिन् सर्वतो विद्रुते भयात् । (vii. 3.)

<sup>2</sup> शूले मत्स्यानिवाहस्यन् दुर्बलान् बलवत्तराः । (vii. 20.)

<sup>3</sup> शूलेमत्स्यानिवाहस्यन् दुर्बलान् बलवत्तराः । (105.)

<sup>4</sup> जलेमत्स्यानिवाहस्यन् दुर्बलं बलवत्तराः । (66. 16.)

<sup>5</sup> Chap. cxc. 7-9.

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with family in swift going vehicles, no peace, no sleep for the rich even with doors shut, no learning or practice of arms, no caravan traders, no self-controlled men enjoying solitude and bliss, no *yogakshema* (obtaining that which could not be got and protecting what has been acquired, according to Govindarāja), no army conquering hostile enemies, no temple-worship, and no enjoyments of any sort. The kingdom without a king resembles a river without water, a forest without pasture and cattle without a cow-herd. In such a territory nothing is one's own. The people swallow one another like fishes.<sup>1</sup> Thus both the epics and the *Dharmaśāstras* like Manu, and the *Purāṇas* like the *Matsyapurāṇa* are quite at one as regards the nature of an *arājaka* territory. That this notion continued to prevail even centuries after is demonstrated from the election to the throne of Gopāla of the *Pāla* dynasty of Bengal. It is said that the people elected Gopāla to free themselves from a state of anarchy, or *mātsya nyāya*. This Gopāla was the father of Dharmapāla who lived in the ninth century A.D.<sup>2</sup>

There is again reference to this concept, of *mātsya nyāya* in Raghunātha's *Laukika-Nyāya-Saṅgraha* (a work attributed to the fifteenth century A.D.). Raghunātha explains this as occurring frequently in the *Purāṇa* and in the *Itihāsa* literature and quotes *Vāsiṣṭha* in the course of *Prahlādalakhyāna*.<sup>3</sup>

<sup>1</sup> Chap. lxvii, śl. 8-31. Cf. *Matsyapurāṇa*, chap. ccxxv, v. 9.

<sup>2</sup> Khāliṃpur Grant of Dharmapāla, *Epigraphica Indica*, vol. iv, p. 248.

The name Dharmapāla instead of Gopāla is wrongly given in some recent publications.

एतावताऽथकाले तद्गतातकमण्डलं ।

बभूवऽराजकं तोक्ष्णं मात्स्यन्यायकदर्भितम् । इति

(The Pandit Series, 1901, p. 122.)

This state of anarchy presupposes a state of nature where one finds perpetual conflict between strong and weak individuals in a group with the result that the weak are defeated and subjugated by the strong. This then indicates what we to-day understand by the terms, the struggle for existence and the survival of the fittest. This is surely the individualistic theory with a vengeance. People of sanity grew sick of this state of affairs and desired peace. Necessity for a powerful hand to dominate the people was badly felt, and the result was the code of laws which goes by the general term, *daṇḍa nīti*, the guiding feature of which is the institution of kingship.<sup>1</sup>

Jayaswal's interpretation of the term *arājaka* seems unacceptable and we are inclined to take it, on the explicit authority of the *Rāmāyana*, that the '*arājaka*' state meant a state in *mātsya nyāya* or anarchy. Rather the *mātsya nyāya* was one form of '*arājaka*' which

<sup>1</sup> Scholars are not quite agreed as to the interpretation of the term *arājaka*. Mr. Jayaswal thinks that the *arājaka* or non-ruled state was a living institution which had been tried as a constitutional experiment more than once in ancient times. The learned scholar places above others the Jaina *sūtras* as his authority in this particular. (*Āyāramgasuttam*, vol. ii, 3, 1-10, edited by Jacobi, *Hindu Polity*, pt. i, p. 99.) The Jaina *sūtra* cited gives six forms of state : 'non-ruled' (*arājaka*) states, *gana*-ruled, *yuvārāja*-ruled, two-ruled, *vairāja*, and party-ruled state. Jayaswal goes the length of interpreting the term *arājaka* in the *Sānti Parvan*, chap. lviii, to which we have made pointed reference, as the state of law when people lived by mutual agreement or social contract. No doubt the *Sānti Parvan* speaks of a democratic form of Government in which law or *dharma* was the uncrowned ruler when people never dared to transgress its precepts ; but whether this state is what the *Mahābhārata* calls as an *arājaka* state, one can hardly say with any confidence. There were in vogue in ancient India democratic and republican forms of constitution. They may have been of the nature of experiments, though not actually so intended. They failed apparently to meet the needs of the times. Hence the people obviously needed a powerful and a selfless authority to meet the situation with a firm hand. Consequently the people learned to prefer a monarch.

inspired people with fear of its consequences. Peculiar doctrines have been prevalent in every kind of constitution, and in the *arājaka* state the 'doctrine of fish' alone gained more currency than any other. Undoubtedly then both '*arājaka*' and *mātsya nyāya* theories point to anarchical forms of the state. A close study of the various texts gives indication of the fact of the historical or evolutionary development of the state government. To use modern political terms, the original state was one of democracy of the ideal type. This led directly or indirectly to a stage of anarchy, confusion, and blood-shed. Consequently the purest democratic form was deemed ill-adapted as a working principle and gradually given up. Soon definite laws were established and kingship was made a living institution, and this king was not an absolute uncontrolled autocrat, but he was what we understand to-day by the term a constitutional monarch.

This institution can be traced in Vedic literature wherein are found many references to monarchical forms of government, where the king could do wrong and where he was under the control of the people or law. Law was above the king and it was eternal (*sanātana*). But this characteristic of law must be understood in a qualified sense; for though law remains the same in principle, still a gradual evolution in practical application, according to the changing needs of the times, worked itself out. *Śiṣṭachāra* (the practice of the learned) warranted such an alteration, which the needs of the time actually brought about. The law was purely customary and hence the state had little to do with legislation. What the remarkable historian Grote said of Zeus would equally apply to our ancient Indian King, 'He was not a lawmaker but a Judge.' Thus was introduced

a form of constitutional monarchy with healthy limitations which had a telling effect on the constitution, first, by upholding the rights of the people (which is democracy), and secondly, by enforcing duties on the authority, that is the monarch. Thus it was a mixed constitution in which both the democratic and monarchic principles found recognition, and in which both were interdependent.

What were the ends that the ancients sought to attain by propounding a mixed constitution like this? It was already shown that general principles of law were formulated beforehand and were taken for granted as established; and hence the rule of the king was to be the rule of the law and the government of law. But this law was not of the universal and comprehensive type. It was law in the sense that it provided certain recognized regulations for the maintenance of order in society. Any law presupposes a community of people or society. In this context we must not confound state with society or society with state. Both society and state were separate entities, and independent organisms.<sup>1</sup> Each of these had its own sphere of functioning and activity, its own structure and growth. The state did not always interfere with the social activities and organizations. But this was not absolute non-interference. The state certainly interfered with society whenever and wherever it was necessary. The policy of the state was, in other words, individualistic in character. That means the sphere of governmental activity was limited to a considerable extent.

Professor Gilchrist summarizes the functions of government according to this individualistic theory.

<sup>1</sup> R. K. Mookerjee, *Local Government in Ancient India*, intro., p. xv.

1. Protection of the state and individuals from foreign aggression.
2. Protection of individuals against each other, i.e. from physical injury, slander, personal restraint.
3. Protection of property from robbery and damage.
4. Protection against false contract or breach of contract.
5. Protection of the unfit.
6. Protection of individuals from preventible evils, such as plague or malaria.

This was, in short, protection of life and property of the citizens by the state. In return for this function by the state people paid taxes and revenue. The state in ancient India according to the available sources of information, can be said to have rested on an individualistic basis, individualistic in the sense that the individual strove for the attainment of his ultimate aim, namely, the salvation of his soul. Society, as conceived by the ancient Hindus, existed for the promotion of this aim of the individual, and the individual did not exist for the society as was the case in the early History of Greece. Maine says, 'Society in primitive times was not what it is assumed to be at present, a collection of *individuals*. In fact and in the view of the men who composed it, it was an aggregation of *families*. The contrasts may be most forcibly expressed by saying that the unit of an ancient society was the *family*, of a modern society, the individual.'<sup>1</sup> Society thus realized pales into insignificance before the state. State-control of social organization is to-day rapidly dethroning society as a separate entity, the latter being slowly but surely merged in the more powerful organization of the state. This conception was foreign to the

genius of the Hindus. The ancient Hindus evolved distinct organizations of their own, both political and social, each functioning in its limited sphere of action. In this structure of society the individual was a member of the group, and was *in* the group. As a member he was to partake of the nature and the character of the group whatever it be; and by virtue of his position in the group he was guided by the policy of common will and common interest. He was free to express his own ideas on the question or questions engaging the serious consideration of that group, but he must subordinate his opinion to the common opinion. It was what is called the 'sacrifice' of the individual to the state. This group-feeling is the chief support for the power of the state, says Bertrand Russell and makes the further remark, 'almost every man finds it essential to his happiness to feel himself a member of a group, animated by common friendship and enmities, and banded together for defensive attack.'

#### Sec. iv. THE RELATION OF TRIVARGA TO DAṆḌA NĪTĪ.

There is one other aspect of the science of *daṇḍa* and that is its relation to *trivarga*. This important aspect has received but little attention. *Daṇḍa nīti* has been characterized rightly, as *trivarga vidyā*, the science of the three ends of life.<sup>2</sup> The *trivarga*, namely, *dharma*, *artha*, and *kāma*, leaving *mokṣa*, out of account, constitutes the *puruṣārthas* of Hindu

<sup>1</sup> *Principles of Social Reconstruction*, pp. 52, 53.

नोते: फलं धर्मार्थकामावाप्तिः । (Br. Sutra. ii. 43.)

<sup>2</sup> *Ancient Law*, p. 104.

sociology, and *Rājadharma* functions towards the attainment of these *puruṣārthas*.<sup>1</sup>

*Dharma* is the most important of this *trivarga*, says the *Bārhaspatya Nītisāra*.<sup>2</sup> The realization of this *trivarga* is said to lead on to the fourth *puruṣārtha*, namely, *mokṣa*. 'Dharma has been a word to conjure with. It has been taught in all possible and imaginable ways—by express teaching, by commands, by stories, by literature and art, in temples, on the stage, and by the living examples of saints and *avatars*. It implies structure and function; it has reference to a type, and it is based on discipline; it is the meeting-point of the individual and of society, of religion and philosophy, of here and hereafter, of man and God. It is the cement of society, the bond of love, the means of attainment of God.'<sup>3</sup>

This plant of *dharma* should be carefully nurtured for all acts grow from it. That king who, though deprived of *artha* and *kāma*, clings to *dharma*, reigns long.<sup>4</sup> *Danḍa nīti* is like the reins of a horse, or the goad of an elephant, to men of the four *varṇas*, to keep them in the ordained path of *dharma*.

<sup>1</sup> धर्मः प्रधानं पुरुषार्थात् । (*Ār. Śas.*, ii. 55.)

<sup>2</sup> धर्मप्रधानं पुरुषार्थानां ।

(*Br. Sutra*, ii. 55 ; cp. *Kāmasūtra*, Bk. I, ii. 14.)

<sup>3</sup> K. S. R. Sastri, *Hindu Culture*, p. 93.

<sup>4</sup> सेवा धर्मस्य कर्तव्या सततं भूरिषत्सरैः । (*Sānti*, lxviii. 80.)

पुरुषैर्नरशार्दूल तन्मूलः सर्वथाक्रियाः ।

अर्थकामविहो नोऽपि चिरंपालयतेमहो । (*Ibid.*, 87.)

The king is said to be the maker of *kāla* or time. He makes and unmakes the four *yugas* by his actions. He must ever endeavour to create the *Kṛta Yuga* as against the *Kali Yuga*.<sup>1</sup> In a later chapter (91) *Bhīṣma* speaks of the king himself as the *Yuga* (v 6). *Danḍa* or well-timed and impartial justice is *dharma*, and *artha* is the root of *dharma*. The whole chapter<sup>2</sup> is devoted to the discussion of this subject of *trivarga* and its place in Indian polity. The fruits of *dharma* are said to be the attainment of divinity and of heaven; of *artha* enjoyment (*bhoga*), of *kāma* (satisfaction of the senses) and of *mokṣa*, release from the bonds of these three. There must be healthy restraints in the realization of the three ends of life in order that this life may lead to *mokṣa*.<sup>3</sup> There must be a harmonious co-ordination of these spiritual standards. In this context *Bhīṣma* narrates the discourse which took place between *Kāmandaka Rīṣi* and *Angarīṣṭa Rāja*. The king enquires of the sage: 'If a king under the influence of anger and jealousy commit deeds of sin and repent afterwards, will he be absolved of the sin? Can a king get salvation if in ignorance he practises *adharma* as *dharma*?' The sage replied that the king who abandoned *dharma* and *artha*, and enjoyed *kāma* in excess would ruin his powers of knowledge, and in this state wicked people would increase in numbers. He would get himself involved in all kinds of troubles.

<sup>1</sup> *Sānti*, lxix. 25-28.

कृतं वेता द्वापरश्च कलिश्च भरतर्षभ ।

राजवृत्तानि सर्वाणि राजेव युगमुच्यते ।

<sup>2</sup> *Ibid.*, cxxiii.

<sup>3</sup> Cf. *Kāmasūtra*, Bk. I, chap. ii.

Hence the king should pursue the beaten track of his ancestors.

Every *parvan* of the *Mahābhārata* has something or other to say on the *trivarga*. In chap. v of the *Sabhā Parvan* Nārada is said to have asked Yudhiṣṭhira questions in words pregnant with *dharma*, *kāma* and *artha*, धर्मकामार्थसंयुक्तं (19). The first questions are interesting. 'Are you increasing your wealth? Is your mind rooted in *dharma*? Are you enjoying happiness with a controlled mind?' Is *dharma* being fulfilled according to *artha*, and *artha* according to *dharma*? Are these two not being obstructed by *kāma*? Are you observing these three aims in their proper place and time?'<sup>1</sup> According to the sage Vidura, *trivarga* is said to take its source from *dharma* just like the state.<sup>2</sup> Manu says,<sup>3</sup> 'Some say that *dharma* and *artha* are of supreme importance. Some are of opinion that *artha* and *kāma* are the most important. Others say that *artha* alone is important. For it is the sole means for *dharma* and *kāma*. But my opinion is all the three are of capital importance,<sup>4</sup> in that each of them is complementary to the other.' The non-observance of *dharma* (शास्त्रविहितमनुतिष्ठन् according to Kullūka Bhaṭṭa) will lead to misery. Hence though confronted by insuperable difficulties one must not cross the boundary of

<sup>1</sup> *Mbh.*, *Sabhā Parva*, v. 20 ff.; cf. *Ayōdhya Kāṇḍa*, chap. c. 63-64; vide Govindrāja's commentary.

<sup>2</sup> *Ibid.*, vs. 20-23.

<sup>3</sup> *Vana Parvan*, iv. 7.

<sup>4</sup> धर्मार्थावश्यतेऽप्येवः कामार्थो धर्मोऽप्येव च ।

अर्थ एवेहवा श्रेयस्त्रिवर्ग इति तु स्थितिः ॥ (ii 224.)

<sup>5</sup> Cf. *Ayōdhya Kāṇḍa*, chap. xxi. 80.

*dharma*.<sup>1</sup> Such standards of *artha* and *kāma* that go against the ordained principles of *dharma* must be abandoned.<sup>2</sup> Hence the king must endeavour to administer justice in accordance with the standards of *dharma*, *artha* and *kāma* by consulting his ministers either in the middle of the day or in the night.<sup>3</sup>

Kauṭalya says समं वा त्रिवर्गमन्योन्यानुबन्धम् (1. 7). The three objects of life are intertwined with one another, and hence for the pursuit of life all these objects are equal and must be treated as such. This general statement he further qualifies. If one devotes more attention to any one of these objects to the neglect of the other two, the real object of life becomes unattainable. By this he causes trouble not only to one but also to the others (इतरौ). This is commented by Dr. Gaṇapati Śāstri thus: अर्थकामौ, धर्मकामौ, धर्मार्थौ (both *artha* and *kāma*, *dharma* and *kāma*, *dharma* and *artha*). Kauṭalya speaks of the third object of life thus: धर्मार्थविरोधेन कामं मेवेत । Pursue your *kāma* (desires) in such a manner that they do not come in conflict with *dharma* and *artha*. At the end of the discussion Kauṭalya cites it as his opinion that prominence should be given to *artha*. For *dharma* and *kāma* originate in *artha*. According to Vātsyāyana, to a king *artha* is more important than *dharma* and *kāma*; for it is by means of wealth that social order is maintained and the government of the land is carried on.<sup>4</sup> In the *Chāṇakya Rāja Nīti Śāstra* the following occurs: By wealth alone *dharma* is fulfilled;

<sup>1</sup> न सोदन्नपि धर्मेण मनोऽधर्मे निवेशयेत् ।

अधर्मिकानां पापानां आशु पश्यन् विपर्ययं ॥ (Manu iv. 171).

<sup>2</sup> *Ibid.*, iv. 176.

<sup>3</sup> vii. 151 ff.

<sup>4</sup> Bk. I. ii. 15. 16.

by wealth alone the wealthy become more prosperous ; without wealth there will be no enjoyment of *kāma* ; wealth alone is the source of *trivarga*.<sup>1</sup>

Śukrāchārya speaks of *Nīli Śāstra* itself as the root of the *trivarga*, leading to salvation.<sup>2</sup> He quotes the examples of Nahusha and Vena who fell into hell for transgressing established standards. Śukra regards *dharma* as the supreme, while to Kauṭilya *artha* alone is of capital importance.<sup>3</sup> In the opinion of Kāmandaka the proper observance of the *trivarga* would only come as a result of the application of *daṇḍa*.<sup>4</sup> Kāmandaka speaks of an evolution of the three objects of life proceeding in order of diminishing importance.<sup>5</sup>

Śankarārya comments that *dharma* is that collected in various previous births and constantly nurtured, and out of this comes *artha*.<sup>6</sup> There could be no enjoyment without *artha*.<sup>7</sup> There could be no happiness without proper *kāma*. *Dveṣa* or hatred is said to be the opposite of *kāma*.<sup>8</sup> The second line of the verse

<sup>1</sup> Cal. Orient. Series.

धनादिधर्मः क्रियते धनेन  
धनेन धन्या धनिनो भवन्ति ।  
धनं विना कामकथं न नास्ति  
त्रिवर्गमूलं धनमेव नान्यत् ॥ (iv. 21).

<sup>2</sup> Chap. i. 5.

<sup>3</sup> Chap. i. 66, 69.

<sup>4</sup> Chap. ii. 38.

<sup>5</sup> धर्मादर्थोऽर्थतः कामः कामात् सुखफलोदयः ।

आत्मानं हन्ति ती हत्वा युक्त्या यो न निवेवते ॥ (i. 51)

<sup>6</sup> जन्मान्तरोपार्जित धर्ममूलत्वात् तदुपबृंहणीयत्वाच्चार्थस्य ।

(Kāmandaka, i. 51 ; Trivandrum Sanskrit Series.)

<sup>7</sup> निरर्थस्य विषयोपभोगासंभवात्.....(Ibid.)

<sup>8</sup> यस्तु दाण्डक्यस्येव दुःखफलोदयः सद्द्वेष एव, न कामः । (Ibid.)

in which Kāmandaka uses the expression 'युक्त्या' advisedly is significant. In his opinion too much of anything is poisonous. Overdoing of *dharma* would itself ruin *artha* and *kāma* and then *dharma* also.<sup>1</sup> Too much of gifts and too much of observance of penances are not hence recommended. The same is true of the misuse of *artha*.<sup>2</sup> Too much indulgence in *kāma* and misuse of *artha* would destroy the real objects of life.

It is the peculiar conception of the Hindus that the *dharma patnī* or the married wife is said to be the means of attaining the fruit of *trivarga*. The *Chānakya Nīti Śāstra* says<sup>3</sup> 'भार्यामूलं त्रिवर्गस्य' and this very idea is expressed in different words and is put by Vālmiki into the mouth of Rāmachandra,<sup>4</sup> on the eve of his departure to the forest when his mother and brother expressed their utmost desire to follow him. An

<sup>1</sup> अतिदानेन धर्मोऽर्थहत्वाकामं धर्मान्तरं च हन्ति ।

तपश्चायन्तसेवितं कामं हत्वा शरीरक्षयात् धर्मार्थौ हन्ति ।

(Kāmandaka, i. 51 ; Trivandrum Sanskrit Series.)

<sup>2</sup> तथार्थः तादात्विकोऽप्युपदोयमान ऐकस्थेव धर्मकामौ हत्वा अर्थमपि हन्ति । कामः पुनः अत्यासेव्यमानः स्त्रीमृगयाद्यतपानैः चतुर्भिर्व्यसनेः धर्मार्थौ हत्वा शरीरभयात् आत्मानमपि हन्ति । (Ibid.)

<sup>3</sup> i. 32.

<sup>4</sup> धर्मार्थकामाः किल तात लोके समोक्षिता धर्मफलोदयेषु ।

ते तत्र सर्वे स्युरसंशयं मे भार्येव वश्याऽभिमता सुपुत्रा ॥

यस्मिन् सर्वस्युः असंनिविष्टा धर्मोयतः स्यात्तदुपक्रमेत ।

द्वेष्यो भवत्यर्थपरोहि लोके कामात्मता खलु अपि न प्रशस्ता ॥

(Ayōdhya Kāṇḍa. xxi. 58 and 59.)

agreeable wife increases *dharma*, *artha* and *kāma* by giving birth to a son. Commenting in his own excellent way Govindarāja makes out *dharma* as of great importance in the list of *purushārthas*. He quotes also धर्मो हि धर्महेतुः अथ हेतुः काम्यमानसकचन्दननितादि हेतुश्च । *Trivarga* itself is compared here to a wife, with the qualities of agreeableness, friendliness and bringing forth a good son.<sup>1</sup>

Again in the *Chāṇakya Rāja Nīti Śāstra* it is said<sup>2</sup> that he who will spend his time without due observance of the *trivarga* is a dead person though he lives. He breathes, but only as do the bellows of an iron-smith.<sup>3</sup>

The significance of *artha* is clearly expounded by Arjuna in his discourse to Yudhiṣṭhira when he wishes to retire to the forest after the catastrophe at Kurukshētra. Arjuna says *artha* is the means for *dharma*, *kāma* and the ultimate realization of heaven. Life is not worth living without *artha*. Like the summer pond a man dispossessed of the waters of *artha* becomes unfit for anything in the world. A man of wealth is alone the person to reckon with. Wealth is both a friend and a relative. Happiness and anger, learning and conduct originate from this. The progress of society and welfare depends on this. It is a never-failing current of deep waters.<sup>3</sup> Thus it becomes clear that there are two schools of Indian thought, one taking *dharma* as a

paramount factor, and the other *artha* or wealth but without prejudice to *dharma*.

In the same way Tamil literature which has not unfortunately any set treatise on the science and art of polity contains certain texts which can be gathered by careful reading. Thus, in the *Puranānūru*,<sup>1</sup> *artha* and *kāma* take their source in *dharma*. Hence without the latter there will be no real enjoyment by means of wealth. According to the author of *Tiru Kōvaiyar* wealth is so important that even sages and kings cannot get on without it.<sup>2</sup> Tirumaṅgai Ālvār agrees with this opinion. Here *artha* is said to be of capital importance, inasmuch as it forms the means for the attainment of *dharma* and *kāma*. This same idea finds expression in *Nālaḍiyār*.<sup>3</sup>

Apart from these scattered references there is the *Tirukkural* of Tiruvalluvar which is a treatise on these three objects of life; hence the work is known as *muppal*, a synonym for *trivarga*, given by Śittalai Śāttanār, the famous poet.<sup>4</sup> The three divisions of the poem are அறம், பொருள், இன்பம். Parimēlāḷakar, the celebrated commentator of this great treatise, explains briefly what these terms connote. According to him 'aram' is to carry out what has been ordained by Manu and other law-givers, and to refrain from what has been

<sup>1</sup> நெடுமுடல் ஸரீர்ப் பெருகு மிக்படு  
அறத்த வளிப்போல் தோற்றப் பெரு (81).

<sup>2</sup> முனிவரு ஸ்கந்தரு குஞ்சுபெருஞ் குடியும். (*Tirukōvai*, 332.)

ஆரவிக்ரமே அற்பபெருவி கப்பென்ற

ஆரத் இவற்றி லிடையதன் எய்துவர்

தேர் திருநெயும் எய்துவர்.

(Tirumaṅgai Ālvār in the *Śīriya Tirumaḍal*, 3-4.)

<sup>3</sup> உமேவர கையத்த ஸ்கந்திப முற்றி

உமேவர தெய்த திருநெய் பெய்தம். (114)

<sup>4</sup> அருமை தேர் ஸ்கந்தரு முய்யர்.

<sup>1</sup> लोकाप्रसिद्धाः त्रयः पुरुषार्थाः । तेषु सर्वमूलत्वादितरयोः सापाय-

वाञ्छ धर्म एवाश्रयणोय इति स्थापितं भवति । (*Ayōdhya Kāṇḍa*, xxi. 65.)

• यस्य त्रिवर्गसून्यानि दिनानियान्ति देहिनः ।

स लोहकार भस्त्रेव स्वसन्नपि न जीवति ॥ (viii. 37.)

• *Sānti Parva*, chap. viii. 11 ff.

prohibited by them. He classifies this into three parts : ஒழுக்கம், வழக்கு, தண்டம் which exactly correspond to *āchāra*, *vyavahāra*, and *prāyaschitta*, of Sanskrit lore. The first is the observance of *sādhāraṇa dharma* (common) including *svadharma*. This latter is very important inasmuch as it enforces the responsibilities of the individual. This is the individual whom, as Miss Follet the author of the *New State* remarks, the modern state has not yet found. The second (or *vyavahāra*) constitutes eighteen different kinds such as borrowing, deposit, etc. This is the right of person and property. The third sub-division is *danda* which concerns those who stray beyond the beaten track of *āchāra*, as *āchāra* and *vyavahāra* belong to the category of positive law. Tiruvalluvar has taken only the first sub-division ஒழுக்கம் under his main division of 'arām'. Here are examined the duties common to all classes of society, the observance of which would result in happy home-life and ultimate release from re-birth. Among these universal *dharma*s figure prominently *dāna* (gifts) and *tapa* (penance).<sup>1</sup> After dealing with *arām* or *dharma* in 318 stanzas, the poet takes up the second *purushārtha* (பொருள்) which is expounded in 700 verses. Here is examined *Rāja Nīti*, the essence of which constitutes protection and administration of the state. This is again sub-divided into three sections அரசியல் (nature of government), அங்கவியல் (organs of government), ஒழிபியல் (other features of government). The last division of this treatise contains 250 stanzas which deal with *kāma* or normal enjoyments in life. To realize this, wealth is a necessary factor. This is again sub-divided into two sections (களவியல்) pre-nuptial love and

<sup>1</sup> தமது தவிர்ப்புத் தந்தை விபரணம்  
அமைந்திருக்கிறது. (*Kural*, chap. ii 9.)

(கற்பியல்) post-nuptial love. It is interesting how Valluvar has closely followed the *Smṛtis* like Manu as clearly explained by Parimēlaḷagar in his great commentary. It is said that the three kings of the Tamil land, the Pāṇḍya, the Chōla and the Chēra drew much real information from the pages of this treatise and carried on their administration along the lines laid down therein.

Thus from a study of both the extant Sanskrit and Tamil literature it is clear that these three aims of life are inter-dependent and each by itself cannot stand by itself alone. Kālidāsa in his inimitable style says चतुर्वर्गफलज्ञानं.<sup>1</sup> This *chaturvarga* includes the fourth end, namely, *mokṣa* to which reference has already been made. The *Amara Kōśa* says<sup>2</sup> these three ends, it has been realized, cannot be separated if life were to sail smoothly on the waters of this world-ocean. In order that these may flourish unhampered there must be an efficient exercise of *danda* and this, to be effective, must be administered with unflinching righteousness. Else as it is stated in the famous historical play *Mudrā-Rākṣhasa*,<sup>3</sup> *durnaya* or evil policy would root out the principles of *trivarga*. Thus if the plant of *trivarga* is to grow unfettered and luxuriant, the state must pursue a righteous policy. On the state alone depends the successful prosecution of the three ends of life. This was clearly felt by the ancient Hindus and the superstructure of these objects of life was made deliberately to rest upon the solid rock of the state pledged to pursue righteousness at all times and in all places.

<sup>1</sup> *Raghu*, x. 22.

<sup>2</sup> त्रिवर्गो धर्मकामार्थः चतुर्वर्गः समोक्षकैः

उन्मूलयितुमोशोऽहं त्रिवर्गमिव दुर्नयः । Act. v. 22.

### Sec. v. SOCIAL ORGANIZATION

It was further realized that the state alone was not enough to attain the three aims of life. It required an efficient social organization as well. It would appear from the scanty evidence available at present that people lived originally in groups or tribes, and as time went on, the necessity for defence and the increase of numbers led to amalgamation among tribes and the introduction of a civil order of society. When people once realized the necessity for an organized society they set about framing codes and regulations which were binding upon the members of the society. To keep it progressive the social order was based on the double division in the four castes and the four orders (or the stages of life). It was a system of social polity known by the term *varṇāśrama dharma*. Whatever may be the suitability or otherwise of these institutions to modern times, they served their purpose very well for several centuries. This was because the system was based on well-grounded scientific and economic principles. The four classes included first the group of philosophers and teachers; secondly the group of rulers and warriors; thirdly the group of agriculturists and traders, and lastly the group of men engaged in different menial services. It was realized that real progress lay in hereditary professions and it was considered wrong for members of one community to encroach on the functions of another. *Danda nīti* came forward with restraints and restrictions which could keep society going. The new society evolved, according to necessity, laws which became fixed. Life in society further involved the principle that every member should conduct himself according to the law established. The ideal preached was 'better to

observe one's own *dharma* though devoid of good qualities than adopt that of others. Better to die in following one's own *dharma* for the *dharma* of another is fraught with fear.'<sup>1</sup>

It would be interesting to make an investigation into the origin of the four classes into which society was divided. Without taking up a detailed discussion, it would not be out of place to mention a few outstanding facts. According to the passage which occurs in the *Puruṣa Sūkta*, the four castes, Brahmaṇa, Kṣatriya, Vaiśya and Sūdra constituted the face, arms, thighs and feet respectively of *Puruṣa*. We have the authority of Dr. Martin Haug to regard it as an old hymn and not a late interpolation. Besides Professors Macdonnell and Keith remark: 'It seems certain that in the *Rig Veda* this Brahman is already a separate caste differing from the warrior and the agricultural classes.'<sup>2</sup> Thus there is evidence to show the existence of different classes in very ancient times. This is corroborated by the evidence of the Persian sources like the *Zend Avesta*.

There is again a passage in the *Śatapatha Brāhmaṇa* which throws some side-light on the question of the origin of castes. Prajāpati created Brahma with *Bhūh*, Kṣatra with *Bhuvah* and Viś with *Svah*. Professor K. Sundararama Aiyar explains this passage following *Śrī Śankara Bhāṣya* on a similar passage that occurs in the *Taittirīya Brāhmaṇa*.<sup>3</sup> स भूरिति व्याहरन्स भूमिमसृजत । That

<sup>1</sup> श्रेयान्स्वधर्मो विगुणः परधर्मात्स्वनुष्ठितात् ।

स्वधर्मो निधनं श्रेयः परधर्मो भयावहः ॥ (*Bhagavat Gītā*, iii. 35.)

<sup>2</sup> *Vedic Index*, vol. ii, p. 81.

<sup>3</sup> भूरिति वै प्रजापति ब्रह्मानयत्; भुव इति क्षत्रं; स्वरिति विशम् ॥

is, 'the earth was created by Brahma after the word *Bhū* became manifest in his mind.' In the same way the passage in the *Śatapatha Brāhmaṇa* means that they were created by Prajāpati after these words (*Bhū*, etc.) became manifest in his mind, and so they can be said to have sprung from both Prajāpati and from *Bhū*, etc., or from either.<sup>1</sup>

Whether this social system is to be attributed to divine creation or human, no one can possibly say. To a student of history who is engaged in studying only institutions of administrative importance this is immaterial.

Here we are concerned with the divisions and the orders that existed. Though the unfailing source of undated history which is tradition asserts that society came into being accompanied by these four divisions or communities of people yet it cannot be denied that caste arose long after the creation of man. With the establishment of this fourfold classification, to keep up orderliness in society and to preserve harmony, the seers and sages of old framed codes and laws enjoining on the particular classes to follow their *svadharma*. This conception of *svadharma* is a sound economic principle judged by modern notions of economic science. It at once knocks on the head the current principles of individual freedom, the struggle for existence, and the survival of the fittest. Ancient India had never to face these serious problems staring us now in the face. By healthy conventions, India solved these problems. Every individual was made to realize his responsibility and duty to himself, his family, community, state and ultimately to God. He is born in this broad world with three debts, duty to the elders or departed ones (पितृ ऋणं), duty to the sages and seers (ऋषि ऋणं) and duty to God

<sup>1</sup> *Vedānta: Its Ethical Aspect*, p. 268.

(देव ऋणं). He must absolve himself of these three debts if his aim is the liberation of his soul by means of supreme knowledge (ज्ञानं). The first step is *karma* or *dharma*, transgression of which would lead to serious consequences. In the *Mokṣadharmā* portion of the *Śānti Parvan* it is said<sup>1</sup> 'animated by lustful enjoyments, devoid of commiseration, full of passion and wrath, and fond of daring, adventure and departed from *svadharma*, the Brahmans acquired the quality of the Kṣatriyas.' Again those Brahmans<sup>2</sup> who take to agriculture and cattle rearing and do not attend to their proper duties acquire the quality of the Vaiśyas.' And yet again those who indulge in cruelty and untruth,<sup>3</sup> are avaricious, and take to all sorts of livelihood, full of *tamas* quality, and are fallen from the righteous path, acquire the quality of Sudras.'

From this one can easily understand how even professions or *virttis* were fixed by birth in a caste or a community. But this was not a hard and fast rule. There was the exception so far as the *virtti* was concerned. Here we must guard against confounding the principles of *svadharma* with *virtti*. Though the latter finds a place in the category of *svadharma* yet it was not absolutely insisted upon. For *svadharma* refers to religious

<sup>1</sup> कामभोगप्रियाः तोक्षणाः क्रोधनाः प्रियसाहसाः ।

यत्कलधर्मा रक्ताङ्गाः ते द्विजाः क्षत्रतांगताः ॥ (186. 11.)

<sup>2</sup> गोम्यो वृत्तिं समास्थाय पीताः कृष्युपजोविनः ।

स्वधर्मान्नानुतिष्ठन्ति ते द्विजाः वैश्यतांगताः ॥ (*Ibid.*, 12.)

<sup>3</sup> हिंसानृतप्रिया रुद्धाः सर्वकर्मोपजोविनः ।

कृष्णाः शोचपरिभ्रष्टाः ते द्विजाः शूद्रतांगताः ॥ (*Ibid.*, 13.)

functions, the various penances, and miscellaneous rites and ceremonies. But *virtti* refers to the worldly affairs of earning a livelihood. Sukra says<sup>1</sup> that the tilling of the soil by the Brahmans has been recommended by Manu and other teachers. Again in the *Śānti Parvan* of the *Mahābhārata*, in case of distress and for the sake of livelihood, a Brahman can live by taking to the profession of a Kṣatriya and even a Vaiśya.<sup>2</sup>

Again when thieves abound in large numbers, and when respect to authority wanes and the intermixture of caste results, all the classes are entitled to take up arms in defence.<sup>3</sup> A Brahman can take up arms on three occasions: for self-defence, for protection from dangerous and wicked men, and when he is robbed of his property.<sup>4</sup> Also it is said, 'He who would serve as the shore on the shoreless place and as a boat in the boatless place is always entitled to respect whether he be a Śudra or any other.'<sup>5</sup> The idea contained herein shows that the ancients did not attach much importance to the so-called superiority of certain castes. Here the position accorded to the Śudra must make one concede how catholic and how elastic the social system was as it was worked in ancient India.

Hindu society was an organism by itself. It came into being to meet social and economic needs. In the physical body there are several cells and the difference between these cells is mainly in function, which is

<sup>1</sup> iv. iii. 19.

<sup>2</sup> अशक्तः क्षत्रधर्मेण वैश्यधर्मेण वर्तते ।

कृषिं गोरक्ष्यमास्थाय व्यसने वृत्तिसंक्षये ॥ (lxviii. 2.)

<sup>3</sup> *Ibid.*, 18.

<sup>4</sup> *Ibid.*, 34.

<sup>5</sup> अपारे यो भवेत् पारमप्लवे य प्लवो भवेत् ।

शूद्रोवा यदि वाऽप्यन्यः सर्वथा मानं अर्हति ॥ (lxviii. 38.)

absolutely necessary for the life of organisms. The body-politic may thus be regarded as composed of individuals in various stages of evolution doing their respective duties and yet enjoying freedom. Thus we may realize the Sudra class as the pedestal of the body politic, but for which the head (Brahmans), the hands (the Kṣatriyas), the thighs (the Vaiśyas), would not only be ineffective for the functioning of society as a whole, but would also be incapable of performing their own functions to the best advantage. Dispute, discontent and despair would be the consequence. But if every member of this organism is powerful enough to function in its respective sphere, all of them would be interdependent and society would go on. 'Therefore nothing is too high, nothing too low, for all are equally suffused saturated and transfigured by the one life which alone makes for righteousness.' Hence the institution of the four *varṇas* has been based upon the latter's *guṇa* or essential nature and quality, and their respective *karma* or social function. In the order of the *āśramas* lies the condition needed for the enabling of the individual to perform efficiently his duties to self, to the family, to the community and to God, and thus to achieve the happy solution of this universal social problem which even modern democracy is unable to tackle successfully. Thus the conception of society as an organism, a new product of western science, is the basic truth taught in the sacred books of the ancient Hindus.

The conception of an organism involves, above all, two things: first organs, and then the purpose which these serve. We have already said that the four *varṇas* are the four important organs of the body, head, hand, thighs and feet. Their respective purposiveness

is the next question that needs to be answered. To a question put by Yudhiṣṭhira, Bhīṣma answers: 'The duties common to all classes of people are control of temper, love of truth, complete impartiality, all round purity of mind and body, absence of ingratitude, earning only for livelihood, and the maintenance of servants.'<sup>1</sup> For the Brahmans the duties are,<sup>2</sup> in addition to the practice of self-control, the earning of a livelihood by following his own caste profession and entering into a dharmic marriage and obtaining a son, the following six: namely, learning and teaching, giving and receiving gifts, performing sacrifices for themselves and for others. For the Kṣatriyas<sup>3</sup> gifts of wealth to the deserving, non-acceptance of gifts, performance of *yajñas*, study of the Vedas, but not the teaching of them, protection of the subjects, constant vigilance in putting down the wicked, prowess in war, killing the evil-minded, protection of the people in their *svadharma* are the duties. The duties of the Vaiśyas<sup>4</sup> are gifts, study of the Vedas, performance of the *yajñas*, purity of mind in earning wealth, agriculture, rearing of cattle, trade and commerce, etc. The *Śūdradharmā*<sup>5</sup> is the service of these three classes, spending wealth in religious works, receiving gifts of clothes, money, and other presents in return for their services. To a childless and deceased Sudra his master must perform the obse-

<sup>1</sup> अक्रोधः सत्यवचनं संविभागश्च सर्वशः ।

प्रजनं स्त्रेषु दारेषु शौचमद्रोह एवच ॥

अर्जवं मृत्युभरणं त एते सार्ववर्णिकाः ।

<sup>1</sup> *Ibid.*, 11-14.

<sup>2</sup> *Ibid.*, 23-29.

(*Sānti Parvan*, lix. 9 and 10.)

<sup>3</sup> *Ibid.*, 15-22.

<sup>4</sup> *Ibid.*, 30-39.

quies and rites. The disabled and the old must be protected. Again the Sudra can perform *yajñas* called पाकयज्ञः.<sup>1</sup> If he is poor and cannot find the wherewithal to do the *yajña*, and if he sticks to his *svadharma* he is entitled to a share of the spiritual benefits accruing from the performance of *yajñas* by the other three classes. The discussion ends with a thought-provoking stanza<sup>2</sup> which says:

As out of the one letter (अ), came out the three Vedas, the Rig, Yajus and Sāman, the three *varṇas*, Kṣatriyas, Vaiśyas and Śūdras came out of the one Brahman. For as the commentator puts it ब्रह्मेव ब्राह्मणः जातः ।; the creator himself became the Brahman. Out of him then sprang the other three who by *dharma* (ऋजवः by meaning सधिवः), and by the tie of relationship (ज्ञातिवर्णाः), are related to the Brahman,<sup>2</sup> but with a change of form or nature so as to prevent monopolism or rivalry, the inevitable concomitance of modern individualistic organization, thus ultimately ensuring an orderly progress. In this one *śloka* one can read the various aspects of the theory of social organism, the correlation of the structure, and the functions of various organs, or limbs of the society.<sup>3</sup>

<sup>1</sup> *Ibid.*, 41 ff.

<sup>2</sup> तस्मात्त्वर्णा ऋजवो ज्ञातिवर्णाः

संसृज्यन्ते तस्य विकार एव ।

एकं साम यजुरेकमृगेका ।

विप्रश्चैको निश्चयं तेषु सृष्टः । (*Sānti Parvan*, lix. 50.)

<sup>3</sup> *Sānti Parvan*, pp. 98-99 (Kumbakonam edition).

There are other passages in the same chapter which deserve careful perusal. The social position accorded to the Śūdras in ancient times, is at present much misunderstood. He was a kinsman by blood (ज्ञातिसाम्यं)

So far the *varṇas*. The *āśramas* or stages of life are for the Brahman four: *brahmacharya*, *gṛhaṣṭha*, *vānaprastha* and *sanyāsa*; for the Kṣatriya three (other than *Sanyāsa*); for the Vaiśya two (excluding *vānaprastha* and *sanyāsa*); and for the Śūdra only one, i.e. *g. haṣṭha*.<sup>1</sup> An elaborate study of this is made in chapter lx of the *Rāja Dharma* portion of the *Mahābhārata*. The first is a course of education and discipline. The student is expected to undergo a life of celibacy and austerity under the immediate and continuous guidance of a patriarchal *guru* or teacher. It is a life of discipline and purity. It prepares the student to squarely face the struggling world of *samsāra*—household, family, and children. Formation of character, building up of a robust body and acquisition of sound educational qualifications are then the results of the first *āśrama*. Ancient India would count with pride a number of life—*brahma-chārins* devoted to the welfare of the common people, at the sacrifice of their very selves. Some of them are the great Bhīṣmāchārya, the grandsire of the Kauravas, Hanumān the wisest sage and the heroic warrior rolled

as well as by cultural relationship (भ्रमसास्यं) to the Brahman like the Kṣatriya or the Vaiśya. The Śūdra is entitled to perform *pāka-yajñas*, and the name of Paijāvāna or Pallavāna is mentioned as the great member of the Śūdra community who performed these sacrifices and gave as *dakṣhina* one lakh of *pūrṇapātras*. *Sānti Parvan*, lix. 40-42. The learned commentator writes स वेदहोनाऽपि प्राजापत्यः प्रजापतिदेवताकः । Also सर्वेषां वर्णानां

ब्राह्मणजत्वादस्येव शूद्रस्यापि यज्ञे अधिकार इत्यर्थः । These bear out eloquently the fact that the Śūdra was as much an Aryan as the Brahman and if these facts could be accepted there need be no hesitation in concluding that the Dravidian race as distinct from the Aryan is a myth.

<sup>1</sup> *Sānti Parvan*, commentary on v. 2, chap. lix.

चातुर्वर्ण्यस्य ये आश्रमाः ब्राह्मणस्य चत्वार आश्रमाः, क्षत्रियस्य तयो, वैश्यस्य द्वौ, शूद्रस्यैक इति ।

into one, the minister of Sugrīva and devoted to Rāma, and Raikva of the *Chandogya*, the embodiment of purity and virtue, shedding spiritual lustre all round.

The *gṛhaṣṭha* is said to be the key-stone of the social arch and the housewife (गृहिणी) as the main-stay of *dharma*, the life and soul of *sat-karma* and *sadāchāra*. The house-holder enjoys wealth (*artha*) and desire (*kāma*), and adopts life (*pravṛttimārga*) not with the fever of ambition to scramble for gold, but with a good conception of duty (*dharma*) and ultimate release (*mokṣa*) as the ideal. He has to look upon wealth as a trust. He keeps an open door for the guests. He performs daily the five sacrifices *pañcha-mahā-yajña* to redeem himself from the debts he owes to his ancestors, sages and the gods. There are prohibitory injunctions for dressing, sleeping, marrying and living. He is to observe the various purifying ceremonies (*samskāras*) enjoined on him by the *Śāstras*. Women are the very queens of the household and are to be duly honoured; without honouring them, says Manu, one could not increase the prosperity of the family. If women grieve under any difficulty the family itself perishes.<sup>1</sup> This is proof positive to show how it is a mistake to regard that women in ancient India held a low position in the social scale. To call it slavery is, an illusion, born of prejudice rather than of ignorance.

The next *āśrama* is the *vānaprastha* when the householder grown old leaves for the forest with his wife to perform penances preparatory to the next stage of life, the *sanyāsa*. In this last stage he completely abandons the

<sup>1</sup> पितृभिर्भ्रातृभिश्चैताः पतिभिर्देवैरेतथा ।

पूज्या भूषयितव्याश्च बहुकल्याणमोक्षुभिः ॥ (Manu, iii. 55 ff.)  
Cf. *Mātsya Purāṇa*, chap. 214. 21-22.

joys and pleasures and even sorrows of the world, and leads a life of complete renunciation tending to *mokṣa* or salvation, the last *purushārtha* which is the supreme end of life. That this was in practice in ancient India is in evidence in the extant sacred books of the Hindus. The ancient sages and seers thus established what we can now regard as a well ordered life, by means of which the *purushārthas* may be realized. It was a living principle and had a special meaning and purpose. According to Dr. Ananda Coomarasvāmi 'What nevertheless remains as the most conspicuous special character of the Indian culture is its purposive organization of the society in harmony with a definite conception of the meaning and ultimate purpose of life.' What distinguishes the Indian social structure from western society is the pluralism of the group, intermediate between the state and the individual. The advantage of the Indian division lies in the fact that it finds it possible to absorb the activity of the individual in different forms of social grouping, the individual merging himself in the general will of the state.

Thus the system aims at unity in diversity. This ancient edifice of the Hindu society is in striking contrast to the social organizations of the West where change and readiness to change are the distinguishing characteristics which are the root cause of all social and economic discontent such as unemployment, and strikes. To-day we see there various efforts at social organization such as socialism, syndicalism, bolshevism, anarchism, etc.<sup>1</sup> All these movements have a common aim, namely, abolition of power and privilege. The economic doctrines of capital and labour are condemned, and

<sup>1</sup> Bertrand Russel's *Roads to Freedom* gives a clear idea of these efforts.

communal ownership of land and capital is generally aimed at. Society in the West at present is practically constituted of two classes, the capitalists and the labourers. The former with their increasing mountains of wealth feel as discontented as the latter who sweat for a few farthings. This has not unnaturally led to class war and an atmosphere of discontent everywhere.

Any observant student of the history of ancient India, and, for the matter of that, modern India up to the close of the last century, will testify to the elements of permanence and orderly movement as the sustaining principles of Hindu society as compared with the restlessness of western society and its perpetual want of equilibrium. The two characteristic features that mark modern society are the struggle for existence and an unhealthy competition. But it was economic democracy that distinguished ancient society from the modern. To preserve caste life and orders whose value has been recognized by such well-meaning friends like Sir Henry Cotton and Sir George Birdwood, the *Rājadharmā* acted as the check and the goad. In the absence of the *kṣatriya-dharma* it is said that all science and all the *dharma*s of caste and orders become ruined.<sup>1</sup> This excellent idea is also expressed with the same vigor and force in the Tamil classic, the *Kural*.<sup>2</sup>

<sup>1</sup> मञ्जुवैयस्यो दण्डनोतौ हतायां

सर्वे धर्माः प्रक्षयेयुर्विद्वद्वाः ।

सर्वे धर्माश्चाश्रमाणां हताःस्युः

क्षान्ते नष्टे राजधर्मे पुराणे ॥ (*Sānti Parvan*, lxii. 28.)

<sup>2</sup> ஆயுத குருந் அந்நெய்தரத் துறப்பது ஏனென்க ஈனென்க. (560). See *Journal of Indian History*, vol. iii, pt. iii, the correspondence between Dr. L. D. Barnett and Dr. S. Krishnaswami Aiyangar and especially p. 153.

## 50 HINDU ADMINISTRATIVE INSTITUTIONS

Kāmandaka strikes the same note when he says तस्याभावे धर्मनाशः तदभावे जगत्स्युतिः । ii. 34. In commenting on this verse Sankarārya quotes तथाहि 'लोकधारणात् धर्म' इति निश्चयने । It may be pointed out here that this '*loka-dhāraṇam*' consists in warding off evils arising from five different sources—officials, robbers, enemies, king's relatives, and king's covetousness.<sup>1</sup> This action on the part of the state represented by the king is for the increase of *trivarga* (त्रिवर्गपरिवृद्धये). Not only the gathering of the revenues in the proper season, but also the spending of the same in proper time is insisted upon, and in this way it is said that the realization of the three ends (त्रिवर्गप्रतिपत्ति) is attained.<sup>2</sup>

Thus the *kṣatria-dharma* leads on to universal welfare (लोकहितं धर्मम्).<sup>3</sup> It is the *adidharma* of every *yuga*. It keeps order in society and assures progress of the community.<sup>4</sup> It is Bhiṣma who says that *daṇḍa nīti* establishes the four castes in their *svadharma*.<sup>5</sup> But this could be effected only if the king were to be helped by the community at large. Indian social philosophers recognize state and society as distinct units but both complementary to each other and supplementary. Whenever society gets into distress the king must come forward to help. The people on the other hand must be aware of the usefulness and value of the *imperium* for their progress and welfare, and must help the authority whenever it runs into difficulties.<sup>6</sup>

<sup>1</sup> Chap. v. 81-82.

<sup>2</sup> *Ibid.*, 86.

<sup>3</sup> *Sānti Parvan*, lxiii. 5 ff.

<sup>4</sup> *Ibid.*, lxiv. 24-26.

<sup>5</sup> *Ibid.*, lxix. 3.

<sup>6</sup> *Ibid.*, cxxx. 31-33.

## Sec. vi. STATE AN ORGANISM

The conception underlying both Hindu society and Hindu state is that they are organisms. That a certain amount of organic unity also existed in their concept of the state is well attested by evidence. Kauṭalya speaks of organized state (प्रयत्नभूत) connoting the idea of the limbs of the state-body. It even demonstrates the fact of organic unity among these various limbs of government. The state is said to possess seven limbs (some translate as elements of sovereignty), each discharging its ordained function, all ultimately contributing to the welfare of the body-politic. The seven constituents of the state are the same whether they are found in the *Dharmaśāstra* or the *Arthaśāstra* literature. They are the king (*svāmin*), the minister (*amātya*), the territory (*janapada*), the fort (*durga*), the treasury (*kośa*), the army (*daṇḍa*), and the ally (*mitra*). Kauṭalya calls them *prakṛtis*.<sup>1</sup> The *Srīmulam Commentary* remarks परस्परं प्रकृष्टं उपकुर्वन्ति इति प्रकृतयः । It means

<sup>1</sup> *Mbh.*, *Adi*, 217, st. 5 ; *Sānti Parvan*, ch. lvi. 5 ; ch. lxviii. 7.

*Prakṛti* is a technical term in Hindu political literature used in different senses, the ministry, the subjects, the various sovereigns in war, or the constituent elements of a state. Kālidāsa uses it in the first sense, *Raghu.*, chap. xxii. 12. Here the celebrated commentator Mallinātha quotes Viśvā for that interpretation 'प्रकृतिः सहजे योनौ अमात्ये परमात्मनि' इति विश्वः । Śukra uses it in this sense in several places. Kālidāsa again uses the same term in the second sense, namely, subjects (*Raghu.*, viii. 18). In the third sense of sovereigns to be considered in time of war, Manu uses the term

एताः प्रकृतयो मूलं मण्डलस्य समासतः । (vii. 156.)

In this sense it is largely used. Among these seven again, the minister, the territory, fortresses, treasury and justice are called द्रव्यप्रकृतयः, the very substratum of the state. *Svāmi* is the Lord of these five *dravya-prakṛtis*. *Svāmi* may be king or king's regent. The ministry are the councillors whose

that each contributes to the efficient functioning of the others.

Kāmandaka also speaks of the seven-limbed state.<sup>1</sup> It is said that if even one part is defective it would jeopardize the normal working of the state. To secure complete efficiency it is recommended to repair immediately the impaired parts (iv. 2). On this Śāṅkarāya comments 'otherwise it would impede the work that could be done only collectively.' The same idea is expressed in the *Mānava Dharmaśāstra*.<sup>2</sup> Manu says that these limbs are so linked together as to form one single whole. It is compared to the three staves of a *śanyāsin*, well-knit together so as to form one single staff. Inter-related and inter-dependent each could not harm the other as such.<sup>3</sup>

To these Sukrāchārya adds a beautiful analogy.<sup>4</sup> The state is compared here to a tree of which the king is

number varied. The territory consists of eight different kinds of which the *grāma* or the village was one. The fortresses also are of several kinds. The treasury consists of treasure, inferior metals, and precious stones. *Danda* is the four-fold army. The *mitra* is hereditary (*sahaja*), hostile (*kytrima*), and natural (*prakṛta mitra*); each helps the other in function and is inter-dependent like the three worlds and oceans, *विविष्टव्यकषत्* (*Sṛimulam Com.*, vol. ii, p. 224). (Kauṭalya speaks respectively of *prakṛti sampat* and *prakṛti vyasana* in Bk. vi, sec. 1, and Bk. viii, sec. 1. Here the nature and qualities of the elements of sovereignty as well as their difficulties and distresses are examined).

<sup>1</sup> Chap. iv. 1.

<sup>2</sup> Chap. ix. 294. अन्यथा समुदाय साध्यं कार्यमतिपतेन ।

<sup>3</sup> Chap ix. 296.

अन्योन्यगुणवैशेष्यान् किञ्चिदतिरिच्यते.

*Yājñavalkya*, chap. i. 353.

<sup>4</sup> राज्यवृक्षस्य नृपतिः मूलं स्कंधाश्च मंत्रिणः

शाखास्सेनाधिपाः सेनाः पल्लवाः कुसुमानि च ।

प्रजाः फलानि भूभागाः बीजं भूमिः प्रकल्पिता ॥ (v. 12-13.)

the root, the ministry the trunk, the military offices the branches, the army the leaves and flowers, the people and territory the fruits and seeds respectively.

It is natural that any limb of the body-politic may become diseased. Sometimes the disease may be great and even incurable. Though the service of that particular organ is a necessity, still life must go on with the service, co-ordinate and conjoint, with the other parts. Kauṭalya, practical statesman as he is, gives expression to similar ideas

प्रकृत्यवयवानां तु व्यसनस्य विशेषतः ।

बहुभावोऽनुरागो वा सारो वा कार्यसाधकः ॥ (Bk. viii, sec. 1.)

This means every organ is composed of different parts. For example the *prakṛti danda* is composed of hereditary, hired and voluntary recruits or soldiers, whilst the treasury consists of precious gems, valuable metals and baser metals also. If a part or parts of one or more organs get into trouble, still the work will be accomplished if that limb consists of several other parts which are really serviceable and possess good attributes.<sup>1</sup> Kauṭalya works up his idea further and remarks<sup>2</sup> that 'if two of the elements are equally hit by troubles still the project must be embarked upon, having distinguished both the progressive and the regressive states of things, provided the import of the rest of the elements is not well expressed. Again, 'If the *vyasana* or distress of a single organ would contribute to the ruin

<sup>1</sup> The *Sṛimulam* commentator furnishes a new interpretation on this passage, *vide*, vol. iii, p. 10.

<sup>2</sup> द्वयोस्तु व्यसने तुल्ये विशेषो गुणतः क्षयात् ।

शेषप्रकृति साद्रूप्यं यदित्यान्नाभिधेयकम् ॥ (Bk. viii, sec. 1.)

of all other organs of the state, then certainly that distress is serious, whether that element be important or no.'<sup>1</sup>

Thus it is clear that there are several organs differentiated in function, each contributing to the whole which is the well-being of the state. The disease of the one may or may not affect the other parts of the system. There are some diseases which affect the whole physical system, and others which deter the proper functioning of that particular organ. In the same way Kauṭalya is of opinion that a certain part of these elements may or may not harm the progressive working of the state. All these limbs are imperatively necessary for the satisfactory working of the state organism. Though certain *aṅgas* are defective still the normal work could go on undisturbed. It is for the practical statesman at the apex of the administration to judge of it as it deserves. Thus with Sarkar we may say 'the organismic conception in Hindu *uṭi* philosophy is not merely structural or anatomical, but also physiological in the sense that it is functional. In giving currency to the doctrine of *saptāṅga* Hindu political philosophy does not popularize an arbitrarily strung system of seven categories. It embodies really a psychological attempt to conceive and classify political phenomena in their logical entirety.'<sup>2</sup>

<sup>1</sup> शेषप्रकृतिनाशस्तु यत्कैवलयसनाद् भवेत् ।

व्यसनं तद्गोप्यस्यात् प्रधानस्येतरस्यवा । (Bk. viii, sec. 1.)

<sup>2</sup> *Positive Back-ground of Hindu Sociology*, Bk. ii, part 1, p. 39.

Kāmandaka speaks of a seven-limbed kingdom as 'सत्त्वबुद्धि व्यपा-  
क्षयम्राज्यं.' On this the commentator remarks 'सत्त्वं व्यसनेऽभ्युदयेच,  
यदविकारकं, बुद्धिः शुश्रूषादिकक्षणा, तदुभयमाश्रयो राज्यस्य ताव्या  
प्राधान्येन लाभपाकनयोगात्' । 'A kingdom must be strong both in dis-

truss and in prosperity. Wisdom lies in helping each other. Their pre-  
dominance by means of acquisition and protection makes the state prominent  
(l. 18-19). In commenting on the latter verse, Śaṅkarārya remarks :

‘राज्यं राजत्वं, यद् राजेत्याभिधानप्रत्ययोः प्रकृतिनिमित्तम्’

Ghoshal translates this '*rājyam*' kingship or kingly function which is used to signify the appellation and connotation of the term 'king'. On this he takes it that the category of seven elements implies the concept of sovereignty or government rather than state or kingdom. But Śaṅkarārya explains why it is *rājya* or *rājatva*. The term *rāja* is well known. It demonstrates that the king is the most important of the constituent parts. It may mean the element of sovereignty elsewhere, but whenever it is mentioned in connection with a state it always refers to the constituent parts only. Ghoshal misinterprets this so as to suit his statement, that the Hindu political philosopher drew no line of demarcation between state and government.

*Hindu Political Theories*, pp. 84-85. *Rājatvam* means simply sovereignty or governmental sovereignty. And sovereignty is the chief characteristic of statehood. It is not government. For, government is 'the organization of the state, the machinery through which the state will is expressed.' If the Hindu philosophers have only realized government and not state, it surpasses one's comprehension how there could be any organized government without a state. There could be a government provided there was a properly organized state. Hence there is reason to believe that the political philosophers in Ancient India realized this fact and evolved the ideas of both state and government. As a matter of fact there are numerous examples of different forms of state such as monarchical, republican, etc. In the face of this to deny the existence of the state as separate from government is a mere allegation that has no evidence to support it.

## CHAPTER II

## THE CENTRAL ADMINISTRATION

## I. GENERAL PRINCIPLES

THE executive edifice in ancient India was strong and enduring. It was not complex in character. At its apex stood the king, the executive head who practically controlled the state. The king was not a mere ornamental figure but a true official guiding the destinies of the kingdom. A king is generally known by the expression *rājan*, *nrpa*. The word *rājan* is derived from the root रञ्ज् to please—implying that a king makes his subjects always happy by ruling justly.<sup>1</sup> The other expression *nrpa* is from नृन् पालयति, he who affords protection to his subjects. That this was an axiom traditionally acquiesced in is seen from an inscription of the Jain king, Kharavela (165 B.C.), and from a statement in the Buddhist canon ‘*dhammēna parē rañjē-tti kho Vāseṭṭha rāja*,<sup>2</sup> *rājā he evalatīyaṃ akkharaṃ Upanibbattaṃ*.

It would be interesting to discuss the origin of the institution of monarchy and consider whether it was hereditary or elective in character, and how far it was arbitrary or amenable to law. The origin of kingship in ancient India is shrouded in mystery. Various theories are advanced to substantiate differing points of view. The generally accepted theories are four and may be stated

<sup>1</sup> रंजिताश्च प्रजाः सर्वास्तेन राजेति शब्दयते ।

(*Sānti Parvan*, lviii. 133.)

<sup>2</sup> *Dīgha Nikāya*, vol. iii, p. 93 (*Aggañña Suttanta*).

categorically : (1) divine origin, (2) origin in war, (3) the theory of contract, and (4) the theory of elective kingship.<sup>1</sup>

## (i) THE THEORY OF DIVINE ORIGIN

Dr. Ghosal in his *Hindu Political Theories* may be regarded as a notable contributor to this subject without disparagement to other enthusiastic students, who are adding to our knowledge by unfolding the history of ancient India.

To begin with, the divine origin of kings was a common notion among the ancient peoples of the world. In a long chapter on the ‘Evolution of kingship’, Dr. Narendranāth Law<sup>2</sup> critically reviews this subject especially on the basis of Sir James Frazer’s *Golden Bough*, and comes to the conclusion that there had been an age of magic before religion evolved and that the evolution of the latter was due to the growing inefficacy of magic. The belief was that in all Aryan countries the kings possessed magical or supernatural powers by which they could confer material benefit on their subjects. Frazer refers among others to the verse of Manu<sup>3</sup> in speaking of the supernatural powers of the ancient Hindu kings. Manu<sup>4</sup> says that even a baby king should not be disregarded under the impression that he is an ordinary mortal. He is a deity though human in

<sup>1</sup> *Hindu Polity*, part ii, pp. 3–15.

<sup>2</sup> *Ancient Indian Polity*, ch. viii and especially, pp. 112–13.

<sup>3</sup> यत् वर्जयते राजा पापकृद्भ्यो धनागमम् ।

तत् कालेन जायन्ते मानवा दीर्घजीविनः ॥

(*Manusmṛiti*, ix. 246.)

<sup>4</sup> बाळोऽपि नावमन्तव्यो मनुष्य इति भूमिपः ।

महती देवता ह्येषा नररूपेन तिष्ठति ॥ (vii. 8 ff.)

form. Thus there is the one theory that kingship grew out of magic.

The divine theory of kingship is commonly found in the law-books, the *Mahābhārata* and even some of the *Purāṇas*. Brahma created the king for protecting all creatures with justice.<sup>1</sup> We have already drawn attention to Manu's idea of kingship.<sup>2</sup> As the king is conceived to be a deity in human form, one must not incur his displeasure. His anger is fire that will burn all the family with its hoard. His law or orders, must not be transgressed lest the culprit be consumed by his wrath.<sup>3</sup> These views of the Law-giver more or less find mention in the *Śānti Parvan*.<sup>4</sup> Here Bhīṣma speaks of the king as god Indra himself. The following is the substance of Bhīṣma's speech.

The consecration of the king is the first business of the state. Otherwise there will be trouble from undesirables. There will be anarchy. There is Vedic authority to regard the king as Indra himself. He must be honoured like Indra. In a kingless state there will be no *dharma*. If a king of a neighbouring state invades the kingless country, the people of the latter should not resist him but honour him duly. For the hand of protection of the king will tend towards the welfare of the state. If a superior king should become aggressive he would swallow the inferior powers. The cow that yields milk easily must not be put to trouble during milking. The tree that bends of itself need not be bent by artificial means. Hence the superior power must

<sup>1</sup> दण्डप्रणयनार्थं राजासृष्टः स्वयंभुवा ।

देवभागाननुपादाय सर्वभूतादि गुप्तये ॥ (*Matsyapurāṇa*, ccxxvi. 1.)

<sup>2</sup> *Supra*, p. 57.

<sup>3</sup> Manu, vii. 8 ff.

<sup>4</sup> Ch. lxvii, 40 ff.

always be obeyed. In a kingless state property or family will not be safe. Even the wicked will not feel happy. On this account the gods appointed a king. In ancient days when anarchy was rampant the people made an agreement among themselves. He must be abandoned who speaks bombastically, who is cruel in acts, is voluptuous and encroaches on other's property. Sometime after, they approached Brahma, with prayerful respects, for a king. Then Brahma ordered Manu to be the king. The latter refused the offer saying that it would mean shouldering heavy responsibility, and that an attempt to rule over the country which was full of the wicked and the untruthful would be a trying task. On this the people entered into a contract by which they agreed to give him 1/50 of the cows, 1/50 of gold, 1/10 of grains, a beautiful maiden as queen and a bodyguard. In return they asked for the destruction of their enemies so that they might lead quiet lives. He agreed and with a great army set out for the conquest of all quarters. His refulgence and prowess made the people tremble in fear and in consequence they followed their *svadharma*.<sup>1</sup>

It is said<sup>2</sup> that subjects must be loyal to the monarch as a student to his preceptor, and the gods to Indra, the lord of Heaven. If a king's subjects be loyal his enemies would be afraid to insult him. To insult the king is to insult the state with all its people. Kings should be honoured with valuable presents. The king must in his turn be true and faithful to his subjects and put on a smiling face and speak soft and sweet words to every one that approaches him. These facts show in no uncertain terms that India did not develop a theocratic state as did mediæval Europe.

<sup>1</sup> *Śānti Parvan*, cf. 66, *supra*, pp. 16-17.

<sup>2</sup> *Ibid.*, 66, 34 ff.

It would thus appear that the duty of the protection of subjects by a king is divinely ordained. This doctrine of the divine nature of the king was formulated, according to Dr. Ghosal, with the deliberate object of counteracting the tendencies inherent in the older theory of kingship.<sup>1</sup> The idea underlying this is that the monarch was the highest official, paid for his services like every other ordinary officer. To counter unhealthy tendencies the authors of the *Dharmaśāstras* and the *Arthaśāstras* contrived to hedge the king with divinity familiar with Hindu political theory.<sup>2</sup> According to Manu in a kingless state when anarchy became rampant a king was created by the divine will, for affording protection to all creatures, out of elements from Indra, Vāyu, Yama, Sun, Agni, Varuṇa, Moon, and Kubera.

The account of the origin of the king in chapter (lviii) of the *Śānti Parvan* is in keeping with the Vedic tradition found in the *Śatapatha Brāhmaṇa*.<sup>3</sup> In the latter the very Kṣatriya class (*rājanya*) is described as having a divine origin. The *Bṛhaddharma Purāṇa* mentions that the king assumes not the form of one deity, but the forms of five deities, and therefore, he must be above censure and reproach.<sup>4</sup> But, according to the *Mahābhārata*, a king becomes a king only after the ceremony of consecration by the subjects.<sup>5</sup> The Hindu concep-

<sup>1</sup> *Hindu Political Theories*, p. 172.

<sup>2</sup> अराजके हि लोकेऽस्मिन् सर्वतो विद्रुते भयात् ।

रक्षार्थस्य सर्वस्य राजानमसृजत्प्रभुः ॥

इन्द्रानिलयमार्काणामग्रेष्ठ वरुणस्य च ।

चन्द्रवित्तेशयोश्चैव माता निर्हुत्य शाश्वतोः ॥ (vii. 3, 4.)

<sup>3</sup> V. 3. 5. 4 and 1.5.14; *S. B. E.*, vol. xli.

<sup>4</sup> *Uttarakāṇḍa*, iii. 6-7.

<sup>5</sup> *Śānti Parvan*, lxvi. 2.

tion of the power of the king was, unlike the divine right of the Stuarts, the divinely ordained *duty* to afford protection to his subjects.<sup>1</sup> Pramathanath Banerjee thinks that only a righteous monarch was regarded as divine,<sup>2</sup> and notes that the king was not a *devata* but only a *naradevata* and seems to base his conclusion on the authority of Śukrāchārya who says that an unrighteous monarch is a demon.<sup>3</sup> But Dr. Ghosal cites the concluding verse of chap. lviii of *Śānti Parvan*, and argues that the king is equal (*tulya*) to a *devata* and not a mere *naradevata*,<sup>4</sup> adding the remark that Śukra's theory is peculiar to him and not shared by other Hindu writers. This remark implies that Śukra develops a polity of his own, or rather breaks away from the long continued Hindu tradition. Śukrāchārya has not sacrificed tradition in the least; on the other hand he has greatly amplified the political philosophy of his time. A king is after all a man, an ordinary human being. It is the ceremony of consecration which invests him with sovereign powers and duties, and so long as he maintains this position by the observance of rules laid down he is entitled to respect as a *devata*. He is not, therefore, *devata* in essence, but a *nara-devata*. He is *devata* in the sense that he awards *abhaya* to his subjects, the nature of this *abhaya* being protection from internal and

<sup>1</sup> सर्वस्यास्य यथान्यायं कर्तव्यं परिरक्षणं ।

रक्षार्थमस्य सर्वस्य राजानमसृजत्प्रभुः ॥ (Manu, vii. 2 and 3.)

<sup>2</sup> *Public Administration in Ancient India*, p. 71; see Carmichael Lectures, 1918, pp. 126-27.

<sup>3</sup> *Hindu Political Theories*, p. 183.

<sup>4</sup> Ch. i, *śloka*s 30-34.

ततोऽजगति राजेन्द्र सततं शब्दितं बुधैः ।

देवाश्च नरदेवाश्च तुल्या इति विशांपते ॥ (ch. lviii, 183.)

external enemies of the state. It is not, however, the eternal *abhaya* of the Lord, for it is said that a weak monarch who is also a *naradevata*<sup>1</sup> must succumb before a powerful conqueror. Otherwise the consequences will be the harassing of his subjects and the plunder of his territory. Unless we would perpetuate a hierarchy of weak *devatās* and strong *devatās*, these could not be said to be *devatās*. The theory that a king is a *devata* has no leg to stand on.

### *Origin in War*

The second theory of the origin of kingship is the Vedic theory of origin in war.<sup>2</sup> To quote Mr. Jayaswal there was a contest between the *devas* and the *asuras*. The latter were victorious. The *devas* attributed their defeat to the fact that they had no king while the *asuras* had a king. Hence they resolved to elect one. All agreed. Jayaswal comments, 'if it had a historical reference it would refer to the tribal stage of the Aryans in India and it would suggest that the institution of kingship was borrowed from the Dravidians.'<sup>3</sup> This seems to point to a period of culture when people were still leading a tribal life and had not an organized form of government. The text of the *Aitarēya*

<sup>1</sup> Such epithets are not peculiar to political literature. We often meet with expressions like राजसिंह and नरशार्दूल meaning, the lion among kings, and the tiger among men respectively.

<sup>2</sup> *Aitarēya Brāhmaṇa*, i. 14.

देवासुरा वा एषु लोकेषु सम्यतत.....तांस्ततोऽसुरा अजयम्  
..... देवा अमृदन्नराजतया वै नोजयन्ति राजानं करवामहा इति  
तथेति ॥

<sup>3</sup> *Hindu Polity*, pt. ii, pp. 4-5.

*Brāhmaṇa* suggests the theory that kingship originated in war. It may provide authority for the theory of election as well.

### *The Theory of Contract*

Another theory of the origin of the institution of monarchy is the individualistic theory which prevailed in the West in the seventeenth and eighteenth centuries. It is well known as the theory of contract. According to it the relationship between the ruler and the ruled was contractual. Such contractual relations find unmistakable expression in the Buddhist canon. From here is traced the origin of human kingship, with its notion of agreement as the basis of the political order.

In this connection we cannot refrain from referring to the oft-quoted passage in the *Dīgha Nikāya*.<sup>1</sup> At first there was the original state of nature when everything was perfect and people lived in comfort. When decline began in the perfect state of innocence in nature, people assembled together to elect a king—a powerful individual from among them. He was called the Great Elect (*Mahāsammata*). A somewhat similar conception is seen in the *Mahāvastu Avadāna*.<sup>2</sup> These ideas correspond roughly to our modern conception of social contract. The idea of taxation and protection is involved here. Ghosal says that the Buddhist theory of contract virtually exists as an isolated phenomenon in the history of Hindu political thought.<sup>3</sup> We quote Jayaswal in reply. 'This theory of contractual monarchy found support in Vedic hymns and songs of royal

<sup>1</sup> *Aggañña Suttanta*, vol. iii, p. 93, P. T. S. Edition.

<sup>2</sup> Senart's Ed., vol. i, pp. 247-48.

<sup>3</sup> Vide *Hindu Political Theories*, pp. 118 and 119; the *Mahāvamśa*, chap. ii, pp. 10-11.

election, in rituals of royal consecration which were based on elective principles, and in the coronation oath which made the king swear that he would rule according to law.<sup>1</sup>

The notion then of taxation and protection underlying the Buddhist theory is not alien to Hindu literature. *Baudhāyana*<sup>2</sup> lays down that a king could claim one-sixth in the shape of tax and in return offer protection for the welfare of his subjects, and refers to the Brahmanical notion of the origin of kingship. The idea of compact is further seen from chapter lxvi of the *Śānti Parvan* and is postulated in the *Raghuvamśa*, i. 11 and 18. The *Arthaśāstra* of Kauṭilya states thus:

इन्द्रयमस्थानमेतत् राजानः प्रत्यक्षहेतुप्रसादाः । तान्  
अत्रमन्यमानान् देवोऽपि दण्डः स्पृशति तस्मान् राजानो नावमन्तव्याः । (i. 9.)

This is commonly believed by scholars to explain the principle underlying the theory of divine origin. Kauṭilya no doubt invests the monarch with divine halo; his object clearly is not to ascribe a divine origin to the king but to describe his position in expressive terms.

If any comparison could be made with the views of the modern writers on political theory, then the theory of Hindu writers approaches closely that of Hobbes whilst that of the Buddhist canon resembles the theory of Locke.

Whatever may be the origin from which the institution of monarchy took its rise in ancient India, one fact is obvious: the elective principle plays an important part. Even where the character of monarchy is hereditary, the principle of election appears in one form or other. In the very ceremony of consecration we notice how the principle of election is an underlying factor. As a general rule

<sup>1</sup> *Hindu Polity*, part ii, pp. 5-6.

<sup>2</sup> i. 10. 18. 1.

monarchies were hereditary in India though the physical fitness of the succeeding monarch was an essential condition. Ancient India had two important lines of kings: the one of the solar race (सूर्यवंश) and the other of the lunar race (चंद्रवंश). The genealogy of these kings is found in all the Purāṇic texts which F. E. Pargiter has made an attempt to collate in his works *Ancient Indian Historical Tradition* and *Purāṇic Dynasties of the Kali Age*. Kālidāsa's *Raghuvamśa* shows how the principle of hereditary right was recognized and enforced. But still before the coronation, acquiescence of the *Prakṛti* (people) was a necessary factor of the utmost importance. That the notion of election is as old as the Vedic period is however clear. People assembled in what was known as the *samiti* to elect the king. There was to be no dissenting voice. The Vedic hymn of election is found in our oldest literature, the *Rig Veda Samhita*:

आत्वाहर्षमंतरं ध्रुवस्तिष्ठति विचाचलिः ।

विशस्त्वा सर्वा वाञ्छन्तु मा वद्राष्टमधि भ्रशत् ॥ 1 ॥

इहैवेधि मायच्योष्टाः पर्वत इव विचाचलिः ।

इंद्र इवेह ध्रुवस्तिष्ठेह राष्टमुधारय ॥ 2 ॥

.....

ध्रुवं ध्रुवेण हविषामिसोमं मृशामसि ।

अथोत इंद्रः केवलीर्विशो बलिहृतस्करत् ॥ 6 ॥ (x. 173.)

More or less the same hymn occurs in the *Atharva Veda*.<sup>1</sup> According to the *Rig Veda Samhita*<sup>2</sup> the king was the sole taker of taxes and was offered a raised

<sup>1</sup> vi. 87-88, quoted in *Hindu Polity*, part. ii, p. 7.

<sup>2</sup> x. 173. 6.

throne-seat. Jayaswal reads into this text an important interpretation, namely, that it signifies that the idea of state as an organism was realized even in Vedic days. The king's seat as the highest part in the body-politic is also seen in a text of the *Atharva Veda*.<sup>1</sup> From this

त्वां विशो वृणतां रात्र्याय त्वामिमाः प्रदिशः पञ्चदेवोः ।

वर्ष्मन् राक्षस्य ककुदि अयस्व ततो न उग्रो विभजा वसूनि । (iii. 4. 2.)

Jayaswal thinks that there was the re-election of a *Rāja* who had been banished from the state for misconduct or other sufficient reason. Whatever it may be, election of a monarch was a settled idea and prevailed side by side with the hereditary notions of monarchy.

In this connection is worth noting the acceptance and the possession by the king of an armlet called *mani* made of *palāśa* wood. According to the *Brāhmaṇas* these *manis* were presented by the 'king-makers', probably the higher officials of the state, namely, the ministers and the councillors. In the Buddhist work *Dīgha Nikāya*<sup>2</sup> there is an unmistakable reference to these *rājakartas* who belonged to the class of nobility. The jewel was also known by other names *parṇa*, *ratna*. Hence these king-makers went by the name *ratnins*. This was only a later introduction while in early Vedic times it was the custom for the king to receive this armlet from the folk-moot perhaps assembled on the great occasion of his election. Even workmen and artisans engaged in metallurgy and chariot-building had a right to take part in the proceedings of this popular assembly. On the receipt of this armlet from the folk assembled, the king made a speech in reply suitable to the occasion in which

<sup>1</sup> *Hindu Polity*, part II, pp. 8-9.

<sup>2</sup> *Mahāvastu Sūtra*, vol. II, p. 233 : *rāja kālāro bhavanti Rājaprajā abhisiñcayantu*.

he invoked the assistance of all the people for successfully manning the ship of the state.<sup>1</sup> The term *viś* refers to this institution of folk-moot.<sup>2</sup> The re-election of exiled princes and the deposition of existing monarchs<sup>3</sup> were rights enjoyed by the commonalty of the realm.

Historical instances of the deposition of ruling princes are not wanting. The useless and unworthy Vena was deposed and, what was more, executed. The deposition of Richard II was due to similar reasons but he did not meet the same fate as Vena.<sup>4</sup>

Examples again corresponding to the glorious Revolution of 1688 are not unknown to Indian history. There are several cases in which the reigning king was expelled and a new dynasty was founded by the general will of the people. When king Nāgadāsaka pursued the path of *adharma* the anger of the people led not only to his deposition, but to the condemnation of the whole of his family as unfit to hold the reins of government. On this the Śiśunāga dynasty was established in B.C. 602.<sup>5</sup> The same reason led to the dethronement of the royal family of the Nandas in Magadha and the founding of the Maurya dynasty by Kauṭilya and other responsible persons as could be gathered from the *Vāyu* and *Matsya Purāṇas*.<sup>6</sup>

<sup>1</sup> *Atharva Veda*, iii. 5. 6-7.

<sup>2</sup> iii. 4. 6.

<sup>3</sup> *Atharva Veda*, vi. 8. 7.

<sup>4</sup> *Śānti Parvan*, lviii. 103-10.

<sup>5</sup> *Mahāvastu*, chap. iv, p. 19.

<sup>6</sup> ततः प्रमृति राजानो भविष्याः शूद्रयोनयः

एकदा स महापद्म एकचक्रो भविष्यति ।

.....

सहस्रास्तसुता द्वाष्टी समा द्वादश तेनृपाः ।

महापद्मस्य पर्याये भविष्यन्ति नृपाः क्रमात् ।

Another case of popular election<sup>1</sup> is that of Gopāla (c. 730-40) the son of a successful soldier who was asked by the people to accept the throne. Gopāla thus became the founder of the Pāla Empire of Bengal and Eastern India. This is what is meant by the following and other similar statements:

'Thy opponents shall call thee. Thy friends have chosen thee.'<sup>2</sup>

These demonstrate the fact that the office of the king was a creation of the people and the king held the throne conditionally, that is, under definite terms. Any violation of these agreed terms would lead to the banishment or deposition of the ruler. But this principle of election did not negative that of hereditary right. This was not interfered with except in extreme circumstances. The eldest son of king Nahuṣa turning an ascetic, his next brother Yayāti became the king. Dhṛtarāṣṭra being blind, Pāṇḍu his junior became the king. Bharata was installed the crown prince though Rāma was the eldest. Devāpi who suffered from skin disease was declared by the people as unfit to succeed as king, though his father the Kuru King Pratīpa wished for it. His second son Bāhlika having been adopted by his maternal uncle, became also unfit to be the legal heir. Hence the third

उद्धरिष्यति तान् सर्वान् कौटिल्यो वै द्विरष्टभिः ।

भुक्त्वा महीं वर्षशतं नन्देन्दुः स भविष्यति ।

चन्द्रगुप्तं नृपं राज्ये कौटिल्यः स्थापयिष्यति ।

चतुर्विंशत्समा राजा चन्द्रगुप्तो भविष्यति । (Vāyu, ch. 37. 321 ff.)

*Bibliotheca Indica*, vol. II, p. 449.

Cf. *Mātsya*, ch. cclxxi. 18, 22 (*Anandaśrama* series, p. 553), *Bhāgavata Purāṇa*, Bk. xii, ch. 1.

<sup>1</sup> B. K. Sirkar, *Political Institutions*, p. 85.

<sup>2</sup> *Atharva Veda*, iii. 3, 5.

and the last, Santanu was elected king by the people.<sup>1</sup> The rule was that by legal authority the younger brother had no right of succession when there was the elder.<sup>2</sup> But there were exceptions to this rule.<sup>3</sup> From the foregoing accounts of Pratīpa and others we can safely conclude that kings were legally powerless in the matter of deciding their successors. They could, however, nominate one provided the nomination likely to be acceptable to the common will.

Professor Hopkins holds that physical defects were no serious bar to succession to the throne. We cannot follow the learned scholar. Dhṛtarāṣṭra's ruling the country for a short time after Pāṇḍu's death, and Bharata's being installed as the crown prince temporarily were inevitable, having been the result of causes beyond human control. As temporary measures people acquiesced in these arrangements. These would undoubtedly have met with vehement opposition from the public if these had been permanent measures.<sup>4</sup>

There is the other interesting question whether kings were elected for life or for a period of time. Kingship does not appear to have been limited in ancient India to any fixed period though such limitation was insisted on in other countries. Kingship was undoubtedly for

<sup>1</sup> *Mahābhārata*, *Udyoga Parvan*, cxlix. 14-29.

<sup>2</sup> इक्ष्वाकूणां हि सर्वेषां राजा भवति पूर्वजः ।

पूर्वजेनावरः पुत्रो अयोष्ठो राज्येऽभिषिच्यते ॥

(*Rāmāyaṇa*, ii. 110. 34.)

<sup>3</sup> एवं अयोष्ठोऽप्यथोत्सिक्तो न राज्यंऽभिजायते ।

यत्रोयांसोपि जायन्ते राज्यं वृद्धोपसेवया ॥

(*Udyoga Parvan*, cxlix. 13.,

<sup>4</sup> *J.A.O.S.*, vol. xiii, pp. 143 and 144; see *Ancient Indian Polity*, pp. 58-59.

life. But a king might abdicate the throne voluntarily.<sup>1</sup> Besides the theory of abdication in the *Kauṭalya*, there is, in the *Mahāprasthānika Parvan* of the *Mahābhārata*, a practical instance of abdication where Yudhiṣṭhira abdicates in favour of Parikṣit.<sup>2</sup> People did not at first consent to his abdication, but after much persuasion it commended itself to their approval. Then Yudhiṣṭhira, his brothers and Draupadī laid aside all royal ornaments and robes, and, dressing themselves in garments of fibre, started for the woods. Such abdications were usual in cases of extreme old age, or other physical disability, or because of a strong inclination for the performance of penance. Śīradhvaja Janaka, the father of Sīta and father-in-law of Rāma, went to the forest to do penance after relinquishing his throne. His is only one case among many who practised likewise. Otherwise there seem to have been no definite cases where the office of monarchy was fixed to any periodical limits.

But periodical interregnums seem to have been a feature of our ancient Indian governments. Kauṭalya says<sup>3</sup> let a kingless state be governed by a *kula*. If not there would be the evil consequences of a state without a head, namely, anarchy. Again in the *Mahāvamśa*<sup>4</sup> after the death of the king of Lanka, Vijaya, the ministers took the reins of government for a period of one year till the nephew of the late king who was absent in India, was crowned king on his return.

<sup>1</sup> *Arthashastra*, Bk. v. 6.

<sup>2</sup> *Mbh.*, Bk. xvii, ch. 1.

<sup>3</sup> कुलस्य वा भवेद्वाग्यं कुलस्यो हि दुर्जयः ।

अराजक्यसनाबाधः शब्ददावसति क्षितिम् ॥ (Bk., i, sec. 17.)

<sup>4</sup> Ch. viii, p. 62.

The character of ancient Indian monarchy was thus both hereditary and elective. It was elective in the sense that people acquiesced in the choice.<sup>1</sup> Thus choice by election worked not in conflict but in mutual harmony. We can call it a democratic monarchy because it was the *viś*, and then the *samiti*, and then the *rājakartās* that decided the validity or otherwise of the succession to monarchy. Even after election these exercised much influence over the conduct of the king. Each of them was a representative body of the whole people in the real sense of the term. It was democratic in the sense that people had real control over the conduct of the king and even exercised rights of exclusion. The *Atharva Veda* hymn already quoted<sup>2</sup> refers undoubtedly to the re-entertainment of an exiled king. When once the monarch had gone through the ceremony of consecration people felt it their duty to render unquestionable obedience to him. They paid him ungrudgingly the taxes due, and showed him the honours which one renders to a deity. Therefore the theory of the divine right that James I of England claimed was not in India pushed to extreme limits. People accepted divinity in a king so far as he conducted himself properly and in a constitutional manner in the affairs of state. It was for the people to respect him because he possessed that quality in him. It was not for the king, however, to abuse his right because it was accorded to him by general consent. There was thus an elasticity about the whole system. If the monarch proved to be absolute or despotic and therefore overruled the principle of protection, then the people entered an emphatic protest and asked him to redress their grievances. Failing this they rose in revolt and removed

<sup>1</sup> *J. A. O. S.*, vol. xiii, p. 143.

<sup>2</sup> *Supra*, p. 65.

him by force from his exalted position. This fear made him rule according to the laws of the land while the anxiety of the people made them save themselves from robbers and enemies to render unquestionable obedience to him.

But the general impression still prevails that the ancient Indian monarchy was despotic in character. It is a mere impression and does not rest on any valid foundation of fact.<sup>1</sup> Distinguished savants like the late lamented Dr. V. A. Smith and Mr. S. M. Edwardes hold this opinion of early Indian kings. How slender their basis of fact is, is in evidence from the following statements of the late Mr. Edwardes. In the course of a letter to me dated March 17, 1926, Mr. Edwardes writes:—

‘I am ready to admit that the Indian autocratic state of 300 B.C. when faced by grave financial embarrassments was forced to resort to practices which we should regard as tyrannous and unjustifiable. This necessity arose from the fact that at that early date and in a state or congeries of states despotically ruled and only prevented from disruption by a very firm hand, the idea of patriotism, which now leads people voluntarily to support the government in emergencies was wholly non-existent.’ We shall examine the financial aspects of Hindu administration in a subsequent chapter where we shall answer the question whether the ancient financial practices were tyrannous. But what we are concerned with at present is the two assertions of the learned scholar, namely, that the Indian state was an autocracy; and that the idea of patriotism was wholly non-existent. Our legal and *Arthaśāstra* literature furnish various checks and balances

<sup>1</sup> See *Public Administration in Ancient India*, p. 74. Dr. Banerjee points out that the idea of an autocratic (*svatantra*) ruler was not congenial to the Hindu mind; also Carmichael Lectures, 1918, pp. 131-39.

imposed upon the central government of the country. In spite of them if a king would have recourse to high-handed measures, open revolt, deposition, and choice of another king were weapons ready to hand to fight a refractory monarch with. Under these circumstances he could not conduct himself as an autocrat in any manner. Despotic monarchs have ruled in all countries and the history of the world furnishes many a name of despotic kings. Notwithstanding the growth of political consciousness for centuries in European countries we cannot say we have got rid of autocracy completely. It might be now and then, that one monarch or another was despotic or autocratic. But such despotism or autocracy did not go unnoticed. Manu says explicitly, ‘That foolish monarch who is arbitrary and tyrannous is soon got rid of and loses his life with that of all his relations. A king loses his life through the torturing of the kingdom as the life of an ordinary human being is ruined through torture of the physical body.’<sup>1</sup> Chandragupta, the first Maurya king, is characterized by historians as a despotic emperor with no evidence whatsoever.

It is strange that Dr. D. R. Bhandarkar who admits the existence of popular monarchy in the pre-Mauryan period points out to the absolutism of the Mauryas including Aśoka. He quotes the following in support of his theory: ‘All men are my children and just as I

<sup>1</sup> मोहाद्राजा स्वराज्यः कर्षयत्यनवेक्षया ॥

सोऽचिराद्भश्यते राज्याञ्जीविताञ्च सबान्धवः ॥

शरीरकर्षणात्प्राणाः क्षीयन्ते प्राणिनां यथा ।

तथाराज्यामपि प्राणाः क्षीयन्ते राष्ट्रकर्षणात् ॥

(Manu, vii. 111 and 112.)

Cf. *Mbh.*, *Sānti Parvan*, xcii. 8-10.

wars were fought not out of earth-hunger, but for a higher principle, viz., the attainment of Indra's heaven. Even Samudragupta was imbued<sup>1</sup> with this principle as can be proved from the evidence of his coins.

This was not a pious aphorism laid down by one king or another. It was the ruling principle of every monarch. The absence of militarism and the essentially civil character of the monarchy dominated by the paramount law was one of the reasons which gave a long lease of life to the Hindu state in general. Thus with the law above and the *paura-jānapada*, the council, etc., by his side, the king could not dream of an autocratic form of administration. Kauṭalya says the wrath of the people had led to the killing of the monarchs.

प्रायशः कोपवशाः राजानः प्रकृतिकोपैः हताः श्रूयन्ते ।

This means Kauṭalya had heard of cases wherein kings had fallen victims to the people's outburst of anger. In the light of these observations if one could compare the interpretation given to the term despotism or absolutism in modern political parlance, 'what is meant by calling him (a monarch) "absolute" is that there is no established constitutional authority—no human authority that his subjects habitually obey as much as they obey him—which can legitimately resist him or call him to account',<sup>2</sup> there need be no hesitation in accepting that the democratic principle of the welfare of the people underlay obviously the monarchical governments of ancient India. The fact was that kingship

<sup>1</sup> 'राजाधिराजा पृथ्वीम् अवजित्य दिवं जयति अप्रतिवार्यबोरः'

Vide *Journal of Indian History*, vol. vi, part ii; *Studies in Gupta History*, p. 32.

<sup>2</sup> Sidgwick, *Development of European Polity*, p. 10 (Macmillan & Co., 1903).

was a sacred trust and the king existed for the welfare of his subjects and not they for his welfare. The king-in-council must promote interests tending to the common good of the community.<sup>1</sup> The sacredness of the mutual trust led to united endeavours towards the material and moral progress of the community. The best type of a culture-state was almost realized under the Emperor Aśoka who belonged also to the 'vanished epochs' of Hindu India.

Another criticism offered is that the idea of patriotism was not a phenomenon realized in ancient India but is one entirely of modern growth. The statement is undoubtedly true of the Western countries where the idea of a state as a nation grew only very recently. In England the common sentiments of nationality were reckoned only after the Reformation. In other countries of Europe it was only a later idea of the eighteenth and nineteenth centuries. This was not so in ancient India, which had realized an organized state composed of organized nations long before the dawn of the historical period. The oneness of the country and the ideal of every monarch to make a *digvijaya* and achieve sole rule over the world extending from the Cape Comorin to the Himalayas indicate beyond doubt the existence of a strong national feeling in the country. Intercourse between the southern regions and the north of India was sufficiently frequent as is evident from the two epics the *Rāmāyaṇa* and the *Mahābhārata*, not to speak of other literature. Towards a common enemy all the nations of India, north and south, could be called to join arms.

<sup>1</sup> प्रजासुखे सुखं राज्ञः प्रजानां च हिते हितम् ।

नात्मप्रियं हितं राज्ञः प्रजानां तु प्रियं हितम् ॥

(*Arthaśāstra*, Bk. i, sec. 19.)

Every ambitious conquering monarch was actuated by the legitimate aim of a *digvijaya*, a victorious progress through the country.<sup>1</sup> Evidence, literary and epigraphical, is not wanting to corroborate these statements as embodying a common feeling or general sentiment. What is patriotism if it is not the love of the native land! Here it was sung ages ago and it is still a common place among the people that<sup>2</sup> mother and motherland are greater than heaven itself. What a grand conception for a nation bent upon the ideals of *mokṣa* or heaven. The fact was the ideal of *mokṣa* was only one of the four *purushārthas*, and that, the ultimate. *Mokṣa* comes to those who have fulfilled three *purushārthas*,—*dharma*, *artha*, and *kāma*, properly and rightly. The conception of motherland being equal to the mother herself is a lofty ideal for a nation's progress. In the face of this testimony could we maintain that the ancient Hindus were devoid of patriotism?

#### (ii) TITLES AND GRADATIONS OF MONARCHY

In the *Rig Veda Samhita* we meet with the following titles of kingly power: *rājan*, *saṁrāj*, *adhirāj*, *ekarāj* and *virāj*. The *Amarakoṣa* explains the term *saṁrāt* as one<sup>3</sup> who has performed the *Rājasūya* sacrifice, who is the overlord of a *mandala*, and who has under his control, feudatory and mandatory ruling princes. The *Śukranīti* calls him a *saṁrāt* whose income

<sup>1</sup> Kālidāsa describes the victorious tour of Raghu who attained the title of *saṁrāt* and performed the *viśvajityajña* (*Raguvamśa*, ch. iv).

<sup>2</sup> जननी जन्मभूमिश्च स्वर्गादपि गरीयसी ।

<sup>3</sup> येनेष्टं राजसूयेन मण्डलस्येश्वरश्चयः ।

शास्ति यथाज्ञया राज्ञः स सम्राडस्य राजकम् । (ii. 9, ll. 5 and 6.)

ranges from one to ten crores of silver *karṣas*.<sup>1</sup> *Saṁrājya* is a title, higher than that of a *rājan*. It often occurs in Vedic texts<sup>2</sup> and connotes distinctly a grade superior to that of an ordinary king. The *adhirāja* is also another superior title found in the texts.<sup>3</sup> Professors Macdonell and Keith interpret the term as overlord. This overlordship must be undoubtedly over kings and princes of the ordinary rank. The learned professors further comment<sup>4</sup> that they could not bring themselves to believe that a real 'over king' existed taking the political conditions of the times when great states were still in formation. This is based on a mere assumption in the absence of definite data. The assumption may be right or wrong but could hardly be accepted without authority. This 'overkingship' or 'overlordship' was, however, a factor to be reckoned with in the Vedic period. The states in themselves may be small and the extent of the territory known may again be limited. But still among the known world of their days, one state might easily have aspired to an *adhirāja*, another *saṁrājya* and the third remain content with a *rājya*. Or it may even, as N. N. Law suggests, signify degrees of power or rank among the kings created by the victories and defeats in battles in which they engaged themselves frequently.<sup>5</sup> Another early Vedic title of the king is *ekarāja*.<sup>6</sup> This term is a significant one and denotes literally an only king, sole sovereign. It demonstrates that there is no second ruler over a particular circle. This is further made clear from a passage in the *Aitareya Brāhmaṇa*<sup>7</sup> where it is mentioned 'a ruler whose domains extend all over the earth from sea

<sup>1</sup> i. 184-7.

<sup>2</sup> *R. V.*, iii. 55. 7; iv. 21. 2; vi. 27. 8; viii. 19. 32.

<sup>3</sup> *R. V.*, x. 128. 9; *A. V.*, vi. 98. 1; ix. 10. 24.

<sup>4</sup> *Vedic Index*, vol. i, pp. 19-20.

<sup>5</sup> *Aspects of Polity*, p. 13.

<sup>6</sup> *R. V.*, viii. 37. 3; *A. V.*, iii. 4. 1.

<sup>7</sup> viii. 15.

to sea'. Aśoka was an *ekarāja* according to the *Mahāvamsa*. Weber who had occasion to explain this expression gives its meaning as a king over a *mandala*.<sup>1</sup> In the *Brāhmaṇas* we meet with the same and similar titles like the *mahārāja*, *rājādhirāja*, *paramēśṭhyā*, *ādhipatya*, *svāvaśya*, *atiṣṭhā*. Some more are *bhoja*, *svarāja*, *virāja*. Of these the *mahārāja* signifies a ruler over a large kingdom.<sup>2</sup> These numerous references to the term warrant the inference that the conception of a great kingdom was realized even in very early times. The *Śatapatha Brāhmaṇa* has the following: 'Before the slaying of *Vṛtra* he was Indra it is true. But after slaying *Vṛtra* he became Mahendra even as a *Rājan* or king becomes a *Mahārāja* after obtaining the victory.'<sup>3</sup> That the later idea of large states is clearly anticipated in the epoch of the *Brāhmaṇas* is manifest. The term *rājādhirāja* indicates a paramount sovereign. The other titles mentioned are further examined by Professors Macdonell and Keith who are of opinion that these epithets of sovereigns embody a sound tradition.<sup>4</sup>

In this connection are worth noting other titles of sovereignty. *Virāj* is a king who possesses great and distinguishing qualities. Sāyanāchārya comments on the term *vairājyam* thus :

इतरेभ्यो भूपतिभ्यो वैशिष्ट्यं.

In the *Rig Veda Samhita* Indra is a *samrāj*, and, *Varuna*, a *svarāj*.<sup>5</sup> It is contended that the titles of *pārameśṭhyam*, *rājyam*, *mahārājyam* and *svāvaśyam* are

<sup>1</sup> 'Über Die Königsweihe, den Rājasuya' in the *Abhandl. d. Königlich Preussischen Akademie der Wissenschaften Zu Berlin*, 1893, p. 141, n. 2, quoted by N. N. Law.

<sup>2</sup> *Ait. Br.*, vii. 34-9; *Kaus. Br.*, v. 5; *Śata. Br.*, i. 6. 4, 21 and ii. 5. 4, 9.

<sup>3</sup> Prof. Eggeling, i. 6. 4, 21; *S.B.E.*, vol. xii, p. 182.

<sup>4</sup> *Vedic Index*, vol. ii, p. 433.

<sup>5</sup> vii. 82. 2.

of the heaven world. But a close study of the inscriptions demonstrates that earthly monarchs bore most of these titles. Hence they were not titles exclusively applicable to monarchical rulers of the other world only. These once signified qualities and came later on to mean gradations depending on the annual income of the state or a king. For the *Sukranṭi*, generally regarded to be a later work on Polity, has the following interesting gradation according to incomes. The titles of kings in order are

*Sāmanta*, 1 to 3 lakhs,  
*Mandalika* 4 to 10 lakhs,  
*Rājan* 10 to 20 lakhs,  
*Mahārāja* 21 to 50 lakhs,  
*Svarāj* 51 to 100 lakhs,  
*Samrāj* 1 to 10 crores,  
*Virāj* 11 to 50 crores, and  
*Sarvabhauma* above 51 crores.<sup>1</sup>

N. N. Law who has referred to this mentions also another later work *Varadātāntra* from the *Śabdakalpādruma* where again a scale of income is given. Other epithets occurring in the inscriptions are : (1) *chakravartin* (the great emperor), (2) *paramēśvara* (the great lord), (3) *paramabhaṭṭāraka* (the most supreme), (4) *mahā-*

<sup>1</sup> सामन्तस नृपः प्रोक्तो यावल्लक्षणायावधि ।

तदूर्ध्वं दशलक्षान्तो नृपो मण्डलिकस्मृतः ॥

तदूर्ध्वं भवेद्राजा यावत्त्रिंशति लक्षकः ।

पञ्चाशल्लक्षपर्यन्तो महाराजः प्रकीर्तितः ॥

ततस्तु कोटिपर्यन्तो खराट् सम्राट् ततःपरं ।

दशकोटिमितो यावद्विराट् तु तदनंतरं ॥

पञ्चाशत्कोटिपर्यन्तस्सर्वभूमस्ततःपरं ॥ (*Sukra*, i. 184-7.)

*rājādhirāja* (emperor of emperors), (5) *sārvabhauma* (the world-emperor), (6) *akhaṇḍabhūmipa* (the lord of all earth), (7) *rāja-rāja* (king of kings), (8) *viśvarāja* (the king of the circle), (9) *caturanteśa* (the lord of four quarters).

### (iii) THE CONSECRATION CEREMONY

By celebrating the sacrifice of *rājasūya* one becomes a king and by the *vājapeya* an emperor (*saṃrāt*). And the office of the king is the lower and that of the emperor the higher.<sup>1</sup> The *abhiṣeka* ceremony forms the central feature of the *rājasūya Yajña*. The superiority of the *vājapeya* to the *rājasūya* is attested by the law-giver Kātyāyana.<sup>2</sup> *Vājapeya* is not a political ceremony as the *rājasūya* is. The *adhikārins* for its performance are members of the first two castes—the Brahmans and the Kṣatriyas. But the *rājasūya* is intended for the Kṣatriyas alone as the *brhaspatisava* for the Brahmans. According to the *Taittirīya Samhita* (v. 6. 2. 1) and the *Taittirīya Brāhmaṇa* (ii. 7. 6. 1) the *vājapeya* is a 'saṃrātsava' or the ceremony of the consecration of a king to the imperial position. And the *rājasūya* is a *varūnasava* or the ceremony of the consecration of the universal sovereignty of Varuṇa. It would appear that the *vājapeya* and the *brhaspatisava* were ceremonies by which the *purohita* was installed and consecrated as the court-priest in its broader sense, while the *vājapeya* and the *rājasūya* are ceremonies by means of which the king gets consecration and attains paramount authority over a number of smaller and less powerful kings.

The *rājasūya* then is the inauguration ceremony of a monarch. The *Śrauta Sūtras* elaborately describe a series of sacrificial rites to be performed during the

sessions. The *sattras* or sessions of this *yajña* continue for a period of two years and three months. Continuing for such a long period this whole sacrifice could not but be complex in its nature and character. From this complexity one can envisage distinctly seven minor sacrifices—(1) the *pavitra*, (2) the *abhiṣecanīya*, (3) *daśapeya*, (4) *keśavapāniya*, (5) *vyuṣṭhi dvirātra* (*agniṣṭōma*), (6) *vyuṣṭhi dvirātra* (*atirātra*) and (7) the *kṣatra dh. iti*. Though the *Śrauta Sūtras* deal with these rituals with instructions in sufficient detail, they still find clear exposition in several of the *Brāhmaṇas*. We will confine ourselves to the details found in the *Śatapatha Brāhmaṇa* and the *Aitareya Brāhmaṇa*. Into the details of this elaborate ceremonial we will not enter here. Suffice it to examine a few rituals which have a direct bearing on the political development of the state. The offerings are called *ratnahavis* which were performed in the houses of the *ratnins*. The Vedic index explains the term *ratnin* thus: 'those people of the royal entourage in whose houses the *ratnahavis* was performed in the course of *rājasūya*.'<sup>1</sup> It is interesting to examine who these *ratnins* were. They were the commander of the army, *purohita*, *kṣatra*, queen, *sūta* (chronicler), *grāmanī*, *kṣattr* (chamberlain), *saṅgrahitṛ* (treasurer), *bhāgadu-gha* (collector-general), *akṣavāpa* (superintendent of accounts), *gōvikartana* (hunter), *pālāgala*, and *pari-vrkti*. In the *Taittirīya Samhita*<sup>2</sup> the list of *ratnins* is different. These are court chaplain, *rājanya*, *mahiṣi*, favourite wife or queen, discarded wife, commander of the army, *sūta* (ministrel), *grāmanī*, *kṣattr* (chamberlain

<sup>1</sup> *Vedic Index*, vol. ii, pp. 199-200.

<sup>2</sup> i. 8. 9; see *H. O. S.*, vol. xviii, p. 120. Here Dr. Keith gives different interpretations for some of these terms.

<sup>1</sup> *Sat. Br.*, v. 1.1. 13; *S.B.E.*, vol. xli, p. 4.

<sup>2</sup> xv. 1. 1-2.

or superintendent of the seraglio, according to Eggeling), *saṅgrahitā* (treasurer), *bhāgadugha* (collector-general), *akṣavāpa* (superintendent of accounts). Some of them were representatives of the people or a class of people and this must lead to the conclusion that the people enjoyed and shared the powers of the state.

The *rājasūya* is given in the *Śatapatha Brāhmaṇa*.<sup>1</sup> To Indra and Agni oblations are given for the former is fiery spirit and the latter is vigour and energy. In the fourth *Brāhmaṇa* different offerings are mentioned. Three horses, the warrior and the charioteer, these are five breaths.<sup>2</sup> The fire brand is mentioned as encountering the arrays or battles to beat off the enemy<sup>3</sup> and even slay him. In the fifth *Brāhmaṇa* is given the *triṣanyukta* offering. In the first *Brāhmaṇa* of the third *adhyaṃya* the *ratnahavis* is offered. The third *Brāhmaṇa* of the third *adhyaṃya* is the *abhiṣechana* or consecration ceremony. This word literally means the 'sprinkling', and corresponds to the anointment of the present day. It is performed for five days. In the fourth *Brāhmaṇa* different kinds of water symbolical of vigour are collected. These are for sprinkling in front and from behind and afterwards to be rubbed all over the body of the king.<sup>4</sup>

The consecration ceremony takes place at the mid-day. Pṛthu Vainya was the first among men to be anointed. This is done by the *purohita*, one of his kinsmen, an ally, a Vaiśya. He is adorned with gold *pavitrās* (strainers?), *tārṇya* garments; also undyed wool. He wears a mantle. The bow and the ends of the bow are then addressed. Three kinds of arrows, *dīvā* (for mere shooting), *rujā* (for piercing an enemy) and *kṣumā* (missing his aim) are handed over to him. The

<sup>1</sup> *Sat. Br.*, v. 2.

<sup>2</sup> *Ibid.*, 16.

<sup>3</sup> *Ibid.*, v. 2. 4. 9.

<sup>4</sup> *Ibid.*, v. 4. 2.

bow is truly a Kṣatriya's strength.<sup>1</sup> The residue of waters anointed is offered to the Brahman and his son, and according to Āpastamba his favourite son, and lastly the queen. Then he takes down a chariot yoked with four horses<sup>2</sup> to be freed from all dangers. Hence this king is called Indra and Arjuna. Here again the chariot-warrior and charioteer are mentioned.<sup>3</sup>

Then the king takes the throne-seat of *khadira* wood spread over by a tiger skin, pleasant and soft of touch. According to the *Aitareya Brāhmaṇa*, the king after the *pūrṇābhiṣeka* (renewed anointing) takes the throne-seat of *udumbara* wood,<sup>4</sup> and pays homage to the holy power or Brahman. For when the lordly power falls under the influence of the holy power the kingdom is prosperous, rich in heroes: in it an heir is born.<sup>5</sup> Afterwards the king descends from the throne,<sup>6</sup> and follows the magic rites for defeating an enemy.<sup>7</sup> The *adhvaryu* and his assistants silently strike him with sticks on his back to indicate that he is *adandya*, exempt from all punishment. Then he addresses the Brahman, of course the *purohita* for blessing and the latter blesses him that he is also Brahman. . . . Varuṇa of great power, mighty Indra, kindly Rudra, and closes with calling him by auspicious names much-worker, better-worker, more-worker.' This suggests that by fulfilment of his *svadharma* in a true spirit he would make the land flow with milk and honey.

The *purohita* again presents him with the sacrificial sword implying that a kṣatriya is weaker than a Brahman, but stronger than his enemies. He in his turn offers it to his brother, he to the *sūta* (ministrel) or

<sup>1</sup> *Sat. Br.*, v. 3. 5.

<sup>2</sup> *Ibid.*, v. 3. 5.

<sup>3</sup> *Ibid.*, v. 4. 3.

<sup>4</sup> *Ibid.*, v. 4. 3.

<sup>5</sup> *Ibid.*, v. 4. 3.

<sup>6</sup> *Ibid.*, v. 4. 3.

<sup>7</sup> *Ibid.*, v. 4. 3.

to the governor. Each in his turn to the *grāmaṇi*, the latter to the *sajāta* (tribesman). This man prepares the playground.<sup>1</sup>

So much for the *rājasūya*. As for the *vājapeya* its performance wins for the sacrificer everything here.<sup>2</sup> It is both for the Brahman and the *rājanya*.<sup>3</sup> The latter by offering it becomes a *saṃrāt* or emperor.<sup>4</sup> *Vājam* is strength and he who performs it becomes more strong than the others. In the *vājapeya* a *rājanya* shoots northward seventeen arrows showing that he is ruler over many a people,<sup>5</sup> and the performer gets wealth and food, for the *vājapeya* is said to be the same as '*annaḥpeya*'. The throne-seat of the *udumbara* wood spread over by goat skin is placed in a raised platform while his subjects sit below.<sup>6</sup> He is seated for the welfare of the people.<sup>7</sup> Food is sprinkled upon him and by this consecration he becomes the supreme ruler and a fellow of *Bṛhaspati*.<sup>8</sup> He goes about to know the people's well-being.<sup>9</sup>

Though the *vājapeya* was a sacrifice worthy of being performed by any Kṣatriya, still it is reasonable to suppose that many a monarch did not essay its performance. Rather it was a preliminary to the *rājasūya*. Later on the *vājapeya* seems to have become a Brahmanical ritual and the Brahman who qualified himself by performing it was worthy of being consecrated to the institution of Purohitship in the state.

The *Aitareya Brāhmaṇa* describes the *mahābhiṣeka* of Indra and the *mahābhiṣeka* of kings.<sup>10</sup> The description of the politico-religious institution of the *rājasūya* makes it clear that the ceremony of consecration to the

throne of a certain state was a well-recognized institution in the epoch of the *Brāhmaṇas*. The *Śatapatha* and the *Aitareya Brāhmaṇas* furnish us with countless details as to the anointing of a king. The coronation ceremony was thus looked upon as of great constitutional importance. It invested the ruler with the rights to reign and rule.

#### (iv) THE MAHĀBHIṢEKA OF INDRA

We have seen that the ordinary *abhiṣechantya* consisted of two aspects—the one sprinkling of waters by the various estates of the state who were so many representatives of the people at large (*ratnins*), and the second the theological anointing by the *purohita*. But the *Aitareya Brāhmaṇa* describes a *mahābhiṣeka* which resembles in several details the *abhiṣechantya* of the *Śatapatha Brāhmaṇa*. There, we are given, in the first place the *mahābhiṣeka* of Indra done by the gods with *Prajāpati* as he was the mightiest, the most powerful and strongest, the most real, the best of the accomplished among them. He then mounted the throne of *Rc*. . . . But for him to display his prowess, the gods said, he must be proclaimed. The proclamation was as follows:—

'Do ye proclaim him, O Gods, as overlord and overlordship, as paramount ruler and father of paramount rulers, as self-ruler and self-rule, as sovereign and sovereignty, as king and father of kings, as supreme lord and supreme authority. The lordly power has been born, the Kṣatriya has been born, the suzerain of all creation hath been born, the eater of the folk hath been born, the breaker of citadels hath been born, the slayer of *asuras* hath been born, the guardian of the holy power hath been born, the guardian of the law hath been born.'

<sup>1</sup> *Sat. Br.*, v. 4. 4.

<sup>2</sup> *Ibid.* v. 1. 1. 8.

<sup>3</sup> *Ibid.*, 11.

<sup>4</sup> *Ibid.*, 13.

<sup>5</sup> *Ibid.*, v. 1-5, 13-14.

<sup>6</sup> *Ibid.*, v. 2. 1. 22.

<sup>7</sup> *Ibid.*, 25.

<sup>8</sup> *Ibid.*, v. 2. 2: 12 and 14.

<sup>9</sup> *Ibid.*, v. 2. 2. 7.

<sup>10</sup> *viii.* 12-23.

Prajāpati then anoints him with the verse :—

‘Varuṇa within the waters,

Hath set him down, preserving order.

For overlordship, for paramount rule, for self-rule, for sovereignty, for supreme authority, for kingship, for great kingship, for suzerainty, for supremacy, for pre-eminence, the wise one.’

Then the *vasus* of the east consecrated him for overlordship, the *rudras* of the south for paramount rule, the *adityas* of the west for self-rule and all the gods of the north for sovereignty. The *sādyas* and the *āptas* of the middle quarter for kingship, the *maruts* and *āngirāsas* of the upward quarter for sovereignty and pre-eminence. Connected with Prajāpati he became supreme authority.<sup>1</sup>

It requires no stretch of imagination then to infer that the *mahābhiṣeka* ceremony was intended only for a ruler who has attained pre-eminence by his world-conquest and who is emperor in the literal sense of the term. We use this phrase advisedly. Prof. Keith says :— ‘The political references do not hint at any great kingdoms but at a large number of petty princes who despite their titles and claims to sovereignty were doubtless rulers of limited portions of territory. The social conditions are in full accord with this view nor does it seem possible with Weber to see the conception of a real empire in the great consecration of Indra in the *Aitareya*.’<sup>2</sup> Now the *Aitareya* does not merely mention the theoretical system but refers to the names of several emperors who have had in the past such honour of this great consecration of Indra. To mention a few would not be out of place here.

<sup>1</sup> viii. 12-14 ; Keith, *H. O. S.*, vol. xxv.

<sup>2</sup> *H. O. S.*, vol. xxv, Introduction, p. 45.

Tura Kāvaṣeya anointed Janamejaya Pārikṣita ;  
Cyavana Bhārgava anointed Čāryāta Mānava ;  
Somaçuṣman Vājaratnāyana anointed Satānika  
Sātrājita ;  
Parvata and Nārada anointed Ambāṣṭhya ; and  
Yudhāmrauṣṭi, Augrasainya ;  
Kaçyapa, Viśvakarman Bhauvana ;  
Vasiṣṭha, Sudāsa Paijavana ;  
Āṅgīrasa, Marutta Avikṣita ;  
Atreya, Aṅga ;  
Dirghatamasmāmatya, Bharata Dauṣṣanti ;  
Brhaduktha, Durmukha, the Pāṇchāla ; and  
Vasiṣṭha Sātyahavya, Atyarāti Jānantapi.

The latter played false with his *purohita* and was in consequence defeated and slain by another king Saibya. This idea of ‘playing false’ is contrary to all constitutional principles on which the coronation ceremony is based. For before he is actually consecrated with the great consecration of Indra the emperor is made to take an oath in public which ran as follows :—

‘From the night of my birth to that of my death, for the space between these two, my sacrifice and my gifts, my place, my good deeds, my life, and mine off-spring mayest thou take, if I play thee false.’<sup>1</sup> This is addressed to the *purohita* when the latter gives the warning in the same tone and language. The oath is different in different texts,<sup>2</sup> and suggests that this oath was not one peculiar to the *mahābhiṣeka* but applicable to the ordinary consecrations also. After all this is akin to the *sārvamedha* sacrifice of the *Śatapatha Brāhmaṇa*. He alone is entitled to this who has attained pre-eminence and suzerainty over the other rulers. The existence of

<sup>1</sup> *Ait. Br.*, viii. 15.

<sup>2</sup> *Kau. Br.*, xvii. 4. 8 ; *Tait. Br.*, i. 7. 10.

an emperor does not necessarily mean the entire absence of other kings in smaller status and position. Thus in the *Aitareya* or for the matter of that in all the *Brāhmaṇas* we find mention of a number of kings ruling over different quarters. But everybody is not proclaimed as the emperor or suzerain. What we wish to establish is the fact that the various titles occurring in these texts bear their own significance; and to make any other assumption is to ignore a *de facto* tradition. The texts are clear with regard to the different titles. It is quite possible that side by side with an emperor there could be overlords and even kings as well in his empire who could have been subordinate to him. They might represent to an extent the great earldoms, created by Cnut, the best of Danish and English kings, over which he appointed great earls, himself being in charge of a separate earldom. On this account we cannot say that Cnut was only an overlord of Wessex and not a king of other earldoms like Northumbria, Mercia, and East Anglia. Probably there prevailed similar political conditions in India in the period of the *Brāhmaṇas*. There were dependent and independent rulers, and a great emperor would, by his mighty conquests, bring the independent kings to a stage of dependence. Such an all-powerful monarch alone seems to have been entitled to the *sārvamedha* and the *mahābhīṣeka*. Weighing then the names of many a monarch cited in the *Aitareya* in the impartial and unprejudiced balance of our minds, it is just possible to affirm that not only was there a conception of an empire but an actual empire in working. The *Aitareya* mentions the tribes of the Dakhan such as the Andhras which is a clear indication that the redactor of the text knew all India from the Himalayas to the very south. Again according to the

*Rāmāyaṇa*, Rāma was the emperor of all India including Ceylon by his extensive conquests. Duryodhana and Yudhiṣṭhira were conversant with all India. Thus in the history of ancient India, now and then shoots forth an emperor to whom all the chieftains of small and big states acknowledge allegiance as their overlord.

#### (v) THE *ĀSVAMEDHA*

Mention must be made of another important *yajña* (sacrifice) which was also political in aim and character. It is the *āsvamedha*, an important sacrifice that is expected to be performed by every great monarch who aimed at attaining the highest place (Indrahood) in heaven. The *Śatapatha Brāhmaṇa* calls it an '*utsanna yajña*.'<sup>1</sup> The same epithet is given also to the चित्तिस्थलं in the *Garudachayana yajña*.<sup>2</sup>

The *āsvamedha* like the kindred *rājasūya* is a rite certainly complex in its nature. Eggeling says, 'A great state function in which religious and sacrificial element is closely and deftly interwoven with a varied programme of secular ceremonies.' But this differs from the *rājasūya* to the extent that the performer of the latter might be any petty chieftain while that of the former must be a king of kings. He should be one to

<sup>1</sup> xiii. 3. 3. 6.

<sup>2</sup> v. 3. 1. 1. Several meanings such as 'detached', 'extended' are given for this term. The *Yajurveda Saṁhitā* (Black School) suggests *utsanna yajña* to mean a sacrifice that is unworthy.

उत्सन्नयज्ञो वा एष यदग्निं किंवा हैतस्यक्रियते  
किं वा न यद्दे यज्ञस्य क्रियमाणस्य अन्तर्भवति

question whose authority and supremacy there must be none else.<sup>1</sup>

The *aśvamedha* is reckoned to be the best of sacrifices.<sup>2</sup> Both the epics bear testimony to the *aśvamedha* sacrifice in practice. King Daśaratha performed it for the birth of a son, and Yudhiṣṭhira to purge himself clean of all sin that could have come to him from the great carnage at Kurukṣetra.<sup>3</sup> The *aśvamedha* sacrifice is elaborately described in the thirteenth *kāṇḍa* of the *Śatapatha Brāhmaṇa*. It would appear that the sacrificial horse is let loose to wander through various parts of the empire, but only under a powerful escort. The object of its performance is clearly set forth in the opening lines of this *kāṇḍa*. 'Thereby the gods redeem all sin, yea, even the slaying of a Brahman they thereby redeem; and he who performs the *aśvamedha* redeems all sin, he redeems even the slaying of a Brahman.'<sup>4</sup> In this one smells an ethical flavour. The great epic shows that it follows tradition exclusively when it declares 'The *aśvamedha* purges one of all evil deeds and acts. By its performance you would undoubtedly be delivered from all

<sup>1</sup> As to the origin of this institution Eggeling seems to take the view that it must be a later institution as there is no positive evidence in the *Rig Veda Saṃhita*. There are however references in the *Rig Veda* (i. 162, 163) even in the very first *maṇḍala*. Prof. Eggeling is quite aware of these but would have them as 'latest productions' for reasons we cannot divine. We could not set aside these positive indications, because the *Rig Veda Brāhmaṇas*, the *Aitareya* and the *Kaustiki* have not mentioned it. Perhaps it is not material to the point in the *Brāhmaṇas*.

<sup>2</sup> *Sat. Br.*, xiii. 1. 2. 2.

<sup>3</sup> A whole *parvan* is devoted in the *Mahābhārata* to the performance of this *yajña* by the Pāṇḍava princes in general. Some scholars seem to be of opinion that this *parvan* is anachronistic. It must have been a later introduction into the *Mahābhārata*, perhaps a condensed version of the Jaimini's *Bhārata* (*Aśvamedha* portion) which is comparatively a modern work. This supposition is certainly untenable. The institution of *aśvamedha yajña* is recognized even in Vedic days.

<sup>4</sup> xiii. 3. 1. 1; Eggeling Trans.

sins.'<sup>1</sup> The celebration of a world-conquest was often marked by the performance of this sacrifice. The *Atharva Veda*, besides the *Rig Veda Saṃhita* to which we have already referred, makes mention of the four *yajñas* which can be performed by the Kṣatriyas. These are categorically the *rājasūya*, the *aśvamedha*, the *puruṣamedha* and the *sārvamedha*. These are also found mentioned in the *Mahābhārata*. Here<sup>2</sup> Vyāsa instructs Yudhiṣṭhira that these four are deserving of performance by a king who aspires to achieve glory here and hereafter. Of these the *puruṣamedha* was not in actual practice though Dr. Hillebrandt takes the opposite view.<sup>3</sup> There is no other legend than that of Sunaśchepa described in the *Aitareya Brāhmaṇa*. The *sārvamedha* is again a ritual for universal sovereignty. The consecrated king performs it when he becomes an emperor. It is a ten days' sacrifice, once performed by Viśvakarma Bhuvana with the officiating Rtvik Kāśyapa. The constitutional import of this sacrifice seems to be very important. Here we have for the first time the realization of the concept of India as a political and territorial unit.<sup>4</sup> Here we have the 'sole ruler' of all earth bounded by the ocean.<sup>5</sup>

<sup>1</sup> अश्वमेधो हि राजेन्द्र पावनः सर्वपाप्मनाम् ।

तेनेद्वा त्वं विपाप्मावै भविता नात्र संशयः ॥ (*Aśvamedha*, lxxi. 16.)

अश्वमेधो महायज्ञः पावनः सर्वपाप्मनाम् ।

पावनस्तत्र दुर्धर्षो रोचतां रघुनन्दन ॥ (*Rāmāyaṇa*, vii. 84. 2.)

<sup>2</sup> *Aśvamedha*, 3. 8.

<sup>3</sup> *Ritual litteratur*, p. 145; see Keith, *H.O.S.*, vol. xxv, Introduction, p. 62.

<sup>4</sup> *Sat. Br.*, xiii. 7. 1; *Ait. Br.*, viii. 15.

<sup>5</sup> Eggeling is correct when he says that though the procedure of the *puruṣamedha* is elaborately seen in the *Śatapatha Brāhmaṇa*, *Sāṅkhāyana* and *Vaitāna Sūtras*, still from the form in which it is presented in these

## (vi) DUTIES AND RIGHTS OF KINGS

We now proceed to examine the duties and rights of kings as realized in ancient India. The *Arthaśāstra* which follows entirely the code of laws established from very remote times has certain sane recommendations as to the duties of the king. The day and night are divided into eight periods respectively when the king is expected to fulfil the respective functions marked out.<sup>1</sup>

## DAY

|                   |                                                 |
|-------------------|-------------------------------------------------|
| 6 to 7.30 a.m.    | Supervising receipts and expenditure.           |
| 7.30 to 9 a.m.    | Affairs of citizens and people.                 |
| 9 to 10.30 a.m.   | Bathing, Vedic chanting and eating.             |
| 10.30 to 12 noon. | Affairs of the officers of the state.           |
| 12 to 1.30 p.m.   | Council with ministers and confidential agents. |
| 1.30 to 3 p.m.    | Rest and amusement.                             |
| 3 to 4.30 p.m.    | Supervising the army.                           |
| 4.30 to 6 p.m.    | Regarding enemies and military operations.      |

## NIGHT

|                |                                                                         |
|----------------|-------------------------------------------------------------------------|
| 6 to 7.30 p.m. | Receiving intelligence officers and others.                             |
| 7.30 to 9 p.m. | Bathing, eating and prayers.                                            |
| 9 to 1.30 a.m. | Music and sleep.                                                        |
| 1.30 to 3 p.m. | Again music and thoughts of the morrow.                                 |
| 3 to 4.30 p.m. | Other state business pondered over.                                     |
| 4.30 to 6 p.m. | Blessings of the <i>ṛtvik</i> , <i>āchārya</i> , <i>purohita</i> , etc. |

books we can take it that it was never meant to be performed. We are given a mere theoretical scheme towards the completion of the sacrificial system. *S. B. E.*, vol. xlv, Intro. p. xli.

<sup>1</sup> Cf. Yājñavalkya, i. 327-33; Manu, viii. 145-6; also 219-25; *Māh.*, *Saṁh. Purva*, vv. 89-90.

But this programme was not in any manner rigid and inelastic. It was subject to modification if necessity demanded.<sup>1</sup> Such a heavy programme could not have been realized in practice if the king lacked in the quality of उत्थान (activity).<sup>2</sup> That the king must, therefore, possess this in an eminent degree is repeated by Kauṭilya in several places. In the later Mughal empire we are told that Aurangzeb the great emperor was ever active and hardly found time even to sleep for a few hours continuously.

Besides the duties chalked out in this programme the *Arthaśāstra* mentions a number of other functions which he was expected to discharge. In the court he was expected to bestow personal and immediate attention to affairs involving temples, heretics, *śrotṛiyas*, women, cattle, places of pilgrimage, the young, the aged, the diseased and the helpless. Justice was to be rendered impartially by bestowing equal attention to all irrespective of social status. For the end of justice is to make the people feel happy.<sup>3</sup>

More or less the same time-table is furnished by Śukrāchārya.<sup>4</sup> He divides the day and night as follows:—

## DAY

|                    |                                       |
|--------------------|---------------------------------------|
| 3 to 4.30 a.m.     | Supervising accounts.                 |
| 4.30 to 7.30 a.m.  | Bath and prayers, physical exercises. |
| 7.30 to 11.15 a.m. | Official business.                    |

<sup>1</sup> *Arthaśāstra*, Bk. i, Sec. 19.

<sup>2</sup> तस्मान्नित्योत्थितो राजा कुर्यादर्थानुशासनम् ।

अर्थस्य मूलमुत्थानमनर्थस्य विपर्ययः ॥

अनुत्थाने ध्रुवो नाशः प्राप्तस्यानागतस्य च ।

प्राप्यते फलमुत्थानाद्भुते चार्थसम्पदम् ॥ (*Ibid.*)

<sup>3</sup> *Ibid.*

<sup>4</sup> i, II. 551-69. Cf. *Bārhaspatya*, i. 80-86.

|                      |                           |
|----------------------|---------------------------|
| 11.15 to 12.45 noon. | Dinner, rest and reading. |
| 12.45 to 2.15 p.m.   | Justice and council.      |
| 2.15 to 3.45 p.m.    | Hunting, etc.             |
| 3.45 to 4.30 p.m.    | Parade and army muster.   |
| 4.30 to 6 p.m.       | Evening prayer and meals. |
| 6 to 7.30 p.m.       | Reports of spies.         |
| 7.30 to 3 p.m.       | Rest and sleep.           |

His duties towards the harem were significant. The harem was located in a place which was fire-proof and poison-proof. Parrots, heron and other birds were reared in it to detect poisons. There is evidence in the *Rāmāyana* that Daśaratha's harem contained such birds, and Kauśalya is said to speak to the parrots.

He must again guard himself from his own queens. Kauṭalya gives some traditional names of queens who have misbehaved in such a manner and whose misbehaviour cost them their lives often. Hence precautions are carefully laid down by the author of the *Arthaśāstra*, with regard to the harem. Armed women generally guarded the palace.<sup>1</sup>

The king could enter it if he was personally satisfied of the queen's purity, for there have been cases like Bhadrasena killed by his brother, Kāṁsa by his son and Kāśīrāja by his own queen.<sup>2</sup>

Hence it was necessary to wean her from the undue influence of ascetics, buffoons and public women outside.<sup>3</sup>

<sup>1</sup> Cf. *Kāma*, vii. 40-41, 45-54.

<sup>2</sup> There is a parallel passage quoted by Kullūkabhaṭṭa in his commentary on v. 153 of chap. vii, which runs as follows :—

शस्त्रेण वेणोविनिगूहितेन विदूरथं वै महिषो जघान ।

विषप्रदिग्धेन च नूपुरेण देवो विरक्ता किल काशिराजं ॥ इति

See also *Harshacharita*, ch. vi, pp. 222-3.

<sup>3</sup> *Arthaśāstra*, Bk. i, Sec. 20.

His duties towards his sons, the princes, were also to be noted. These are compared to crabs who devour their own parents.<sup>1</sup> If a king has more than one son the unruly prince might be banished from the kingdom. But if there is only one son, and if he were to give provocation to his father, he could be placed under restraint by imprisonment. Or he could be got rid of by having him sent on dangerous expeditions. He could be conciliated by promise of sovereignty. Failing these methods, if the turbulent prince proved a danger to the welfare of the state, even the penalty of death was not regarded too much.<sup>2</sup> A misbehaviour in a prince was regarded a disqualification for succeeding to the throne. A well-behaved one was invariably made a commander-in-chief or consecrated as *yuvarāja*, the crown-prince or the heir-apparent.<sup>3</sup> To shoulder such responsibilities the king must possess qualities of a high order. Dr. Nag gives<sup>4</sup> a veritable catalogue of royal virtues collected from the *Arthaśāstra*: (a) the *abhiḡāṁika guṇāḥ* or the qualities pertaining to noble birth—luck, intelligence, heroism, piety, sincerity, taking counsel with the aged, gratefulness, magnanimity, energy, discipline, resolution, etc.; (b) *prājña guṇāḥ* or the qualities of intellect, such as curiosity, attention, assimilation, memory, discernment, discretion and passion for truth; (c) *utsāhaguṇāḥ*: signs of activity including courage, pride, promptitude and skill; (d) *ātmasaṁpat* or the qualities of person such as prudence, good memory, vigorous intelligence, imposing bearing, self-control, mastery of various arts, impartial justice, far-sightedness, expertness to discover weak points of the adversary; control of emotions, freedom

<sup>1</sup> *Arthaśāstra*, Bk. i, Sec. 17.

<sup>2</sup> *Ibid.*, Bk. ix, Sec. 3.

<sup>3</sup> *Ibid.*; cf. *Kāmandaka*, xiii. 51-58.

<sup>4</sup> *Les Theories diplomatiques*, pp. 66-67.

from passions, from irritability, greed, arrogance, indolence, inconstancy, impatience and cruelty.<sup>1</sup>

By thus regulating his conduct he endears himself to the people at large (*lokapriyatva*). The king who feels happy in the happiness of his subjects and feels sorry in their sorrow, gains fame in this world and earns eternal life in heaven after death.<sup>2</sup>

According to the quality which dominates in a king he is a *sātvika*, *rājasa*, or *tāmasa* king respectively.<sup>3</sup> Thus three kinds of kings are enumerated.

But Hindu political literature lays down a great principle राज्यं रक्षति रक्षितः ।<sup>4</sup> meaning that he who is protected protects the realm. If we begin analysing this pregnant statement we find that a king may possess qualities of soul and mind and even of body, but still, if adverse elements preponderate in the realm, he must be quite sure to quell these. This is the self-protection<sup>5</sup> which is incessantly referred to in our political and legal literature. This personal safety must be from his own sons, wives and from enemies.<sup>6</sup>

He must also shelter himself from his own servants. Sometimes these would be bribed by the enemies of the

<sup>1</sup> Cf. Yājñavalkya, i. 309-11.

<sup>2</sup> प्रजासुखे सुखो राजा तदुःखे यश्च दुःखितः ।

सक्रीतियुक्तो लोकेऽस्मिन् प्रेयस्वर्गमहीयते । (*Viṣṇu Sam.*, III. 70.)

प्रजासुखे सुखं राज्ञः प्रजानां च हिते हितम् ।

मात्मप्रियं हितं राज्ञः प्रजानां तु प्रियं हितम् ।

(*Arthaśāstra*, Bk. i, Sec. 19.)

<sup>3</sup> Śukra, i. 28-35.

<sup>4</sup> *Arthaśāstra*, Bk. v, Sec. 4.

<sup>5</sup> Cf. *Arthaśāstra*, i, 17.

<sup>6</sup> अन्यत्र प्राणाबाधकं प्रकृतिकोपपातकम्यः ।

(*Ibid.*, Bk. i, Sec. 18.)

king. He must be careful with regard to his food and drink. They must be put to physical and chemical tests before they are actually taken.<sup>1</sup> Even his toilet and dress must be subjected to a careful examination before use. He should ride on chariots or animals only after they have been mounted and tried by his hereditary driver. Even in his interview with ascetics and saintly persons he must have by his side his body-guard. So also in receiving foreign envoys. Whenever he goes out of the capital or comes into it, the roads must be properly policed by staff-bearers and the leaders of ten communities.<sup>2</sup>

Lastly he must protect himself from the enemies of his kingdom. For this he must maintain a well-disciplined army and navy under the supervision of an efficient military department. Spies and envoys formed a regular feature of the military administration. Fortresses were also a feature of the defences of the kingdom against foreign enemies. Thus the importance and value of the king's person were recognized at all times and in all places in ancient India. It is further said that he must never trust any one too readily and must evoke confidence from all.<sup>3</sup> It is again enjoined on monarchs as a class that they must abstain from certain evil habits which, if indulged in, would become regular vices, the so-called *vyasanāṁ* of the king. It would be interesting and perhaps instructive to learn what these are. Vices are due

<sup>1</sup> *Kāmandaka*, vii. 9-27.

<sup>2</sup> यात्रासमाजोत्सवप्रवहणानि च दशवर्गिकाधिष्ठितानि गच्छेत् ।

*Arthaśāstra*, Bk. i. 20.

The *Srimālam Commentary* on the word 'दशवर्गिक' 'दशभटनायक' (vol. i, p. 108.)

<sup>3</sup> *Kāmandaka*, v. 89-90.

to *kāma*, *krodha*, *lobha*, *moha*, *mada* and *mātsarya*. Manu lays down as a principle<sup>1</sup> that the king must avoid the ten evils arising from *kāma* and the eight from *krodha*. Too much indulgence of *kāma* could only be at the cost of *dharma* and *artha*, and that of *krodha* leads to the ultimate destruction of personal safety.

The ten of<sup>2</sup> *kāma* are given in a categorical list, hunting, gambling, sleeping in the day, speaking ill of others, sexual indulgence, spirituous liquor, dancing, music, and idleness. The eight of *krodha* are backbiting, criminal violence, hatred, envy, jealousy, wasteful expenditure, reprimand and reproach.

Śukrāchārya rules that any overindulgence in gambling, women and drinking would produce disasters. Nala and Yudhiṣṭhira are examples of kings who suffered terribly on account of indulgence in the vice of gambling. Indra, Dāṇḍakya, Nahuṣa and Rāvaṇa were kings who came to great grief owing to excess in sexual sensuousness. Too much of drink leads to the loss of intelligence.<sup>3</sup>

दशकामसमुत्थानि तथाष्टौ क्रोधजानि च ।  
व्यसनानि दुरन्तानि प्रयत्नेन विवर्जयेत् ॥  
कामजेषु प्रसक्तो हि व्यसनेषु महोपतिः ।  
वियुज्यतेऽर्थधर्माभ्यां क्रोधजेष्व्वात्मनैव तु ॥

(Manu, vii. 45-46.)

मृगयाक्षौ दिवास्त्रमः परिवादः स्त्रियो मदः ।  
तोर्यत्किं वृथाव्या च कामजो दशको गणः ॥  
पैशुन्यं साहसं द्रोहः ईर्ष्यासूयार्थदूषणं ।  
बाग्दण्डजं च पार्ष्ण्यं क्रोधजोऽपि गणोऽष्टकः ॥

(Manu, vii. 47-48.)

<sup>1</sup> i. ii. 215-229.

Vṛshṇi is an instance in point. To these is added hunting. Excessive indulgence alone stands condemned. King Pāṇḍu indulged in this with great detriment to the welfare of the kingdom.<sup>2</sup>

According to Kāmandaka even women and drinking are allowed to a certain extent.<sup>3</sup> Their combined evil effects<sup>4</sup> are indeed great, but not greater than hunting and gambling.<sup>5</sup> But Kauṭalya takes a different view altogether. Anger is worse than *kāma* or lust, and gambling is worse than hunting owing to loss of wealth and other defects. But sensuous lust is a worse evil, worse than gambling. In the latter attention can be directed which is not possible in *kāma*. Drinking is the worst evil. For loss of money, lunacy, absence of the sense of shame, loss of learning and friends, suffering from diseases of all sorts are its evil consequences.<sup>6</sup> Possessing such qualities and subject to such responsibilities the institution of kingship in modern political parlance should be regarded as a popular monarchy in spirit, if not in every detail of form. The king could not have his way in word or deed. In private as well as in public life he was bound down by the limitations of a comparatively rigorous character.<sup>7</sup> When he misbehaved out of sheer carelessness in public assemblies or councils, it was the function of the ministers as well as the *purohita* to see that he did not err but pursue the path of *dharma*. For this Kauṭalya mentions a curious device of striking a bell which answers to our telephone system and which acts as a

<sup>1</sup> Cf. *Kāmandaka*, i. 48-65 ; xiii. 61-64.

<sup>2</sup> *Ibid.*, ii. 283.

<sup>3</sup> xiv. 21-26, 43-54, 55-58, 59-61.

<sup>4</sup> *Ibid.*, 65-68.

<sup>5</sup> Cf. *Bārhaspatya*, i. 33-35.

<sup>6</sup> *Arthaśāstra* Bk. viii. 3.

<sup>7</sup> Cf. Sarkar, Bk. ii, pp. 44-45.

check for him to abstain from any wrong course of action.<sup>1</sup>

Thus checks and balances at every stage of his work made the Hindu monarch act up to the concept of *dharma* and never stray beyond its sphere. He was made to realize that his prosperity rested only on the good will of the people.<sup>2</sup>

The responsibilities and rights of the ancient Hindu king were too many and too varied. A catalogue of such duties and rights is given not only in the *Dharmaśāstras*, the *Arthaśāstras* and the *Purāṇas* but also in the whole range of Vedic literature both the *Saṁhitas* and the *Brāhmaṇas*. The *Śatapatha Brāhmaṇa* says that the king is the upholder of the sacred law or *dharma* as also his *śrotṛiya* (the *purohita*). The king alone is not 'capable of all and every speech, nor of all and every deed'.<sup>3</sup> By upholding law he becomes a realm sustainer—*rāṣṭrabhṛt*.<sup>4</sup> The necessity of offspring to a ruler so as to continue an uninterrupted succession is told in another succeeding verse.<sup>5</sup> It is also enjoined that a king could not afford to neglect or oppress the *purohita* but try to work in conjunction with him and so to win distinction.<sup>6</sup> His other functions are to root out the enemies and thus bring welfare to his people.<sup>7</sup> He was to bestow gifts of land and wealth on the deserving but with the previous approval of the clan.<sup>8</sup> He was forbidden to rear cattle.<sup>9</sup>

मयीदां स्थापयेदाचार्यान्माल्यान् वा, य एनं अपायस्थानेभ्यो वारयेयुः  
छायानालिकप्रतोदेन वा रहसि प्रमाद्यन्तमभितुदेयुः । Bk. I, Sec. 7.

Shāma Śāstri translates 'छायानालिक' as a time indicator.

<sup>1</sup> *Arthaśāstras*, Bk. iv. 5.

<sup>2</sup> *Ibid.*, ix. 4. 1. 1.

<sup>3</sup> *Ibid.*, xiv. 1. 5. 3 and 6.

<sup>4</sup> *Ibid.*, vii. 1. 1. 4.

<sup>5</sup> *S. B. E.*, vol. xliii, v. 4. 4. 5.

<sup>6</sup> *Ibid.*, 5.

<sup>7</sup> *Ibid.*, vi. 6, 3, 15.

<sup>8</sup> *Ibid.*, xlii, 2. 9, 8.

In the *Kauṣṭhiki Brāhmaṇa* we find peoples forming the state and hence its stability. Kings and *purohitas* may come and go, the state will remain for ever. It is said that the offices of the kingship and *purohitship* were insecure and not stable.<sup>1</sup> But the necessity for a leader is well recognized in the *Aitareya Brāhmaṇa*. The legend of *asuras* fighting with gods who possessed no leader and hence suffered defeat is clear indication of the absolute necessity for leadership. Soma was therefore made king.<sup>2</sup> The great reception of Soma the king<sup>3</sup> signifies the fact how the king was a guest worthy of all honours and how the office of kingship was a virtual necessity.

Hindu texts on polity lay emphasis on all possible occasions upon the powers, functions and responsibilities of the monarch. There is not much which is so frequently insisted upon as rights and privileges. Not that the monarch had none of these but these were secondary to the concept of duty. Duty first and rights afterwards, was the great gospel preached by Kṛiṣṇa to Arjuna, in the great battlefield of Kurukṣetra. The duties were both personal and public. Personal duties consisted of self-control, his conduct towards himself, towards the harem to enjoy *kāma* without prejudice to *dharma* and *artha*, and towards the household in general; to avoid the company of the evil-minded and to secure personal safety by previous and pre-meditated precautions. Public duties were varied in character but could be summed up in a simple phrase—welfare of the subjects ('प्रजानां योगक्षेमवहा'). To carry out law and administration he was

<sup>1</sup> xvi. 4; Keith, *H. O. S.*, vol. 25.

<sup>2</sup> *Att. Br.*, i. 14.

<sup>3</sup> *Ibid.*, i. 15.

entitled to one-sixth of the produce of the land and one-tenth of merchandise besides other dues such as tolls and duties innumerable. Even in the matter of receiving gifts discrimination was used. Presents were not to be accepted from butchers (सूनि), prostitutes (वेश्या), wine merchants (धनजो), and oilmen (चक्रो). For these<sup>1</sup> were considered as unlawful earnings arising from immoral callings. The king was to offer gifts in cash and kind to the Brahmans who functioned to the religious affairs of the state.<sup>2</sup> Further arts and sciences were associated with religion and the king was a devout patron of these.<sup>3</sup>

That administrative affairs were conducted on systematic lines is a fact which is fully attested. Definite royal writs were issued under the seal of the king. There was a special officer in charge of the different writs used for different purposes. The *Kaṭṭaliya* says that the outbreak of wars and the agreements of peace depended on these writs. These writs were known by the general name of *śāsana*. The word *śāsana* means literally order or command. A categorical list of the writs of different interests is furnished in the *Arthaśāstra*, writs of information, of command, of gifts, of remission, of commerce, of general proclamation, and so forth.<sup>4</sup>

It might be noted that the system of writs was a regular feature of the administration commencing with the Mauryas. The officer in charge of the writs was a man of no mean capabilities. Kaṭṭalya lays down that

<sup>1</sup> Yājñi, i. 141.

<sup>2</sup> Manu, vii. 84-85 and Āpastamba, ii. 10. 26.

<sup>3</sup> विद्याकलानां वृद्धिस्तथा कुर्यान्पुस्तदा।

Śukra, i. 370.

<sup>4</sup> *Arthaśāstra*. ii. 10 ; Śukra, ii. 11. 585-86.

he who possessed the qualifications of a minister, wrote a legible and intelligible hand, was smart in composition and reading and knew practically the genealogies of all chieftains and kings with whom the state had intercourse, was alone fit for this post.<sup>1</sup>

<sup>1</sup> अमात्यसम्पदोपेतः सर्वसमयविदाशुग्रन्थश्चार्वाक्षरो लेखवाचनसमर्थो  
लेखकः स्यात् । (*Arthaśāstra*, ii. 10.)

## CHAPTER III

### MACHINERY OF ORGANIZATION

#### Sec. i. THE CROWN PRINCE

THE Crown Prince is mentioned as one among the eighteen *tīrthas* of ancient Indian historical literature.<sup>1</sup>

It is a general rule that the prince must follow the king, his father, in all acts and deeds. But Kauṭilya says there is a limitation even here. He need not be guided by the advice of the monarch if it would cost his life or would rouse the fiery spirit of the general masses of the people.<sup>2</sup> In these two cases it would not be disobedience to the rules of *dharma*. Under the second plea Lakṣmaṇa asks Rāma to disobey Daśaratha's orders of forest life for fourteen years, for all the citizens not excluding women and children were greatly perturbed at the king's orders to his eldest son;<sup>3</sup> and they continued

<sup>1</sup> The eighteen *tīrthas* of Sanskrit literature are *mantrin* (chief minister), *purohita* (adviser in religion), *senāpati* (commander-in-chief), *yuvārāja* (Crown Prince), *dauvārika* (head door-keeper or palace mayor), *antaryāmika* (chamberlain), *Praśāstī* (secretary in charge of prisons), *samāhartī* (collector-general), *sannidhātī* (finance minister), *pradeśī* (chief police officer), *nāyaka* (leader of infantry), *pauravyavahārika* (judge at the capital), *karmāntika* (director of mines and industries), *mantrapariṣadadhyaṅkṣa* (secretary to the council-assembly), *daṇḍapāla* (leader of the army corps), *durgapāla* (the officer in charge of fortresses), *antapāla* (the chief of frontier guards), and *ālāvika* (forest chiefs).<sup>2</sup> Dr. Nag takes *nāyaka-Paura* as one official and *vyavahārika* as a separate entity (*Les Theories Diplomatique*, p. 38), while Jayaswal makes *nāyaka* (generalissimo), *Paura* (governor of the capital), and *vyavahārika* (Judge) as three distinct *tīrthas*. In his classification he has left out *ālāvika* and the reason for the exclusion of this department has not been furnished. (*Hindu Polity*, pt. II, pp. 133-134; *Arthaśāstra*, I, 12; Trivandrum edition, vol. I, p. 57).

<sup>2</sup> *Arthaśāstra*, I, 17.

<sup>3</sup> *Ayodhya Kāṇḍa*, ch. 40, 41.

grief-stricken till sometime after Rāma had gone away to the forest. Vālmiki exhibits the Crown Prince Rāma as the idol of the people since he never passed the limits of *dharma*. It would not have been *adharmā*<sup>1</sup> for Rāma to disobey even King Daśaratha in the face of strong public opinion in his favour. Rāma actually wanted to set up a higher ideal of a Kṣatriya than by following the rules of *kṣatriya-dharma* like a worldly prince.<sup>2</sup>

By mere accident of birth as the eldest son of the reigning king the prince was not accepted a *yuvārāja* or heir-apparent. But the whole gamut of ceremonies was to be gone through before the prince was declared the crown prince. This was the *abhiṣēchanam* of a prince to the status of a crown prince. A practical instance of this is seen in the preparations made for Rāma's *abhiṣēchanam* by King Daśaratha.<sup>3</sup> This consecration alone secured for the prince the right to ascend the throne after the sitting monarch.

As the prince is the future pillar of the state no little attention was paid to the formation of his character and in the teaching of good conduct even when young. To this end the system of education enjoined is mainly responsible. Hence the education of the prince was attended to even from infancy. According to the *Raghuvamśa*<sup>4</sup> it would appear that as early as

<sup>1</sup> *Arthaśāstra*, I, 18.

<sup>2</sup> क्षात्रधर्ममहं त्यजे वाधर्म धर्मसंहितम् ।

क्षुद्रैर्नृशंसैः लुब्धैश्च सेवितं पापकर्मभिः ॥

(*Ayodhya Kāṇḍa*, 109, 20.)

<sup>3</sup> *Ayodhya Kāṇḍa*, ch. 3-6.

<sup>4</sup> स वृत्तबलवृद्धकाकपक्षकोरमात्यपुत्रैः सवयोभिरन्वितः ।

क्षिपेर्यथाबद्धहोमं वाक्मयं नदीमुखेनैव समुद्रमाविशत् ॥ (III, 28.)

the third year of his age when the ceremony of tonsure was generally performed the prince was placed under the guidance of good teachers who instructed him in the alphabet (*lipi*) and mathematics (*saṃkhyāna*). In his eleventh year, the age for investiture ceremony,<sup>1</sup> he was taught a course of higher studies comprising the three Vedas, *anvikṣikī* or logic, *vārtta* or economics, and *dandanīti* or science of politics. There were separate teachers, perhaps specialists, in charge of each subject. The very fact that the latter two subjects which were secular in character were taught by *adhyakṣas* or heads of administrative departments, *vaktārah* and *prayoktārah*, i.e., expounders and administrators of law, affords tangible proof that the educational training was no less practical than theoretical. Nor were these alone the subjects studied and pursued. Education was not considered complete if the prince had not either himself studied, or heard the *Itihāsas* read to him; besides he was taught the various branches of military science relating to the use and handling of different arms and armaments. Even here there was no indiscriminate learning of this subject now and that afterwards. A time-table was previously drawn up and the studies were pursued according to it. The mornings were generally fixed for learning the theory and practice of arms. The afternoon was devoted to the hearing of the *Itihāsa*.<sup>2</sup>

<sup>1</sup> Manu, ii. 361.

<sup>2</sup> Apparently this hearing and not study of the *Itihāsas* has a value of its own. It may be that the prince might not be taxed in his impressionable age with a heavy curricula of studies. The study of the *Itihāsas* is quite essential for a prince, for he must know the history of his predecessors in his own state and elsewhere; how they had ruled, and how far they had been successful in their policy and administration and what new lines could be chalked out if he were to have an efficient machinery. All these and more are found richly illustrated in the *Itihāsa* literature not to speak of other texts. The time of studentship would not be sufficient if he

The evening and the early portion of the night were devoted to learning new and rare facts and memorising old lessons.<sup>1</sup>

The prince was expected to finish his higher studies by the end of the sixteenth year when he was legally allowed to enter the *gṛhasthāśrama*. There is evidence to show that education was not at home but at a public place where teachers were available. Away from their parents and deprived of a life of luxury at the palace, they cultivated the regular habits of mind and body. The result was something invaluable. It nurtured in time the virtue of discipline (*vidyāvinīta*). If all his studies could not advance him in the direction of this higher quality of discipline, woe to such studies! It was a practical and moral education that ancient India gave to her young.<sup>2</sup> Even though the prince had completed the student's course and got married, he was not placed in independent situations. A period of apprenticeship as a subordinate to an administrative head was to be gone through.<sup>3</sup> After he was declared competent and worthy of occupying an independent position, he was appointed to responsible posts like the general-in-chief of an army, governor of a province, or consecrated as an heir-apparent.<sup>4</sup>

One would ordinarily expect the co-operation of a prince with his father the king. He is to be the right hand, right eye and right ear to the sovereign as the councillors are the left hand, left eye and left ear.<sup>5</sup> Śukrāchārya

were to study everything. Hence the device of the institution of the *sūtas*, who narrated the stories to these princes at a certain fixed time of the day.

See the author's contribution 'on the *Sūta* in ancient Indian Literature,' The *Swadesamitran English Weekly*, March 15, 1925.

<sup>1</sup> *Arthaśāstra*, i. 17-18.

<sup>2</sup> Cf. Śukra, ii. 41-50; Agni, 225. 1-3.

<sup>3</sup> *Arthaśāstra*, i. 18.

<sup>4</sup> *Ibid.*, Bk. i. 17.

<sup>5</sup> Śukra, ii. 12-13.

explains how a prince ought to behave towards the king and his subjects.<sup>1</sup> The prince was generally under the control of the sovereign, and if he would prove useful he must be advanced gradually to occupy the throne seat. But there may be cases where the prince would behave lawfully and still would be an eye-sore to his father. In such cases it is laid down that the prince could extricate himself to some place beyond the power of his father's sovereignty. One such was to take to forest life.<sup>2</sup> Rāma's going to the forest is justified by the handmaid of Kaikeyi, the queen, representing that Rāma was a diplomat attributing a motive to which he was alien.<sup>3</sup> In much later days we find Shah Jahan's preparedness to go to Mecca against the ill-treatment of Jahanghir and Nur Jahan.

If again an honest prince would apprehend imprisonment or secret death at the hands of his father, he might ally himself with a good *sāmanta* chieftain, contract influential marriages, collect an army and win over parties in the state. When the Pāṇḍavās were sent on the *vāraṇāśvada-yātra* with the ultimate design on the part of Duryodhana to bring about their destruction, Vidura scented the danger awaiting them and made mention of it to the Pāṇḍavās. Through a secret underground passage the latter escaped to the forests where

<sup>1</sup> Sukra, ii. 35-50.

.....

एवं गृहाविरोधेन राजपुत्रो वसन् गृहे ।

विद्यया कर्मणा शोलैः प्रजाः संरंजयन् मुदा ।

त्यागो च सखसंपन्नः सर्वान्कुर्यात्प्रशेखके ।

<sup>2</sup> Arthashastra, i. 17.

<sup>3</sup> तथाप्युत्पद्यन्तमन्यस्मिन् पुत्रे दारेषु वा स्निह्यन्तं अरण्यायापृच्छेत् ।

(Ayodhya Kāṇḍa, viii. 21-39.)

Bhīma married the *ājaviki* Hidimbi and begot on her a son Ghaṭotkacha. In the disguise of Brahmans the Pāṇḍavās again reached the Pāñchāla territory where the king of that land had arranged for a *svayamvara* (marriage by choice) for his daughter (प्रवीरपुरुषकन्या). Arjuna married her and fought along with his brothers for their rights backed by the Pāñchāla king. The *sāmanta* who was of help to them was Vetrakiya.<sup>1</sup>

Further those princes who are unjustly treated by the kings could leave the state and work in gold or ruby mines, or join with their maternal relatives and begin intriguing against the monarch.<sup>2</sup> By way of illustration we can say that the Pāṇḍavās took to various callings at *Virāṭa nagara* and joined finally Kṛṣṇa who was their near relative through their mother.

On the other hand if the prince would misbehave and the king was impartial he could be conciliated in the first instance by diplomacy and promise of sovereignty if he happened to be the only son. If he could not get rectified he might be sent on dangerous foreign expeditions so that he might not prove a source of anxiety and mischief. Even if this were impossible he could be imprisoned, or, as a last resort, may be put to death.<sup>3</sup>

Bharadvāja advocates secret murder of really refractory princes. But the sage Viśālākṣa takes a different view and recommends that they must be kept under restraint in certain isolated places. If this method were not pursued there would be the extinction of the Kṣatriya

<sup>1</sup> Mbh., Ādi Parvan, ch. 154 ff.

<sup>2</sup> एकचरस्सुवर्णपाकमणिरागहेमहृद्यपण्याकरकर्मान्तानाजीवेत् ।.....

मातुः परिजनोपग्रहेण वा चेष्टेत । (Arthashastra, Bk. i. 17.)

<sup>3</sup> Ibid., Bk. ix, Sec. 3.

race as it were.<sup>1</sup> In fact Aśvathāma's killing of the child in the womb of Uttara would have extirpated the military race almost but for the timely help of Kṛiṣṇa. He gave life to the dead child and the latter was the famous king Parīkṣit. According to Parāśara these recalcitrant princes could be removed to the frontier and kept far away from the activity of the state. Yayāti sent his rebel sons to the care of the frontier guards. But the sage Kauṇapadanta is of opinion that it was not a proper line, for it would give a sure handle to the enemy-king. The latter would endeavour to persuade these princes and would make mischief against their father, the king. This is well seen in the case of the later Mughal Emperors. So it is recommended that they could be placed under their maternal relations. Mādha-vagupta and Kumāragupta were sent to the court of Prabhākaravardhana, the father of Harṣa. Kauśika's sons were sent to their uncle Dakṣaprajāpati. Kauṭalya is not satisfied with these methods. Practical man that he was he believed in the moral value of the special training and good discipline born of healthy influence of environment and association. He says that a prince should be taught both in *dharma* and *artha* so that he would not fall into immoral temptations of an alluring nature.<sup>2</sup>

There are scholars who make capital out of these recommendations of the *Arthaśāstra* by characterising them as immoral. Judged by theoretical standards of ethics they may be described as unmoral. But it

<sup>1</sup> 'नृशंसमदृष्टवधः क्षत्रबीजविनाशश्चेति' विशाखाक्षः ।

तस्मादेकस्यानावरोधः श्रेयानिति । (*Arthaśāstra*, Bk. i, Sec. 17.)

<sup>2</sup> *Arthaśāstra*, Bk. i, Sec. 17.

must be remembered that *dharma* in India is wedded even to secular arts. The administration of the state to be efficient, to be beneficial, must depend on the character of the monarch guiding its destinies. If a prince, the king of to-morrow, is devoid of character (*dharma* and *nīti*) he could not but be treated as an enemy to the state.<sup>1</sup> We have innumerable examples to show how princes like the sons of Yayāti and Viśvāmitra became menials owing to the violation of the orders of the king, and how on the other hand Parāśurāma and Rāma who showed unquestioning obedience to their parents became successful ultimately in life.<sup>2</sup>

But a prince duly honoured by the king and esteemed by the citizens enjoyed the confidence of the state. He was made the crown prince and drew a handsome allowance of 48,000 paṇās yearly, the highest remuneration equal to that of the *purohita*, commander-in-chief, king's mother, and queen.<sup>3</sup> Further he enjoyed the rare privilege of not being watched by the Intelligence department with the *purohita* and the commander-in-chief. All the other fifteen *tirthas* were liable to be watched by the members of that Intelligence department.

Usually each was endowed with a small territorial unit over which he was the head but still answerable to the monarch. The position was equal to that of a Governor or a Viceroy of a province of the modern days. This is evident both from the *Rāmāyana* and the *Bhāgavata Purāṇa*. In the former Bharata's two sons were given rulerships of Takṣaśīla and Puṣkalāvati, two small states in the country of Gandhāra; Satrugna's two sons to be the governors of Mathura and Vidiśa;

<sup>1</sup> नीतिवियुक्तः पुत्र इव शत्रुः । (*Bṛhaspati*, ii. 50.)

<sup>2</sup> *Sukra*, ii. 83-85 and 78-79.

<sup>3</sup> *Arthaśāstra*, Bk. v. 3.

Lakṣmaṇa's two sons were heads of two cities in the state of Kampatha and Rāma's two sons over the northern and southern portions of Kosala-deśa.<sup>1</sup> The *Bhāgavata Purāṇa*<sup>2</sup> mentions details as to the division of the empire of Yayāti under his sons. Yadu got the south of the empire, Turvasu the west, Druhyu the south-west, and Anu the north, while Purū was the emperor of all parts.

In the empire of Aśoka again the princes of the blood royal commonly designated Kumāras were appointed provincial Governors. Four such Kumāra viceroyalties are mentioned in the edicts of Aśoka, one in Takṣaśīla in the frontier province of Gandhāra, a second at Svāpnagiri (*Kanakagiri*?), third at Tosali (*Dhauri*) in Kalinga, and the fourth at Ujjain.<sup>3</sup> These princes were entrusted with the right of appointing their own district officials 'as no doubt was the practice during the Gupta rule'. Though these princes enjoyed certain privileges still their power did not go unchecked by higher authorities. The mention of the term Mahāmātras in the edicts shows that the Kumāra did not act by himself but always took counsel of the Mahāmātras<sup>4</sup> or the council attached to these princes.

### Sec. ii. THE PUROHITA

Among the eighteen *tirthas* or departments of the administrative machinery of the ancient Hindus, the institution of *purohita* or king's advisor in matters religious and secular as well,<sup>5</sup> was a prominent and influential one. That it was so even in very early times

is sufficiently clear from the *Samhita* and the *Brahmana* compositions.

Just as the *Rājasūya* sacrifice was for the consecration of a Kṣatriya to the office of a king, so also was the *Brhaspatisava* for the consecration of the *purohita* to his office of *Purohiti*<sup>1</sup> or *Purodha*.<sup>2</sup> With all his political functions he had also religious duties to perform. He took part in the sacrifices (it must undoubtedly be sacrifices performed by the Kṣatriyas in as much as he is a political functionary of the state) and acted the *Hotṛ* and *Brahmanṛtvik*. In the *Rājasūya* of Yudhiṣṭhira Vyāsa officiated as *Brahman*, and Dhaumya as *Hotṛ*.<sup>3</sup> Sukra officiated as *Brahman* in the *Aśvamedha* of Bali.<sup>4</sup> Again he alone had the power to propitiate gods with offerings of various kinds for the general welfare of the king and kingdom against the natural and unforeseen calamities of the state. He was thus another guardian of the realm and it is but fitting that he is characterized as the *rāstragopa*.<sup>5</sup>

There is evidence to indicate that the *purohita* not only followed his monarch to the theatre of war but also took part in the operations on the field. That is to say that if occasion so demanded of him he offered fight by joining the rank and file of the army. Professor Hopkins refers to this in his learned contribution to the *Journal of American Oriental Society*.<sup>6</sup> Viśvāmitra was the *purohita* of king Sūdas of the *Rig-Veda Samhita* and took part in the operations of war against him by the allied forces of ten tribes, well-known as the 'Battle of the Ten Kings'.

<sup>1</sup> *Rāmāyaṇa*, vii. 101. 11; 108. 9-11; 102. 1; 107. 17.

<sup>2</sup> D. R. Bhandarkar, *Aśoka*, pp. 49-50.

<sup>3</sup> *Vedic Index*, vol. i, p. 113; ii, p. 90.

<sup>4</sup> ix. 17. 21-3.

<sup>5</sup> *Ibid.*, p. 52.

<sup>1</sup> *Tait. Br.*, ii. 7. 1, 2; *R. V.*, vii. 6.

<sup>2</sup> *A. V. V.*, 24. 1.

<sup>3</sup> *Mbh.*, ii. 33. 32-5.

<sup>4</sup> *Bhāgavata Purāṇa*, viii. 23. 14.

<sup>5</sup> *R. V.*, vii. 18-13; *A. V.*, iii. 18; *Ait. Br.* viii. 24-25,

<sup>6</sup> vol. xv, pp. 260 ff.

The origin of this institution is shrouded in entire mystery. Zimmer<sup>1</sup> inclines to the view that this office should have come into existence after the establishment of the caste system which is generally regarded as belonging to the last period of the composition of the *Rig-Veda* texts. Mr. Law seems to give countenance to this opinion. Quite an opposite view is taken by equally eminent scholars. There is however strong reason to believe that the institution existed as well established even in the early epoch of the *Rig-Veda Samhita* where we find innumerable references to it.<sup>2</sup> Fick traces the institution even to pre-Vedic times.<sup>3</sup>

That this institution has not been sufficiently understood in its true spirit even by learned Sanskritists is clear. Julius Eggeling writes: 'A complicated ceremonial requiring for its proper observance and consequent efficacy the ministrations of a highly trained priestly class has ever been one of the most effective means of promoting heirarchical aspirations. Even practical Rome did not entirely succeed in steering clear of the rock of priestly ascendancy attained by such like means.'<sup>4</sup> Again 'in urging the necessity of frequent and liberal offerings to the gods, and invoking worldly blessings on the offerer, the priestly bard may be detected often pleading his own cause along with that of his employer as Kapva does when he sings: <sup>5</sup> 'Let him be rich, let him be foremost, the bard of the rich, of so illustrious a Maghavan as thou, O Lord of the Bay Steeds!' He concludes from this that the sacerdotal office must have been a very lucrative one.'<sup>6</sup>

<sup>1</sup> *Alindisches Leben*, chap. vi, pp. 195 ff.

<sup>2</sup> iii. 33. 8 ; vii. 18. 83.

<sup>3</sup> Trans. S. K. Maitra, p. 164.

<sup>4</sup> *S. B. E.*, vol. xii, Introduction, pp. 9 and 10.

<sup>5</sup> *R. V.*, viii. 2. 13.

<sup>6</sup> *S. B. E.*, vol. xii, Intro. p. 11

It is to be regretted that a distinguished Vedic scholar like Eggeling should have fallen into this error. There is no reason even to suppose that there were in ancient India a trained priestly class as such, or any priestly colleges like those of Rome or any like conception of heirarchy. Prof. Hopkins writes: 'They did not live in monasteries like the Buddhists. They did not draw salaries like the Christians. All that they had to live on was what was given them. They were not permitted to earn a living by worldly means. No wonder they were always rather profuse in praising gifts.' Evidence is equally wanting to prove that such sacerdotal offices were lucrative, or rather that the priests aimed at self-advancement at the expense of the sovereign or the ruling class. There was no priestly department in the state. To quote Prof. Hopkins again, 'While the Brahmanas never organized into monastic bodies but dwelt apart each in his own home living on private emoluments and daily alms, the Buddhists built enormous establishments which being supported as they were built by state patronage as well as by private benefactions flooded the country with an idle army of begging friars and even from the beginning became a refuge for lazy incompetents, as later (outside of India) they became hot-beds of immorality and political intrigue.'<sup>1</sup>

First of all the word 'priest' is a misnomer in ancient Indian historical literature. It conveys no meaning at all to the student of Indian Literature. The Brahmana community were never a class of priests as we understand to-day by this term. Every member of this community was accorded reverence and respect not because they were highly trained in sacrificial rites but for their deep and great learning of the whole sacred lore,

<sup>1</sup> *Ethics of India*, pp. 148-49. See also *J. A. O. S.*, vol. xiii, p. 72.

and also for their शुचि (purity), शील (character) and आचार, which is putting into practice what they had learnt. According to Vasiṣṭha: 'He alone is a Brahman who controls his mind, practises austerities, conquers the senses, is large-hearted, truthful, pure, versed in sacred lore, compassionate, is full of practical experience, intelligence and the quality of faith.'<sup>1</sup>

Again the Brahmanas alone were qualified to receive gifts and that from kings only. But such gifts were awarded not because by accident they were born in the Brahmana community, but explicitly to some for their sacred learning and to others for practising austerities.<sup>2</sup>

To this sentiment may be added another dictum of Yājñavalkya. The latter says, 'he is no Brahman worthy of respect if he is devoid of good character, though learned and austere.'<sup>3</sup> The same idea is repeatedly insisted on in the pages of the *Mahābhārata*. A Brahman devoid of good conduct could not be termed a Brahman but a Brāhmaṇaka, a man of low caste. That is patent to demonstrate the social equality of all castes and communities. The idea underlying this fact is that it is character and conduct that made and unmade the castes.<sup>4</sup> Any Brahman who fell short of the ideal of his *svadharma* was not respected but regarded as a degraded outcaste.<sup>5</sup>

To determine the true position of the Brahmana community is to study the social and religious organizations of ancient India. We are not at present concerned with this knotty problem. Ours is the examination of the institution of the *purohita* (literally *præpositus*). We cannot positively assign a date to the origin of this

all important institution. But one thing is obvious, namely, that no office of monarchy or chieftaincy existed even in very early times without this office of the *purohita*. Both appear to have been the twins of the same mother, the state. Every state had a chieftain or king and every chieftain or king had invariably a *purohita*. Sometimes there was only one *purohita* for more than two or three kings. Devabhāga Srautarṣi was the *purohita* of the kings of both the Srinjayas and the Kurus.<sup>1</sup> It seems to have been an hereditary office. In the Sūryavaṃsa the Ikṣvāku kings invariably speak of Vasiṣṭha as their *purohita*. Orthodox tradition has it that the same Vasiṣṭha lived for thousands of years on account of his great *tapas* while monarchs died and succeeded. Whatever may be the truth, one fact is prominent and that is that there must have been a number of hereditary *purohitas* each called after the far-famed ancestor Vasiṣṭha taking a legitimate pride in their birth in such a distinguished line. Even to-day it is a custom in India to adopt the surnames or hereditary titles of famous forefathers.<sup>2</sup> Again Eggeling speaks of the gradually increasing importance of the office of *purohita*. 'From the comparatively modest position of a private chaplain who had to attend to the sacrificial obligations of his master he appears to have gradually raised himself to the dignity of so to say a minister of public worship and confidential adviser of the king.'<sup>3</sup> So far we cannot trace any evolution in the increasing importance of the office. In support of this statement a text of the *Rig Veda*<sup>4</sup> ascribed to Vāmadeva is quoted. But the passage in question does not warrant any modest position to the *purohita*. His extraordinary

<sup>1</sup> vi. 23.<sup>2</sup> *Ibid.*, vi. 26.<sup>3</sup> i. 200.<sup>4</sup> *Mahābhārata*, *Udyoga Parvan*, 45. 5; *Sānti Parvan*, 187. 18: 276. 28.<sup>5</sup> *Manu*, iii. 150 ff.<sup>1</sup> *Sat. Br.*, ii. 4. 4. 5.<sup>2</sup> *Vide* Oldenberg's *Religion Das Veda*, p. 375.<sup>3</sup> *Ibid.*, p. 12.<sup>4</sup> iv. 50. 8.

influence is greatly felt. He is all-powerful, perhaps more powerful than the king himself. It would be certainly instructive to quote the passage. 'That king alone in front of whom the Brahman walks (पूर्वं एति) lives well established in his house: for him there is ever abundance of food: before him the people bow of their own accord!' Certainly this does not warrant any modest position to the *purohita*. But Eggeling takes shelter under the ill-supported argument that these verses are a later addition. Let alone this passage. There is another verse wherein the invocation addressed to Agni, the latter is characterized as the *purohita*, the divine ministrant of the sacrifice. The text runs as follows: 'I magnify Agni the *purohita*, the divine ministrant of the sacrifice, the Hotṛ priest, the greatest bestower of treasures.'<sup>1</sup> From this it is obvious that Agni does not hold the position of a private chaplain in the kingdom of gods but he is the 'divine ministrant' and 'the king of all worship'.<sup>2</sup>

It is a correct estimation of Prof. A. B. Keith who remarks: 'The Vedic *purohita* was the forerunner of the Brahman statesmen who from time to time in India have shown conspicuous ability in the management of affairs and there is no reason to doubt that a Viśvāmitra or Vasiṣṭha was a more important element of Government of the early Vedic realm. It is clear too from the hymns which are attributed to the families of these sages that the *purohita* accompanied the king to battle and seconded his efforts for victory by his prayers and spells. In return for his faithful service the rewards of the *purohita* were doubtlessly large. The *dāna-stutis* of the *Rig Veda* tell of generous gifts of patrons to the poets and we may safely assume that the largest donations were those of

<sup>1</sup> R. V., i. 1.

<sup>2</sup> I, I, 8; S. B. E., vol. xlv.

kings to the *purohita*.'<sup>1</sup> Our own view is that from the earliest known literature, the *Rig Veda Samhita*, down to the later treatises on the Arthaśāstra, the *purohita* maintained one and the same position in the state, at least in every Kṣatriya-ruled state.

No scholar has bestowed so much thought and attention on this great institution as Julius Eggeling and hence we cannot refrain from quoting him once again. He continues: 'The struggle for social ascendancy between the priesthood and the ruling military class must in the nature of things have been of long duration. In the chief literary documents of this period which have come down to us, viz. the *Yajur Veda*, the *Brahmanas* and the hymns of the *Atharva Veda*, some of which perhaps go back to the time of the later hymns of the Rik, we meet with numerous passages in which, the ambitious claims of the Brahmins are put forward with singular frankness. The powerful personal influence exercised by the *purohita* as has already been indicated seems to have largely contributed to the final success of the sacerdotal order.' The so-called struggle between the two classes, the Brahmanas and the Kṣatriyas, is more a product of the imagination than one of actual fact. In the whole mass of the Vedic and later Sanskrit literature we cannot trace a conflict between a king and his *purohita*. The king dared not disobey the *purohita* or the *purohita* overrule the monarch. The ambitious claims of the Brahmins are not peculiar to the *Yajur Veda* or the *Atharva Veda* alone. Did we not find the same in the *Rig Veda Samhita*? Prof. Keith distinguishes two classes of priests in this period, the king's *purohita* and the sacrificial priest. Says he: 'In both cases the priest was in the long run at the

<sup>1</sup> C. H., I. i. pp. 95-96.

mercy of the political power of the king.<sup>1</sup> The office of *purohita* is glorified everywhere such as the *Arthaśāstra* texts of Kauṭalya and Kāmandaka. There is no final success of one order over the other, because the very premises are doubtful. We have no definite passages in any of the texts portraying the different phases of the struggle for any sort of social ascendancy. It is possible that references to occasional disputes between some *purohita* and his king<sup>2</sup> has been misconstrued for the struggle between the two orders of the community.<sup>3</sup>

The social ascendancy, if a real fact, is due to *śrotri-atvam*, i.e., learning and force of character, and to nothing else. The learned scholar seems to think that he is not altogether correct in his own statements. For says he in another later paragraph 'The question as to how Brahmans ultimately succeeded in overcoming the resistance of the ruling class receives but little light from the contemporaneous records. Later legendary accounts of sanguinary struggles between the two classes and the final overthrow and even annihilation of the Kṣatriyas can hardly deserve much credence. Perseverance and tenacity of purpose were probably the chief means by which the Brahmans gained their ends.' He seems to be laying himself out for establishing an imaginary fact. If the Brahmans had been really avaricious or ambitious they could have easily aspired to the imperial and royal offices. If they had only wished they could have easily adorned the thrones of many a state. But instead they sought voluntarily hard and strenuous life of fasting and penance.

<sup>1</sup> C.H., I, i. p. 128.

<sup>2</sup> Ait. Br., vii. 27 : Pañch. Vims Br., xiii. 12. 5 and xiv. 6. 8.

<sup>3</sup> Cf. Lassen, *Indische Alterthumskunde*, I, pp. 713 ff.

Remark has already been made that the *purohita* continued to maintain his old position even in the epoch of the *Dharma Śāstras* and the *Arthaśāstras*. Dr. Goshal who has given some thought to the question advances the argument that the *purohita* of Kauṭalya's *Arthaśāstra* has been ruled out from the list of proximate factors of Government.<sup>1</sup> Though this point has been given some consideration elsewhere<sup>2</sup> still it would not be out of place to recapitulate some of the statements. The commentator of the *Kāmandaka nīti sūtra*, Śankarārya characterizes the *purohita* as a 'विशेष अमात्य' one of the more prominent ministers, and qualifies his statement to that effect.<sup>3</sup>

How he is one among the king's ministry is further testified by the commentator of the *Śilappadhikāram*, a classic of the period of the Tamil Śāngam, who explains the கீம்பெருங்குழு of the text, as minister, the *purohita*, the commander-in-chief, ambassador and Director of Public Information to use a modern term.<sup>4</sup> This and similar references from the Tamil treatises can bear the weight of the inference that the office of the *purohita* was not alien even to Dravidian polity. These confirm our view that the *purohita* continued to maintain his true station among the state officials as in Vedic times.

What is then his position in the *Arthaśāstra* and what are his functions and qualifications? Kauṭalya rules<sup>5</sup>

<sup>1</sup> *Hindu Political Theories*, pp. 88-89.

<sup>2</sup> Is *Arthaśāstra* secular? by the author—*Proceedings of the Third Oriental Conference*, pp. 615-6.

<sup>3</sup> पुरोऽधीयते नियुज्यते दृष्टादृष्टे इति पुरोहितः । (Commentary on verses 30 and 31 of chapter iv of *Kāmandaka*.)

<sup>4</sup> See *Tamil Lexicon*, vol. i, pt. iii, p. 579.

<sup>5</sup> पुरोहितमुदितोदितकुलशोले, षडङ्गे वेदे दैवे निमित्ते दण्डनीत्यां चाभिविनोतम् आपदां देवमानुषाणामथर्वभिः उपायैश्च प्रतिकर्तारं कुर्वीत ।

that he may be appointed or selected as the *purohita* who belongs to a distinguished and good family, highly learned, versed in all the sacred lore, as well as the science of astronomy, and the theory of polity, skilled in propitiating gods by the various rites prescribed in the *Atharva Veda*, to ward off calamities providential or otherwise occurring in the kingdom. Him the king should follow as a student his teacher, a son his father, and a servant his master. The same sentiments are given expression to in the verse of Yājñavalkya.<sup>1</sup>

That the *purohita* is one among the council of advisors to the king is also seen from the phrase of Kauṭalya.<sup>2</sup> Here too the text follows Yājñavalkya closely. It has been pointed out that the *purohita* of the *Arthaśāstra* in no way occupies a lower status than that of the *Aitareya Brāhmaṇa* where he is represented as the providence guiding the destinies of the kingdom.

तं आचार्यं शिष्यः पितरं पुत्रो मृत्युः स्वामिनमिव चानुवर्तेत । (Bk. i, Sec. 9.)

<sup>1</sup> पुरोहितं च कुर्वीत देवद्वन्द्वदितोदितम् ।

दण्डनीत्याश्च कुशलं अथर्व्यङ्गिरसे तथा ॥ (i. 313.)

Cf. *Āpastamba*, ii. 5-10. *Gautama* xi. 12; *Baudha*, i. 10. 18 (7 and 8).

This is only one of the few parallel passages some of which are referred to in the introduction to the first volume of *Kauṭalya Arthaśāstra* edited by Dr. Ganapati Sastri of Trivandrum (pp. 6-8). These parallels show unmistakably that one of them is indebted to the other. But who is the original author is the point at issue. It must be said to the credit of the great Mahāmahōpādya that he has proved on substantial evidence that the *Kauṭalya* is posterior to the *Smeṭi* of Yājñavalkya and hence it is indebted to this law-book more than anything else.

<sup>2</sup> मन्त्रिपुरोहितसखः (Bk. i, Sec. 10.)

Here is an internal textual evidence which bears out this fact more clearly than anything else.<sup>1</sup>

The energy of the Kṣatriya backed by that of the *purohita* and assisted by the deliberations of the ministers following the precedents laid down in the *Śāstras* leads to success without question.<sup>2</sup> Further the *purohita* of the *Kauṭalya* occupies a unique rank among the highest paid state-officials, such as the minister, the commander-in-chief, or members of the royal household, the crown-prince, the king's mother, and the queen. Kauṭalya fixed the salary of the *purohita* as 48,000 *panās* per annum. The smaller officials under his department were each paid 1,000 *panās* yearly.<sup>3</sup>

It may be argued that the high salary allowed by Kauṭalya to the *purohita* does not necessarily mean that the latter was one of the *amātyas*. For the Archbishop of Canterbury draws a princely salary but surely for that reason one cannot claim for him a place in the cabinet of ministers. It is wrong to judge ancient Indian facts by modern standards. There is no comparison between the Archbishop of Canterbury and the *purohita* of the ancient Indian state. That the latter was an influential factor of the Hindu cabinets no one can deny. To this extent Kauṭalya gives unmistakably a place to him. He was an important limb of the Government.

<sup>1</sup> ब्राह्मणेनेधितं क्षत्रं मन्त्रिमन्त्राभिमन्त्रितम् ।

जययजितमत्यन्तं शास्त्रानुगतशस्त्रितम् ॥ (*Arthaśāstra*, Bk. i, Sec. 9.)

<sup>2</sup> ब्राह्मण्यनुपमा दृष्टिः स्वात्मप्रतिमं बलम् ।

तौ यदा चरतः सार्धं तदा लोकः प्रसोदति ॥

(*Vaṇa Parvan*, xxvi. 16.)

Cf. *Mahābhārata*, *Ādi Parvan*, cxlix, 39; *Manu*, ix. 323; *Gautama*, xi.

<sup>3</sup> Bk. v, chap. iii.

We saw in the *Vedic* texts that one of his functions was to follow the king to the theatre of war and encourage the warriors now and then to rise equal to the occasion. In the chapter on encampment on the eve of the war<sup>1</sup> four divisions of the camp are mentioned and in the first are the *purohita* and the Prime Minister. The *purohita* encourages the army by quoting *Vedic* authority as to the final goal of brave men in the field.<sup>2</sup> 'Such of those places which the heaven-desiring Brahmans reach with their sacrificial utensils through several *yajnas* and penances, are attained immediately by the warriors who give up their lives heroically in battles for a good cause. That soldier who having eaten of the salt of his master would not fight is sure to go to hell and be deprived of the consecrated vessel of water covered over with *darbha*-grass.' Here we are reminded of the poet-bards mentioned in the Tamil texts of the Śāṅgam epoch. These were called *pāṇar*. Their duty was to sing the

<sup>1</sup> *Arthaśāstra*, Bk. x, Sec. i.

<sup>2</sup> यान् यज्ञसङ्घैस्तपसा च विप्राः स्वर्गैषिणः पात्रचयश्च यान्ति ।  
क्षणेन तानप्यतियान्ति शूराः प्राणान् सुयुद्धेषु परित्यजन्तः ॥  
नवं शरावं सलिलस्यपूर्णं सुसंस्कृतं दर्भकृतोत्तरोयम् ।  
तत्तस्य माभून्नरकं च गच्छेद्यो भर्तृपिण्डस्य कृते न युष्येत्

(*Arthaśāstra*, Bk. x, Sec. 3.)

The second verse नवं शरावं, etc., is found in the Fourth Act of Bhāsa's

*Pratijñāyugandharāyaṇa* (edited and published by the late Gaṇapati Śāstri) addressed to soldiers to stimulate them to fight. Prof. S. Kuppaswami Śāstri on the authority of the *Nayacandrika* commentary on the *Arthaśāstra* seems to take the view that these verses 'were taken from some *Purāṇa* in which they happened to be put into the mouth of Manu, [Intro. *Ācāryachūdāmaṇi* (Śrī Bālaṃanorama series, Madras), pp. 21-23.] The commentator's suggestion is only a conjecture which is not based on any authority. The late Pandit is therefore probably right that the *Śloka* in question is Bhāsa's own quoted by Chāṇakya, the author of the *Arthaśāstra*. (Vide Intro. *Pratijñāyugandharāyaṇa*, pp. 3-4.)

glories of heroes who had fallen heroically in the field and thus infuse fresh spirit into the minds of the soldiers during the encounter. That they often followed their respective kings to the field and even acted as intermediaries and arbitrators, and sometimes also succeeded in averting the conflagration of wars is on record.<sup>1</sup> One peculiarity was that owing to their great learning even the enemy king accorded them due respect, and never questioned their movements in their kingdoms.

Even later works on polity like the *Kāmandaki Śukranīti*, *Nītivākyaṃṛta* continue the traditional ideas about this functionary. He is the directing force in the administration of Kāmandaka.<sup>2</sup> The qualifications of the *purohita* which are narrated in the *Śukranītisāra* well-nigh agree with what Kauṭalya has recommended.<sup>3</sup> The *Śukranīti* adds that he is also the *āchārya* or preceptor. This office figures as the first and the highly paid one among the ten departments of Sukrāchārya.<sup>4</sup>

The *Nītivākyaṃṛta* contains a whole section on the functions and qualifications of this functionary. This is important because Somadevasūri is a faithful transmitter of ancient and especially Kauṭaliyan tradition. The commentator quotes on the first stanza of the section a verse from Sukra :

दिव्यान्तरिक्षभोमानां उत्पातानां प्रशान्तये ।

तथा सर्वापदां चैव कार्यो भूपैः पुरोहितः ॥

<sup>1</sup> See *The Art of War in S. India*, by the author in the 'Annals of the Bhandarkar Institute', vol. vii, No. iv.

<sup>2</sup> Trivandrum edition, p. 56.

<sup>3</sup> *Śukra*, ii. 78-81.

<sup>4</sup> *Śukra*, ii. 70-72. Apparently by the time of the *Śukranīti*, whose date of composition is still a bone of contention among scholars, the eighteen departments of the state had reduced themselves to ten. Perhaps the complex nature of the organization of the administrative machinery warranted this change in the system of Government.

The Chief Minister and the *purohita* are equal to mother and father as told by Brhaspati.<sup>1</sup>

A categorical list of the calamities providential or otherwise which the *purohita* makes effort to avert is given. Fire, or thunder, rain or over-rains, epidemic, famine, pestilence to crops, relinquishment of men, prevalence of diseases, *bhūta*, *piśācha* and demons, fear of tiger, rats and snakes.<sup>2</sup> On this account Kālidāsa seems to have used the epithet कृत्यवित् to the *purohita* Vasiṣṭha of King Daśaratha.<sup>3</sup> In addition to these one-rous functions, he was also according to the *jātakas* an administrator of justice<sup>4</sup> and a guardian of king's treasures.<sup>5</sup>

Before we examine the position assigned to the *purohita* in the *Dharmaśāstra* and epic literature we must complete the description of the status accorded to him in the *Arthaśāstra* itself. It has been demonstrated that he was the guiding force in the administration. By this it must not be concluded that he was above the law of the land. Like any other citizen he was punished whenever there was a departure from his *svadharma* or loyalty to the king. The punishment amounted to imprisonment or banishment.<sup>6</sup> The *Panchavimśa Brāhmaṇa* goes further and rules that he might be even punished with death in cases of treason.<sup>7</sup> What we wish to drive at is the fact that the *purohita* of the *Kauṣalya* preserved the status he had in *Vedic* times. Dr. Winternitz takes a

<sup>1</sup> समी मातृपितृभ्यां राज्ञो मंत्री पुरोहितौ ।

अतस्ती वाञ्छितार्थेन कथंचिद्विस्तरयेत् ॥

<sup>1</sup> Cf. *Arthaśāstra*, Bk. viii, Sec. iv.

<sup>2</sup> The *Dhammaddhaja Jātaka*, i, vol. p. 220.

<sup>3</sup> The *Banhamā Mokkha Jātaka* vol. i, p. 120.

<sup>4</sup> *Arthaśāstra*, Bk. ix, Sec. 3; cf. *Manu*, viii. 335.

<sup>5</sup> *Raghuvamśa*, xi. 58.

<sup>7</sup> xiv. 6. 8.

similar position with regard to the *purohita*,<sup>1</sup> and says that Kauṣalya accepts entirely the Brahmanical religion and view of life as the foundation of the state, and he has in view a state organization in which the Brahman plays a first role.

From the *Dharmasūtras* and the *Dharmaśāstras* we see that the same qualifications are mentioned and that it is insisted that the monarch must act according to the instructions of the *purohita*.<sup>2</sup> The epics and the *Purāṇas* also faithfully transmit the Vedic tradition but in this epoch it is obvious that his duties become more and more complex. Sometimes he had to attend to several functions at the same time. The *Garuda Purāṇa* says, 'The high priest of the realm should be a man of vast erudition and perfect self-control—a hero in soul and virtue.'<sup>3</sup> The same *Purāṇa* speaks of a royal priest as distinguished from the high priest and his qualifications are the following: 'The royal priest should be a man who has studied the *Vedas* and the *Vedāṅgas* and constantly meditates upon the Divine self by celebrating *homa* ceremonies and pleasing the whole world in weal and woe.'<sup>4</sup>

In the *Mahābhārata* which is a mine of useful information Gandharva speaks to Arjuna on the infinite

<sup>1</sup> Vide his *Geschichte der Indischen Litteratur*, vol. iii, pp. 523 ff. See also *Sir Asutosh Memorial Volume* (Patna), p. 34.

<sup>2</sup> सर्वेषां तु विशिष्टेन ब्राह्मणेन विपक्षिता ।

मन्त्रयेत्परमं मन्त्रं राजा वाङ्मयसंयुतम् ॥

नित्यं तस्मिन्समाश्रितः सर्वकार्याणि निःक्षिपेत् ।

तेन सार्धं विनिश्चित्य ततःकर्म समारभेत् ॥

*Manu*, vii. 58 and 59; cf. *Baudh.* 1. 10. 18 (7 and 8); *Yājñavalkya*, i. 313-14.

<sup>3</sup> *M. N. Dutt Trans.*, chap. cxii; cf. *Agni.*, cxxxix. 16-17.

<sup>4</sup> *Ibid.*

importance of the *purohita* to the king. Though a *karmavṛtta*, a king will be able to conquer the Rākṣasas provided the *purohita* leads him in front. He is the source of the king's name and fame. To that king whose *purohita* is self-controlled, versed in *Vedas* and *Vedāṅgas*, pure, truthful, selfless and devoted to *dharma*, heaven is certain. To him even the unattainable fruits could be got, and those got would be easily and safely kept. That king who yearns after the welfare of all must be in the confidence of this official. It is wrong to assume that a Kṣatriya conquers the whole world by sheer prowess and mere family greatness. It is only a kingdom under the guiding hand of a Brahman that will last long.<sup>1</sup> That on him hangs

<sup>1</sup> यस्तु स्यात्कामवृत्तोऽपि पार्थ ब्रह्म पुरस्कृतः ।

जयेन्नक्तञ्चरान्सर्वांसपुरोहितधूर्तः ॥

तस्मात्तापस्य यत्किञ्चिन्नृणां श्रेय इहेप्सितम् ।

तस्मिन्कर्मणि योक्तव्या दान्तात्मानः पुरोहिताः ॥

वेदे वचस्ते निरताः शुचयः सत्यवादिनः ।

धर्मात्मानः कृतात्मानः स्युर्नृपाणां पुरोहिताः ॥

जयश्च नियतो राज्ञः स्वर्गश्च तदनन्तरम् ।

यस्य स्याद्धर्मविद्वाग्मी पुरोधाः शीलवाक्शुचिः ॥

कामं लब्धुमलब्धं वा लब्धं वा परिरक्षितम् ।

पुरोहितं प्रकुर्वीत राजा गुणसमन्वितम् ॥

पुरोहितमते तिष्ठेय इच्छेद्भूतिमात्मनः ।

प्राप्तुं वा सुमतीं सर्वां सर्वशः सागराम्बराम् ॥

the thread of the realm is again brought out in chapter (cxc) where it is said that the Ikṣvāku kings attained celebrity and greatness owing to Vasiṣṭha, their *purohita*.<sup>1</sup> The same Gandharva recommends Dhaumya, the younger brother of Ṛshi Devala as the *purohita* of the Pāṇḍavās. On request Dhaumya accepted the offer ; and led by him the Pāṇḍavās reached Pāñchala-deśa. Here is a case of departure from the hereditary system of appointment.<sup>2</sup> That he must be duly qualified and honoured by the king is further repeated by the sage Nārada.<sup>3</sup> The same ideas are given to Yudhiṣṭhira by Ṛshi Vāka in the *Vana Parvan*. The sage quotes the classic example of the Asura king Bali whose success was due to the Brahmans only. A king without a *purohita* is like an elephant without the mahout. A king with the *purohita* is compared to the fire united with wind.<sup>4</sup> These important comparisons have indeed a significance of their own. They signify the great and imperative value of this functionary.

न हि केवलशौर्येण तापत्याभिजनेन च ।

जयेदब्राह्मणः कश्चिद्भूमिं भूमिपतिः कचित् ॥

तस्मादेवं विजानीहि कुरुणां वंशवर्धन ।

ब्राह्मणप्रमुखं राज्यं शक्यं पाकयितुं चिरम् ॥

(Mbh., *Adi Parvan*, clxxxvi. 77-84.)

<sup>1</sup> Ibid., 11-16.

<sup>2</sup> Mbh., *Sabha Parvan*, v. 43.

<sup>3</sup> Ch. cxix.

<sup>4</sup> कुञ्जरस्येव संग्रामे परिपृष्ट्वा कुशग्रहम् ।

ब्राह्मणैर्विग्रहीतस्य क्षत्रस्य क्षीमते बलम् ॥

(Mbh., *Vana Parvan*, xxvi. 15.)

यथा हि सुमहानाग्निः कक्षं दहति सानिलः ।

तथा दहति राजन्यो ब्राह्मणेन समं रिपुम् ॥ (Ibid., 17.)

In the *Śānti Parvan* again there are some important statements a perusal of which would be a profitable study. Bhīṣma the great preceptor advises Yudhiṣṭhira :<sup>1</sup> 'Do all your acts in conjunction with your *purohita*.' Who is a true *purohita*? Bhīṣma answers<sup>2</sup> that he alone must be appointed as the *purohita* who will help the king in protecting the righteous and putting down the unrighteous.

Then is given the king's behaviour towards such an official.<sup>3</sup> By service, obedience and following his *svadharma*, honoured by the *purohita*, a wise king earns an undying name. In chapter lxxiii, the qualifications and functions are set forth in instructive details. After giving a categorical list of qualifications Bhīṣma says that a king would be a mere nothing if he had no *purohita* to guide him. He would be ever in danger of the Rākṣasas, the Asuras, the Piṇḍas, Urugas, Pakṣins and other enemies. He must do the warding off rites at prescribed times—*vaiṣvadeva bali*, *rudra homas*, etc. It is said that the *purohita* washes the dirty linen of seven sinful *malas* of the king—wicked ministers, indifferant councillors, thieves, injustice, illegal punishment, not punishing the deserving, and cruelty in battle. He is further of considerable aid in the performance of sacrifices and other holy rites. By mutual amity and

<sup>1</sup> अथ सर्वाणि कुर्वीथा कार्याणि सपुरोहितः । (lxxi. 4.)

<sup>2</sup> य एव तु सतो रक्षेदसतश्च निवर्तयेत् ।

स एव राज्ञा कर्तव्यो राजन् राजपुरोहितः ॥ (lxxii. 2.)

<sup>3</sup> शुश्रूषुरनहंवादो क्षत्रधर्मव्रतेस्थितः ।

तावता सत्कृतः प्राज्ञः चिरं यशसि तिष्ठति ॥ (Ibid., lxxii. 20.)

concord of both the Kṣatriyas and the Brahmans the people enjoy peace and good will.<sup>1</sup>

These statements demonstrate the indispensable office of the *purohita* who is a Brahman, and the fact that no superiority of class or caste is contemplated. On the other hand both are equal tending towards the common good of the people—the *yogakshema* of the state.<sup>2</sup> Hence his appointment precedes the anointing of the king.<sup>3</sup>

One has the power of *tapas and mantras* (तपोमन्त्रबलं) and the other the strength of weapons and arms<sup>4</sup> (अस्त्रबाहुबलं). It is certainly difficult to find the superiority of the nobility in the epic as Prof. Hopkins would make us believe.<sup>5</sup>

## NOTE

There seems to be some confusion among scholars as to the true social and legal position of the Brahman-Purohita in ancient Hindu society. The confusion is due to two causes. (1) The wrong interpretation or forced construction put upon certain passages in the different texts by scholars. (2) The apparent inconsistency of the *Vedic* texts themselves. The former is unaccountable and even inevitable, each savant looking at them from his own view point and judging them as such. As for the latter, the confusion among the different *Vedic* Schools and teachers is only so at the surface ; but once we dive deep into the mysteries of their thoughts expressed through their writings we clearly see that in fundamentals all are essentially of the same idea. It may be that in trifling detail they may disagree, and even this

<sup>1</sup> ब्रह्मक्षत्रं हि सर्वासां प्रजानां मूलमुच्यते ॥

(*Śānti Parvan*, lxxiii. 43.)

क्षत्रं वै ब्रह्मणो योनिः योनिः क्षत्रस्य वै द्विजः ॥ (Ibid., 49.)

again

ब्रह्म वर्धयति क्षत्रं क्षत्रतो ब्रह्म वर्धते ।

राज्ञः सर्वस्य चान्यस्य स्वामी राज्ञः पुरोहितः ॥ (Ibid., 70.)

<sup>2</sup> *Śānti Parvan*, lxxiv. 3.

<sup>3</sup> तं चैव कृत्वाभिषिञ्जेत्तथा धर्मो विधीयते । (Ibid., lxxiii. 67.)

<sup>4</sup> Ibid., lxxiv. 16.

<sup>5</sup> *J.A.O.S.*, vol. xiii, 151 ff.

disagreement would tend towards agreement in the main. We will take an example of these two reasonings to make ourselves more clear. Both the *Vājasaneyi Samhita* (Sukla, *Yajur Veda*, chap. ix. 40 and chap. x. 17 and 18) and the *Śatapatha Brāhmaṇa* contain the following text :

विशा एष वा

अमो राजा सोमोऽस्माकं ब्राह्मणानां राजा ॥

Eggeling translates this : ' This (man), O ye (people), is your king ; Soma is the king of us Brahmanas. ' (ix. 4. 3. 16), Jayaswal translates it thus : ' This man, O ye people, is your king, he is Soma, king of us Brahmanas ! ' (*Hindu Polity*, part ii, p. 30). Again in the *Ratnahavis* portion of the *Rājasūya* sacrifice one of the *ratnins* is mentioned to be the *akṣavāpa*, and this term is translated as the ' keeper of the dice, ' alluding to the game of gambling. Jayaswal again repudiates this explanation on the authority of the *Kauṣṭhīya* where the *akṣaśāla* and *akṣapaśāla* and similar technical terms occur referring to the keeper of accounts and the hall of the office of the Accountant-General. It is ridiculous for a consecrated monarch to get the approval of a gambling officer and we agree with Jayaswal that it does not at all point out to the officer of dice but of accounts, finance being the vital department for any administrative machinery.

By way of illustration as to the second reasoning, viz., the confusion of texts themselves, the *Aitareya Brāhmaṇa* rules (viii. 24-25). ' Verily the Gods do not eat the food offered by the king who is without a *purohita*. Wherefore let the king who wishes to sacrifice place a Brahmana at the head (पुरो अधोत ।). With this we may compare another text (iv. ii.), (quoted by Jayaswal, *Hindu Polity*, part ii, p. 31) of the *Vājasaneyi Brāhmaṇa Upaniṣad*

‘ तस्मात् क्षत्रात्परं नास्ति तस्माद्ब्राह्मणः क्षत्रियमधस्तुपास्त राजसूये ।’

‘ Hence there is none above the Ruler, hence the Brahman sits under Kṣatriya in the *Rājasūya*.’ Thus whereas in one text the *Purohita* is placed at the head in the other he is placed under the Kṣatriya. This inconsistency disappears in the light of the following texts :—

In the *Śatapatha Brāhmaṇa*, (Eggeling Trans., v. 4. 4. 15) ‘ a Brahmana then hands to him the sacrificial (wooden sword . . . ), the sacrificial sword being a thunderbolt, that Brahmana, by means of that thunderbolt makes the king to be weaker than himself : for indeed the king who is weaker than a Brahmana is stronger than his enemies. . . .’ ‘ Again after the consecration when the king addresses the *purohita* for blessing the latter pronounces five times ‘ Thou art Brahman. ’ (*Ibid.*, 4. 4. 9-13). There is a special chapter (*Adhyaya* v.) in the *Aitareya Brāhmaṇa* where the position occupied by the *purohita* is given with instructions in detail. Without the *purohita* who is necessarily a Brahman, a king is not honoured by the gods. *Āpastamba* declares that the Brahman alone must be a teacher, though he knows of Kṣatriya and Vaiśya teachers also. But it must be remarked that a *purohita* was not necessarily a teacher or a *ṛtvik*. But it has been a long-standing practice that the *purohita* some-

times did the duties of the *āchārya* and *ṛtvik*. Vasiṣṭha, for example, plays all roles in the *Rāmāyaṇa* (*Bala Kāṇḍa*, chap. viii). He officiates as a *ṛtvik* (chap. xviii. 21-24) is engaged in performing *samhskara* rites for the princes (vi. 128) he is consecrating Rāma. Thus in one and the same person is united the functions of these three. Fick notes some evidence from the Pāli literature to this effect. (*Trans.*, Matra, p. 168 and 169.) It is further seen that his office is ordinarily hereditary and ties of friendship are strong. (*Ibid.*, 170.) The *purohita* is characterized as the *dhavantiya fire*, his wife the *Gārhaspatya*, and his son the *anvāhāryapacana fire*—the sacred fires leading the king to heaven. Again the *purohita* is Agni Vaisvānara, possessed of five missiles, speech, feet, skin, heart, and organ. Hence he must be adorned and made to feel happy (*Ait. Br.*, viii. 24). The *purohita* is analogous to Bṛhaspati, the *purohita* of Gods. Under his guidance and care a king could overcome his enemies and make his people contented and prosperous (*Ibid.*, 25). Again ‘ in whose reign the Brahmana goeth first, ’ the people pay homage to him who wins plenty of wealth (*Ibid.*, 26). That Brahman is selected for this office who knows the three *purohitas* and the three appointers. ‘ Agni is the *purohita*, the Earth the appointer. Āditya is the *purohita*, the atmosphere the appointer, Āditya is the *purohita*, the sky is the appointer ’ (*Ibid.*, 27). Keith (*H. O. S.*, vol. 25).

Let us now turn our attention to what place the *purohita* is assigned in the estates of the realm in the *Śatapatha Brāhmaṇa*, another important work of this category. In the section called *Ratnahavis* of the *rājasūya*, the *purohita* figures as one of the recipients of the sacrificial honours. The king goes to his house and prepares a *saṁ* for Bṛhaspati,—the *purohita* of the Gods. He is one of the *Ratnani* (v. 3. 1. 2). Again it is the *purohita* who anoints the king by sprinkling waters on him in front, and prays for the latter's energy and vigour to withstand his enemies (*Ibid.*, v. 4. 2. 1-3). He again hands the *sphya* or wooden sword to him, symbolical of a thunderbolt to overcome his foes (v. 4. 4. 15). So far the functions signify those of a modern Bishop or Archbishop. But his station in the administration was indeed a more exalted one. It is said that the Kṣatriya and the *purohita* make one complete whole. The one without the other is feeble. One is the compliment of the other (*Ibid.*, vi. 6. 3. 12). If both of them are united, that is, if spiritual power is associated with the temporal power, then that state could be all powerful. Thus the inconsistency of the texts is only apparent but not a fact. We must not confuse the Hindu conception of spiritual power and its relation to temporal power with that of the mediæval Holy Roman Empire.

### Sec. iii. THE ROYAL COUNCIL

The council is an important limb of the central organization and its origin can be traced to very early times. In the Vedic period the business of the council was more complex in character. Professors Macdonell and

Keith remark: 'The business of the council was general deliberation of the policy of all kinds, legislation so far as the Vedic Indian cared to legislate, and judicial work.'<sup>1</sup> But the council of the later days abstained from legislative and judicial work. It became purely a consultative Council, Cabinet to use a modern expression. This distinctive feature of the cabinet assumed shape at least prior to the days of Kauṭalya as can be seen from the learned discussion on the subject in the *Arthaśāstra*.<sup>2</sup>

In the chamber in which council meetings were usually held absolute secrecy had to be ensured and the cabinet therefore met in appointed places. The chamber was to be inaccessible not only to man but also to birds and beasts. Kauṭalya gives a categorical list of birds and animals which should not be allowed to frequent the environs of this special chamber. It was feared that news would leak out even through them. This may no doubt be an exaggeration, but still it demonstrates the extreme need of secrecy in the council. Among the birds and animals mentioned are parrots, dogs and deer.<sup>3</sup> These are endowed with certain instinct by means of which they are capable of betraying the secrets. Cases upon cases in illustration can be quoted from the epics. In the *Mahābhārata* it is the dog of Ekalavya which took the Pāṇḍavās to his master by means of visible signs. In the *Rāmāyana* one of the animals which indicated the path through which Rāvaṇa carried Sīta was the deer. Again in the *Aranyaka Parvan*, Yudhiṣṭhira abandoned the forest because the deer at that place indicated to him that that forest was not worthy of his living there. Besides according to the sage Nārada and the *Chandogya Upaniṣad*

<sup>1</sup> *Vedic Index*, vol. II, p. 431.

<sup>2</sup> *Arthaśāstra*, Bk. I, Sec. 15.

<sup>3</sup> Bk. I, Sec. 15.

there have been in ancient India masters versed in the language of animals (वाकोवाक्यं) and also of plants.

The same ideas are repeated in the *Mānava Dharma Śāstra*. On the top of a hill, the solitary chamber of the palace, or lonely forests where even birds cannot penetrate, deliberation could be carried on by the king. The idiot, the dwarf, the deaf and the dumb, the limbless, the old, the eunuch, the lunatic, *mlechchas*, the sick and the defective-limbed, were not allowed to be present on any of the four sides of the hall,<sup>1</sup> for through them the secrets might escape. The author of the *Arthaśāstra* is practical in his recommendations. He asks, granting the above precautions are taken, yet is there not any possibility of the information leaking out from the members who sit in deliberation. 'Yes,' says Kauṭalya, and remarks that any shrewd man could form possible opinions by observing the physical features and gestures of the person or persons consulted. This is evident from the *Rāmāyana* also. When the question of entertaining Vibhīṣaṇa as an ally came up, Hanumān speaks in these terms:

आकारच्छाद्यमानोऽपि न शक्यो विनिगूहितुं

बलाद्धि विवृणोत्येव भावमन्तर्गतं नृणाम् । (Yuddha, ch. xvii. 63.)

<sup>1</sup> नरात्तो मन्त्रयेद्विद्वान् च कौश्चिदुपासितः ।

प्रासादाग्रे शिलाग्रे वा विशाले विजनेपि वा ।

समन्तात्तत्र पश्यद्भिः सहासैरेव मन्त्रयेत् ।

नैव संवेशयेत्तत्र मन्त्रवेश्मनि शारिकाम् ।

शुकान्वा शारिका वापि बालमूर्खजडानपि ।

प्रविष्टानपि निर्वास्य मन्त्रयेद्भार्मिकैर्द्विजैः ।

*Mahābhārata*, *Ādi Parvan*, c. lili. 87-89; cf. *Sānti Parvan*, lxxiii. 36-57; *Aśrama*, vi. 22; *Śukra* i. II. 484-99; *Manu*, vii. 147-9; *Yāj.*, i. 342.

Again in the *Nīti Sāra* :

आकारेणैवचतुराः तर्कयन्ति परेकृतम् ।

गर्भस्थं केतकोपलं आमोदेनैव षड्पदाः ॥

Other ways by which secrets might be discovered are carelessness, intoxication, talking in sleep, lust, and other evil habits of the councillors themselves. Hence the *Kaṭṭaliya* warns that such councillors should be kept under proper guard until the council proceedings should reach a consummation.<sup>1</sup>

The term *mantri-pariṣad* (मन्त्रिपरिषत्) means a definitely organized council of ministers who were concerned with the political affairs of the realm. The distinction came to be maintained in later Sanskrit literature especially in the *Dharmaśāstras* and the *Arthaśāstras*.<sup>2</sup> The *Kaṭṭaliya* mentions this term<sup>3</sup> and refers it to the *Dharma Śāstras* of *Bṛhaspati*, *Manu* and *Uśanas*. This *mantri-pariṣad* was a cabinet of ministers. From early Vedic literature there is evidence to demonstrate that the king in ancient India was no autocrat exercising authority in an irresponsible manner. The *Rājakṛts* and the *Ratṇins* of the *Bṛahmana* literature go to show that some constitutional check was placed on the institution of kingship. Further we hear of the *Sabhās*, *Samiti* and *Pariṣad* where the king took an active part.

The *Pariṣad* of the *Jātakas* is the same as the *Pariṣad* of the *Arthaśāstra* literature. The term also appears in the rock-cut inscriptions of *Aśoka*.<sup>4</sup> Further the Vedic

<sup>1</sup> आकृतिप्रहणमाकारः । तस्य संवरणं आयुक्तपुरुषरक्षणमाकार्यकालादिति । तेषां हि प्रमादमदसुप्तप्रलापकामादिदृष्टेः । प्रच्छन्नोऽवमतो वा मन्त्रं भिनत्ति । तस्माद्रक्षेन्मन्त्रम् । (*Arthaśāstra*, Bk. i, Sec. 15.)

<sup>2</sup> *Vasiṣṭha*, iii. 20.

<sup>3</sup> Bk. i, Sec. xv.

<sup>4</sup> The *Shāhbāzgarhi Rock* and the *Mānsehrā Rock*, III and IV.

term *Rājakartārah* continued in the same meaning both in the Pāli canon and in the epics. In the *Rāmāyaṇa*<sup>1</sup> on the arrival of Bharata from his uncle's house the *Rājakartārah* presented themselves before him to crown him. It is not unreasonable to assume that these functionaries were the chief ministers of the state and had a place in the *mantri-pariṣad*. The law-givers such as *Manu*, *Yājñavalkya* and *Kātyāyana* assign a fitting place to this assembly which the king was bound to consult before he could enter upon any undertaking, or give his verdict on a suit.<sup>2</sup> Even in matters of urgent public importance the king could not and must not act on his own initiative. He must summon all his councillors and decide on the expert advice of his best men.<sup>3</sup>

<sup>1</sup> ततः प्रभातसमये दिवसे च चतुर्दशे ।

समेत्य राजाकर्तारो भरतं वाक्यमब्रुवन् ॥ (*Ayodhya Kāṇḍa*, lxix. 1.)

<sup>2</sup> *Manu*, vii. 30-31; *Yāj.*, i. 311.

<sup>3</sup> यद्वूयिष्टाः कार्यसिद्धिकरं वा ब्रूयुः तत्कुर्यात् ।

(*Arthaśāstra*, Bk. i, Sec. xv.)

Here the word 'यूयिष्टाः' has been interpreted by all scholars as the 'majority opinion'. It is open to doubt whether this construction could be placed upon this term. For we know, taking the *Rāmāyaṇa* for our illustration, that two important councils were held one on the eve of entertaining *Vibhiṣaṇa* as an ally, and the second by *Rāvaṇa* on the eve of *Rāma-Rāvaṇa-Yuddha*. *Rāma* certainly pursued the way ordained in the *Dharmaśāstras*. *Manu* lays down that the ministers must be consulted individually and then jointly. (Cf. *Kāmand.*, xi. 68.) This means full discussion was allowed in the council. Every member is entitled to have his say for or against a certain proposition.

In the councils under question decision was ultimately arrived at by the president of the council-assembly *Rāma* and *Rāvaṇa* respectively. It was therefore for the President to convert the opposition to his side and thus act on the unanimous decision. This is what happened when *Vibhiṣaṇa* was taken by *Rāma* to his side. What we wish to point out is that it is doubtful whether the majority and minority ideas were in existence in very early times.

The earliest literature of the Hindus, the *Rig Veda*, contains unmistakable evidence as to the practice by which a question was generally decided unanimously.<sup>1</sup> In the *Mahābhārata*, 'When the question arises as to which of two sides should be adopted, you should not abandon the many for adopting the side of one. When however that one person cancels the many by virtue of his possessing many accomplishments, then you should for that one forsake the many.'<sup>2</sup> Who is this superior personage is defined by the succeeding *ślokas*.<sup>3</sup> 'Full of prowess and valour, disciplined, respectful and respecting, impartial, *dharmic*, and devoid of *kāma*, *krodha* and *lobha*, humble, and truthful, and self-controlled, tested and tried in all situations, coming of a respected family, associated with the ruling nobles, grateful, is the superior man fit to be consulted, and whose opinion deserves to be acted upon.' Thus the majority rule is not a hard and fast one. In practice it was not acted upon. The words of the superior always carried weight and prevailed upon those of the councillors who were finally brought round to acquiesce in his view. Thus it was unanimity that was aimed at and often realized. Hence the council itself is defined as the 'act of effecting unity of opinion on the part of persons conforming to a master mind.'<sup>4</sup> Unanimity is

<sup>1</sup> x. 191.

<sup>2</sup> नैकमिच्छेद्गणंहित्वा स्याच्चैदन्यतरग्रहः ।

यस्त्वेको बहुभिः श्रेयान्कामं तेन गणं त्यजेत् ।

(M. N. Dutt Trans. *Sānti Parvan*, lxxviii. 12.)

<sup>3</sup> *Ibid.*, 13-16.

<sup>4</sup> सामिचित्तानुवृत्तिभिर्मन्त्रैक्यकारकमैव मन्त्रम् ॥ (*Br. Niti*, ii. 41.)

the best council, majority the middle, and indecisiveness the worst.<sup>1</sup>

The duty of this council of ministers became probably widened in course of time. Kāmandaka speaks of five characteristics of deliberation proper (the *mantra*)—mantrins, debate, division of time and place, and remedy against dangers. The functions allotted to each is then elaborately described.<sup>2</sup> According to Kauṭilya the council took cognizance of four things. These are commencing new works, completing works already begun, improving works already accomplished, and carrying out resolutions precisely.<sup>3</sup>

In the *Sukranīti*, its functions seem to have been enlarged. It was held responsible for all affairs affecting the state or its subjects in point of arms, finance, sound government and the rooting out of the enemies.<sup>4</sup> On the procedure of this assembly the *Sukranīti* has interesting observations of which Jayaswal gives us a summary: 'Without a written document no business of state was done. A matter was endorsed first by the home minister, the lord chief-justice, the minister of

<sup>1</sup> ऐकमत्येन दण्डनोतिनेत्रेण धीरैर्मन्त्रिभिर्योमन्त्रः स उत्तमः ।

पूर्वं बहुबुद्धयः पश्चादेकमतयो भवन्ति यत्र समग्र्यमः ।

यत्र कलहमर्त्सुनं च एकस्य धर्म एकस्यार्थं खोबालवृद्धैः सह एकस्य वदितमेकस्य क्रोधो यस्मिन् सोधमः ॥ (*Ibid.*, iv. 34-36.)

<sup>2</sup> xii. 36-40.

<sup>3</sup> अकृतारम्भा, आरब्धानुष्ठाना, अनुष्ठितविशेष and नियोगसंपत् ।  
(*Arthasāstra*, Bk. i, Sec. 5.)

<sup>4</sup> राज्यं प्रजा बलं कोशाः सन्तुप्यन् न वर्धितम् ।

यन्मन्त्रतोऽरिनाशस्तैर्मन्त्रिभिः किं प्रयोजनम् ॥ (ii. 83.)

Law, the minister of diplomacy with the fixed style: "This is not opposed to us" i.e., their departments had no objection. The minister of Revenue and Agriculture endorsed with the remark "The note is all right." The minister of finance: "Well considered"; then the president of the council inscribed in his own hand, "Really proper." Next the *pratinidhi* wrote: "Fit to be accepted": the *yucarāja* following with "Should be accepted", in his own hand. The ecclesiastical minister endorsed "This is agreeable to me". Every minister affixed his seal at the end of his note. Finally the king wrote "Accepted", and set his seal. He was supposed to be unable to go through the document carefully and the *yucarāja* or some one else was to make this endorsement for him which was shown to him. After this first stage was over the minute was signed by all the ministers as the council (*gaṇa*) and sealed with the seal of the council. Finally it was once more presented to the king who "without delay" wrote "seen" as he had not the "capacity" to criticize it.<sup>1</sup> On this Jayaswal remarks very pertinently: "The set endorsements are all in Sanskrit. This implies that the procedure belongs to the period of the Sanskrit revival which is now to be dated in the light of the history of the Śuṅga revolution between 150 B.C. and 100 A.C."<sup>2</sup>

To this procedure Kauṭalya adds that if some members are to absent themselves being away from the city or otherwise, their opinions too must be taken by the use of special writs.<sup>3</sup> This is surely not vote by proxy as

<sup>1</sup> *Hindu Polity*, part ii, pp. 138-39; Śukra, ii, 362-69.

<sup>2</sup> Cf. *J.B.O.R.S.*, iv, pp. 25-65; Kāmand. xi, 60-64; Yaj., i, 312; *Br. Niti*, iv, 34, 44; *Hindu Polity*, part ii, p. 140 (foot-note).

<sup>3</sup> *Arthasāstra*, Bk. i, Sec. 15.

some would suggest. But the point is that they might offer some useful counsel. Their opinions would be discussed as those of others who were present and a unanimous decision was arrived at.

It would be interesting to compare it with what is found in the great epic. The king shall deliberate with not less than three councillors and ponder over their respective views in the first day. On the next day he must speak out the results of his own deliberation over their views to the cabinet. The conclusion arrived at on this day must again be submitted for the approval of the *parohita*. If it should win his approval,<sup>1</sup> the thing is taken for granted to all intents

संविनोयमदक्रोधो मानमोष्या च निर्वृताः ।

नित्यं पञ्चोपधातोतैमेन्वयेत्सह मन्त्रिभिः ॥

तेषां त्रयाणां त्रिविधं विमर्शं विबुध्य चित्तं विनिवेश्य तत्र ।

स्वनिश्चयं तं परनिश्चयं च निदशयेदुत्तर मन्त्रकाले ॥

धर्मार्थकामज्ञमुपेत्यपृच्छेद्युक्तो गुरुं ब्राह्मणमुत्तरार्थं ।

निष्ठाकृता तेन यदासहः स्यात्तं मन्त्रमार्गं प्रणयेदसक्तः ॥

*Santi Parvan*, lxxxiii, 52-54; cf. Yāj., i, 310 and Manu, vii, 56-57.

In the verses quoted above it is said that such of the councillors who are admitted to the cabinet must be those who have completely satisfied the five tests (पञ्चोपधाः). The term उपधाः is of great constitutional importance in Kauṭalya's *Arthasāstra*. Kauṭalya mentions only four kinds of *Upadhas* (उपधाभिश्चतुर्विधा). These are सर्वोपधाः; अर्थोपधाः; कामोपधाः, and भयोपधाः ॥ He recommends what the *Mahābhārata* recommends

सर्वोपधाशुद्धान् मन्त्रिणः कुर्यात् । (Bk. i, Sec. 10.)

While Kauṭalya speaks of only four *Upadhas* the *Mahābhārata* mentions five kinds. In this context the *Kauṭaliya* mentions another term

and purposes. The results of the consultation are sent to the corporate bodies in the state and also the president<sup>1</sup> of such bodies severally and separately. For the end and aim of this *mantra* is to make the people at large contented.<sup>2</sup> Though the king is expected to favour the majority view of the cabinet still that the opinion of the superior prevailed ultimately is seen from the fact that the view is submitted to the *purohita*.

This bears eloquent testimony to the form of constitutional monarchy in practice at least in the early centuries before the Christian era. The above procedure shows that the virtual ruler was the 'royal writ' rather than the king himself. Has the king no powers to make the procedure null and void? Personally he could not. But he could issue an appeal to the sovereign assembly of the realm which goes by different appellations of a *sabhā*, or a *rāṣṭra*, or a *jānapada*—all terms connoting one and the same institution of the assembly, where the people's representatives sat and which it is the duty of the *Parīṣad* or the deliberative council to satisfy; lest it

पञ्चसंस्थाः or the five institutes connected with the Intelligence Department. These are explained as the institute of fraudulent disciple (कापटिकः), of recluse (उदास्यितः), of a householder (गृहपतिकः), of a merchant (वेदेहकः), and of an ascetic (तापसः) Bk. i, Sec. 11.

Evidently the passage in question in the *Mahābhārata* refers to the पञ्चसंस्था and the four *upadhas*. Parimēlalagar mentions the same four *Upadhas* as find mention in the *Arthaśāstra* in commenting on the following of *Tirukural*.

அரசுபுருஷபுருஷரே உருக  
புருஷபுருஷரே (501)

<sup>1</sup> *Ibid.*, lxxxv. 12.

<sup>2</sup> *Ibid.*, lxxxiii. 55. प्रजासंग्रहणे समर्थः

should jeopardize its own position. In this and other directions the inscriptions of Aśoka throw welcome light.<sup>1</sup> 'They (the ministers) should act in such a manner that they would be favoured by the approval of the Jānapada assembly.'

This shows that the position of the ministers was secure so long as the sovereign assembly had confidence in them, and it would be jeopardizing their position if they acted otherwise. This is also evident from the Jungadh Inscription<sup>2</sup> where Chakra-Pālita, the minister of Skanda-Gupta, gives utterance to similar opinion.

Besides the *mantri-parīṣad* which we have taken as the state-council, we find another institution of greater importance. This, we may characterize, as the secret council of the chief ministers more closely in the confidence of the ruling monarch. The *Arthaśāstra* assigns to this smaller but more influential body several functions of state. It was perhaps a purely deliberative body, the *mantri-parīṣad* being deprived of this power in course of time as it became a rather unwieldy body. We hear in the *Mahābhārata* that this latter assembly consisted of as many as thirty-seven members. According to the extreme political philosopher Kaṇika it is no matter for secrecy if the thing goes beyond six ears. Hence Kaṇika would not allow more than three persons to deliberate on the vital affairs of the state.<sup>3</sup>

<sup>1</sup> ते सं ये अभिहालेव दंडेव अतपित्ये मे कूटे किंति लज्जक अस्य  
अभोतकमानि पवत्येवूति जनस जानपदस हितसुखं उपदहेवु, अनुगहि-  
नेव च..... Lauṛiyā-Ararat Pillar Edict IV.

<sup>2</sup> *F.G.I.*, p. 61.

<sup>3</sup> बोरोपवर्णितान्स्माद्भूमार्थाम्यामयात्मना ।

एकेन वाथ त्रिप्रेण ज्ञातबुद्धिर्विनिश्चयेत् ॥

But Kaṇika's ruling was not the standard accepted in ancient India. Or rather, every political philosopher had his own reckoning as to the number of the councillors. Bharadvāja who is quoted by Kauṭalya allows the king to take counsel with himself alone; and hence his conception of sovereignty may be characterized as autocracy. Rightly Viśālakṣa opposes this view-point, and according to him there must be one or more with whom the king must sit in council.<sup>1</sup> The *Purāṇas* agree in the main when they recommend, 'Neither alone nor with many hold consultation'.<sup>2</sup> Kauṭalya allows from one to four councillors but not more. He is also of opinion that even in cases of extreme necessity the king could not act on his own initiative.<sup>3</sup> According to Bhīṣma however the number of chief councillors who were eligible to sit in the *mantri-pariṣad* were only nine. But it is a moot point whether in Bhīṣma's opinion the smaller body could consist of as many as nine, or a smaller number chosen from this nine, as Law suggests.<sup>4</sup> But there is no warrant for the latter assumption. Perhaps on some occasions as many as nine councillors formed the deliberative body.<sup>5</sup>

तृतीयेन न चान्येन व्रजेन्निश्चयमात्मवान् ।

षट्कर्णश्छिद्यते मन्त्र इति नोतिषु पठ्यते ॥

(*Adi Parvan*, cliii. 91-92.)

<sup>1</sup> *Arthaśāstra*, Bk. i, Sec. 15.

<sup>2</sup> *Matsya*, ccxx. 37; *Agni*, ccxxv. 18-20; *Kalika*, lxxxiv. 104, 105; *Bṛhadāharya*, *Uttarakāṇḍa*, iii. 3.

<sup>3</sup> आत्ययिके कार्ये मन्त्रिणो मन्त्रिपरिषदं चाहूय ब्रूयात् ॥

(*Arthaśāstra*, Bk. i, Sec. xv.)

<sup>4</sup> *Aspects of Polity*, p. 36.

<sup>5</sup> *Mbh.*, *Sānti Parvan*, lxxxv. 61.

The functions of the smaller council were five according to Kauṭalya. The following five points<sup>1</sup> occupied the major portion of their attention :—

- (1) कर्मणां आरम्भोपायः Ways of beginning a work, (*karma*).
- (2) पुरुषद्रव्यसंपत् Resources in men and material.
- (3) देशकालविभागः Judgment in regard to place and time.
- (4) विनिपातप्रतोकारः Protection against possible dangers.
- (5) कार्यसिद्धिः Final consummation.

Let us now proceed to the examination of the position occupied by these councils in the epoch of the epics. We already noticed the principal eight councillors and the thirty-seven ministers who composed the *pariṣad*. These thirty-seven members are mentioned as follows : Four Brahmans who are well read in the Veda, large-hearted, ripe in scholarship and hence pure; eight Kṣatriyas who are warriors wearing arms; twenty-one Vaiśyas who are wealthy and resourceful; three Sūdras well-disciplined, honest, and tested beforehand; one Sūta possessing the following eight qualities : of fifty years of age, large-hearted, devoid of jealousy, versed in *Smṛti* and *Śruti*, disciplined, impartial, capable of discussing acts and deeds, not covetous, and devoid of the seven terrible corruptions of the mind (*vyasanas*).<sup>2</sup>

<sup>1</sup> *Arthaśāstra*, Bk. i, Sec. xv; cf. *Manu*, vii. 56-57.

<sup>2</sup> *Sānti Parvan*, lxxxv. 7-11. The commentator furnishes the following eight qualities : शुश्रूषा, श्रवणं, ग्रहणं, धारणं, ऊहनं, अपोहनं, विज्ञानं, तत्त्वज्ञानं : and the seven *vyasanas* : four as a result of *kāma*—hunting, dice, women and drinking, and three of anger : दण्डपातनं, वाक्पादघ्न्यं, अर्धदूषणं. It is

The next question is whether the king consulted all these thirty-seven ministers, and if so, would not the object of the *mantra*, namely, secrecy, be defeated? Political thinkers have given some thought to this question, and there is mention of a smaller number fit to be consulted. But this number was in no way fixed. For in one place it is said that the number must not be less than three<sup>1</sup> and in another five<sup>2</sup> and in a third, eight.<sup>3</sup> The law-giver Manu fixes the number at seven or eight.<sup>4</sup> It is indeed refreshing to note that all the communities find representation on it thus falsifying the easy inference that these political organizations were devised with a view to the detriment of some and aggrandizement of other communities. The commentator defines the eight councillors to be four Brahmans, three Sūdras and one Sūta.<sup>5</sup> Here is proof positive of the inclusion of the Sūdra community in the highest executive machinery of the state. And the inference is irresistible, that the Sūdras worked side by side with the Brahmans in guiding the ship of the state during the storm and stress which were a frequently occurring factor in ancient times. It may also be noted that the two communities—both the ruling and the wealthy ones, the Kṣatriyas and the Vaiśyas, and hence the aristocratic classes—were excluded from the *mantra*. We are not in a position to assign any definite reasons for the exclusion

taken by some that one of the qualifications to be a member of the *Paṇḍit* is to be aged at least fifty years from पञ्चाशद्वयसं of the *Mahābhārata*. (*Śānti Parvan* lxxxv. 9.) But this is wrong for this phrase is an adjective qualifying the noun 'Sūta' only. Hence the age restriction was only in the case of the Sūta and not other members of the *Paṇḍit*.

<sup>1</sup> *Śānti Parvan*, lxxxiii. 47.

<sup>2</sup> *Ibid.*, 52.

<sup>3</sup> *Ibid.*, lxxxv. 11.

<sup>4</sup> सचिवान् सप्त चाष्टौ वा प्रकुर्वीत परोक्षितान् । (vii. 54.)

<sup>5</sup> Cf. Śukra, ii, 333-36.

of two powerful and important communities from the sphere of consultation. But it is reasonable to assume that the members of these aristocratic classes by virtue of the functions expected of them could not have satisfied all the qualifications which are expected of a true councillor. It also indicates the beginnings of a democratic system of Government.<sup>1</sup>

The following is the categorical list of persons who were not eligible for consultation.<sup>2</sup>

He who does not speak the truth, though possessing all the other qualifications, who has intercourse with the enemies of the state, who has no interest in the progress of his own, who is not versed in the sciences, not pure, who is insensible (स्तब्ध), serves the enemies, a braggart, unfriendly, full of the passion of anger and unsatiated desire, an alien though fully qualified, whose father has been unjustly banished though recalled afterwards, and whose property has been confiscated for slight offences. The following is again the categorical list of those fit for

<sup>1</sup> The greatness of Indian culture lies in having realized the principle of communalism. According to Western economic thought, the state, private property and competition are the three necessary conditions which guide the economic life and the activity of society. The consequence is a disordered equilibrium between labour and capital, or in other words incessant class conflicts. Ways and means have been suggested to avoid this phenomenon by great writers and thinkers. Socialism, communism, syndicalism, guild socialism and bolshevism are given their due consideration to ameliorate the present social and economic conditions. These would not bear fruit for the principles guiding these socialistic states are again appropriation and exploitation. But communalism with a decentralized policy as it was practised in ancient India is the remedy. The economic purpose was truly served by dividing the society into a number of castes or class groups. The liberty of the individual or parentalism of the state as we understand it to-day are not its necessary adjuncts. But social and political groups in towns and villages co-operated with the central state which resulted in creation and distribution as against the principles of appropriation and exploitation.

<sup>2</sup> *Śānti Parvan*, lxxxiii. 35-40.

consultation. He who is shrewd, with a good grasp and learned, a citizen of the land, pure, and honest of purpose, possessed of wisdom and intelligence, able to understand friends and foes, devoted to the king, truthful, well-behaved, of great dignity, sweet and soft, hereditary, he who is contented, agreeable, skilful, is afraid of *adharma*, versed in *mantra* and time and *nīti*, heroic, controlling the world by *sāma* and *dāna*, confided by the *paura* and the *jānapada* bodies.<sup>1</sup> These resemble in the main the ministerial qualifications given by law-givers like Manu and Yājñavalkya.<sup>2</sup>

The various restrictions placed on the process of consultation point to the fact that cabinet secrecy was an essential feature of the ancient administration and also the significant place assigned to the *mantra*.<sup>3</sup> It is said that<sup>4</sup> the progress of the state depends upon the roots of *mantra*, deliberated by the councillors. These should operate in such a manner that the weak spots of their state should not be disclosed whilst those of the enemy could be seen. This aspect of consultation is also noted by Kauṭilya.<sup>5</sup> They should learn a truth from the tortoise

<sup>1</sup> *Sānti Parvan*, lxxxiii, 41-47; cf. *Br. Nīti*, vi. 6.

<sup>2</sup> vii. 54 and Yāj., i. 320. Also see Vyāsa quoted in Chanḍeśvara's *Rājanīti Ratnākara*, p. 12.

<sup>3</sup> Yāj., i. 344.

<sup>4</sup> मन्त्रिणां मंत्रमूलं हि राज्ञो राष्ट्रं विवर्धते ।

(*Sānti Parvan*, lxxxiii, 48.)

<sup>5</sup> नास्य गुह्यं परेविद्युः छिद्रं विद्यात्परस्य च ।

गूहेरकूर्म इवाङ्गानि यत्स्याद्विद्वत्तमात्मनः ॥

(*Arthasāstra*, Bk. I, Sec. xv.)

नास्यच्छिद्रं परः पश्येच्छिद्रेषु परमन्वियात् ।

गूहेरकूर्म इवाङ्गानि रक्षेद्विवरमात्मनः ॥

(*Sānti Parvan*, lxxxiii, 49.)

which draws all its limbs within its shell. Counsels which are kept close by the counsellors form the armour of the king and the limbs, other subjects of the state. Hence the ministers must heartily co-operate with the king in carrying out the affairs of the state.<sup>1</sup>

We also learn from the Ceylon inscriptions<sup>2</sup> that all administrative measures were issued by the king-in-council. In the Vevala Katuja inscription of Mahinda IV 'all these lords who sit in the Royal Council and who have come together in accordance with the mandate delivered by the king-in-council have promulgated these institutions.' The slab inscriptions of Queen Lilāvati shows the creation of a council of ministers, wise and loyal, who released the kingdom from all dangers.<sup>3</sup> Thus whether it was in South India or in the North there was no administration which had not a consultative assembly or council which invariably guided the deliberations of the state.

<sup>1</sup> *Sānti Parvan*, lxxxiii. 48-51.

<sup>2</sup> *Epigraphica Zeylanica*, vol. i, No. 21, quoted by P. Banerjee in *Public Administration in Ancient India*.

<sup>3</sup> *Epigraphic Zeylanica*, vol. i, No. 14 and also vol. ii, No. 6.

## APPENDIX

## THE GENERAL ASSEMBLY

There are three significant terms in Sanskrit literature—*sabha*, *pariṣad*, and *samiti*, the correct interpretation of which has not yet been arrived at. Different meanings are suggested but still no satisfactory solution is reached. These are technical terms of great administrative importance. स + भा to shine, भयासह वर्तते इति—that which shines or is illustrious. This may be the hall in which meetings were held or the assembly itself composed of illustrious persons. This term repeatedly occurs in the South Indian inscriptions and is invariably the governing body of the village, its jurisdiction however extending over that village only. Thus it is an important institution of the South Indian local administration.

The second term *pariṣad* is परिः + सोदन्ति इति परिषद् = to sit. This literally means 'sitting round,' i.e., those who speak in the assembly. The term परिषदो occurs in the *Rigveda Samhita*,<sup>1</sup> and Śāyana comments: परिःसोदत आसीनान्. The other term *Samiti* is सम्यक्यन्ति इति समितिः ॥

*The Sabha.*—Having defined exactly what the meanings of these different terms are it would be interesting to examine the composition, constitution and functions of these bodies. Let us first examine the conception of the *Sabha* in Vedic times. Professors Macdonell and Keith take the view that the term refers to both the assembly and the hall in which the assembly met.<sup>2</sup> They further opine that the hall was also used for purposes of gambling

from the technical term *sabhasthānu*. The hall was something like our Town Halls where all the public affairs of the state and society were discussed and resolved upon. It was not exclusively in use for state purposes.<sup>1</sup>

The Vedic *Sabha* was originally composed of aristocrats, Brahmins and Maghavans. Considering the then state of society which was tribal in character it is too much to expect anything of a democratic preponderance. The *Rigveda Samhita* has yet another term<sup>2</sup> *Sujāta* or of good birth in support of our statement. There is a passage in the *Maṭrayaṇi Samhita*<sup>3</sup> which throws interesting light on the question whether members of the fair sex were eligible for membership. The passage cited shows their ineligibility. Appropriate to this the Tamil classic *Purapporul Venbamalai* has a reference.<sup>4</sup> It is said here that when the enemy set the city to fire there was such a bewildering confusion that women rushed to the assembly hall inadvertently. And this indicates that women even in ancient Tamil Nādu were not admitted to the assembly.

The *Sabha* was then the council of elders, mainly a judicial body like that of ancient Greek city-states. The elders were men of such high character and learning that they evoked respect from all communities. Hence the *Yajur Veda*<sup>5</sup> (*Śukla*) is thus eloquent :

नमः सभाम्यः सभापतिभ्यश्च ।

They did not forfeit the trust and confidence placed upon them. That this was so for several centuries to come, is evident from the writings of Megasthenes who observes, 'The seventh caste consists of the councillors and assessors, of those who deliberate

<sup>1</sup> *Tait. Br.*, iii. 4. 16, कृताय सभाविनम् । Bhaṭṭabhāskara comments

कृताय=युगाय, सभाविनम्=सभावनं कृताय सभायामधिष्ठातारम् ।

(*Bibliotheca Sānskrita*, No. 38, pp. 173-4.)

<sup>2</sup> vii, 1. 4.

<sup>3</sup> तस्मान्निरिन्द्रिया स्त्रीषुमानिन्द्रियवाँ स्तस्मात्पुमाँसः सभायन्ति न स्त्रियो यादितरान्सोमाजश्रोणोयुर्न पान्निवर्तन्स्त्रियः सभामोयुर्न पुमाँसा

.....

<sup>4</sup> *Vanchiṭṭatlam*, 51. 14. 'மயலகரத் தம்புபுடர'

iv, 7. 4. p. 97.

<sup>5</sup> xvi. 24.

<sup>1</sup> iii. 33. 7.

<sup>2</sup> *R. V.*, vi. 28. 6; viii. 4. 9. etc.; *A. V.*, v. 31. 6; vii. 12. 1-2, etc.; *Tait. Sam.* iii. 4-8; vii. 1-8; *Śat. Br.*, ii. 3. 2. 3; v. 3. 1. 10, etc.; see *Vedic Index*, vol. ii, pp. 426-7.

on public affairs. It is the smallest class looking to number, but the most respected on account of the high character and wisdom of its members.<sup>1</sup> This is quite in keeping with Kauṭilya's recommendation of the highest qualifications for councillors. From the technical name *nariṣṭa* given to the *Sabha* in Vedic literature Mr. Jayaswal attaches some constitutional import to it, meaning the resolution of the council as something inviolable and binding on all,<sup>2</sup> basing his interpretation on Śāyana's commentary.

Though we have no direct evidence as to the actual working of the *sabha* still the fact remains that it was presided over in its session by the *sabhapati*, and it was guarded by a *sabhapala*. Originally the *sabha* was more a court of justice where the king heard and decided cases and disputes. This is obvious from the occurrence of the terms *sabhācara*<sup>3</sup> and *sabhasad*, sinner in the assembly.<sup>4</sup> The Vedic *Sabha* was more of a legislative and judicial character. It is said in the *Śatapatha Brahmana*<sup>5</sup> and also in the *Chandogya Upaniṣad*<sup>6</sup> that the king went to the *sabha* as well as the *samiti* possibly to guide its deliberations. The authors of the Vedic Index seem to read in these passages an interpretation that will nullify the statement of Zimmer,<sup>7</sup> namely, that the *sabha* was the meeting place of the village council with the *Grāmaṇi* as its president. Zimmer is not altogether wrong as Professors Macdonell and Keith suppose. In those days when local self-government was the rule and not the exception it was but right that the village had its own *sabha*. We must not confuse ourselves with the word *sabha*. There were *sabhas* in towns as well as in villages. But their powers were different. One was the larger assembly which concerned itself with the general affairs of the state in particular and the other took notice of local matters only.

These village *sabhas* or smaller councils of the village administration often call for notice in South Indian Inscriptions. These *sabhas* generally met in the temple halls (*sabhāmandapa*), and

<sup>1</sup> McCrindle, p. 43.

<sup>2</sup> *Hindu Polity*, part i, p. 18.

<sup>3</sup> *Taitt. Br.*, iii. 4. 2. Bhaṭṭabhāskara comments on the term सभाचरं=

सभायां नित्यं चरन्तं धर्मप्रवक्तारम्. (*Bibliotheca Sanskrita*, 38, p. 159.)

<sup>4</sup> *V. I.* ii, p. 428; *Taitt. Br.*, i. 2. 1. 26.

<sup>5</sup> iii. 4. 14.

<sup>6</sup> v. 3. 6.

<sup>7</sup> *All. Leben*, chap. vi, p. 174.

particularly under a large and shady banyan tree in special platforms constructed for the purpose. The *sabha* had for its members the village elders, the *bhāṭṭas* (learned men), the *viśiṣṭhas* (straight and moral men), and prominent priests of the temple. Representatives of the merchant class (*nagarattār*), of the common folk (*urār*), and of the district (*nāṭṭār*) often sat in the *sabha*. The qualification for the Brahman members of the *sabha* was to be well versed at least in one of the *Dharmaśāstras* and to have studied at least one whole Veda with its *pariṣiṣṭas*.<sup>1</sup> From the Ukkal and other inscriptions<sup>2</sup> it is clear that the institution of the *sabha* had reached a high degree of efficiency and was in good working order about the tenth and eleventh centuries A.D. The *sabha* had the following duties among others. It exercised supreme right over the village lands. It was the arbitrator in the disputes arising from the purchase or sale of lands. It confiscated and sold lands of defaulters. It was responsible for the state levy of the village. It raised public subscriptions in the cause of common interests.<sup>3</sup> It obtained loans to meet emergencies such as famine. It had a treasury of its own. It held a supervising control over the various committees of its own in the village, and also over temple accounts. It had the right to punish the internal enemies of the village (*grāmadrohins*)<sup>4</sup>. In a word it did everything to insure the moral and the material welfare of the village.

*The Samiti.*—The *samiti* in Vedic literature undoubtedly refers to a definite communal institution. Professors Macdonell and Keith take the view of Hillebrandt according to whom the *sabha* and the *samiti* are much the same. The very name implies a different connotation. It must have been a people's assembly, generally presided over by the king; and it is just possible that one of its functions was the formal election of the king by giving their unanimous assent of the choice perhaps made by the members of the *sabha*. Taking for granted this elective character and also the fact of the king presiding over the assembly of the people, it shows that the king was the servant of the people. This also demonstrates that the people had a voice in the administration of the land though it was not definite or assertive in character. But it is certain that this assembly was

<sup>1</sup> *Bh. Commemo. Vol.* p. 227.

<sup>2</sup> *Ep. Report*, 1909, pp. 82-83.

<sup>3</sup> *S. I. I.*, vol. iii, part ii.

<sup>4</sup> *Ep. Report*, 1910-11, p. 72.

different<sup>1</sup> from the *sabhā* as regards its constitution and function.

*The Pariṣad.*—Mr. K. P. Jayaswal has made a notable contribution on the subject.<sup>2</sup> He quotes passages from the *Atharva Veda* wherein it is explicitly stated that the *sabhā* and the *samiti* are separate institutions. Both of them are described as the two daughters of *Prajāpati*.<sup>3</sup> But it would be reasonable to assume that the *samiti* and *pariṣad* were identical. This is evident from the *Bṛhadaranyaka Upaniṣad*.<sup>4</sup> The institution of *samiti* was not a long-lived one. It became practically extinct with the commencement of the period of the *Jātakas* (600 B.C.). But the word *pariṣad* occurs in different senses in the post-vedic period. It is principally an academy of science and then a royal court. Even in this latter sense its political function amounted to judicial matters only. In the traditional usage the term *pariṣad* meant an assembly of learned men to decide legal points and customs of the land.<sup>5</sup>

*The Paura-Jānapada.*—There were besides the *Paura* and *Jānapada* assemblies as is evident from the inscriptions of Aśoka not to speak of numerous literary references. Whenever changes are to be effected in the constitution, or new laws promulgated, the king first got the approval of this body and placed the matter before the council or the public.<sup>6</sup>

The assembly had also the power to demand redress of their grievances at any time, or present compensation bills for losses sustained.<sup>7</sup> It is said that when the council refused to execute the king's orders as regards certain gifts he placed the matter before the assembly. From this we may infer two facts. There were two political institutions, one the council and the other the assembly. The first was known by different terms.—*pariṣad*, *rajukas* (Aśoka's inscription), etc.; and the latter by the *paura*—

<sup>1</sup> Cf. Zimmer's *All. Leben*, chap. vi, pp. 174–176 where there is a learned discussion on the subject.

<sup>2</sup> *Hindu Polity*, vol. i, pp. 11–21.

<sup>3</sup> सभाचमासमितिश्चावतां प्रजापतेर्दुहितरौ संविदाने ।

येना संवत्सरा उपमा स शिक्षाञ्चार वदानि पितरःसंगतेषु ॥ (vii. 12. 1.)

<sup>4</sup> vi. 2.

<sup>5</sup> Vasīṣṭha, iii. 20; Manu, xii. 3.

<sup>6</sup> Gīrnār Rock viii, Kālsī Rock viii, Dhāuli Rock viii.

<sup>7</sup> Yāj., ii. 36; Manu, viii. 40.

*Jānapada*, *raṣṭra*, *pragraha sabhā*,<sup>1</sup> *prakṛti* of the *Sukranīti*, or *prakṛti sabhā*<sup>2</sup> or simply *sabhā*.<sup>3</sup> Functions practically remained the same though the designations often underwent some transformation.

But Dr. Law has taken objection to the use of *Paura* and *Jānapada* as corporate bodies at all. He examines both directly and indirectly all the evidence adduced by Jayaswal and comes to the conclusion that there is no ground whatsoever to understand these two terms as technical terms signifying any corporate associations. In every place whether in the texts or in the inscriptions they simply mean people of the town and the country.<sup>4</sup> We are afraid that Dr. Law is rather dogmatic in his statements. In some places they may mean what he says. But still to totally deny the existence of such organized bodies of citizens is to miss the mark altogether. The audience of His Majesty by the people must not be and could not be so cheap and easy as Law would imagine. It is to deprive the office of kingship of all dignity whatsoever. The king may do justice and judgment to a very poor and insignificant citizen; but it does not mean that the king allowed any indiscriminate interview of any of his subjects aggrieved or no. It would not, on the face of it, be a working principle. The fact is that there were what were known as group organizations both in towns, and the country parts and their representatives on behalf of the public of the city or the commonality of the realm, pleaded before the king for redress of this or that grievance. Hence it is far more reasonable to take them to be corporate associations which were highly respected as popular bodies both by the king and his ministry. They were often consulted so that there might not be any room for dissatisfaction among the public at large. This is borne out by the certain evidence of the inscriptions. Most of the interpretations which Law proposes are highly doubtful. The term *Paura-Jānapada* which so often occurs in the political and historical literature of the Hindus also occurs in the various inscriptions.<sup>5</sup>

<sup>1</sup> *Rāmāyaṇa*, *Ayodhya Kāṇḍa*, lxxxii. 12; and lxxxiii. 1–4.

<sup>2</sup> *Ibid.*, lxxxiii. 4–17.

<sup>3</sup> *Mahābhārata*, xii. 83. 1–2.

<sup>4</sup> *I. H. E.*, vol. ii, Nos. 2 and 3.

<sup>5</sup> The Inscription of Rudradaman; *Ep. Ind.*, *Lüder's list*; 965, Fleet, *G.I.*, vol. iii, p. 60; the Kalinga Edict of Aśoka; Aśoka Pillar Edict iv; Rock Edict, viii, (Gīrnār) the Kharavela Inscription, *J.B.O.R.S.*, vol. iii, p. 456.

Not the least interesting is that similar organizations are also mentioned in Tamil literature. In the *Perumkathai*<sup>1</sup> we meet with two terms "பேரவை, சபை," along with *aimperumkuḷu* and others who came to attend the festivities of Naravānan's birth-day. The Sanskrit equivalents of these two terms are *Paura* and *Jaṇapada*, representative assemblies of the people and not the mass of citizens. Whenever the latter is to be mentioned the expression is *பேர மக்கள்* meaning not a corporation but a great body of all citizens.

### *The Sabha in Later Times*

Coming to the position that the *saṃhā* occupied in the Epics<sup>2</sup> it is interesting to see that the judicial character of it becomes increasingly dominant. We see that the king presided over this assembly invariably, but in his absence the prime minister presided over the meetings of the council. In the *Harṣacharita* we see that when Rājyavardhana died, it was the prime minister *Bhaṇḍi* who presided at the meeting convened for the purpose of selecting his successor.

The qualifications of the *Sabha* members are striking. It is Draupadi who says that<sup>3</sup>

'it is no *saṃhā* where there are no elders: they are not elders who do not speak the *dharma*: it is not *dharma* if it is not founded on truth; it is no truth if it is combined with fraud.' The *Jātaka* contains a similar verse.<sup>4</sup>

<sup>1</sup> v. 6. 39.

<sup>2</sup> See for more details *J.A.O.S.*, xiii, pp. 148-49.

<sup>3</sup> न सा सभा यत् न सन्ति वृद्धाः

न ते वृद्धा ये न वदन्ति धर्मम् ।

नासौ धर्मो यत् न सत्यमस्ति

न तत्सत्यं यच्छलेनानुविद्धम् ॥

(*Mbh.*, *Sabha*, lxxxix. 65.)

<sup>4</sup> नसा सभा यत् न संतिसंतो

न ते संतो येन भणन्ति धर्मं ।

रागं च दोषं च पहाम मोहं

धर्मं भणताच्च भवन्तिसंतो ॥ (See *Hindu Polity*, i, p. 19.)

The *Sabha* consisted of all castes and classes. The Kṣatriyas are there conspicuous. Bhīṣma and Vidura who are Kṣatriyas and Droṇa, Bharadvāja and Kṛpa (Brahmans) are among those present.<sup>1</sup> These were well disciplined by the *Śāstras* and highly respectable. Draupadī raised a point of law before this august assembly of sages, ministers, and courtiers, whether Yudhiṣṭhira had the right to pawn her after he had himself become a slave.<sup>2</sup> Bhīṣma justifies Yudhiṣṭhira's right by saying that the technicalities of *dharma* are too subtle.<sup>3</sup> Karna, Duśśāsana, and Duryodhana justified the action on the part of Duśśāsana to drag her by force into the open court though she was sparsely dressed and in her periods. But Vidura sympathized with Draupadī and appealed to the assembly for an impartial consideration of the question without fear or favour but with an eye to *dharma* and *satya*. He asks every member to speak out his opinion according to his knowledge and judgment free from *kāma*, *krodha*, and other undesirable influences. He further expatiates on the point and says<sup>4</sup> that he who is a member of the assembly and fails to give out his opinion or distorts the law when asked for, comes close to being a liar and quotes the classic discussion between Prahlāda and the sage Angirasa on this point. Vikarna, one of the brothers of Duryodhana, associated himself with the views of the sage Vidura. Bhīṣma accepts the position as a most difficult one and accepts also his inability to give a decisive reply, but added that

<sup>1</sup> इमे सभायां उपनीतशास्त्राः

क्रियावन्तः सर्व एवेन्द्रकल्पाः ।

गृहस्थानागुरुवक्षेव सर्वे

तेषामग्रे नोत्सहे स्यात्तुमेवम् ॥ (*Sabha Parvan*, lxxxix. 48.)

<sup>2</sup> *Ibid.*, lxxxix. 19.

<sup>3</sup> *Ibid.*, lxxxix. 59-61.

<sup>4</sup> यो हि प्रश्नं न विब्रूयाद्धर्मदर्शी सभांगतः ।

अनृते या फलावाप्तिः तस्याः सोऽर्थं समश्नुते ॥

यः पुनर्वितर्कं ब्रूयाद्धर्मदर्शी सभांगतः ।

अनृतस्य फलं कृत्स्नं स प्राप्नोति निश्चयः ॥

(*Sabha Parvan*, xc. 64-65.)

Yudhiṣṭhira himself is the best and final authority on the subject.<sup>1</sup> Duryodhana too acceded to this position and ordered that every one of the five husbands could speak on the point. On this the members became extremely happy and loudly applauded him by signs of eyes and lips. But a few became distressed and cried 'Oh, Alas!' Bhīma spoke hot when Bhīṣma, Droṇa, and Vidura asked him to forbear. Karna replied Bhīma hotly and Vidura spoke of the prosecution of *dharma* in the *Sabha* and insisted that Draupadī's position was the right one. He added that if this were overlooked the prosperity of the state would come to an end. Moved by Draupadī and others, Dhṛtarāṣṭra released the Pāṇḍavās with Draupadī from slavery and asked them to be friendly with the Kurus by ruling at Kāṇḍavaprasta.<sup>2</sup> This shows how the business of the assembly was usually conducted. That ladies could take part in the assembly discussion is seen from the fact that Maṇḍodari goes to Rāvaṇa's court after the death of Prahasta and dissuades him by several arguments to desist from fighting Rāma.<sup>3</sup>

*Hārta's classification of the sabha.*—There is an interesting chapter (V) in Chanḍeśvara's *Rajanīti Ratnākara* which further throws light on the *sabha* and its constitution. This is not an original work but a compendium of the various *smṛti* texts. Hārta is quoted. According to him there are four kinds of *sabha*: *pratiṣṭhita*, *apraṭiṣṭhita*, *mudrita*, and *śasita*. It is *प्रतिष्ठिता* if it were established by the king himself in his royal domains; *अप्रतिष्ठिता* if it were a voluntary organization of the villagers, *मुद्रिता* if established by the king's secretaries or judges, and *शासिता* if established by the king himself by a royal writ. The *sabha* is likened to an organism. The head is the king, the face secretary, the arms members, the hands *śasta*, knees accountants and scribes, eyes gold and fire, and feet servants. Each of these ten members has its own individual and collective functions to perform. The secretary is the speaker, the king is the person who finally decides, members discuss questions of policy, *smṛti* is the law, gold and fire are for oath, the accountant counts the *artha*

<sup>1</sup> *Sabha Pravan*, xci. 14-21.

<sup>2</sup> *Sabhā Parvan*, xcii and xciii.

<sup>3</sup> *Yuddh.* see after chap. lix, two *prakṣipta* chapters.

or wealth, the scribe is the writer of writs and orders, witnesses are servants, *anagnakau* (अनग्नकौ) are the plaintiffs and defendants. The judicial aspect of the assembly would be more fully treated under the chapter on the administration of justice.

*Assemblies in Tamil literature.*—It would be certainly interesting to study what sort of assemblies and councils were prevalent in ancient South India. The *Silappadikāram* and the *Maṇimekhalai* are two classical treatises which are a mine of information for reconstructing the history and social life of ancient Drāvida. A study of these and other classical treatises shows that there must have been five big assemblies. (1) The representative assembly of the people acting as a check on the ruling chieftain (மாணாட்டி), (2) the assembly of the ministers of religion, (பாற்ப்பார்), (3) the assembly of physicians perhaps a Board of Public Health (மருத்தர்), (4) the assembly of astrologers (கிமித்தர்) and (5) the assembly of ministers for revenue and judicial administration of the state (அமைச்சர்).

There are two technical terms in Tamil literature which connote great political significance. These are 'சம்பெருக்கு' and 'எண்பெராயம்.' These terms occur jointly and severally in different places in different treatises.<sup>1</sup> The term 'குரு' which is another term for 'சூயம்' occurs in *Tolkappiyam* (*kilavi*, *sūtra* 57), and means simply an assembly. There are two interpretations for both the terms. One interpretation for the term சம்பெருக்கு is that given above, and the other has already been noticed.<sup>2</sup> The two interpretations for எண்பெராயம், otherwise known as 'எண்பெருந் துணைவர்' are as follows: (1) கரணத்தியலவர் (account officers), (2) கருமலிதிகள் (heads of the executive) (3) கனகச்சுற்றம் (officers of the treasury), (4) கடைகாப்பாளர் (palace-guards), (5) நகரமாதர், (citizens of the capital), (6) படைத்தலைவர் (leaders of army divisions), (7) யானைவீரர், (elephant men), (8) இவுளிமறவர், (mounted warriors).<sup>3</sup> The *Tamil Lexicon* renders கடைகாப்பாளர் on the authority of *Divākaram*, watchman at a gate.<sup>4</sup> In our opinion this term may be identified with the Sanskrit *Kṣatī* meaning 'chamberlain'. The other

<sup>1</sup> *Silappadikāram*, 3. 126; 5. 157; 26. 38; *Maṇimekhalai*, 1. 17; *Perumkathai*, ii. 5. 6; *Ibid.*, 13. 3; iv. 9. 5; v. 6. 37.

<sup>2</sup> *Supra*, p. 125.

<sup>3</sup> See *Divākaram*. Also *Tamil Lexicon*, vol. i, part. iii, p. 520.

<sup>4</sup> Vol. ii, part. i, p. 677.

interpretation though interesting is loose. It is “சாந்தியுக்கச் சாஸ்திரங்கள் கருக்கெய்யந்த விவரம்பராயத்தார்.” These are those who adorned the king with a *tilaka* in his forehead, who decorated him with flowers, who presented to him undergarments and other clothings, who offered him betels and betel leaves, who attended to his upper dress and who offered him ghee. This interpretation bears no political interest except the fact that the commentator's outlook of the state was too narrow. From references to the texts where these occur, we are led to infer that the கம்பெருங்குழு were those people of royal *entourage* who followed the king in public tours, processions, festivals and so forth. The எம்பராயம் refers to the machinery of government, and on special occasions their representatives also joined the *asimperum-kulu*.

## CHAPTER IV

### FISCAL ADMINISTRATION

#### Sec. i. SOURCES OF REVENUE

Revenue in ancient India was derived partly from taxation and partly from sources other than taxation. An appreciable proportion of revenue came from the land, the principle governing this being that a fixed share of the produce of the land should be given to the state either in cash or in kind, preferably the latter. It was generally one-sixth of the produce. This seems to have been a *fixed* legal tax for the same rate is repeated in the epics, in law-books, the *Arthasāstras* and even in miscellaneous literature including *kāvya* and the dramatic works.<sup>1</sup> On this account one of the king's names was the sixth-taker (*ṣadbhāgabhak*). In later times he was called *ṣadamśavṛtti*, one who depended for this living on the sixth part.<sup>2</sup> The classical Tamil work *Kuṟaḷ* mentions the same rate.<sup>3</sup>

But this rate was but the maximum allowable; for Gautama speaks of three different rates, one-tenth, one-eighth, and one-sixth, to be taken from the land. Manu's rates are one-twelfth, one-eighth, and one-sixth.<sup>4</sup> Sukra shows himself a sound economist and practical statesman when he recommends one-half from one-third

<sup>1</sup> *Sānti Parvan*, xxiv. 16 ; lxviii. 27 ; *Viṣṇu*, iii. 10.

<sup>2</sup> See *History of India*, part 1, p. 27, by P. T. Srinivasa Aiyangar, (Third Edition.)

<sup>3</sup> “செய்யுத்தர்த் தெய்வம் திருத்தெய்வமென்கரு  
கம்பெருத்தர்தெய்வம்.” 43.

This indicates how tradition has been a potent force in India from very early times.

<sup>4</sup> Manu, vii. 130

of the produce from the fields irrigated by tanks and wells (irrigation being undertaken by the state), one-fourth from lands which depend for water mainly on rain-fall,<sup>1</sup> those richly fed by rivers and streams, and one-sixth from other soils—a sort of graduated taxation according to the nature of the soil and the cost of water-supply. Kauṭalya recommends one-third, or one-fourth, only in cases of financial stringency, but this impost was not to affect the middling, or the inferior qualities of land, and again the field-labourers and forest tribes. In order to realize more revenue it is said that the revenue-officer commonly prevailed upon the labourers to raise summer crops also and thus to increase the produce, so that the one-sixth part to the king might increase in amount.<sup>2</sup>

In the opinion of modern Western writers like Sir John Strachey and John Stuart Mill, the land-revenue of ancient Hindu administration did not enter into the sphere of taxation so-called. Evidence, literary and epigraphical, points to the fact that the king was not regarded as the proprietor of the land. The idea that the state owned all land was the feudal conception of the land-law prevalent in western Europe in the middle ages. Ancient Indian literature speaks eloquently of the rights of private property in land. There are a number of texts in favour of this statement—Nilakaṇṭha, Mādhava, Kātyāyana and Miṭramiśra.<sup>3</sup>

<sup>1</sup> Śukra, iv. 2. 113-15.

<sup>2</sup> कोशमकोशः प्रत्युत्पन्नार्थकृद्भिः संज्ञकृतोऽयम् । जनपदं महान्तं अरूप-  
प्रमाणं वा देवमातृकं प्रभूतधान्यं धान्यस्यांशं तृतीयं चतुर्थं वा याचेत् ।  
यथासारं मध्यमवरं वा.....अरूपप्राणं वा न याचेत् । .....  
समाहर्तृपुरुषाः प्रोष्मे कर्षकाणां उद्धारं कारयेयुः ।

(Arthaśāstra, Bk. v, Sec. 2.)

<sup>3</sup> See Jayaswal, *Hindu Polity*, part ii, pp. 17 ff.

Granting then that the institution of private property in land existed, it is necessary to examine the position of the state in relation to these lands. The king had nothing more than protective control over the practice of *dharma* both in his state and the subject-states as well.<sup>1</sup> This means the central state had the right to punish the misbehaved in their kingdom including the tributary states. On the strength of this Rāma argued that he was right in killing the unrighteous Vāli.<sup>2</sup>

There is also the fact of the existence of crown lands, (स्वभूमिः) that is, lands owned by the state and cultivated under the direct superintendence of the state<sup>3</sup> (*sītādhyakṣa*). From the existence of this office certain writers have wrongly inferred that the state was the owner of all land. Such inference confuses the real issue involved. We must make a distinction between crown lands and private lands. If this were made, the other question is automatically solved. That the right of lordship to the private lands was confined only to protective control is further obvious from a statement of the *Kauṭalya*.<sup>4</sup> This means that if a king has received wages in the shape of taxes and does not afford protection, then, that king might be abandoned, and another might be chosen in his stead.<sup>5</sup>

<sup>1</sup> *Śānti Parvan*, lvi. 42.

<sup>2</sup> इक्ष्वाकूनां इयं भूमिः सशैलवनकानना ।

मृगपक्षिमनुष्याणां निग्रहप्रग्रहावपि । (*Kiṣkinda Kāṇḍa*, 18. 6 ff.)

<sup>3</sup> *Arthaśāstra*, Bk. ii, Sec. 24.

<sup>4</sup> ‘राजानं अनुग्रहं याचामहे । निरनुग्रहाः परत्र गच्छाम इति’ ।

(Bk. xiii. 1.)

<sup>5</sup> The *Mahābhārata* mentions six persons that are to be abandoned : 1. A teacher who does not teach. 2. A Brahman not versed in the Veda. 3. A king who affords no protection. 4. A wife who is not a loving partner. 5. A cowherd who desires to live in the village. 6. A barber who wants to live in the woods.—(*Śānti Parvan*, lvi. 43-5.)

From this it would appear that the king was only a servant of the people and his duty was to keep law and order for which he was paid wages in the shape of taxes. A similar idea is expressed in a stanza of the *Purapporul Venbāmālai*.<sup>1</sup> There it is said that the king who is expected to receive one-sixth of the produce must afford protection by following the path pursued by his forefathers. If he should misbehave, two courses were open to the people. First they might join in an open revolt and have the king deposed and substitute another on the throne. Or the allegiance which the people owed to this unrighteous monarch might be transferred to another, wellknown for the practice of *dharma*. These further confirm the fact that the king held no proprietary right over the soil of the land. The Government was then a contract of service entered between the subjects of the state and the sovereign power, for they had the right to terminate the contract at any period or time.

This is borne out by a whole chapter of the *Śānti Parvan* of the *Mahābhārata*. To Manu, the first king, people agreed to give as wages of protection, one cow for every fifty cows bought or sold, one-fiftieth of gold, one-tenth of grains, besides other favourable terms.<sup>2</sup> Bhīṣma on the authority of Bṛhaspati and others characterizes this idea as very important and equalizes protection with the *rājadharma* itself.<sup>3</sup> The means towards the end of protection are then narrated; policemen and servants, gifts intine and place, reasonable demands, valour,

<sup>1</sup> ஸந்திரமுதையுள் ஸந்திரமுதையுள்  
யாதிசெய்யுள் தனித்தனியே-ஸந்திரமுதையுள்  
ஸந்திரமுதையுள்-ஸந்திரமுதையுள்  
ஸந்திரமுதையுள்-ஸந்திரமுதையுள். 179.

<sup>2</sup> Chap. lxvi. 23-29.

<sup>3</sup> Chap. lvii. 1 and 4.

skill and truth on the part of the king, dissension among the enemies, proper justice, protecting the good, collecting the grains, serving the learned, increasing the treasury, enthusiasm among the soldiers, good means of defence, diplomacy, self-confidence, in a word, pursuit of *nīti* and *dharma*.<sup>1</sup>

It was realized that the spring of all action is wealth. It is the perennial source of all *dharma*,<sup>2</sup> and in the *Rāmāyaṇa* the importance of *artha* to *dharma* is well brought out by the speech of Lakṣmaṇa addressed to his brother Rāma in the field of Laṅka.<sup>3</sup> Friends, relatives, manhood, learning, strength of will, wisdom, greatness and goodness, are all said to be the natural

<sup>1</sup> Chap. lvii. 5-12.

<sup>2</sup> *Vana Parvan*, xxxiii. 48.

<sup>3</sup> अर्थेभ्यो हि विवृद्धेभ्यः संवृत्तेभ्यस्ततस्ततः ।

क्रियाः सर्वाः प्रवर्तन्ते पर्वतेभ्य इवापगाः ॥

अर्थेन हि विमुक्तस्य पुरुषस्याल्पतेजसः ।

व्युच्छिद्यन्ते क्रियाः सर्वा प्रोष्णे कुसरितो यथा ॥

सोयमर्थं परित्यज्य सुखकामः सुखैधितः ।

पापमारभते कर्तुं ततो दोषः प्रवर्तते ॥

यस्यार्थातस्य मित्राणि यस्यार्थाः तस्य बान्धवाः ।

यस्यार्थाः स पुमान् लोके यस्यार्थाः स च पण्डितः ॥

यस्यार्थाः स च विक्रान्तो यस्यार्थाः स च बुद्धिमान् ।

यस्यार्थाः स महाभागो यस्यार्थाः स महागुणः ॥

अर्थस्यैते परित्यागे दोषाः प्रव्याहृता मया ।

राज्यमुत्सृजता वीर येन बुद्धिस्त्वया कृता ॥

यस्यार्था धर्मकामार्थास्तस्य सर्वे प्रदक्षिणम् ।

अधनेनार्थकामेन नार्थः शक्यो विचिन्वता ॥

corollary of wealth (*artha*). To a man whose wealth is on the increase, work undertaken goes on as a rivulet from the hills. To a man of no wealth, however, works undertaken prove impossible as water in a summer river.

It is then clear that *artha* is useful, nay, indispensable for the moral and the material progress of the land. What are the sources from which the king generally enriched his treasury? Mention has already been made of the traditional land revenue which contributed the major portion of the income to the state. Inscriptional evidence proves mild rates of land-assessment (*kānikka-dan*), about the commencement of the eleventh century in the Chola kingdom of South India. It was roughly 100 kalams per *veli* (about 6½ acres), equal to about 80 kalams of the present day,<sup>1</sup> in kind from good lands, and fifty to eighty from less fertile ones. In cash it varied from four to nine *kaḷaṅḡu* of gold. The revenue assessed was invariably in proportion to the produce: dry-lands one-fifth, and wet-lands one-third.<sup>2</sup> Those who were in charge of the land revenue are called the *dhruvādhikaraṇas* (No. 38 of Fleet). The tax-collectors were generally known as the *Utkhetavita* in an inscription of Bhāskaravarman.<sup>3</sup> Other sources of revenue to the state were from commerce, forts, transports, mines, salt, *śulka*, ferry dues, fines and the produce of forests. Added to these heads of income are the voluntary contributions, tributes from the subject states, and unclaimed property.<sup>4</sup>

हर्षः कामश्च दर्पश्च धर्मः क्रोधः शमो दमः ।

अर्थादेतानि सर्वाणि प्रवर्तन्ते नराधिप ॥ (*Yuddh.* lxxxiii. 32-39.)

<sup>1</sup> S. K. Aiyangar, *Ancient India*, pp. 176 and 182.

<sup>2</sup> *Epigraphica Carnāṭaca*, No. 492 of Mulbagal of Kulottunga I.

<sup>3</sup> *Epigraphica Indica*, xii. 75.

<sup>4</sup> Cf. *Sānti Parvan*, lxxi. 10.

*Commerce.*—Commerce came in for the largest contribution only next to that of the land revenue. Taxes on commerce were not imposed indiscriminately but on the strength of the difficulty or otherwise, of purchase and sale of goods by merchants, their standard of life and family expenses besides the incidental charges on intermediaries and labour.<sup>1</sup> It varied from one-tenth to one-fiftieth. But one-tenth seems to have been the general rule like the one-sixth for the land tax.<sup>2</sup> Among others which contributed towards the material advancement of the state are mentioned ample means of commerce (प्रचारसमृद्धिः), increased production of grains and gold, and diminution of remissions.<sup>3</sup> According to the *Kauṭalya* there was a superintendent of commerce (व्याप्यक्षः) who would ascertain the demand for various articles and also the rise or fall in their prices.<sup>4</sup> Such of those merchants who dealt in

<sup>1</sup> विक्रयं क्रयमन्वानं भर्तृच सपरिव्ययम् ।

योगक्षेमं च संप्रेक्ष्य वणिजां कारयेत्करान् ॥

उत्पत्तिं दानवृत्तिं च शिल्पं संप्रेक्ष्य चासकृत् ।

शिल्पं प्रति करानेवं शिल्पिनः प्रति कारयेत् ॥

(*Sānti Parvan*, lxxxvii. 13, 14.)

<sup>2</sup> पञ्चाशद्भाग आदेयो राज्ञा पशुहिरण्ययोः ।

धान्यानामष्टमोभागः षष्ठो द्वादश एव वा ।

आददीताथ षड्भारं द्रुमांसमधुसर्पिषा ।

गन्धौषधिरसानां च पुष्पमूलफलस्य च ।

पत्रशकृतानां च चर्मणां वैदकस्य च ।

मृन्मयानां च भाण्डानां सर्वस्याश्ममयस्य च ॥

Manu, vii. 130-32; cf. Gautama, 24-27; Vasiṣṭha, ix. 26-27; Āpastamba, xi. 10. 26. 9, etc.

<sup>3</sup> *Arthaśāstra*, Bk. ii, Sec. viii.

<sup>4</sup> *Ibid.*, Bk. ii. 16.

foreign merchandise were generally favoured by remission of taxes on those commodities. The state itself undertook some of the manufactures and there was both a selling and purchasing department which submitted daily accounts to the superintendent in charge. There were trade associations and partnership firms.<sup>1</sup> Distinction was made between the transactions by these companies and by individuals. Favourable concessions were always shown to the latter. The weights and measures in use were to bear the stamp of the state.<sup>2</sup>

The regulation of tolls bears testimony to the prevalence of an excellent code of commercial morality. Wholesale markets are known as the 'द्वज.' The state had the wholesale prices fixed and any merchant getting an enhanced sum would be deprived of that amount which would go to replenish the treasury. There were toll-houses situated at the entrances to the city or fortress. Toll-keepers were to examine the goods, their destination and the seal-marks, and impose dues according to their value. Consideration was also shown for useless articles. Again there were no tolls for commodities intended for marriages, ceremonies, gifts or sacrifices. Forbidden articles if imported would be forfeited and the dealers punished.<sup>3</sup> Tolls varied according as the articles were necessities or luxuries. Fruits, flowers, meat, etc., came under the category of luxuries. Commonly the toll levied was one-sixth, while necessities like clothes and metals were assessed at one-twentieth or one-twenty-fifth. Besides the tolls there was another

<sup>1</sup> *Ibid.*

<sup>2</sup> *Ibid.*, Sec. 19.

<sup>3</sup> शस्त्रवर्मकवचलोहरथरत्नधान्यपशूनामन्यतमानिर्वाहं निर्वहयतो यथा-  
वधुषितो दण्डः पण्यनाशश्च। (*Arthashastra*, ii, 21.)

due *dvāradeya*, literally the gate-dues. Another regulation of the department of commerce was the prohibition of retail sale at manufacturing places.<sup>1</sup> This would, in the course of nature, affect prejudicially the proper distribution of trade as well as the revenues to the state. This reminds us of the practice in vogue to-day of wholesale manufacturers not dealing directly with individual traders but with established distributing firms and houses.

Under this department of commerce there was another tax, the road-cess.<sup>2</sup> The collector of these dues was known as the *antapāla*. He was perhaps a little away from the toll-house. He received one-fourth *paṇa* for every load of merchandise, one *paṇa* for each head of cattle and other animals. He would examine foreign commodities, and if found useful, would send them to the toll-officer. Useless and harmful articles were shut out by him. The really useful things such as valuable seeds were let in free of charge.<sup>3</sup> Another feature of this useful department was the weaving home. The proverb 'let the women spin and not preach' found a practical illustration in the economics of Kauṭilya. Women of various grades from young to the aged took to spinning and weaving of cotton, wool, hemp and flax. This was one aspect of the ancient cottage industries. Women could spin in their own homes. There were special arrangements for taking raw materials to them, and taking back finished goods from them.<sup>4</sup> The state

<sup>1</sup> जातिभूमिषु च पण्यानामविक्रयः। (*Arthashastra*, Bk. ii, Sec. 22.)

<sup>2</sup> *Ibid.*

<sup>3</sup> सारं ततो ग्राह्यं अपास्य फल्गुः। (*Ibid.*, Sec. 21.)

<sup>4</sup> याश्चानिष्कासिन्यः प्रोषितविधवा न्यङ्गताः कन्यका वाऽऽत्मानं बिभृयुस्ताः  
स्वदासोभिरनुसार्य सोपग्रहं कर्म कारयितव्याः। (*Ibid.*, Bk. ii, Sec. 23.)