ASPECTS OF POLITICAL IDEAS AND INSTITUTIONS IN ANCIENT INDIA

TIGHT BINDING BOOK

भवत्यधर्मो धर्मो हि धर्माधर्मविुभावपि ।
कारणाद्देशकालस्य देशकालः स तादृशः ।।

शान्ति पर्व, ७९।३१

"In response to the demands of time and place what is proper may become improper, and what is improper may become proper."

Śānti Parva, 79. 31

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PREFACE

In 1951, when Political Thought and Administration in Ancient India was introduced as a special paper at the M.A. stage in History at the Patna University, I began a more careful study of the subject for lecturing to my students. In course of my pursuit I discovered that in spite of two dozen monographs on the subject there was scope for new lines of enquiry. The following pages, therefore, embody the results of that investigation and are intended to focus light only on those problems which are considered rather obscure or need to be studied *de novo*. About one half of this book has already been published in the form of articles. But for the purpose of the present work those essays have been re-touched, edited and brought into some sort of relation with the additional material, both in form and substance. The chapters dealing exclusively with political ideas have been put at the beginning, and the others have been arranged in chronological order. In the case of the discussion of the origins of feudalism, its economic aspects, though not quite relevant to the theme of the book, have also been taken into account. Although the book, as it has emerged, can hardly be regarded a coherent study of the subject, it is not without some connecting threads and assumptions.

In the preparation of the book I have received valuable help and guidance from Professor A. L. Basham, who kindly went through more than half of the matter in 1955-7. I must express my sense of gratitude to Dr. Yogendra Mishra, who has saved me from several slips and errors in the preparation

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R. S. SHARMA

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Roman Equivalents of Nāgarī Letters

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ABBREVIATIONS

AA	*Aeschylus and Athens.*
AI	*Ancient India*, Delhi.
AB	*Aitareya Brāhmaṇa.*
AK	*Amarakośa.*
Äp. ŚS	*Āpastamba Śrauta-sūtra.*
AŚ	*Arthaśāstra.*
ASS	Ānandāśrama Sanskrit Series.
AV	*Atharva Veda.*
Baudh.	*Baudhāyana Dharmasūtra.*
B.C.Law Vol.	*B.C. Law Volume*, Part II, Ed. D.R. Bhandarkar and others, Poona, 1946.
BI	Bibliotheca Indica.
Bṛ	*Bṛhaspati Smṛti.*
CCIM	*Catalogue of the Coins in the Indian Museum*, Calcutta, i, Oxford, 1906.
Cal.	Calcutta Edition of the *Mahābhārata.*
CHI	*Cambridge History of India.*
CII	*Corpus Inscriptionum Indicarum.*
Cr. Edn.	Critical Edition of the *Mohābhārata* published by the Bhandarkar Oriental Institute, Poona.
DN	*Dīgha Nikāya.*
Ed.	Edited by, Edition.
EI	*Epigraphica Indica*, Calcutta and Delhi.
Gaut.Dh. S.	*Gautama Dharmasūtra*
GOS	Gaikawad Oriental Series.
HCIP	*History and Culture of the Indian People.*
Hist. Dhs.	*History of Dharmaśāstra.*
HOS	*Harvard Oriental Series.*
IA	*Indian Antiquary*, Bombay.
IC	*Indian Culture*, Calcutta.
IHQ	*Indian Historical Quarterly*, Calcutta.
JA	*Journal Asiatique*, Paris.
JAOS	*Journal of the American Oriental Society*, Baltimore.
JASB	*Journal of the Asiatic Society of Bengal*, Calcutta.
Jāt.	*Jātaka.*
JBBRAS	*Journal of the Bombay Branch of the Royal Asiatic Society*, Bombay.
JBORS	*Journal of the Bihar and Orissa Research Society*, Patna.
JDL	*Journal of Department of Letters.*
JESHO	*Journal of the Economic and Social History of the Orient*, Leiden.
JGJRA	*Journal of the Ganganatha Jha Research Institute*, Allahabad.
JRAS	*Journal of the Royal Asiatic Society of Great Britain and Ireland*, London.

JRASB	*Journal of the Royal Asiatic Society of Bengal*, Calcutta,
KNS	*Kāmandaka Nītisāra.*
Kāma S.	*Kāmasūtra.*
Kātyā.	*Kātyāyana Smṛti.*
KS	*Kāṭhaka Saṃhitā.*
KŚS	*Kātyayana Śrauta-sūtra.*
Manu	*Manu Smṛti.*
Mārk. P.	*Mārkaṇḍeya Purāṇa.*
Mbh.	*Mahābhārata.*
Milinda	*Milinda-ṭañho.*
MS	*Maitrȝāṇī Saṃhitā.*
Nār.	*Nārada Smṛti.*
NS	New Series.
Pā	*Pāṇini's Grammar.*
PB	*Pañcaviṃśa Brāhmaṇa.*
PGS	*Pāraskara Gṛhyasūtra.*
Pat.	Patañjali's *Mahā-bhāṣya.*
P.E.	Pillar Edict of Aśoka.
PHAI	*Political Histoȝ of Ancient India.*
PTS	Pali Text Society.
Rām.	*Rāmāyaṇa.*
R.E.	Rock Edict of Aśoka.
RV	*Ṛg Veda.*
ŚB	*Śataṗatha Brāhmaṇa.*
SBB	*Sacred Books of the Buddhists.*
SBE	*Sacred Books of the East.*
SE	Southern Edition of the *Mahābhārata* (also indicated as Kumb.)
Sel. Inscr.	*Select Inscriptions*, i.
ŚP	*Śānti Parva.*
Śūdras	*Śūdras in Ancient India.*
TB	*Taittirīȝa Brāhmaṇa.*
TGS	T. Gaṇapati Śāstri's edition of the *Arthaśāstra.*
Tr.	Translated by, Translation.
TS	*Taittirīȝa Saṃhitā.*
Vā. P.	*Vāyu Purāṇa.*
Vas.Dh. S.	*Vasiṣṭha Dharmasūtra*
VI	*Vedic Index.*
Vin.	*Vinaȝa Piṭaka.*
Viṣṇu	*Viṣṇu Smṛti.*
VS	*Vājasaneyi Saṃhitā.*
Ȝāj.	*Ȝājñavalkȝa Smṛti.*
ZDMG	*Zeitschrift der Deutschen Morgenländischen Gesellschaft*, Berlin.

CHAPTER I

HISTORIOGRAPHY OF ANCIENT INDIAN POLITY UPTO 1930

The first serious attempt at the study of India's past, on the part of both the Western as well as Indian scholars, began after the revolt of 1857-59[1]. A perusal of some introductions to the Sacred Books of the East reveals the motive underlying this great venture extending over years. It was felt by the British rulers that the revolt was due to lack of their knowledge of Indian religion, manners, customs and history. Further, the people could not be won over to Christianity and consequently to the empire unless the missionaries acquired an idea of the vulnerable points in their social structure. According to Max Müller, to the missionary an accurate knowledge of the sacred books was as indispensable as the knowledge of the enemy's country to a general[2]. In their study of the ancient history of India, Western scholars reached two important conclusions, which can be summed up in the words of Max Müller. In 1859 he wrote that the Indians are a nation of philosophers and Indian intellect is lacking in political or material speculation, and that the Indians never knew the feeling of nationality[3]. We do not know whether Max Müller drew upon the famous dictum of Aristotle that oriental rule is autocratic in character. But his idea was the stock-in-trade of the great European historians who wrote in the 18th and 19th centuries. Thus Gibbon pointed out that all oriental history is "one unceasing record of valour, greatness, degeneracy and decay." Green stated that "the empires of the East are, in the main, tax-collecting institutions. They exercise coercive power on their subjects of the most violent kind... (and) do not impose

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1. Although the establishment of the Royal Asiatic Society of Bengal in 1784 marks the starting point of Western interest in ancient Indian studies, the number of books that were published till 1859 was small. Max Müller, *A History of Ancient Sanskrit Literature*, p. 1.
2. *SBE*, i, pt. I, Preface, p. xl.
3. Max Müller, op. cit., p. 16.

laws as distinct from particular and occasional commands."[1] Similar ideas continued to find expression in the work of eminent orientalists. Thus writing in 1898 Sénart stated that India never attained to the idea either of the state or of the fatherland[2], and that it could not evolve any political constitution, even in conception[3].

Such a view about India's past history and polity was obviously dominated by imperialist ideology. Its practical implications in the existing set-up were dangerous to the demand for self-government in India. If Indians were essentially philosophers, absorbed in the problems of the world, it followed that their material world should be managed for them by their imperialist masters. If Indians were accustomed to autocratic rule and never had any idea of nationhood, state or self-government, it was in keeping with their tradition that they should be ruled autocratically by the British Governor-General and Viceroy.

This imperialist ideology regarding ancient history and particularly the nature of the early Indian polity came as a challenge to Indian scholarship and to the few foreign scholars who were yet unaffected by imperialist ideology. In 1889, controverting Max Müller who had said that "to the Greek, existence is full of life and reality, to the Hindu it is a dream and delusion,[4]" the great American savant Hopkins pointed out that the religious element did not penetrate deeply into the vast mass of unpriestly classes[5]. But the biggest response to this challenge came from the Indian scholars themselves. During the last three decades of the 19th century Bhagwan Lal Indraji, R. G. Bhandarkar, R. L. Mitra and B. G. Tilak, most of whom actively associated themselves with the political and social movements of their time, tried to prove the falsity of the imperialist ideology. By their researches into the manifold aspects of the past history of their country they tried to build a powerful case for the political and social progress of the country

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1. Quoted in Beni Prasad, *The State in Ancient India*, p. 498.
2. *Caste in India*, p. 198.
3. Ibid., p. 212.
4. *A History of Ancient Sanskrit Literature*, p.18.
5. "Position of the Ruling Caste etc., *JAOS*, xiii, 182.

in their own times. Since then the study of India's past was mainly guided by the nationalist ideology. The point can be especially illustrated by presenting a rapid survey of research on ancient Indian polity.

Just as there were two phases, moderate and radical, in the growth of the nationalist movement, so also there were two such phases in the progress of research on ancient Indian polity. It is well-known that the chief demand of the Indian nationalist movement in its earlier stages was to curtail the powers of the autocratic Viceroy, by introducing a popular element at the Centre and in the Provincial Governments. Hence, in 1887, R. C. Dutt wrote an article on the "Civilisation in the Brāhmaṇa period," in which he tried to show that in ancient times the king did justice to all[1]. He was followed by Purnendu Narayan Singh, who, in an article in 1894, strongly countered the statement of Sir Auckland Colvin that "the British have taught for the first time that the end and aim of rule is the welfare of the people, and not the personal aggrandisement of the sovereign." He argued that such an idea is due to the ignorance of the system of Government in Ancient India which, in his opinion, was limited monarchy.[2]

The strong nationalist movement that followed the partition of Bengal in 1905 gave further impetus to research in ancient Indian polity. Curzon's homily on the oriental character, his autocratic measures for the partition of Bengal, and his attack on the elected element in the Calcutta Corporation could not but influence the course of research on ancient polity. In an article written in 1907 A.C. Das repeated with greater emphasis the view of the previous scholars that "it is a mistake to suppose that the Hindus have been accustomed to an autocratic form of Government, and that the popular element never existed as a distinct force in the country." He further said that "it was not Absolute but Limited Monarchy that flourished in Ancient India."[3] Perhaps by way of indirect suggestion that Curzon's attack on the elected element in the Calcutta Corporation was unwarranted, in another article of

1. *Calcutta Review*, xxxv (1887), 266.
2. Ibid., xcviii (1894), 301.
3. "Limited Monarchy in Ancient India", *Modern Review*, ii (1907), 346. ff.

the same year Das pointed out that "Local Self-Government existed in Ancient India even in a better form than that in which it exists at present under British rule."[1] Four years later, Prof. S. K. Aiyangar in his thesis on Cola Administration brought to light the working of elected village Panchayats, exercising all functions in the early mediaeval times under the Colas.[2]

The nationalist movement stimulated the search for ancient manuscripts, resulting in the discovery of the *Arthaśāstra* of Kautilya in 1905 and its publication by Shama Sastry in 1909. The discovery was an epoch-making event in the history of the study of ancient Indian polity, for it provided valuable raw material which could be utilised in yielding "political precedents for modern controversies."[3] This was an important factor which contributed to many critical and descriptive studies of the ancient Indian polity[4].

The period from 1905 was a period of extremist politics. Extremists, who did not believe in constitutional methods for the attainment of slow reforms, set up a net-work of revolutionary societies in Bengal and Maharashtra. The movement was coloured by the spirit of Hindu revivalism. The very names of these societies betray their love for past culture. For instance, tho Anushilan Samiti, which was set up in 1905 and had about 550 branches by 1907, means the society for the promotion of culture and learning. It is legitimate to suspect that, although wedded to the cult of violence, it must have published certain research tracts of which we are unaware. These societies created a revolutionary temper in the country and prepared the minds of many intellectuals for the complete independence of their motherland. It was through them that the word Swaraj got the widest currency. As interpreted by a left-wing paper it means "self-taxtation, self-legislation and self-administration."[5] It is not known whether K. P. Jayaswal was in any

1. Ibid.
2. *Ancient India*, pp. 158-191.
3. Rangaswami Aiyangar, *Some Aspects of Ancient Indian Polity*, p. 87.
4. By this time the literature relating to the *AŚ* has become so abundant that the Institute of Traditional Culture, Madras, has undertaken the preparation of a new text and comprehensive bibliography of the *AŚ* under the editorship of K.A. Nilakanta Sastri.
5. Quoted in Hiren Mukherjee, *India Struggles for Freedom*, p. 88.

way connected with these societies, but the fact that he was made to resign his post in the post-graduate teaching department of Calcutta University by the Bengal Government in 1912-3 might suggest that he was considered a potential contributor to the "seminaries of sedition."[1] It is to the late K. P. Jayaswal that Indology owes its greatest work on ancient Indian polity. His articles contributed to *Modern Review* between 1912 and 1915—which appeared later in the form of his famous book *Hindu Polity* in 1924—were really pioneer works as later admitted by D. R. Bhandarkar, R. C. Majumdar, B. K. Sarkar and other scholars who followed him. For the first time he showed the importance of republics in ancient Indian history. He tried to prove that the ancient Hindu political system was partly of republics of the Athenian type, and of constitutional monarchies such as that of Great Britain. There were popular assemblies such as the *paura* and *jānapada*, acting as checks on the powers of the king. According to him these organizations were more advanced than anything which modern Switzerland or the United States can boast of. At the end of his study Jayaswal concluded: "The constitutional progress made by the Hindus has probably not been equalled much less surpassed by any polity of antiquity." And finally, he expressed the undying hope of a patriot that the "Golden Age of his polity lies not only in the past but in the Future."[2] The implications of his research work are clear. His conclusions present the first solid ideological case for complete independence and a republican form of Government in India. It is because of this that no research thesis on ancient Indian history has been so frequently quoted as *Hindu Polity*. It became the Bible of the Indian Nationalists. Meet any educated old man and he knows about *Hindu Polity*.

Jayaswal was followed by a host of scholars, who flooded *Modern Review*, *Hindustan Review* and *Indian Antiquary* with a spate of articles and wrote a number of theses. In many ways the period between 1916 and 1925, coinciding with post-war nationalist and revolutionary movements sweeping over Europe and Asia, marked the peak of our nationalist movement. No

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1. *Hindu Polity*, p. xxv.
2. Ibid., p. 366.

other period of the 20th century has produced so many research works on ancient Indian polity as this period of nine years. Leaving aside the articles, the number of books on Hindu political theories and institutions would come to more than a dozen. It is not possible to notice the ideological basis of all works, but we can do so in the case of most of them.

To begin with works of general nature on polity, P. N. Banerjea in his *Public Administration in Ancient India*, published in 1916, points out that the "ancient system of government may thus be called constitutional monarchy." It was "Sachivatantra"[1]. He further says that not only in monarchical states but also in republican states the popular assemblies were important in ancient times.[2] In the same year, K. V. Rangaswami Aiyangar brought out *Some Aspects of Ancient Indian Polity*, which was based on his lectures delivered in 1914. In his work the author deprecates the tendency to look into the armoury of "our" ancient polity for weapons to be used in the arena of modern political controveries.[3] But at the same time he points out that the reduction of the "current" belief that ancient Indian institutions and political theory were unprogressive will long form a vital condition of a successful, historical study of ancient Indian polity.[4] In his thesis on *Corporate Life in Ancient India* (1918) even a sober historian such as R. C. Majumdar admits that he was led to this line of enquiry through the importance of "the spirit of co-operation" in the present highly developed stage of civilization.[5] In his opening lines in the introduction he says that "India at present is very backward in this particular aspect of culture, but the following pages are intended to show that things were quite different in the past." It pains him to find that it required great effort to believe that political institutions "which we are accustomed to look upon as of western

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1. p 51.
2. p. 97.
3. Rangaswami Aiyangar. *Some Aspects of Ancient Indian Polity*, pp. 3-4. Although the 1935 edition of this book has been consulted, it does not mean any difference in matter except for footnotes and appendices.
4. Rangaswami Aiyangar, op. cit., p. 65.
5. Introduction, p. i.

growth had also flourished in India long ago."[1] At the same time he assails the commonly held view that India was only absorbed in religion. His researches are intended to show that "religion did not engross the whole or even an undue proportion of the public attention." Coming to the next publication, *Aspects of Ancient Indian Polity* by N. N. Law, Keith says in his foreword that the development of a keen interest in the history of Indian theories of polity is one of the gratifying consequences of the awakening of political aspirations in India.[2] The longest chapter (IX) in the book is "The Religious Aspects of Ancient Hindu Polity." While concluding it, Law states that "there were wide and various fields of political actions in which the Hindu showed considerable judgment and acumen undelegated by the force of beliefs."[3] By 1922 B. K. Sarkar was ready with his *Political Institutions and Theories of the Hindus*. In its preface he claims that on fundamental points the volume delivers "a frontal attack on the traditional Western prejudices regarding Asia, such as are concentrated in Hegel, Cousion, Max Müller, Maine, Janet, Smith, Willoughby and Hutington."[4] He deplores that the "servile and degenerate Asia of to-day" should be compared with Asia which was the leader of humanity's progress.[5] Repudiating the suggestion of the influence of religion on politics he says that "Hindu states were thoroughly secular."[6]

In 1923 there appeared *A History of Hindu Political Theories* by U. N. Ghoshal. He ably refutes the view of Max Müller and Bloomfield that Hindus, because of certain inherent tendencies in their character, could not conceive of the idea of the state and that there is no provision for the interest of the state in their scheme. His main targets of attack are Western writers of history of political thought such as Janet, Dunning and Willoughby. He questions Janet's estimate that the sole city for the Indian sages is the city divine. This, says Ghoshal, when tested in the light of sober fact, will appear no more

1. *Corporate Life in Ancient India*, p. 122.
2. p. iv.
3. p. 218.
4. p. viii.
5. p. 9.
6. p. 13.

than a half truth.[1] Dunning states that the Āryans in India could never develop Political Science as an independent branch of knowledge and free it from its theological and metaphysical environment as the European Āryans did, while Willoughby thinks that because of their supreme faith in the divine creation they were never impelled to enquire into the *rationale* of their institutions.[2] Rejecting this view Ghoshal says that the chief characteristic of the Buddhist political thought is "bold and avowed appeal to human reason."[3] Moreover, he asserts that the Indian states, contrary to the usual view, were not modelled after a uniform pattern, that of despotic monarchy."[4]

In his lectures *Some Aspects of Ancient Hindu Polity* delivered in 1925, D. R. Bhandarkar again quotes the same views of Dunning, Max Müller and Bloomfield in order to refute them. In the case of Dunning he makes allowance for the fact that he had no direct knowledge of orientalia. But he sees no justification for the statement of oriental scholars such as Max Müller and Bloomfield, who hold that the Indian never knew the feeling of nationality and that his heart never trembled in the expectation of national applause.[5] He points out that particularly after the discovery of the *Arthaśāstra* "it is no longer correct to assert that the Hindu mind did not conduce to the development of political theories, and that the Indians never set up politics as an independent branch of knowledge."[6] While discussing the rules of business in the republican assembly he is apprehensive lest his conclusions are regarded "as prompted by patriotic bias."[7]

The high watermark of this nationalist ideology finding reflection in research on polity can be traced in V. R. R. Dikshitar. His work *Hindu Administrative Institutions*, which he took up as his thesis in 1923 and completed in 1927, goes rather too far in singing the glories of our past institutions.

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1. p. 5.
2. p. 8
3. p 9.
4. Introduction, p. 2.
5. p. 2.
6. p. 3.
7. p. 77.

He regards Hindu polity as almost modern. Strongly rebutting the view that patriotism was not a phenomenon realised in ancient India, he argues that "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 nationalist feeling in the country." And then he quotes the famous verse *jananī janmabhūmiśca svargādapi garīyasī.*[1] His concluding lines carry exactly the same sense as those of Jayaswal. He says that, though every nation evolved its own polity, no polity had the inherent vitality that Hindu polity possessed. At the end of his work he repeats the robust optimism of Jayaswal that "the Golden Age of his (Hindu) Polity lies not in the past but in the future."[2]

Thus a review of general works on polity during 1916-25 shows a marked tendency to supply an ideological weapon in the hands of Indian nationalists. The same is the case with certain special works such as those on Local Self-Government and International Law in Ancient India. R. K. Mookerji's work *Local Government in Ancient India* seeks to modify the opinion of such critics as declare that "In ancient India there was nothing of the nature of a political institution between the village and central government[3]." Like other scholars Mookerji also feels that to see endless repetitions of autocratic and theocratic institutions in Indian history is a great source of historical misinterpretation[4]. He claims that the study of ancient Indian local institutions will point the way to the lines of development on which reconstruction should proceed. On the other hand, "to the people it will bring a new inspiration, a fresh stimulus to national self-respect that will look back with pride on the record of institutions which gave them at once the blessings of self-rule and a means of self-preservation amidst adverse political conditions."[5]

Similar sentiment is expressed in P. N. Banerjea's work *International Law and Custom in Ancient India* (1920). Banerjea

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1. p. 78.
2. p. 384, bracketted portion ours.
3. p. 316.
4. Introduction, p. xiii.
5. p. 21-22.

says, that imbued with imperialistic ideas, Hall considers International Law as a "favoured monopoly" of the European family of nations[1]. He complains that even a considerate publicist such as Lawrence regards the Indian troops as "semi-civilized or imperfectly civilized troops" and that he recommends their use against border tribes and in warfare with people of the same degree of education as themselves[2]. The object of Banerjea's thesis is "to establish the apparently incredible fact that *the ancient Indians had a definite knowledge of the rules of International Law according to which they regard their international conduct*[3]." S. V. Viswanath's *International Law in Ancient India* institutes a comparison between the first world war, which was waged in contravention of the accepted laws of nations and in defiance of all notions of international morality laying its hand on combatants and non-combatants alike[4], and the wars in ancient India, which were fought according to the rules of *Dharmayuddha* and in which wholesale destruction and devastation was forbidden[5].

Between 1925 and 1930 the number of works on ancient polity was comparatively fewer than what it was between 1916 and 1925. In 1927 N. C. Bandyopadhaya brought out two books *Development of Hindu Polity and Political Theories*, and *Kauṭilya*. While in the former he tried to demolish the belief that India was the birth place and the peculiar habitation of despotic power, in the latter he concluded that Kauṭilya "dreams the prospect of a truly 'national king' who was to merge even his identity with customs and language."[6] But Beni Prasad, who published his two books *State in Ancient India* and *Government in Ancient India* about the same time, sounded a word of warning against reading too much of modern ideas into ancient institutions. Nevertheless, to prove the superiority of early Indian institutions over the Greek and Roman systems he said that in ancient India there was no aristocracy in the Greek or Roman sense. Caste forbade a

1. *JDL*, *i* (1920), 202.
2. Ibid., p. 203.
3. Ibid.
4. p. 3-4.
5. p. 126.
6. p. 298.

combination of office, wealth and prestige of birth as in other countries.[1] In 1931 S. K. Aiyangar published his *Evolution of Hindu Administrative Institutions in South India* "for an understanding of the native Indian theory of government so that there may be a correct apprehension of the constitutional needs of the country."[2] He flatters himself with the idea that the ancient "administration seems to have made a clear, but close approach to these ideals which modern democracy is making an effort at realising."[3] An important work of specific nature published in 1929 was *Contributions to the History of the Hindu Revenue System* of U. N. Ghoshal. Therein he states that the principles of taxation formulated in early times "surpass the achievements of classical antiquity and tend to approach the ideas of European thinkers in the 18th and early 19th centuries."[4] In his opinion the view that taxes are the king's dues for the service of protection is identical with the similar doctrine of 17th and 18th century Europe.[5]

Thus a reviewer of Dikshitar's *Hindu Administrative Institutions* in 1929 rightly pointed out that "the general trend of the works during the last fifteen years has been to show that the government of the country in ancient days was not irresponsible, that there was public opinion with recognised channels for the expression thereof, that public opinion was respected in almost all cases by the powers, that it could grow at times so powerful as to lead to the abdication or dethronement of the ruler, and so on."[6] There is no doubt that this whole series of research works on the history of political theories and institutions was written with a purpose. It was meant to bring grist to the nationalist mill and to sustain the nationalist movement. After 1930 there set in a stagnation in research, and there have been few works on polity since then.

Here let us pause and consider the merits and limitations of the nationalist and revivalist line of approach in the study of India's past polity. Its one great result was that by presenting

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1. *The State in Anceint India*, pp. 7-8.
2. P. v.
3. P. 379.
4. P. 14.
5. P. 17.
6. *JIH*, viii (1929), 405.

an encouraging picture of the past it filled the people with great self-confidence. As a scholar of Hindu polity says in 1922, "the nationalist movement of Young India which has won recognition as a world force in international politics since August 7, 1905, is receiving a conscious guidance and direction from the solid results of unquestionable antiquarian investigation."[1] This knowledge of ancient polity gave tongue to those who advocated self-government and independence of India. If they had self-government in the past, there was no reason why they should not have it in the present. Secondly, this ideology produced splendid research works, and certain points regarding the prevalence of limited monarchy, republics, local self-government and international law in ancient India came to be accepted by nearly all scholars, in spite of the dissenting note of V. Smith that it was not safe to rely on the admonitions of the early sages about the ideal king.

But this nationalist ideology had also its limitations. First, while it did serve to rouse the educated middle class against alien rule, it hardly touched conscious intellectuals interested in the masses of peasants and workers who were being drawn into the national struggle from 1920 onward. By a fulsome adoration of ancient Hindu institutions it tended to antagonise the Muslims, though this was not done deliberately. Secondly, it gave us a false sense of values. It glossed over the fact that, whether it was monarchy or republic, the two upper varṇas dominated the two lower varṇas, who were generally excluded from all political offices. It also ignored the fact that one fundamental feature of our legislation was that it worked in the interests of the upper varṇas. It did not pay attention to the fact that the ruling class consciously exploited religion for the promotion of their political interests. It never took into consideration the fact that wealth and political offices went hand in hand.

Thirdly, in its craze for proving the superiority of our ancient institutions over those of the ancient West it hardly tried to examine them in the light of the evolution of primitive tribes as known from anthropology, or in the light of the early institutions of other Indo-European peoples.

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1. B. K. Sarkar, *The Political Institutions and Theories of the Hindus*, p. 4.

At the present moment the chief limitation of this ideology follows from the fact that imperialist domination has ended. And the new problems are those of the uplift of the common people for whom the long national struggle was waged. Because of these limitations it appears that the possibilities of research in ancient Indian polity on purely nationalist lines have been almost exhausted. We are in need of a scientific methodology of research free from cheap generalisations. In 1951 K. A. Nilakanta Sastri gave hint of a new ideology when he said that Apastamba and Manu provide for a welfare state[1]. It is for students of Indian polity to judge how far such an approach opens up lines of further research. Meanwhile, in the chapters that follow we will try to study some aspects of political ideas and institutions in ancient India in the light of the limitations discussed above.

1. *Proceedings of the 16th Session of the All-India Oriental Conference*, Lucknow 1951, pp. 67 8.

CHAPTER II

THE SAPTANGA THEORY OF THE STATE

Despite considerable theorising in regard to rituals in the later Vedic collections and the Brāhmaṇas, we do not come across any definition of the state either in this literature or in the early law-books, *i.e.*, the Dharmasūtras. This was due to the fact that this institution was not established on a firm footing so far. It is only after the rise of the well organised states of Kosala and Magadha in the age of the Buddha that the state is defined for the first time in the *Arthaśāstra* of Kauṭilya as consisting of seven elements, a definition which becomes an axiom in the later sources. The *Sarasvatīvilāsa*, a text of the 16th century A. D.[1], ascribes the seven-element definition to Gautama from whom it quotes[2], but this cannot be traced in his law-book. Besides, as has been shown by the present writer elsewhere, this work seems to have been much tampered with and therefore compiled at a later date[3]. Although some elements such as *rājā*, *amātya*, *viṣaya* etc. are mentioned in some early Dharmasūtras, it is for the first time in Kauṭilya that we get the complete definition of the state.

The seven elements enumerated by Kauṭilya are *svāmī*, *amātya*, *janapada*, *durga*, *kośa*, *daṇḍa* and *mitra*.[4] These seven elements are mentioned in most texts dealing with polity[5], although in some cases the synonyms of some elements differ. The *Viṣṇu-dharmottara Purāṇa*, a work of about the fifth century A.D.[6], however, mentions two new elements *sāma* (pacification) and *dāna* (charity) respectively in place of *svami* and *amātya*[7].

1. Kane, *Hist. Dhs*, i, 413.
2. Ibid., iii, 17 fn. 20.
3. *Śūdras*, pp. 83-4.
4. *AŚ*, VI. 1.
5. *Manu*, IX. 294; *ŚP*, 69. 62-3, the term used in the constituted text is *saptātmakaṃ rājyam*; *Viṣṇu*, III. 33; *Yāj.*, I. 353; *ŚNS*, i, 61; *Agni Purāṇa* quoted in Jagdish Lal Shastri, *Pol. Thought in the Purāṇas*, p. 48, *Mārk. P.* quoted op. cit., p. 23; *Kālikā P.* quoted op. cit., p. 115.
6. R. C. Hazra, *Studies in the Upapurāṇas*, i, 212.
7. Extract quoted in Shastri, op. cit., p. 163.

Perhaps we can explain this variation in the context of inter-state relations in which this statement is made. Apparently, the two elements fit ill with the other, and there is no doubt that the seven-element definition of the state as given by Kauṭilya was almost universally accepted as the standard connotation of the state. Even the *Viṣṇudharmottara Purāṇa* reproduces the standard definition at another place.[1] A difference, however, is found in some manuscripts of the *Śānti Parva*, which uses the term *aṣṭāṅgika rājya* (eight-element state) in the critical edition[2], but the eighth element is not mentioned anywhere.

Of the seven elements the *Arthaśāstra* does not define *amātya* and *durga* in the section where it deals with all the other elements; these two are treated separately. But on the whole, the treatment of the seven elements in this text is thorough and systematic, and we have no parallel to this in other texts. As we will notice, the subsequent texts have something different to say on the mutual relations of these elements, otherwise they do not add anything of substance to the Kauṭilyan definition. Hence, for the analysis of the seven elements we have to fall back on Kauṭilya.

Svāmī, which means the head or master, is mentioned as such by all the sources[3]. Perhaps it refers to the element of headship both in monarchies and republics, for in discussing the calamities affecting the *rājā* Kauṭilya mentions the weakness of *vairājya*, *i.e.*, non-monarchical state[4]. For the first time the term *svāmī* is used in the Saka inscriptions. It is significant that for the head of the state none of the texts use the term *rājā*, which literally means noble or ruler; rather they prefer the term *svāmī*[5], which means master. Nevertheless, since the term is first used by Kauṭilya, its significance may better be appreciated with reference to his other ideas. The intention is to stress the sense of possession exercised by the head, who occupies a very exalted position in the scheme of Kauṭilya. Kauṭilya dilates at some length on the qualities

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1. Ibid., p. 153.
2. 122. 8.
3. *AŚ*, VI. 1; *Manu*, IX. 294; *Viṣṇu*, iii, 33; *ŚP*, 69. 62-3; *Yaj*, I. 353.
4. *AŚ*, VIII. 2
5. *ŚP*, 69. 62, however, uses the term *ātmā* which stands for *rājā*.

requisite for the *svāmī*. In his opinion the *svāmī* should be endowed with qualities flowing from noble birth, wisdom, enthusiasm and personal ability.[1] The qualities of noble birth deserve special mention, for it does not favour the possibility of men of humble origins being raised to kingship.

The second element *amātya* is also mentioned as such in all the texts. The usual translation of *amātya* as minister may convey the wrong impression that they were intended to act as ministers, whose number was small. But even in a latter text such as the *Śānti Parva* the number of the *amātyas* is put at thirty-seven, and they are distinguished from the *mantrins* whose number is prescribed at eight.[2] In the *Arthaśāstra* the *amātyas* constitute a regular cadre of service from which all high officers such as the chief priest, ministers, collectors, treasurers, officers engaged in civil and criminal administration, officers in charge of harem, envoys and the superintendents of various departments are to be recruited[3].

When Kauṭilya thinks of a council of *amātyas*, he bears in mind the distinction between the *mantrins* and the *amātyas*. In the case of the former he puts the limit at three or four, but in the case of the later he states that their number should depend upon the capacity to employ them[4]. In discussing the requisite qualifications of the *amātyas*, Kauṭilya states that all can be appointed *amātyas* in deference to the needs of time, place and work, but this formula cannot apply to the *mantrins*[5]. Here he quotes the views of seven thinkers, two of whom prefer claims of hereditary posts and qualities of noble birth.[6]

Since the *amātya* of Kauṭilya is identical with the Pāli *amacca*, we can better appreciate his position and functions on the basis of the early Pāli texts. It seems that in pre-Maurya times the *amātyas* were employed in hundreds, acting as village headmen, supervisors of sale transactions, judges,

1. *abhīgāmikā guṇāh, prajnāh guṇāḥ, utsāhaguñāh* and *ātmasampat*. *AŚ*, VI. 1.
2. The passage, which provides for a body of 36 *amātyas*, occurs in the Calcutta edition (*ŚP*, 85.7-11), and not in the critical edn. which refers only to eight *mantrins* (*ŚP*, 85.7-10).
3. I. 9-10, 16.
4. Ibid.
5. *AŚ*, I.8,
6. Kaṇapadanta and Bāhudantiputra, Ibid.

guides in worldly and spiritual matters, surveyors etc[1]. Most Jātaka references show that *amaccas* were appointed to act as judges and magistrates to administer law-suits (*vohāra*) and trials (*viniccaya*)[2]. The suggestion that they formed a class of knights[3] is hardly supported by early Buddhist texts. Thus in pre-Maurya times the *amātyas* seem to have been commonly officers of a general nature rather than ministers or knights. In the beginning they seem to have been the friends, companions and courtiers of the king, probably related to him. But gradually they became his officers, which development began in pre-Maurya times and crystallized in Maurya times. Kauṭilya's view of the *amātyas* is almost compatible with their position in the Jātakas. He assigns them agricultural operations, fortifications, welfare of the territory, prevention of adversities, punishment of the criminals, collection of royal dues, etc.[4] Thus it would appear that the *amātyas* stand for the governmental machinery. Kāmandaka also takes the *amātyas* in a generic sense, but he seems to identify them with the *sacivas* for in laying down qualifications the two terms are used without any discrimination[5]. The *amātyas* are, however, different from the *mantrins*, who are charged with the duty of advising the king and safeguarding the counsel (*mantra*)[6]. The difference between the two is clearly brought out in a passage, which states that the king, living in his capital, equipped with treasury and army, should think of the good of his kingdom together with his *mantrins* and *amātyas*[7]. In post-Maurya times *amātyas* were more commonly known as *sacivas*, and, as would appear from the use of the terms *mati-saciva* and *karma-saciva* in the inscription of Rudradāman[8], formed a general cadre of officers from amongst whom high functionaries were recruited.

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1. Fick, *Social Organisation of North-Eastern India*, pp. 144-9.
2. *Jat.*, ii, 2, 181 ; iii, 105; v, 228.
3. R. N. Mehta, *Pre-Buddhist India*, p. 136
4. *janapadasya karmasiddhayaḥ svataḥ parataśca yogakṣemasādhanaṃ vyasanapratīkāraḥ śūnyaniveśopacayau daṇḍakarānugrahaśceti. AŚ*, VIII. 1.
5. *KNS*, IV. 25-27, 34.
6. Ibid., 30-31.
7. Ibid., VIII. 1.
8. *Sel. Inscr.*, p. 174. l. 17.

The third element *janapada*, which literally means tribal settlement, is mentioned as *rāṣṭra* in two post-Maurya texts[1] and as simply *jana* in a law-book of the Gupta period[2]. While the term *rāṣṭra* clearly conveys the meaning of territory, *jana* certainly means population. The nature of *janapada* defined in the *Artha-śāstra* indicates that both territory and population are intended to be covered by this term. It is said that the territory should have good climate, should provide grazable land for cattle and should yield grain with little labour. Further, it should be inhabited by industrious peasants who are capable of bearing the burden of taxes and punishments. Finally, it should contain intelligent masters and be predominantly populated by the members of the lower classes, and its people should be loyal and devoted[3]. Kāmandaka amplifies this statement by adding that the territory should be inhabited by śūdras, artisans, traders and hard-working and enterprising peasants[4]. Special mention of traders might be due to the importance of trade in post-Maurya and Gupta times. Two Purāṇas of the Gupta period state that the king should live in a country which is mostly populated by vaiśyas and śūdras, a few brāhmaṇas but many hired labourers. Thus all the sources, which indicate the nature of population, emphasise that it should mainly consist of the producing masses[5]. We have no indication of the territory or the number of population, although in connection with the settlement of the new territories Kauṭilya states that the village should comprise one hundred to five hundred families, and that the *sthānīya*, which is the largest unit in the *janapada*, should consist of eight hundred villages.[6]

The fourth element mentioned by Kautilya is *durga*, which is called *pura* in Manu and occupies the third place there[7]. The

1. *Manu*, IX. 294; *Viṣṇu*, III. 33. *SP*, 69. 62-3, where the *saptāṅga* state is defined, uses the term *janapada*, but in another context, where all the other six elements are mentioned (*ŚP*, 60. 3-4), the term *rāṣṭra* is used. Kāmandaka sometimes uses the term *rāṣṭra* (IV. 50).

2. *Yāj*, I. 353.

3. *daṇḍakarasahaḥ karmaśīlakarṣako'bāliśasvāmayavaravarṇaprāyo bhaktiśucimanuṣya iti janapadasampat. AŚ*, VI. 1.

4. *śūdrakāruvaṇikprāyo mahārambhakṛṣītalaḥ*. IV. 54. This passage is literally reproduced in the *Agni Purāṇa*, 239. 26.

5. *vaiśyaśūdrajanaprāyamarāhāryaṃ tathā paraih, kiñcidbrāhmaṇasaṃyuktaṃ bahukarmakaraṃ tathā. Matsya P.* quoted on p. 11 and *Viṣṇudharmottara P.* on p. 139 of J. L. Shastri, op. cit. This passage is literally reproduced in the *Agni P. 222.1-2. Cf. Mark. P.*, 49-47.

6. *AŚ*, II. 1.

7. IX. 294. It is also called *pura* in *ŚP*, 69. 63.

term *durga* is understood in the sense of fortress[1]. But as a synonym of *pura*, it should be understood in the sense of fortified capital, which meaning can also be inferred from the two independent sections *durgavidhāna* and *durganiveśa* provided by Kautilya. While the first refers to the construction of fortresses[2], the second refers to the planning and layout of the capital[3]. The distinction between the *janapada* and the *pura* seems to have been made out in the *Śānti Parva*, the former indicating the countryside and the latter the capital[4]. In the section on *durganiveśa* we learn about the characteristics of a *durga*, referred to by Kauṭilya, when he discusses the features of other elements[5]. In the planning of the capital, which is to be built at a central place, areas are to be set apart for the members of the different varṇas and artisans, as well as for gods[6]. It is to be noticed that artisans such as those dealing with wool, thread, bamboo, hide, weapons etc., workers in metal and gems, and the various guilds are especially mentioned in this connection[7]. Thus the artisan class is considered valuable, probably because of the consideration of defence.

Kośa or treasury appears as the fifth element in Kauṭilya and other sources. According to Kautilya the treasure accumulated by righteous and legitimate means should be retained by the king or should be amassed by him in the same manner.[8] Filled with gold, silver, precious jewels and gems, the treasury should be able to stand the strain of expenditure during times of adversity, such as famines etc[9]. Kauṭilya states that without treasury it is not possible to maintain the army and to keep it loyal[10]. This is a clear recognition of the vital link between the two elements of the state, although he also makes a broader assertion that all activities depend upon finance[11].

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1. Altekar, *State and Government in Ancient India*, p. 44.
2. *AŚ*, II. 3.
3. Ibid., II. 4.
4. *ŚP*, 69. 63.
5. *AŚ*, VI. 1.
6. Ibid., II. 4.
7. Ibid.
8. *AŚ* VI. 1.
9. Ibid.
10. Ibid., VIII. 1.
11. Ibid.

Daṇḍa, or coercive power mainly in the form of army, is mentioned as the sixth element, and is sometimes bracketted with *kośa*[1]. This element consists, according to Kauṭilya, of hereditary, hired, forest and corporation soldiers comprising infantry, chariots, elephants and cavalry. But in connection with the treatment of the subject of *daṇḍa* in the *Śānti Parva* it is stated that the army comprises elephants, horses, chariots, infantry, boats, forced labour, indigenous and hired soldiers, and therefore it is described as *aṣṭāṇga bala*[2]. The characteristics of *daṇḍa* are enumerated by Kauṭilya at several places. Kṣatriyas are considered as the most excellent material for the army[3], which suits the functions of fighting assigned to them by all brāhmaṇical and Buddhist texts. In times of emergency Manu allows the brāhmaṇas and vaiśyas to bear arms but not the śūdras[4]. Kauṭilya, however, recommends the enlistment of vaiśyas and śūdras into the army on considerations of their numerical strength[5]. Besides, according to him, the army should be hereditary and loyal; their sons and wives should be contented with the maintenance received from the state ; they should be equipped with all the necessary provisions at the time of invasion; they should be invincible, patient, skilled in work, indifferent to losses and gains, and should act as desired by the king[6].

The seventh and the last element mentioned by Kauṭilya is *mitra*, who is also known as *suhṛt* in several other texts. According to Kauṭilya the ally should be hereditary, not artificial, one with whom there is no possibility of rupture and who is ready to come to help when occasion demands it[7]. In order to emphasise the contrast the enemy is defined as one who is greedy, unjust, licentious, evildoer etc[8].

The definition of the state, as stated above, is still more exclusively the product of brāhmaṇical school than the contract

1. *KNS*, VIII. 1.
2. *ŚP*, 121. 43.
3. *AŚ*, VI. 1.
4. VIII. 348.
5. *AŚ*, IX. 2.
6. *AŚ*, VI. 1.
7. Ibid.
8. Ibid.

theory is the product of the Buddhist school, for the latter nowhere refers to the *saptāṅga* theory of the state. In the Buddhist view, taxes form the only distinctive feature of the state. Here we may quote from a Buddhist source, which is ascribed to the Maurya period. "And whoever among men gets his rents from village or lands know this, O Vāseṭṭha—is a king and no brāhmaṇa."[1] This statment suggests the importance of *kośa* to the *rājan*, but the other five elements are not mentioned.

Whatever may be the deficiency in the Buddhist school, the definition of the (state) *rājya*, which literally means the act of ruling or sovereignty, must be regarded as a unique contribution of the early Indian thought to the history of political theory. Although Plato and Aristotle speculate on the origin of the state, they never define it as sharply and clearly as we find it in the case of early Indian thinkers. In this sense Kauṭilya furnishes us as full and complete definition of the state as was possible in ancient times. The Greek thinkers hardly discuss the constituent elements of the state. Plato makes some attempt at this in the *Republic*. His philosopher may be campared to the *svāmi*, his warriors to the *danda*, and his artisans and husbandmen in some measure to the *janapada*. Aristotle gives the impression that the household and citizens constitute the state, and in connection with the material conditions of his ideal state he prescribes the size of the city and the limit of population. But none of these give as full a definition of the state as is found in Kauṭilya. Keith complains that it would be melancholy if the *Arthaśāstra* were the best that India could show as against the *Republic* of Plato or the *Politics* of Aristotle[2], but in respect of the definition of the state there is no basis for such a criticism ; on the contary Kauṭilya surpasses the Greek philosophers in this field.

It has been generally recognised that the modern constituents of the state such as sovereignty, government, territory and population are covered respectively by the elements of *svāmī*, *amātya* and *janapada* in the *saptāṅga* theory of the state.

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1. *yo hi koci manussesu gāmaṃ raṭṭañ ca bhuñjati evaṃ Vāseṭṭha jānāhi, rājā eso, na brāhmaṇo. Sutta Nipāta*, No. 619.

2. *History of Sanskrit Literature*, Preface, p. xviii.

Perhaps it is difficult to identify sovereignty with the head, who is required by the law-givers to govern according to the canons of *dharma*. But there can be no doubt about the identification of the other elements. We may add that in modern times unless a state receives the recognition of other states, its *de jure* status is not established. Perhaps this element in the modern state may be compared to *mitra* (ally), although the object in ancient times was to secure ally and not recognition from other states. Surprise is expressed that population does not find any place in the *saptāṅga* theory, for it was too evident to be mentioned[1]. But, as has been shown earlier, at least in one text *jana* or population is unequivocally mentioned as an element in the structure of the rate.[2] In other texts the term *janapada* clearly stands for inhabited territory. On the contrary, there is no place for army, taxation, capital and ally in the modern definition of the state. Perhaps the elements of army and taxation are covered by the concept of sovereign power, which exercises the function of coercion and tax-collection. Since these elements are not clearly mentioned in the modern definition, it sounds to be abstract in contrast to the ancient definition, which was concrete and eminently practical. In the ancient definition no attempt was made to cover the reality by the use of abstract phrase, which often obscures the real meaning.

In so far as the practical and concrete nature of the state is concerned, its ancient Indian definition is strikingly similar in several respects to the definition of the state set forth by Engels, who emphasises the class character of the state. Thus, in his opinion, public officials, who are divorced from society and who compel obedience from the people by means of exceptional laws, form an organ of the state[3]. The officials, who are looked upon as organs of society standing over society[4], may be compared to the *amātyas*, represented as a class of nobles from whom high officers of the government are to be recruited. As has been shown elsewhere, according

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1. Altekar, *State and Government in Ancient India*, p. 45
2. *Yāj.*, I. 353.
3. *Origin of Family, Property and State*, p. 244.
4. Ibid.

to the brāhmaṇical law-books there is hardly any scope for the recruitment of high functionaries from the common people[1].

Another organ of the state, according to Engels, is a public power distinct from the mass of the people[2]. This is composed not only of armed men, but also of material accessories such as prisons and institutions of coercion of all kinds, of which gentile society knows nothing[3]. The counterpart of this public power in the ancient Indian definition is *daṇḍa*, which, as noticed earlier, could be wielded normally by the kṣatriyas and in exceptional circumstances by the members of the other varṇas. Kauṭilya's view that the territory inhabited by the armed people should be considered defective clearly implies that the people should be kept disarmed. Megasthenes informs us that peasants, who formed the bulk of population, had nothing to do with arms, which were borne by the members of the fighting class[4].

Further, according to Engels, in order to maintain this public power, contributions from the citizens become necessary, giving rise to taxes[5]. This may be compared to the *kośa*, without which, in the opinion of Kauṭilya, the army cannot be maintained. Thus at least in three respects there is remarkable similarity between Kauṭilyan and Marxist conceptions of the state. This is because both schools give close attention to the fact that theory shouldre flect practice. They come to grips with the realities of political life and are not lost in the clap-trap of empty forms.

In the case of Kauṭilya the only departure from reality seems to be in excluding the priest from the organs of the state. The priest, who plays an important part in later Vedic polity and enjoys a weighty position in the law-books and even in the work of Kauṭilya, does not find place in the elements of the state. This is taken as Kautilya's distinct service to the cause of political theory[6]. But in his chapter on the description of the seven elements of the state Kāmandaka lays down the qualifications of the chief priest (*purohita*) and astrologer (*jyotiṣī*)

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1. Infra, Ch. XIII.
2. *Origin of Family, Propery and State*, p. 244.
3. Ibid., pp. 242-3.
4. Megasthenes, XXXIII. McCrindle, *Megasthenes and Arrian*, pp. 83-5.
5. Engels, op. cit., p. 243.
6. Ghoshal, *Hindu Political Theories*, p. 88.

immediately after those of the *mantrins*,[1] showing thereby that these two occupy the most important position among the *mantrins* who in their turn enjoy the same status among the *sacivas* or *amātyas*. Much cannot be made of the omission of the priest from the *saptāṅga* list, for the brāhmaṇas as a class seem to have been covered by the *amātyas*, kṣatriyas by *daṇḍa*, and the vaiśya and the rest of the folk by the terms *pura* and *rāṣṭra*.[2]. The priest continue to hold an important position in later times, for in the *Śānti Parva* the *ṛtvika*, *purohita* and *ācārya* are mentioned along with the *rāṣṭra*, *rājā*, *kośa*, *daṇḍa*, *durga* and *mantrins*. In this text the question is asked : what leads to the prosperity of the king and kingdom, city people and servants, and how the king should deal with treasury, army, capital, ministers, priests and teachers[3].

An important theoretical contribution made by Kauṭilya in connection with the discussion of the seven elements of the state is his exposition of the nature of calamities affecting the various *prakṛtis*. He quotes the view of some unnamed teacher, in whose opinion, of the calamities affecting the *svāmī* *amātya*, *janapada*, *durga*, *kośa*, *daṇḍa* and *mitra*, the calamity of each preceding one is more important than that of the one immediately following. He also quotes the opinion of those teachers who think that the calamity befalling the succeeding element is more important than the calamity befalling the preceding one. Kauṭilya upholds the first view, which means that the calamity affecting the *svāmī* is more important than that affecting the *amātya*, the one affecting the amātya is more important than that affecting the *janapada* and so on[4]. This, as will be shown presently, enables us to find out the relative importance of various elements according to Kauṭilya. But what is more important, in this connection Kauṭilya throws light on the nature of calamities affecting the king, territory, capital, treasury, army and ally. The king may be addicted to wine drinking, gambling or women; he may thus fall a prey to moral diseases.

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1. IV. 31-4.
2. Hopkins, *Mutual Relation of the Four Castes in Manu*, pp. 11-2
3. *kena svid vardhate rāṣṭraṃ rājā kena vivardhate, kena pauraśca bhṛtyāśca vardhante bharatarṣabha. kośaṃ daṇḍaṃ ca durgaṃ ca sahāyānmantriṇastathā, ṛtvikpurohitācāryān kidṛśān varjayennṛpaḥ. ŚP*, 60. 3-4.
4. *AŚ*, VIII. 1.

The weakness of the territory lies in its being mainly inhabited by armed people, and that of the capital in its being mainly inhabited by the agriculturists[1]. Kauṭilya also states that the people (*prakṛti*) may be weakened by quarrels among themselves, but this may be ended by arresting the leaders[2].

Finance may be undermined by natural calamities such as drought, flood and famine, and man-made calamities such as the oppressions of the collector, allowance of remission of taxes in favour of leaders, false account of revenue, etc.[3] The army may be rendered weak by disloyal and treacherous elements, or neutralised either by those who are not paid or are guided by their wives[4]. Allies may be purchased by others or may be indifferent to the fate of their friends[5]. The remedy for these ills has been suggested by Kauṭilya in some cases. The general inference seems to be that the king should stand on guard against these weaknesses. He should try to understand the nature of calamities affecting a part of the element or two elements. In the opinion of Kauṭilya even if two elements are affected by calamities, the project can be accomplished provided the other elements are in a serviceable condition. But if the calamity affecting even one element is such as may overwhelm the remaining elements, it should be considered a very serious affair,[6] and obviously the king should take note of it.

Kauṭilya's discussion of the calamities affecting the different elements of the state reminds us of Aristotle's exposition of the causes of instability in the state. Aristotle refers to certain general causes affecting the state as a whole and also to specific causes affecting particular types of government. The chief cause according to him is the struggle between the rich and poor, of which we hardly get any indication in Kauṭilya's discussion. As regards remedy, Kauṭilya enjoins

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1. *karṣakaprāye tu durgavyasanam āyudhīyaprāye tu janapade janapadavyasanamiti. AŚ*, VIII. 1. The meaning of the first part of this passage is somewhat obscure.
2. *AŚ*, VIII. 4.
3. Ibid.
4. *AŚ*, VIII. 5.
5. Ibid.
6. *AŚ*, VIII. 1.

the king to be vigilant, a solution characteristic of the exalted position he assigns to the king in his system. But Aristotle recommends that a balance should be maintained between forces of democracy and oligarchy.

The *Arthaśāstra* exposition of the calamities affecting the various elements of the state is to a large extent summarised in verse by the *Agni Purāṇa*, a work of the 9th century A. D.[1]. Although the total space devoted to this topic in this text is much less[2] than in the *Arthaśāstra*, the *Purāṇa* refers to the weakness of the *sacivas* who, in its opinion, may suffer from sloth, indecision, arrogance, intoxication or insanity and double dealing[3]. We may note that the weakness of the *amātyas* is not discussed by Kauṭilya, who, in the case of *durga* also, does not enter into any detailed discussion of its weak points. The *Agni Purāṇa*, however, states that the fortified capital may be weakened by its ruined walls, ditches, and mechanical contrivances, lack of defence and deficiency in army.[4] In regard to the weakness of the army, this Purāṇa merely versifies the statement made by Kauṭilya, retaining the same words in most cases[5]. But in dealing with the weaknesses of the different elements this text gives the greatest space to the discussion of weak points in the army, suggesting thereby that in the period and place represented by the *Agni Purāṇa* the greatest weight was attached to the apparatus of coercion.

Kauṭilya's exposition of the weaknesses of the elements of the state also throws light on the mutual relation of these organs,—a topic which has not been discussed in such detail by any other ancient thinker; Bhāradvāja argues that ministers are the mainstay of government; they initiate all important measures, and hence they should be considered as the most important[6]. But, in the opinion of Kauṭilya, of all the elements (*prakṛtis*) the king is the most important. If the king is endowed with sufficient qualities, he can equip the other elements with those qualities. But if he is wanting in the desirable qualifications the qualities of the other *prakṛtis* avail nothing;[7] on the

1. R. C. Hazra, *Studies in the Upapurāṇas*, i, p. 209.
2. *Agni P.* (ASS), 241. 26-34.
3. Ibid., 241. 26-7.
4. Ibid., 241. 28.
5. Ibid., 241. 30-33.
6. *AŚ*, VIII. 1.
7. *AŚ*, VI. I.

contrary they are destroyed. The king appoints ministers, and superintendents, who take measures of relief against calamities befalling the other *prakṛtis*[1]. Even when he is powerless, he is the symbol of the state. He is the standard of sovereignty to rally loyalty and hold the realm together[2]. The whole position can be summed up in the epigrammatic sentence of Kauṭilya who states that the king is the state[3], which reminds us of the famous statement of Louis XIV "L" etat, c'est moi." It is typical of the predominantly monarchical constitution in ancient India and especially of the completely monarchical attitude of Kauṭilya that the greatest importance is attached to kingship. In spite of weakening in royal power in later periods, the concept of the importance of the king repeatedly occurs in the Puraṇas of Gupta times. They aver that the king is the basis of the *saptāṅga* state, and hence of all the elements he should be preserved most, so that he might preserve the other six elements[4].

As regards the other elements Kauṭilya argues that the preceding element is more important than the succeeding. For instance, the *amātya* is more important than the *janapada*[5], and the *janapada* more important than the *durga*, *kośa* and *daṇḍa*. But there is no doubt that in the opinion of Kauṭilya the king is the most vital of all the elements, and even their basis.

In post-Maurya and Gupta times we notice a change in the attitude of political thinkers towards the relative importance of the seven elements. Manu finds it impossible to state categorically that any one of the seven elements excels the others in merit, but that at different times a different element assumes importance over others, since that particular element is, in the particular circumstances, capable of

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1. *AŚ*, VIII. I.

2. *AŚ*, V. 6.

3. *rājā rajyamiti prakṛtisaṃkṣcpaḥ*. *AŚ*, VIII. 2. In his comment to this pasage Gaṇapati Śāstrī holds that it refers to two elements, namely, *rājā* and *rājya* (*TGS*, iii), a view which has also been accepted by Ghoshal, *A History of Indian Political Ideas*, p. 137, fn. 7. But this interpretion is hardly supported by the contents of the section in which the passage occurs.

4. *saptāṅgasyāpi rājyasya mūlaṃ svāmī prakīrtitaḥ, tanmūlatvāttathāṅgānāṃ sa tu rakṣyaḥ prayatnataḥ*. *Mārk. P.* quoted on p. 23 and *Viṣṇudharmottara P.* on p. 153 of J. L. Shastri, op. cit.

5. *amātyamūlāḥ sarvārambhāḥ*. *AŚ*, VIII. 1.

accomplishing the purpose in hand[1]. There is, however, some contradiction in Manu's statement, for earlier he states that the preceding element is more important than the succeeding element[2]. But this contradiction is not noticeable in the *Śānti Parva*[3], which confirms the statement of Manu. A similar position is taken up by Kāmandaka, who states that each of the seven elements is complementary to the others[4]. Such an attitude can be contrasted with that of Kauṭilya, who seems to underrate other elements and attaches the greatest weight to the *svāmī*. While Manu indicates a stage of transition when the king is considered both important and unimportant, the *Śānti Parva* and Kāmandaka clearly reflect a state of affairs when, in spite of the prevailing monarchical type, royal power receded into the background. This change in attitude towards the king can only be explained on the basis of post-Maurya and Gupta political and administrative developments, which show the rise of feudatories and the beginnings of the feudalization of the state apparatus, ultimately leading to the decline of royal power[5].

Probably because of the growing forces of disintegration in post-Maurya times Manu and the *Śānti Parva* emphasise the importance of coercive power or force. Manu looks upon *daṇḍa* as the real king, leader (*netā*) and administrator (*śāsitā*); it is the *daṇḍa* which governs the people, protects all and is the custodian of *dharma*[6] If the king does not exercise coercive power, the strong devour the weak in the same manner as the fish are fried[7]. The *Śānti Parva* states that it does not behove a kṣatriya to remain without coercive power, for neither he nor his subjects can enjoy prosperity.[8] We learn how Jambudvīpa,

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1. *Manu*, IX. 297.
2. Ibid., IX. 295.
3. Extract quoted in Kane, *Hist. Dhs.*, iii, 18, fn. 21
4. *parasparopakārīdaṃ saptāṅgaṃ rājyamucyate*. IV. This passage is literally reproduced in *Agni P.*239., and also in *Matsya P.* quoted in Kane, *Hist. Dhs.*, ii, 18, fn. 21.
5. Infra, Ch. XIV.
6. *Manu*, VII. 17-8 ; the same in ms. D7S of *ŚP*, Fascicule 19, p. 620.
7. Ibid., VII. 20 ; the same in ms, D7S of *ŚP*, Fascicule 19, p. 620.
8. *nādaṇḍaḥ kṣatriyo bhāti nādaṇḍo bhūtimaśnute, nādaṇḍasya prajā rājñaḥ sukhamedhanti bhārata. ŚP*, 14. 14.

Krauñcadvīpa, Śākadvīpa Bhadrāśva and other lands were subjugated by force (*daṇḍa*)[1]. At least forty-eight verses in chapter 15 of the *Book of Peace* are assigned to the discussion of the importance of *daṇḍa*, some of these being the literal reproductions of the verses in Manu. Herein the functioning of *daṇḍa* is considered identical with the whole social order based on the four varṇas, āśramas, marriage system, irrigation arrangements, workers, subjects etc. The burden of several verses is that, if the *daṇḍa* abrogates its functions (*yadi daṇḍo na pālayet*), it will disturb all the aforesaid elements in society[2]. In chapter 121, where the problem is discussed again, it is stressed that the *daṇḍa* forms the organ and source of the state, which is represented as a body-politic consisting of the seven elements and eight organs (*aṣṭāṅga*), but the meaning of the term *aṣṭāṅga* is not clear[3]. The importance of *daṇḍa* is further evident from the use of the term *daṇḍanīti* or the "mode of force or punishment", to the treatment of which this text devotes the whole of chapter 70[4]. Both Manu and the *Śānti Parva*, however, enjoin that force should be exercised according to law. In enforcing his authority the king should take into account the precepts of the *śāstras* and the advice of the ministers according to Manu, and the *vyavahāra* based on the Veda and *dharma* according to the *Śānti Parva*[5]. Although the importance of *daṇḍa* in the two texts is not discussed in the context where the seven elements are mentioned, there is no doubt that they attach great weight to this element. In the case of Yājñavalkya, whose law-book seems to have been compiled towards the beginning of the Gupta period, the importance of *daṇḍa* is stressed immediately after the enumeration of seven elements. It is stated that having obtained the seven-element state the king should use his authority (*daṇḍa*) in punishing the wicked, for *dharma* was created in the form

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1. *ŚP*, 14. 21-5.
2. Ibid., 15. 37-45.
3. *saptaprakṛti cāṣṭāṅgaṃ śarīramiha yadviduḥ, rājyasya daṇḍa evāṅgaṃ daṇḍaḥ prabhava eva ca. ŚP*, 121. 46.
4. In ms. D7S the importance of *daṇḍa* is further emphasised in about 40 verses inserted after *ŚP*, 14. 14. (Fascicule 19, pp.619-20) and in 24 verses inserted after *ŚP*, 95. 4 (Fascicule 19, pp. 629-30).
5. *Manu*, VII. 31 ; *ŚP*, 121. 50-4.

of *daṇḍa* by Brahmā in ancient times[1]. The following five verses deal with the importance of coercive power[2]. Thus the element of *daṇḍa* seems to have assumed considerable importance in post-Maurya times, when centrifugal forces had been set in motion on account of foreign invasions and internal uprisings[3].

Perhaps the same factor also explains the "organic" theory of the state, which is not much in evidence in Kauṭilya. The only indication of the integration of the various elements in Kauṭilya is the view that a serious distress affecting one element might overtake the remaining elements. In ordinary course even two organs of the state may get into trouble, and still the state can function presumably because of the efficiency of the *svāmī*. But Manu expresses the close inter-relation of the organs in clear terms. Firstly, for the first time he and the *Śānti Parva* use the term *aṅgā*, which implies that the organs are comparable to the limbs of the body[4]. Secondly, he compares the organs to the three staves of a *Sannyāsin*, well-knit together so as to form a single staff[5]. More emphatic on this question is the view of Kāmandaka, according to whom even if one organ is defective it will endanger the normal functioning of the whole state, and so the impaired organ should be repaired[6]. The most clear exposition of the organic theory of the state is found in the late work of Śukra, who establishes a beautiful analogy between the different parts of the state and those of the human body[7].

There seems to be one basic difference between the ancient Indian concept and modern organic view of the state, which was expounded in the nineteenth century by Herbert Spencer (1820-1903). His object seems to have been to emphasise the

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1. *tadavāpya nṛpo daṇḍaṃ durvṛtteṣu nipātayet, dharmo hi daṇḍarupeṇa brahmaṇā nirmitaḥ purā.* I. 353-4.

2. I. 355-9.

3. *caṇḍālamlecchajātināṃ daṇḍena ca nivāraṇaṃ.* Ms D7S of *ŚP*, Fascicule 19, p. 630.

4. Manu IX. 294 ; *ŚP*, 69. 63 in ms. Ds.

5. IX, 296.

6. IV. 2.

7. *dṛgamātyaḥ suhṛccchrotraṃ mukhaṃ keśo balaṃ manaḥ hastau pādau durgarāṣṭrau rājyāṅgāni smṛtāni hi. Śukra*, I. 62.

unity of the industrial state, for he compares the industrial organization to the elementary organ, commercial (distributive) organization to the circulatory organ, political organization to the nervo-motor organs, and the legislature to the cerebrum in man. On the other hand the organic conception of the state in ancient India was intended to stress the importance of the different elements in relation to the head of the state. It seems that the emphasis on the importance of the other elements was due to the growing independence of the hereditary *amātyas* and *daṇḍanāyakas*. Since this tendency is not strong in the Maurya period, Kauṭilya does not clearly advocate the organic view of the state. But this view is more clearly expounded by the Greek thinkers Plato and Aristotle, who were the near contemporaries of Kauṭilya. Plato compares the state to the natural body of a man. He points out that when a finger is hurt, the whole body feels the pain, so also when a member of the state is hurt all suffer likewise. In his opinion that state is the best in which the unity is that of the natural man. Aristotle cannot conceive of the part of the state unless he has conceived of the whole to which the part belongs. As a hand is not a hand unless it is attached to the body, so man is not man unless he is the member of a state. Comparing the state with the body, he further points out that the exaggeration of any part of the state is like the exaggeration of a part of the body. Thus the Greek theory iinplies that no organ of the state should be allowed to assume undue proportions and function as a state within the state. The idea is, therefore, to emphasise the unity of the state, which was jeopardised by the perpetual struggle between the democratic and oligarchical elements in the Greek cities. But in spite of the fact that the practical scheme of Kauṭilya provides for a very much centralized and well-knit state apparatus, this is not so much reflected in his theoretical discussions.

The above study of the *saptāṅga* theory of the state would indicate that it not only bears some resemblance to the modern definition of the state, but also possesses certain basic elements typical of the theory of the state expounded by Engels. Perhaps its resemblance to the modern organic view of the state can be explained on the basis that in the interests of

the ruling class in all ages attempts have been made to emphasise the unity of the state. But, if we apply the term modern to the concept of the state in Western democracies, we notice that the modern definition is characterized by that abstraction and abstruseness which are wanting in its ancient counterpart. Hence it would be too much to say that the ancient Indian conception of the state is "surprisingly modern"[1] in character.

CHAPTER III

ROLE OF PROPERTY, FAMILY AND CĀSTE IN THE ORIGIN OF THE STATE IN ANCIENT INDIA

In the study of the origin of the state reference has been made to the state of nature depicted in the Buddhist sources[1], but no attempt has been made to present its complete picture on the basis of all the sources including the Purāṇas, the *Mahābhārata*, and Jain traditions[2]. A comparative study of these sources not only furnishes an idea of the early state of nature but also sheds new light on the circumstances which led to the origin of the state.

Although the pictures differ in detail from one another, four essential characteristics of the early state of nature stand out clearly. First, the earliest means of subsistence was the fruits and roots of trees. The description of *kalpaḷṛkṣa* as the main source of the livelihood of the people is a very common affair in brāhmaṇical and Jain traditions[3]. The Buddhist traditions refer to wild creepers (*vanalatā*) and some sort of roots (*bhūmiparpaṭaka*) as the earliest means of subsistence[4]. It is natural that in the earliest state of his life, which generally correspond to the Kṛta age of the Purāṇas and epics, man should have lived as a food-gatherer and not as a food-producer.[5] This is supported by anthropology and is true of the people of the palaeolithic age[6]. As Morgan points out, the first livelihood was "natural subsistence upon fruits and roots on a restricted habitat."[6] Nobody could then conceive that the fruits and trees belonged exclu-

1. Ghoshal, *HPT*, pp. 118-20 ; Bhandarkar, *Carmichael Lectures*, 1918, pp. 115-22 ; Bandyopadhaya, *Development of Hindu Polity and Political Theories*, pp. 275-7 ; Banerjea, *Public Administration in Ancient India*, pp. 34 ff., Beni Prasad, *Theory of Government in Ancient India*, pp. 235-6 ; Dikshitar, *Hindu Administrative Institutions*, pp. 17-8; Altekar, *State and Government in Ancient India*, pp. 12-4.

2. *Mark. P.*, Ch. 49 ; *Vāyu P.* i, Ch. 8 ; *Kūrma P.*, Ch.29 ; *Brahma. P.*, Ch. 5 ; *Viṣṇu P.*, Bk. I. Ch. 6 ; *Brahmāṇḍa P.*, Chs. 29-31 ; *Padma Carita*, Ch. 3 ; *Tibetan Dulva* quoted in Rockhill, *The Life of the Buddha*, pp. 2-9 ; *Mahāvastu*, i, 340-8 ; *Dīgha Nikāya*, Aggañña Sutta ; *ŚP*, Chs. 59, 67, 69 and 206.

3. *Vāyu P.*, i. VIII. 84 ; *Padam Carita*, 111. 55.

4. *Mahāvastu*, i, 340-41.

5. Childe, *Man Makes Himself*, Ch. IV.

6. Morgan, *Ancient Society*, p. 20.

sively to him. It was a period of savagery, when "a passion for its (property's) possession had scarcely been formed in their (men's) minds, because the thing itself scarcely existed. It was left to the then distant period of civilization to develop into full vitality that greed of gain (*studium lucri*), which is now such a commanding force in the human mind."[1]

Second, probably there was nothing like the institution of family based on the supremacy of man over woman. Except in the *Mahābhārata*, the traditions about the state of nature give no clear indication of the origin of the monogamous family, in which the father becomes supreme and all the domestic activities centre round the wife. As the *Śānti Parva* states: "A householder's home, even if filled with sons, grandsons, daughters-in-law and servants, is regarded empty if destitute of the housewife. One's house is not one's home; only one's wife is one's home."[2] But how did this home originate ? It can be said on the basis of the epic and Purāṇic traditions that formerly there existed a state of promiscuity when children could be produced merely by *saṃkalpa*, *i.e.*, the desire to cohabit. In the Kṛta age there was neither mating (*maithuna*) nor recognised monogamous marriage system (*dvandva*).[3] The *Śānti Parva* informs us that in the land of the Uttarkurus the institution of marriage did not exist. This is also supported by the *Aṭānaṭiya-sutta* in the *Dīgha Nikāya*, which refers to the land of Kuru in these words: "There do men live calling no goods their own. Nor as their chattels any womenkind."[4]

Third, it is clearly stated in the Purāṇas that there were no varṇas in the Kṛta age. In their account of the earliest life of mankind[5] the Buddhist sources also do not mention the division of the people into classes.

1. Ibid., p. 27.

2. *ŚP*, 144. 5-6 ; *Mbh.*, 1.4.9, 12.

3. *na caiṣāṃ maithuno dharmo babhūva bharatarṣabha saṃkalpādeva caiteṣām apatyam upapadyate. dvāpare maithuno dharmasteṣāmapi janādhipa. tathā kaliyuge rājan dvandvamāpedire janāḥ. ŚP*, 207. 38-41 ; *tāsāṃ viśuddhāt saṃkalpājjāyante mithunāḥ prajāḥ. Vāyu P.*, i,VIII. 57. The interpretation of the above crucial passage of the *ŚP* follows that of Dange, *India from Primitive Communism to Slavery*, p. 67. Bachofen was the first modern scholar to bring to light traces of promiscuous intercourse in historical and religious traditions.

4. *ŚP* (Bombay edn.), 102. 26 ; *SBB*, iv, 192.

5. *Vāyu P.* i, VIII. 60 ; Rockhill, *The Life of the Buddha*, pp. 2-6 ; *Mahāvastu*, i, 340-6 ; *SBB*, iv, 62-7

Fourth, it can be said on the basis of the clear statements of the *Śānti Parva* that in the early stage of the state of nature the institution of the state did not exist[1]. According to Kauṭilya in certain lands called *vairājya* there was no kingly office, and the people thereof had no sense of thine and mine[2]. This implied that the absence of the ruler coincided with the lack of private property.

A study of primitive societies existing in recent times establishes that the institutions of property, family and class (or caste) are hardly to be found in the earliest stage of the man's life. It is not just a mere coincidence that according to ancient texts, in the absence of these institutions, the state also did not exist. As will be shown later, there was a vital connection between the existence of these institutions and the rise of the state. Although people living without these institutions cannot be called civilized, they enjoyed a kind of harmonious life free from cares, anxieties and greed[3]. The main characteristics of this state of nature, which find place in almost all the classical sources and are supported by anthropological evidence,[4] must have some basis in the existing facts. Hence it would not be correct to dismiss the state of nature—describing a happy life—as fanciful,[5]

But this harmonious tenor of life was destroyed by the discovery of the art of cultivation,[6] which enabled people to produce more than they could consume. There began the tendeney to store rice[7], and the people "appropriated to themselves by force and violence rivers, fields, hills, trees, shrubs and plants[8]. For the first time they established their separate

1. *na vairājyaṃ na rājāsīnna daṇḍo na ca dāṇḍikaḥ. ŚP*, 59. 14.

2. *vairājyaṃ tu jīvataḥ parasyācchidya "naitanmama" iti manyamānaḥ. AŚ*, VII. The sense of this passage has been given above on the basis of Jayaswal, *Hindu Polity*, p. 83.

3. *Vāyu P.* i, VIII. 48-9, 52, 62, 65 ; *viśokāssattvabahulā ekāntabahulāstathā...tā jvainiṣkāmacariṇyo nityaṃ muditamānasāḥ. Kūrma P.*, Ch. 29.

4. Childe, *Man Makes Himself*, Ch. VI.

5. Banerjea, *Public Administration in Ancient India*, pp. 33-4.

6. *Vāyu P.*, i, VIII. 128, 142-5, 154 ; *Mārk. P.*, Ch. 49. 51, 60 & 74 ; *tasmiṃ vanalate antarhite taṃ śāliṃ akaṇaṃ atuṣaṃ surabhitaṇḍulaphalaṃ ahāramāharantā ciraṃ dīrghamadhvānaṃ tiṣṭhensu. Mahāvastu*, i, 342.

7. Rockhill, *The Life of the Buddha*, p. 5; *SBB*, iv, 86; *Mahāvastu*, i. 343.

8. *tatstāḥ paryyagṛhnanta nadīkṣetrāṇi parvatān. Vāyu P.*, i, VIII. 31 , *Mārk. P.*, 49. 62 ; *Kūrma P.*, Ch. 29.

houses, which required the sanction of law. Rice fields were divided, and boundaries were set up round them saying "This is thine, this is mine[1]. But when people began to snatch away the rice of others without their consent, there arose the necessity of some authority which would protect their respective fields. And that led to the creation of the office of the *mahākhattiya* or protector of the fields[2].

The Buddhist sources not only emphasise the importance of the rise of private property in the origin of the state, but they also vaguely refer to the role of the family in this connection. They inform us that when sexual congress began between man and woman, in order to conceal their sin they built houses (or huts)[3]. Probably one house was meant for one pair. According to the *Tibetan Dulva* this was the first appearance of division by houses (or families ?) in the world, and this division was made lawful or not lawful according to the king's decision[4]. At one place the *Śānti Parva* refers to the rise of *dvandva* or monogamous family in the Kali age but does not connect it with the rise of the state[5] .

The importance of varṇas (social classes) in the rise of the state is chiefly dealt with in the Purāṇas. According to them when the means of subsistance had been provided, people were divided into four varṇas; Brāhmaṇas were meant for praying, kṣatriyas for fighting, vaiśyas for producing and śūdras for manual tasks. Apparently this division worked in favour of those who fought and prayed, and was probably resented by the conscious producers. Therefore at one place the *Vāyu Purāṇa* states that the duties of the castes were settled but they did not fulfil their respective duties and came into mutual conflict[6]. "Having become aware of this fact the Lord Brahmā prescribed criminal justice (*daṇḍa*) and war as the profession

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1. *The Life of the Buddha*, pp. 5-6 ; *SBB*, iv, 87.
2. *The Life of the Buddha*, pp. 6-7 ; *SBB*, iv, 88 ; *Mahāvastu*, i, 347-8.
3. *Mahāvastu*, i, 343 ; *SBB*, iv, 85 ; *The Life of the Buddha*, p. 4.
4. *The Life of the Buddha*, p. 5.
5. 207. 40.
6. *varṇadharmairjivantyo vyarūdhyanta parasparam...Vāyu P.*, i, VIII. 155-60 ; cf. *Padma Carita*, III. 240.

of the kṣatriya[1]". An analogous account of the origin of the state is given at another place in the same text. It avers that Brahmā established the *varṇāśrama* institution, but the people did not observe their respective duties and came into clash with one another. Therefore they approached Manu, who produced the first two kings namely Priyavrata and Uttānapāda. Henceforth the kings came to be vested with *daṇḍa*, the rod of authority[12]. Therefore in the Purāṇic view the state arose to check the mutual struggle between the different varṇas. Obviously this anticipates the theory of a modern school that "the state came into existence owing to the necessity of curbing class-antagonisms[3]".

In the *Śānti Parva*, which seems to present a synthesis of the above sepeculations, the role of all the three institutions of property, family and caste in the origin of the state can be seen at one place. The circumstances that led to the creation of the state are set forth clearly: "The wealth of one is snatched away by two, that of those two is snatched away by many acting together. He who is not a slave is made slave. Women, again, are forcibly abducted. For these reasons the gods created kings for protecting the people[4]. And when the pepole made a compact to put an end to such a state of affairs, two main conditions were that they should throw out those who abducted other pepole's wives or robbed other's wealth[5]. Besides, the compact was made to "inspire confidence amongst all varṇas[6]." In order to place the compact on a permanent footing they went out in search of a king. They were prepared to give him a certain share of their own property and beautiful maidens in marriage[7]. The result would be that the king would have a vital and permanent interest not only in the preservation of his property and family but also of those of his subjects. It

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1. *brahmā tamartham buddhvā yāthātathyena vai prabhuḥ, kṣatriyāṇāṃbalaṃ daṇaṃ yuddhamājivamādiśat. Vāyu* P., i, VIII. 161.

2. *varṇāśramavyavasthānaṃ teṣām brahmā tathākarot. punaḥ prajāstu tā mohāttān dharmānna hyapālayan, parasparavirodhena manuntāḥ punaranvayuḥ..... priyavratottānapadau prathamantau mahīpatī, tataḥ prabhṛti rājāna utpannā daṇḍadhāriṇaḥ... Vāyu P.*, i, 57. 55-8.

3. F. Engels, *The Origin of Family, Private Property and the State*, p. 244.
4. *ŚP*, 67. 14-5.
5. Ibid., 67. 17-8.
6. Ibid., 67. 19.
7. Ibid., 67. 23-4.

was on such conditions that Manu finally accepted the kingship. The Purāṇic tradition also credits the first traditional king Manu Svāyambhuva with the establishment of the varṇas and the moral rules[1].

Besides Manu, Pṛthu is represented as the first traditional king by the epic and Purāṇic traditions[2]. They inform us that one of the main grievances of the people was that dishonest men seized the property of their neighbours. When Pṛthu was consecreted, he removed the grievances of the people[3]. At the time of his coronation, the first king Pṛthu assured the people in these words: "I shall establish the *svadharma*, *varṇadharma* and *āśramadharma*, and enforce them with the rod of punishment[4]". It is further said that the first king was equally honoured by all the four varṇas[5].

In this connection the Dharmaśāstras contain two stray references, which may be relevant to the study of our problem. Nārada and Bṛhaspati, although the law-books of Gupta times, seem to have retained the memories of the old golden age, its destruction and the consequent rise of *vyavahāra* (Justice or *daṇḍa*),—the chief instrument of the state authority. For example, Nārada speculates upon the origin of *vyavahāra* in these words: "When mortals were being bent on doing their duty alone and habitually veracious, there existed neither *vyavahāra*, nor hatred, nor selfishness. The practice of duty having died out, *vyavahāra* has been introduced; and the king has been appointed to decide law-suits because he has authority to punish"[6]. Bṛhaspati also expresses identical views. According to him in former ages men were strictly virtuous and devoid of mischievous propensities. Only when avarice and malice had taken possession of them, *vyavahāra* was established[6]. It is

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1. *paramparāgataṃ dharmaṃ smārtañcāralakṣanam, varṇāśramācārayutaṃ manuḥ svāyambhuvo'bravīta. Vāyu P.*, i. 57. 41.

2. *ŚP*, 59. 125

3. *Viṣṇu P.*, Bk. I. Ch. XIII.

4. *Samarāṅgaṇa Sūtradhāra*, VIII.

5. *Brahma P.*, V. 116-121.

6. *dharmaikatānāḥ puruṣāstadāsan satyavādinaḥ tadā na vyavahāro'bhunna, dveṣo nāpimatsaraḥ, naṣṭe dharme manuṣyeṣu vyavahāraḥ pravarttate.* Nārada. *dharmapradhānāḥ puruṣāḥ purvamāsanna himsakāḥ, lobhadveṣābhibhūtānāṃ vyavahāraḥ pravarttate.* Bṛhaspati. Quoted in *Vīramitrodaya*, p. 4.

tempting to suggest that the good old days of Nārada and Bṛhaspati, when everything was all right, correspond to the Kṛta age or the period of the state of nature described in Buddhist and Jain sources. The fact that the golden age disappeared due to the advent of "selfishness", "avarice", "hatred", and "malice" probably refers to the rise of private property, family and caste, which naturally give rise to such feelings of greed and mutual hatred. If that be the interpretation of the references in question, it is possible to theorise that *vyavahāra*, the principal appratus of the state power, arose to protect the institutions of property and to keep the feelings of mutual hatred and selfishness under check.

While the above direct references to the origin of the state throw sufficient light on the importance of property, family and caste in this respect, certain indirect evidence may also be examined. One line of approach may be: what would happen if the state did not exist ? The one recurrent theme in the *Śānti Parva*, the *Ayodhyā Kāṇḍa* and the *Viṣṇudharmottara Purāṇa*, which contain long descriptions of *arājaka* (kingless) states, is that family and property would not be safe in such a state[1]. It is stated that if the king did not exercise the duty of protection: "Nobody, then, with reference to any article in his possession would be able to say—this is mine. Wives, sons, food and other kinds of property would not then exist[2]". Once the state was established on a firm basis, it came to be regarded as the greatest safeguard of one's wife and property. Therefore it was wisely laid down that one should first select a king in whose dominion to live; then should he select a wife, and then earn wealth. If there be no king, what would become of his wife and wealth[3] ? It is further mentioned that in such a case the strong would forcibly appropriate the possession of the weak[4]. Bhandarkar has quoted five passages, which suggest that the kingly office arose to protect the weak against the strong[5].

1. *ŚP*, Ch. 68 ; *Ayodhyā Kāṇḍa*, Ch. 67 ; *Viṣṇudharmottara P.*, Bk. II. Ch. 11 quoted in Jagdish Lal Shastri, *Political Thought in the Purāṇas*, pp. 120-1.

2. *ŚP*, 68, 15, 33 ; cf. *Ayodhyā Kāṇḍa*, 67, 10-11, 31 ; *Viṣṇudharmottara P.*, Bk. II. Ch. 11. 14 quoted in *Political Thought in the Purāṇas*, p. 121.

3. *rājānaṃ prathamaṃ vindet tato bhāryāṃ tato dhanam, rājanyasati lokasya kuto bhāryā kuto dhanam. ŚP*, 57. 46.

4. *ŚP*, 68. 14.

5. Bhandarkar, op. çit., pp. 115-8.

Possibly it may not be correct to interpret the "weak" as poor and "strong" as rich. But there are certain references which give the impression that the kingly office was meant to support the haves against the combined attacks of the have-nots. It is apprehended that in the absence of the royal protection the wicked men would forcibly appropriate the vehicles, robes, ornaments and precious stones, and other kinds of property belonging to others[1]. Obviously only the wealthy could own such items of property. It is also said that, if the king does not protect, the wealthy would have to encounter death, confinement and persecution[2]. In such a case two persons combining together snatch the wealth of one, and many acting in concert rob the two[3]. The *Ayodhyā Kāṇḍa* informs us that in a kingless state the wealthy feel insecure, and they cannot sleep keeping their door open[4]. In this connection it would be of interest to quote from the story of Vena and Pṛthu from the *Viṣṇu Purāṇa*. When the enraged sages extinguished the life of Vena, the whole atmosphere was surcharged with dust on all sides. As the sages wanted to know the reason of such a change, the people said: "Due to the kingdom being kingless the poor have turned thieves and have begun looting the property of others. O sages, it is due to the depredations of these thieves, who swiftly usurp the wealth of others, that this great storm of dust is being raised[5]"

Furthermore, it is stated that under anarchical conditions all restrictions about marriage and intercourse come to an end, and the institution of marriage ceases to exist[6]; it is not possible to give away daughter in marriage in the normal way in a kingless state[7]. Besides, in the absence of the king, the *varṇavyavasthā* (the system of social divisions) is destroyed and an intermixture of castes take place[8], Exactly the same

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1. *ŚP*, 68. 16.
2. *ŚP*, 68. 19.
3. *ŚP*, 90. 39-40.
4. 67. 18.
5. *tataśca munayo reṇuṃ dadṛśuḥ sarvato dvija, kimetaditi cāsannānpapraccuste ja nāṃstathā. ākhyātaṃ ca janaisteṣāṃ coibhūtairarājake, rāṣṭre tu lokairānatdhaṃ parasvādānāmāturaḥ. teṣāmudīrṇavegānāṃ corāṇāṃ munisattamāḥ, sumahān dṛśyate reṇuḥ paravittāpahāriṇāṃ. Viṣṇu P.*, Bk. I. Ch. 13. 30-32.
6. *ŚP*, 68. 21-2.
7. *arājakeṣu rāṣṭreṣu naiva kanyā pradīyate. Viṣṇudharmottara P.* quoted in *Political Thought in the Purāṇas*, p. 120.
8. *ŚP*, 68. 29.

consequences follow if *daṇḍa*, the coercive power of the state, disappears. It is pointed out that it was by means of *daṇḍa* that the misappropriation of other people's possessions was stopped and that is why it was called *vyavahāra*. But once when it disappeared, the results were disastrous.. "There were no restraints in the matter of the union of the sexes. All idea of property ceased. All creatures began to rob..."[1] Thus it can be argued that, since the absence of the ruler or *daṇḍa* is regarded in the classical traditions as a great menace to the institutions of property, family and caste, the state arose due to the necessity of protecting them.

The chief duties of the king also can throw light on the purpose, for which his office was created. One of the main duties of the king was the protection of private property by punishing the thief, and that of family by punishing the adulterers. So great was the responsibility of protecting property that it was incumbent on the king to restore to a subject the stolen wealth at any cost[2]. That the king was intimately connected with the protection and probably even the distribution of wealth was the popular notion, which can be inferred from a passage of the *Pañcatantra*. It states that the person who desires wealth should approach the king[3]. The Tamil classic *Tirukkuṛaḷ* also defines the king as one who is capable of acquiring, preserving and distributing wealth[4]. The old law-books suggest that only the authority of the state could assure "seven modes" of acquiring and "three titles" to property[5]. A king of strict rule is described as one who cherishes the poor[6]. But there is also some evidence to the contrary. It is ordained that the king should always honour those of his subjects that are rich because in every kingdom the wealthy constitute an estate. Further, there is no doubt that a wealthy person is the foremost of men[7].

1. *ŚP*, 121. 13 ; cf. *Manu*, VII. 20-4.
2. *ŚP*, 75. 10 ; *Āpastamba Dharmasūtra*, II. 10. 27. 4 ; *Agni P.* quoted on pp. 43 and 67, and *Viṣṇudharmottara Purāṇa* quoted on pp. 147-8, of *Political Thought in the Purāṇas.*
3. *Pañcatantra*, p. 104.
4. Dikshitar's Translation, p. 81.
5. *Vasiṣṭha*, XVI. 10 ; *Manu*, X. 115.
6. *ŚP*, 139. 97.
7. *dhaninaḥ pujayennityam yānācchādanabhojanaiḥ..... aṅgametanmahadrājñāṃ dhanino nāma bhārata, kakudaṃ sarvabhūtanāṃ dhanastho nātra saṃśayaḥ ŚP*, 88.26-30. Cf. Critical edn. 89. 25-6 which has been preferred here.

The protection of family and the prevention of adultery was another great responsibility of the king. Manu enumerates eighteen offences into which the king should look. Out of them ten offences are connected with property, and two are connected with family[1]. Similarly Kātyāyana lists ten wrongs deserving attention by the king. Out of them five are connected with property and one with family[2]. It is only natural that most of the offences against the state should be connected with questions of property because it was thought that poverty lies at the root of all evils and the poor are always full of vices[3]. It was recognised that the poor people can resort to all sorts of crimes[4]. Kātyāyana is especially particular that there should not be sudden accession of riches in the case of an indigent men [5]. Similarly according to the *Śukranītisāra* offences against the state include murder of women, intermixture of castes, adultery, thieving, and pregnancy without husband[6]. Out of seven conditions, which the Buddha laid down for the success of the Vajji state, two can be said to be related to property and family. One condition was that the Vajjis should act in accordance with the *vajjidharma* as established in the old days. If the term *vajjidharma* is explained in the light of the extract from *Aṭṭakathā* quoted in the *Dīgha Nikāya*, it means that the thief should be punished according to law[7]. As regards the second condition it is clearly stated that they should not detain among them by force or abduction women or girls belonging to them[8]. Especially, according to the Buddhist sources the punishment of thieves was one of the primary charges of the king and the thief would be summarily killed at the order of the king either by hanging or by the removal of his skin, flesh, bones etc[9].

1. *Manu*, VIII. 4-7.
2. Verses 947-8.
3. *Mṛcchakaṭika*, I. 8-15, 36, 53 ; III. 24, 27 ; V. 8-9 ; IV. 5 ; X.16 etc.
4. *kiṃ citraṃ yadi nirdhano'pi puruṣaḥ pāpaṃ na kuryāt kvacit. Garuḍa P.* cited in *Political Thought in the Purāṇas*, p. 101.
5. Verses 849-50.
6. IV. 5. 161-2.
7. *Dīgha Nikāya* (Hindi), pp. 118-9.
8. Ibid., p. 118.
9. Ibid., pp. 201, 204, cf. p. 236.

The Buddhist sources, however, do not refer to the maintenance of the çastes, which according to the brāhmaṇical sources was one of the most important duties of the king. Practically all important sources state that the duty of the king was to uphold the observance of the respective duties of the four castes.[1] According to the *Rāmāyaṇa* under the ideal rule of Daśaratha members of the different castes pursued their respective avocations.[2] As will be shown later,[3] the inscriptions provide solid evidence about the obligation of the king to preserve the varṇa system.

Of the ancient Indian law-givers, Manu laid special emphasis on the preservation of the caste system by the king. In his view the kingdom would prosper only so long as the purity of castes is maintained otherwise it will perish together with its inhabitants.[4] Almost the same idea is expressed by Plato in his *Rebublic.* To quote him: "Any meddlesome interchange between the three classes would be most mischievous to the state and would properly be described as the height of villainy.[5]" At one place Manu expresses the opinion that only those who live like Āryans deserve the protection of the king.[6] This is also corroborated by the *Bṛhannāardīya Purāṇa*, a work of about the 9th centry A.D.,[7] which lays special emphasis on the protection of the first three varṇas.[8] Generally the maintenance of the caste system was considered as an indispensable element of *dharma*, for according to Kāmandaka if *dharma* is violated by the members of the state, there is bound to be a *pralaya* or dissolution of the whole social order.[9] The same attitude is noticeable in the work of Śukra. In his opinion the man who abandons the customs and

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1. *AŚ* III. 1 ; *Kāmandaka Nītisāra*, XIII. 41, 58 ; *Bṛhaspati AŚ*, III. 18 ; *Manu*, VII. 17, 35 ; *Kātyāyana*, Verses 949-50 ; *ŚP*, 57. 15, 53. 27, 56. 12, 77. 11-17 ; *Brahma P.*, 222. 103 ; *Viṣṇu P.*, Bk., III. Ch. 8 ; *Matsya P.* quoted on p. 5, *Agni P.* quoted on p. 49, *Mārkaṇḍeya P.* quoted on p. 81 and *Vāyu P.* quoted on p. 153 of *Political Thought in the Purāṇas.*

2. *Bāla Kāṇḍa*, VI. 17, 19.

3. Infra, Ch. XIII.

4. *Manu*, X. 61 ; cf. *Śukranītisāra*, IV. 1. 215-6.

5. *Republic*, iii, 434.

6. IX. 253.

7. R. C. Hazra, *Studies in the Upapurāṇas*, i, p. 344.

8. *Bṛhannāradīya P.* 104. 62

9. II, 34.

practices of the social system of castes and stages should be expelled by the king from the commonwealth. He should be employed in the work of repairing roads and made to live on bad and insufficient diet[1].

It appears that the existence of the state or the ruler was so completely identified with the maintenance of the institutions of property, family and the caste system that the *Śānti Parva* provides the same punishment for a person guilty of arson, theft, or such cohabitation of women as may lead to intermixture of castes, as is prescribed for the person guilty of compassing the death of the king.[2] Such a conception of the king's duties continued to persist till mediaeval times. For instance, the *Abhilaṣitārthacintāmaṇi* of Someśvaradeva (beginning of the 12th century A.D.) also lays emphasis on the similar duties of the king as the preventer of thefts and immoral activities,[3] and the defender of the *varṇasrama* system.[4]

Consistent with the above view of the basic function of the state it is natural that the Hindu political thinkers should make sins of violating the laws of property and family inherent in the very nature of man. According to Kāmandaka men are by nature subject to passions and are covetors of one another's wealth and wives.[6] Manu holds that rare is the man pure or sinless. In his opinion, people are prone to interfering with the rights of others and violating morals and manners.[5] Thus if the violation of the laws of the property and family are considered as the innate natural weaknesses of man, it follows that the state should be created as a natural necessity to restrain these weaknesses.

The king in ancient India is commonly described the upholder of *dharma*, The Buddhist sources also hold before him the

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1. IV. 1. 215-6.

2. 85. 22.

3. *corebhyo mānyakebhyaśca tathaivārthādhikāritaḥ coraissāhasikaiscāḍhyaiḥ durācāraistathā parsiḥ.* Verse 157.

4. *pūjanaṃ suraviprāṇāṃ varṇāśrama nirīkṣaṇam māraṇaṃ taskarādināmātmarakṣāvidhikramam.* Ibid., Verses 710-1.

5. II. 42.

6. VII. 21-2, 24.

ideal of *dharmadhvaja, dharmaketu* and *dharmādhipati.*[1] What the *dharma* meant in the case of the Vajjis has been explained above.[2] But what were the concrete contents of the brāhmaṇical *dharma* which the king was asked to uphold? This may be known from the Dharmaśāstras—the law-books to be followed by the kings. They contain elaborate chapters on property laws, marriage relations and caste system. The *Śānti Parva*, which describes *dharma* as resting upon the king[3], refers to the consequences of its disappearance in these words: "When sinfulness is not restrained no one can, according to the rights of property as laid down in the scripture, say—this thing is mine and this is not mine. When sinfulness prevails in the world, men cannot own and enjoy their own wives, animals, fields and houses[4]. It is also stated that *dharma* is meant to aid the acquisition and preservation of wealth; if *adharma* increases it causes a confusion of castes[5]. In the address of the sages to the tyrannical king Vena, *dharma* is explained in similar terms. They warn him that *dharma* is the greatest friend of men of all castes. If the king renounces *dharma*, nobody's wife, wealth or house would be his own. According to Kauṭilya when all *dharmas* perish, the king becomes the promulgator of the *dharma* for the establishment of the fourfold varṇa system and the protection of morality[6]. Therefore, it seems that in concrete terms the king's maintenance of *dharma* signified nothing but the defence of the social order based on the institutions of family, property and caste. The ideal set forth for the realization of the king also reflects the purpose of the kingly office. The dominant ideal, which moved the kings in ancient India, was the attainment of *dharma*, *artha* and *kāma*. If the term *artha* is taken in the sense of enjoyment of property, the term *kāma* in the sense of the enjoyment of family life and the term *dharma* in the sense of the maintenance of the legal system,

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1. *Dīgha Nikāya* (Hindi), p. 234.
2. Supra, p. 42.
3. 90. 5.
4. *ŚP*, 90. 9-10.
5. Ibid., 90. 17, 35.
6. *AŚ*, III. 1.

it would be clear that in the *trivarga* ideal also the conceptions of property, family and caste dominated. It may, however, be noted that according to some ancient Indian traditions *artha* (property) lay at the basis of the *trivarga* ideal, and without this it was not possible to realise the other two objectives.[1]

Therefore, from whatever point of view we study the problem of the origin of the state—the circumstances in the state of nature leading to the rise of the state, the conditions obtaining in kingless community, the chief duties of the king, the implication of the upholding of *dharma* by the king, the ideal to be followed by him—it is difficult to avoid the conclusion that property, family and caste played the primary and vital role in the rise of the state in ancient India.

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1. *dhanavān dharmamāpnoti dhanavān kāmamaśnute. Agni P.* quoted on p. 42 and *Viṣṇudharmottara P.* quoted on p. 145 of *Political Thought in the Purāṇas. tyajanti mitrāṇi dhanairvihīnam putrāśca dārāśca suhṛjjanāśca. Garuḍa P.* quoted on p. 92 of *Political Thought in the Purāṇas.*

CHAPTER IV

THE CONTRACT THEORY OF THE ORIGIN OF THE STATE :

A HISTORICAL SURVEY

Attempts have been made to find out the counterparts of the Western theories of the origin of the state in ancient Indian texts, but such theories have hardly been examined in relation to the age and the historical background of their sources. This task is rendered difficult because of the uncertainties which hang over many texts, not only in regard to their dates but also in regard to their contents. Any attempt at the reconstruction of the history of a political theory, such as the contract theory of the origin of the state, will be provisional in nature. In doing so we have to fall back upon the generally accepted chronology of the texts, which expound this theory. Of these the Brāhmaṇas are assigned to the end of the Vedic period, *i.e.*, *circa* 800-600 B. C., the *Dīgha Nikāya* to the pre-Maurya period, the *Arthaśāstra* of Kauṭilya to the Maurya period, the *Mahāvastu* to the first century B. C., the *rājadharma* section of the *Śānti Parva* to the first three or four centuries of the Christian era, and the *Tibetan Dulva* containing the life of the Buddha to the ninth century A. D.[1] This chronological order is, however, not followed by some scholars, who take up the *Śānti Parva* evidence first and follow it up with the data from the *Dīgha Nikāya* and Kauṭilya[2]. But the *rājadharma* section, which is in line with the Smṛti texts of the early centuries of the Christian era, has many verses in common with Manu, mentions the Greeks. Śakas, and especially the Pahlavas (Parthians) who ruled in the north-western regions of India in the first century A. D., cannot be placed earlier than the first century A.D. It is significant that while Chapter 67

1. *The Life of Buddha*, p. 224.
2. Altekar, *State & Government in Ancient India*, p. 27ff. Beni Prasad's *The Theory of Government in Ancient India* suffers from complete lack of historical perspective inasmuch as it treats the didactic material in the epic first and follows it up with Manu, Arthaśāstras, Dharmaśāstras, Buddhist and Jain sources, etc.

deals with the contract theory of the origin of the state, Chapter 65 (verse 13) refers to the Pahlavas. We need not discuss the date of the brāhmaṇical law-books, early or late, for they hardly make any contribution to the contract theory of the origin of the state.

The first faint traces of the contract theory of the origin of the state are to be found in two Brāhmaṇas, which refer to the origin of kingship through election among the gods on account of the compelling necessity of carrying on successful war against the Asuras[1]. In one Brāhmaṇa this idea is further developed in connection with the great coronation ceremony of India. It is stated that headed by Prajāpati the gods said to one another that amongst them Indra was "the most vigorous, the most strong, the most perfect, the best in carrying out any work". So they decided to instal him in kingship and accordingly to perform his *mahābhiṣeka*, in which he was consecrated for different forms of royalty[2]. Obviously election implies some sort of consent both on the part of the electors as well as the elect, but their mutual obligations are not specified in the text. Nevertheless, since necessities of war form the background of election in which stress is laid on the physical qualities of the king,[3] the obligations of obedience on the part of the subjects and that of command and protection on the part of the king are implicit in the transaction. How far this speculation represents the real nature of kingship in the later Vedic period is difficult to say. The election in divine society may be regarded as a reflection of the practice in early Vedic tribal society, for the coronation ceremonies suggest that by the latet Vedic period kingship had been firmly established on hereditary basis. It is said that the Brāhmaṇas anticipate in some measure the celebrated theory of Social Contract of later times[4]. But if we take a narrow view of social contract, it means that people agree

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1. *AB*, I. 14, 23 ; *TB*, I. 5. 9.
2. *AB*, VIII. 12-7.
3. Cf. *HPT*, p. 43.
4. Ibid.

amongst themselves to respect the family and property of one another and thus lay the foundations of society. This idea is not advanced in the Brāhmaṇas, which seem to anticipate some kind of political contract.

Although the contract theory of the origin of the state is anticipated by early brāhmaṇical literature, the first clear and developed exposition of this theory is found in the Buddhist canonical text *Dīgha Nikāya*, where the story of creation reminds us of the ideal state of Rousseau followed by the state of nature as depicted by Hobbes. We may summarise the main stages in this story, which is related by the Buddha to refute the brāhmaṇa's claim for precedence over the members of all the other social classes. It is said that there was a time when people were perfect, and lived in a state of happiness and tranquillity. This perfect state lasted for ages, but at last the pristine purity declined and there set in rottenness. Differences of sex manifested themselves, and there appeared distinctions of colour. In a word, heavenly life degenerated into earthly life. Now shelter, food and drink were required. People gradually entered into a series of agreements among themselves and set up the institutions of family and property. But this gave rise to a new set of problems, for there appeared theft and other forms of unsocial conduct. Therefore people assembled and agreed to choose as chief a person who was "the best favoured, the most attractive and the most capable". On their request he consented "to be indignant at that where one should be rightly indignant, to censure that which should be rightly censured, to banish him who deserves to be banished."[1] In return they agreed to contribute to him a portion of their paddy. The individual, who was thus elected, came to hold three titles in serial order, *i e.*, (*i*) *mahāsammata*, (*ii*) *khattiya*, and (*iii*) *rājā*. According to the text the first means one chosen by the whole people; the second means the lord of the fields; the third means one who charms the people by means of *dharma*.[2]

The above speculation is the product of an advanced stage of social development when the tribal society had broken up, giving rise to clash of interests between men and women, between peoples of different races and colours, and between people

1. *DN*. iii, 93f.; tr. *SBB*, iv, 88f.
2. Ibid.

of unequal wealth. This idea was adumberated in Eastern India, where paddy was the chief basis of the economy of the people. Although recent excavations at Hastināpura take back the existence of paddy to about the eighth century B. C[1]. it was only in the age of the Buddha that it had come to be widely cultivated. It is significant that the text does not refer to any other grain except paddy, which was clearly the main crop in the eastern regions. The story of creation gives the impression that one of the chief sources of discord was the hoarding of rice by some people over and above what they required for their consumption, and, what is worse, the stealing of rice fields[2], the repeated occurrence of which is represented to be an important factor leading to the election of the chief. But this political compact is preceded by the establishment of social compact, which markedly distinguishes the Buddhist contract theory from the one which can be inferred from the Brāhmaṇas. However, the idea of social contract is not presented as pointedly as we find it in the *Śānti Parva.*[3] In the *Dīgha Nikāya* it is evolved in stages, which first refer to the creation of family and then to that of private property. The obligation to respect the family and private rice fields of one another is implied but never stated[4]. But there is no doubt that the idea of social compact accounts for far greater space than that of political compact in the present text[5].

Political compact as developed in the *Dīgha Nikāya* not only lays a different type of emphasis on the qualifications for election as king but also clearly states the obligations of the two parties. The emphasis is shifted from the qualities of vigour and strength, as mentioned in the *Aitareya Brāhmaṇa*, to that of beauty. popularity, attractiveness and ability. In other words physical qualities of aesthetic type are coupled with those of head and heart, which change is obviously due to Buddhist bias against the use of force and violence. When evil acts are committed the king expresses his displeasure by showing indignation and making censure, but what concrete shape is given to these two

1. *Ancient India*, Nos. 10 & 11 (1954-5), pp. 131-4.
2. *DN*, iii, 89-92.
3. Infra. pp. 56-8.
4. *DN*, iii, 89-92.
5. Ibid.

is not known. The only concrete form of punishment is the banishment of the guilty. Thus on the whole the obligation of the head of the state is negative; he steps in only when people break the established laws. The fanciful etymological explanation of the titles of the elected chief throws further light on the nature of obligations supposed to be carried out by him. The title *khattiya*, which means the lord of fields, suggests that the primary duty of the king is to protect the plots of one against being encroached upon by the other. Further, the title indicates that the king derives his power over land as the representative of the community, which was considered as the owner of land in Vedic times[1]. The first evidence of the effectual royal ownership over land is to be found in pre-Maurya times, when the early Pāli texts furnish us several instances of land grants made by the king to the brāhmaṇas in North-Eastern India. Accordingly the contractual relation between the king and the people reflects the proprietory right of oligarchy over land. The interpretation of the title *rājā* imposes on the king the positive obligation of charming or pleasing the people. What practical form this should take is not indicated;[2] nor is this specified at the place where the mutual duties of the king and the people are recorded.

In contrast to several obligations of the king, the people are assigned only one duty, namely, to pay a part of their paddy as contribution to the king. The rate of taxation is not metioned, but the contemporary law-book of Baudhāyana lays down that the king should protect the people in return for one-sixth of the produce.[3] Thus the idea of protection in lieu of taxation was current in the brāhmaṇical circles of pre-Maurya times also. But it is difficult to say whether the brāhmaṇas borrowed it from the Buddhists or *vice versa*. The probable origin of the contractual idea should be sought in the existing political organization, in which payment o taxes had been made obligatory on the people from the later Vedic period onwards,

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1. It seems that no land could be given away without the consent of the *viś* (community). *CHI*, i, 118.

2. The Buddhist ruler Aśoka enjoins his *rājukas* not only to award punishments but to confer rewards upon his subjects.

3. I. 10. 18-9.

so that traditions refer to the fleeing of the villagers on account of oppressive taxation.[1]

Originally the agreement takes place between a single kṣatriya on the one hand and the people on the other, but at a later stage it is extended to the kṣatriyas as a class. Towards the end of the story of creation in the *Dīgha Nikāya* it is stated that thus took place the origin of the social circles of the Nobles, *i. e.*, *khattiya-maṇḍala*.[2] Thus what is described here is not merely the contract between the primordial kṣatriya ruler and the people but the one between the ruling class comprising the kṣatriya oligarchs on the one hand and the non-kṣatriya people on the other. This obviously is intended to justify and strengthen the rule of oligarchies, which were the order of the day in North-Eastern India in the age of the Buddha, by giving them the cloak of popular support and thus sanctioning payment of the regular taxes by the people. Thus it is characteristic of the Buddhist theory of contract that it applies not to a single individual who is the head of the state, as we find it in the case of the theory of the brāhmaṇical *Śānti Parva* or in that of Rousseau, but to individuals who constitute the ruling class.

The obligations enjoined on the ruler in our text are impressive, and may lead us to think that they are in line with the republican outlook of the age and the reformist attitude of Buddhism in social and religious matters. But Ghoshal rightly holds that there is no evidence to confirm the impression that this theory was used to exert some measure of popular control on royal power[2]. On the contrary the long account of the disturbed and miserable life of the people is intended to serve as a justification of the kṣatriya rule, monarchical or oligarchical, flourishing in the time of the Buddha. The only limitation proposed on the power of the ruler in this Buddhist contract theory is that he should act according to the Norm or *dharma*, but this does not directly form part of the contract theory. At one place it is stated that the rājā pleases the

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1. The Jātaka tradition that the people of Dakṣiṇa-Pāñcāla fled away to the kingdom of Uttara Pāñcāla on account of too much oppression of their king is recorded in the *Divyāvadāna*, pp. 435-7.

2. *DN*, iii, 93; tr. *SBB*, iii, 88.

3. *HPT*, p. 121.

people in accordance with *dharma*.[1] Thc closing passage of the above account relates that the origin of the *khattiya-maṇḍala*, namely, the ruling oligarchy, took place according to *dharma*, *i. e.*, justice or righteousness..[2] Thus, as in the case of Plato's *Republic*, the state is conceived as the fructification of the idea of *dharma* or justice.

The earliest brāhmaṇical exposition of the contract theory of the origin of the state in clear terms occurs in the *Arthaśāstra* of Kauṭilya. Just as in the *Dīgha Nikāya* this theory is propounded incidentally in connection with the refutation of the brāhmaṇa's claim to social supremacy, similarly in the *Arthaśāstra* it is expounded casually in the course of a talk amongst the spies about the nature of royal power[3]. It cannot be regarded as a deliberate and thought-out exposition, as is the case with the theoretical discussion of the seven elements of the state. Nevertheless, in the terms of contract it introduces certain new elements which are absent in the *Dīgha Nikāya*. It is stated that overtaken by a state of anarchy the people elected Manu Vaivasvata as their king, and undertook to pay 1/6 of their grain, 1/10 of their articles of merchandise in addition to a portion of their gold. In return for these taxes the king guaranteed social welfare to the people by undertaking to suppress acts of mischief, afflicting the guilty with coercion and taxes. Even the inhabitants of the forest were required to give him 1/6 of the forest produce. This account of the origin of the state closes with the moral that the king should not be disregarded.

The Kauṭilyan speculation is in keeping with an advanced economy, when the different kinds of grain were produced so that the king laid claim not only to an unspecified part of paddy but to a fixed part of all kinds of grain produce. Similarly trade had been established as a regular source of income to the state, for both Megasthenes and Kauṭilya refer to officers regulating trade in this period. Besides, mining was a thriving industry in the Maurya age; probably on account of this provision is made for payment of a part of *hiraṇya*, which means not only gold but gold and similar other precious metals.

1. *DN*, iii, 93.
2. Ibid.
3. *AŚ*, I. 13.

Finally, the fact that even the inhabitants of the forest are not exempted from taxes is an indication of the all-comprehensive character of the Maurya state. Thus taken as a whole the first three taxes, namely, those in grain, commodities and metals, reflect the developed economy of the Maurya period, while all the four taxes mentioned in the terms of contract made between the mythical Manu and the people betray to some extent the elaborate taxation system and thẽ increasingly acquisitive character of the Maurya state.

The contractual origin of kingship in the *Arthaśāstra* is not intended to impose limitations on royal power. On the contrary the obligations put upon the people are burdensome and are designed to strengthen royal authority. This point is clearly brought out towards the close of the passage, which describes the contract theory of the origin of kingship. It is argued that the king, who assures security and well-being to his subjects by eliminating wrongful acts through coercion and taxes, should never be disregarded. Hence in the case of Kauṭilya also the contract theory is purported to buttress royal power as in the case of Hobbes, rather than to limit it as in the case of Locke.

The next stage in the history of the contract theory of the origin of the state is indicated by the *Mahāvastu*, a biography of the Buddha written in the first centuary B. C. in, what is regarded by some scholars, Buddhist-Hybrid Sanskrit. Such is the force of sectarian tradition in ancient India that although this biography seems to have been removed from the *Dīgha Nikāya* by about three hundred years, while, expounding the contract theory of the origin of kingship, it reproduces the greater part of the story of creation recorded in the earlier text. For instance, it refers to the ideal state of life in the beginning followed by degeneration leading to the establishment of family and property by a series of agreements, finally cemented by the foundation of the state as a result of the election of the most gracious and mighty as the king, who is known as the *mahāsammata*[1]. But there are some significant differences in regard to the terms of contract, which are enlarged by this text directly and indirectly, Here on the request of the people

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1. *Mahāvastu*, i, p. 343 ff.

the king undertakes not only to punish those who deserve punishment, but, what is a new obligation, to cherish those who deserve to be cherished. This element of rewarding the good is not noticeable in the earlier speculations, although Aśoka emphasises it in his instructions to his officers. Perhaps the idea owes its origin to the Buddhist ruler, but we do not know whether it was actually practised unless it be the various kinds of grants made to the religious sects and priests. At any rate the obligation of the king to reward the good is directly stated in this text. Further, the two new titles applied to the king in the present source give some indication of his other obligations. The king is designated *mūrdhnābhiṣikta* (consecrated head), for he properly protects and carefully guards his people[1]. He is called *jānapadasthāmavīryaprāpta* (one who has attained the security of his realm), for he is established among the people of the town and countryside as their parents[2]. Curiously enough the title *rājā* in this text is explained as suggesting that the king is entitled to a share in the produce of paddy[3]. Thus this title indicates the right of the king rather than his duty towards the people, whose obligation towards the king is stated earlier in very clear terms. In return for this pledge on the part of the king the people promise to pay him one-sixth of the produce of the paddy fields, a rate which has been specified in the *Dīgha Nikāya* and is in consonance with the rate given by Kauṭilya. It is curious that although it is a period of thriving trade and the king is represented as attending to the interests of the inhabitants of the urban and rural areas, there is no mention of taxes on commodities. This is explicable if we assume that in a biography of the Buddha the writer tries to be faithful to the conditions of the age when the great teacher lived. But even the *Mahāvastu* unwittingly reflects the political practices of the time, when it was compiled. For it gives us the genealogy of the successor of the first elected king Sammata for several generations,[4] suggesting thereby that kingship was ordinarily regarded as hereditary. It is also because of

1. *samyak rakṣati paripāleti mūrdhnābhiṣiktaḥ.....saṁjñā udapāsi.* Ibid., i, 348.
2. *mātāpitṛsamo naigamajānapadasya iti jānapadasthāmavīryaprāpto ti saṁjñā udapāsi.* Ibid.
3. Ibid.
4. Ibid.

this that the element of election is retained, for the brāhmaṇical chapters on polity in Manu and the *Śānti Parva*, compiled in the period when hereditary monarchy had become the rule, do not refer to the election of the king

Regarding the origin of kinghip, the *Śānti Parva* contains two speculations, both of which may be interpreted as embodying elements of the contract theory of the origin of the state. We do not know whether these two speculations were incorporated into the section on *rājadharma* at the same time, for, as will be shown later, their objects seem to have been widely divergent. The first occurs in the 59th chapter, which begins with a long discussion on the importance of *daṇḍa* and *daṇḍanīti*. It is stated there that Viṣṇu created a son born out of his mind to undertake the responsibility of administratian, but he and several of his descendants renounced the world ultimately leading to the tyrannical rule of Vena.[1] The sages (*ṛṣis*) put an end to the life of this ruler, and created out of his right thigh Pṛthu, who was the eighth in descent from Viṣṇu. There took place a contract between the sages and Pṛthu Vainya. The former clearly laid down the conditions on which the latter would hold the throne. The sages asked him to swear that he would rule according to the principles of *daṇḍanīti*, that he would consider the brāhmaṇas above punishment and that he would save the world from the intermixture of castes,[2] At this Pṛthu promised to the deities headed by the *ṛṣis* that he would always worship the highly blessed brāhmaṇas, the bull among men.[3] Earlier he had promised that he would do whatever is proper and in accordance with the science of polity.[4]

Although the above compact does not take place with the original ruler, the intention of the writer seems to be that real kingship began with Pṛthu, after whom the whole world (*pṛthivī*) was named. It is significant that the contract does not take place with the people but with the brāhmaṇas, who claim special privileges and protection from the king. There is nothing to prove the contention of Jayaswal that to the royal oath the people pronounced 'Amen' (*evamastu*).[5] The pledge

1. *ŚP*, 59. 94-9.
2. Ibid., 59. 100-114.
3. Ibid., 59. 115.
4. Ibid , 59. 108..
5. *Hindu Polity*, p. 225.

is clearly administered by the deities and the great sages *paramarṣayaḥ*[1], who speak 'Amen' when it has been taken by the king.[2] By no stretch of imagination can they be considered as representing the whole people. King Pṛthu does not repeat the whole oath, but he states it in unequivocal terms that he would always respect the brāhmaṇas. This theoretical recognition of the special position of the brāhmaṇas in the contract is a reflection of their increasing importance in post-Maurya and Gupta times, when several brāhmaṇical dynasties such as those of the Śuṅgas, Kaṇvas, Sātavāhanas etc. were ruling in the country and brāhmaṇism had reasserted itself, ultimately leading to its efflorescence under the Guptas. In the same context, by way of further explanation we are given a fanciful etymological derivation of the term kṣatriya, which is interpreted to mean one who protects the brāhmaṇas fromw ounds.[3] The only concession to royal obligation towards the people is contained in a similar explanation of the term *rājā*, which is interpreted to mean one who delights the subjects [4].

The second speculation regarding the origin of the state occurring in the 67th chapter of the *Śānti Parva* can be clearly taken as envisaging the contract theory of the origin of the state. Here we have both theories of social and political contract. It is stated that in ancient days when anarchy was rampant, people made an agreement among themselves. According to this they undertook to abandon one who speaks much, is cruel in acts, encroaches on other's property, and violates woman's chastity. Clearly this was a social agreement to maintain the institutions of family and property, an agreement which is not found in the Buddhist texts in such lucid terms.

The next stage in the rise of the state is indicated by the formulation of political compact. It is stated that the people did not observe the contract (*samaya*), with the result that they fell on very bad days. And hence they approached Brahmā for a lord (*īśvara*) whom they would together worship and who would therefore protect them. Brahmā asked Manu to under-

1. *ŚP*, 59. 109.
2. Ibid., 59. 128.
3. Ibid.
4. Ibid., 59. 127.

take the work of governing them, but he refused because it would be an onerous task to rule over the wicked and untruthful people. The people, however, overcame his reluctance by promising to pay him 1/50 of the cattle, 1/50 of gold and 1/10 of grain for increasing his treasury (*kośavardhanam*).[1] They further promised that those who would become the foremost in the use of weapons would follow Manu like the deities following Indra.[2] In return they sought the protection of the king and further assured that one-fourth of spiritual merit, which the subjects protected by the king would earn, would accrue to the king. Manu agreed and with a great army started for the conquest of all quarters.

The important element common to the two theories in the *Śānti Parva* is the fact that none of them, unlike the Buddhist theory, refer to the election of the king. On the contrary they ascribe the origin of kingship to divine agencies such as Viṣṇu and Brahmā. Thus the element of election, which is noticeable in Brāhmaṇas and Kauṭilya, is eliminated in the *Śānti Parva*. In this sense the theories of the origin of the king may be regarded as anti-popular in origin.[3] There is, however, clear difference of objective between the two theories in the present text. While the earlier theory is intended to place limitations on the power of the king in the interests of the priesty class, the second is calculated to emphasise the power of the king. This can be inferred from the context, in which the evils arising out of the kinglessness are enumerated in detail. Further, the obligations imposed on the subjects are very many in contrast to those imposed on the king. Out of the taxes mentioned in this text two are taxes in gold and grain, which are also found in Kauṭilya. But the tax on commodities in Kauṭilya is paralleled by the tax on cattle wealth here[4]. What is more important here, we have a new tax promised to the king, namely the king's share in the spirtual merit earned by his subjects. We do not know whether it refers to the merit earned by the brāhmaṇas in particular. But this second

1. *ŚP*, 67. 19-23.
2. Ibid., 67. 24.
3. *HPT*, p. 173.
4. AS to gold and animals the rate is exactly the same as in Manu, but the rate of one-tenth in grain is much lower than in the *Arthaśāstra* and *Mahāvastu*, and might reflect an earlier practice.

speculation, which seems to justify royal power, was probably the product of some kṣatriya school in contrast to the first speculation, which, since it stresses the brāhmaṇical power, may have been the product of some brāhmaṇa school.

A striking element in the second contract theory of the *Śānti Parva* is the provision for military service by the best warriors among the people. Some other readings of the relevant verses of this source also refer to the people's offer of a beautiful maiden to the king, although this does not occur in the critical edition of the *Mahābhārata*. These remind us of the obligations of the vassals of Samudra Gupta. At any rate it is clear that the provision for military service reflects some semi-feudal practice of the Gupta period. From the viewpoint of the ancient Indian definition of the state, the second contract theory should be regarded as the most adequate theory on the origin of the state. The contract involves the king and people, who respectively correspond to the *svāmī* and the *janapada*. The people's obligations to pay taxes and render military service to the king clearly imply the presence of the elements of *kośa* and *daṇḍa*. Thus four important elements of the state out of seven can be distinctiy discerned in the statement of the contract theory of the origin of the state in the 67th chapter of the *Śānti Paṛva*.

Although the Gupta period was prolific in the production of varied types of literature, it cannot boast of any fruitful contribution to the contract theory of the origin of the state, unless it be the chapters on this topic in the *Śānti Parva*, which may have been finally compiled during this period. The two lawgivers, Nārada and Bṛhaspati, speak of an ideal state of affairs in the beginning followed by social chaos leading to the establishment of Government[1]. But they do not throw any light on the contract theory of the origin of the state.

The final stage in the history of the contract theory in early India is provided not by any brāhmaṇical work but by the Tibetan life of the Buddha ascribable to the ninth century A.D. The speculation made here follows the pattern given in the earlier Buddhist texts in most respects, but the present version is fuller and somewhat different in the statement of

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1. *Nārada* (*SBE*) I. 1-2. *Bṛhaspati* (*SBE*), I. 1.

the terms of contract. It marks the familiar stages such as golden age, social disorder, origin of family and property as a result of mutal agreements, and finally the political compact rendered inevitable on account of the failure of social contract[1]. It is said that on account of the appearance of theft the people thought: "Let us, in view of what has just happened, assemble together, and choose from our midst those who are the finest-looking, the largest, the handsomest, the strongest and let us make them lords over our fields...[2]" Further, they charged him to punish those who deserve punishment and to reward those who deserve reward, and in return they promised him a portion of the produce of their fields and the fruits they gather. To the elected chief the text applies the usual titles *mahāsammata*, *khattiya* and *rājā*, of which the latter two are explained in the same manner as in the preceding Buddhist texts. But the term *mahāsammata* is explained as honoured by many, on the basis that the king received the homages of many[3].

In keeping with the old Buddhist tradition the contract does not introduce any new tax except on fruits, which does not find place in earlier texts. But in two other respects this early mediaeval exposition introduces certain new elements. Firstly, it refers not to one chief but to many chiefs (in plural), who are placed in the position of lords by the people over their fields. The *Dīgha Nikāya* also gives the impression of the creation of the kṣatriya chiefs through the process of contract, but this point is very clearly brought out in the present text. We do not know how far this idea can be linked up with the existence of the numerous independent chiefs in post-Harṣa times, but the possibility cannot be ruled out. Secondly, if Rockhill's translation of the explanation given to the term *mahāsammata* is accepted, it means that the king was so called because of his receiving homages from many. This therefore does not imply the ready consent of the people as can be inferred from the use of the term "Great Elect" in the *Dīgha Nikāya*, but perhaps indicates

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1. *The Life of the Buddha*, pp. 1-6.
2. Ibid., p. 6.
3. Ibid., p. 7.

a sense of helplessness in which the people commend themselves to a superior lord[1]. Thus the elements in the contract theory, as developed in the Tibetan biography of the Buddha, seem to reflect the feudal conditions of early mediaeval times.

Our survey would show that the Buddhist texts attach more importance to the contract theory of the origin of the state and discuss it in a more systematic fashion. But it would be too much to say, as Ghoshal does, that the "the Buddhist theory of contract virtually exists as an isolated phenomenon in the history of political thought[2]." We have seen how the germs of this theory are found in the Brāhmaṇas, and its developed forms in the *Śānti Parva*. Ghoshal himself admits that the principle of taxation in return for protection is one of the root ideas of Hindu political philosophy[3]. He holds that the Kauṭilyan theory is a brāhmaṇised adaptation of the Buddhist theory of contract[4]. Such a possibility cannot be altogether ignored, but there is no evidence of exchange of ideas between the two schools or of the Kauṭilyan borrowing from the *Dīgha Nikāya*. We do not know whether the theory elaborated in the *Śānti Parva* (Ch. 67.) owes anything to Buddhist influence, although the very term *Book of Peace* smacks of the spirit of non-violence. At any rate it is evident that in this text the contract theory is more systematic and elaborate tthan what we find in the *Dīgha Nikāya*, with the result that the two stages of social and political compact are clearly defined here.

The contract theory of the origin of the state should be regarded as a unique contribution of ancient Indian thinkers to political thought, for even the Greek thinkers Plato and Aristotle, who had established political science practically as an independent discipline, did not think in terms of contract between the king and the people. Plato points out in the *Republic* that when even three, four people come together for the satisfaction of their mutual needs that leads to the rise of the state. This, therefore, implies some idea of social compact.

In the *Laws*, however, while enunciating his view of history,

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1. Infra, Ch. XVIII.
2. *HPT*, p. 121.
3. Ibid., pp. 120-1.
4. Ibid., p. 135.

Plato points out that in the beginning people lived at peace in a natural age. Then he refers to degeneration leading to the rise of the kingdom. But after the laws had been established and the state created, in each of the Dorian kingdoms people took oath in accordance with the common laws equally binding on rulers and ruled[1]. Thus the oath succeeded the rise of the state and was not a preceding condition of its rise, and hence it cannot be interpreted as implying the contract theory of the origin of the state. Perhaps the absence of contract theory in Greece may be attributed to the prevalence of non-monarchical rule in that country just as its presence in India may be ascribed to the general prevalence of monarchical rule, for it is significant that Hobbes, Locke and Rousseau conceived of this theory under monarchical rule, either with the object of justifying it or with that of limiting or overthrowing it.

1. *Laws* (The Loeb Classical Library), i, 191.

CHAPTER V

VIDATHA : THE EARLIEST FOLK-ASSEMBLY OF THE INDO-ARYANS

Although much has been written to elucidate the nature of the Vedic assemblies *sabhā* and *samiti*, scant attention has been paid to the study of the *vidatha*, an important Vedic institution[1]. Its importance will appear from the fact that, while the terms *sabhā* and *samiti* are mentioned respectively only eight and nine times in the *Rg Veda*, the term *vidatha* is mentioned 122 times. Similarly in the *Atharva Veda* the terms *sabhā* and *samiti* occur respectively seventeen and thirteen times, but the term *vidatha* occurs twenty-two times.

There are ten occurrences of the term *vidatha* in the *Vājasaneyi Saṁhitā*, twenty-one in the Brāhmaṇas, and one in the *Taittirīya Āraṇyaka*. While the Vedic literature is replete with references to the *vidatha*, those to the *sabhā* and *samiti* are few and far between. Moreover, references to the *sabhā* and *samiti* are few in the *Ṛg Veda*, but there is a relative increase in their number in the *Atharva Veda* in the same way just as there is a relative decrease in the number of the occurrences of the term *vidhatha* in it. This shows that as an institution, the *vidatha* was more important in the Ṛg Vedic period, and the *sabhā* and *samiti* gained prominence during the period of the later *Saṁhitās*. Numerous mentions of *vidatha* in the earliest literature lend to it a significance which needs careful examination.

There are about half a dozen views regarding the meaning and interpretation of the word *vidatha*[2]. Since the word can be derived from the root *vid*, which means respectively to know, to possess, to consider and to exist[3], it has been possible to ascribe the meaning of knowledge, possession (or house according to Bloomfield) and assembly to it. Oldenberg derives

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1. In *HCIP*, i, *The Vedic Age*, the latest work on the Vedic period, the term *vidatha* has not even been mentioned.

2. They have been summarised in *Vedic Index*, ii, 296 and in U. N. Ghoshal, *History of Hindu Public Life* pt. I, p. 28.

3. *vidjñāne, vid cāraṇe vid lṛlābhe, vid sattāyām. Śabdakalpadruma*, IV, p. 286.

the term *vidatha* from the root *vi-dhā* and thinks its original meaning to be "distribution, disposition and ordinance," and its derivative meaning sacrifice.

There has been a tendency among Vedic scholars to emphasise one or the other meaning of the term *vidatha* and to impose the same on all passages. But in view of the undifferentiated nature of the functions of the primitive assemblies perhaps a proper course would be to fall in line with Roth, who seems to make a synthesis of various views and concludes that the *vidatha* was an assembly meant for secular, religious and military purposes. Following him Jayaswal thinks that the *vidatha* was probably "the parent folk-assembly from which the *sabhā*, *samiti* and *senā* differentiated[1]". Although there is no direct evidence to establish the institutional connection between the *vidatha* on the one hand, and the *sabhā* and *samiti* on the other, an examination of the mass of the occurrences of the word in different contexts would show prominent traces of the earliest folk-assembly in the *vidatha*. Proceeding on the basis that there should be similarity between the life of the primitive people known to anthropology and that of ancient people known to history it is possible to elucidate and supplement the obscure references to the *vidatha* in the Vedic literature and to get an approximately correct picture of its composition and functions.

As regards its compostion the one characteristic feature, which distinguished the *vidatha* from the *sabhā* and *samiti*, is the frequent association of woman with it. In the *Ṛg Veda* there is only one reference indicating the connection of woman with the *sabhā*. She is described as worthy of going to the *sabhā*[2]. There is nothing to show that she was connected with the *samiti*. Even in respect of the *sabhā*, it can be inferred from the *Maitrāyaṇī Saṃhitā* that she ceased to attend it in later times[3]. But in the case of the *vidatha* the Ṛk and Atharvan collections, taken together, furnish at least seven references, testifying not only to woman's attendence in it but also her participation in its deliberations, although no such reference is to be found in the Brāhmaṇas. The *Ṛg Veda* informs us

1. Jayaswal, *Hindu Polity*, p. 21.
2. *RV*, 1. 167.3.
3. *MS*, VI. 7.41.

that the *yoshā* went to the *vidatha*[1]. Grown-up males are described as installing strong and social maiden for the sake of good in the *vidatha*[2]. It appears that the female member was not a mute participant in the affairs of the assembly. Thus *Sūryā* is instructed to speak to the assembled people in the *vidatha*[3]. We learn further that women took part in the deliberations of the *vidatha*. A desire is expressed in the marriage ceremony that the bride may not only figure as a housewife but having control she may speak to the *vidatha* (council)[4]. Again it is said that she may speak to the *vidatha* in h[illegible] advanced age[5].

This should not be taken to mean that man got undue preference over woman. Even with regard to man the same desire of speaking to the *vidatha* (council) in advanced age is repeated[6]. So in the deliberative functions of the *vidatha* woman enjoyed an equal voice with man. The above references make it clear that the meeting of this body was attended by woman as well, and that it was a sort of assembly. Sometimes in these cases the term *vidatha* has been understood in the sense of house, but there does not seem to be much sense in desiring for woman's speaking in the house and still less sense in man's speaking there. Further, at one place, the bride is asked to come to the house (*gṛha*) and speak in the *vidatha*,[7] which distinguishes the one from the other. Therefore, probably in all these references the *vidatha* means a family council. It may be compared to the council of the Iroquois[8], which generally served as "the democratic assembly of all adult male and female members of the gens, all with equal voice.[9]" In this respect the *vidatha* was completely different from the

1. *guhā carantī manuṣo na yoṣā sabhāvatī vidathyeva saṃ vāk. RV*, 1. 167. 3.

2. *āsthāpayanta yuvatiṃ yuvānaḥ śubhe nimiślāṃ vidatheṣu pajrām. RV*, 1. 167. 6.

3. *gṛhāngaccha gṛhapatnīyathāsovaśinī tvaṃ vidathamāvadādi. RV*, X. 85. 26.

4. *AV*, XIV. 1. 20 repeats exactly the same hymn as *RV*, X. 85. 26

5. *enā patyātanvaṃ saṃsṛjasvādhā jivrīvidathamāvadāthaḥ. RV*, X. 85. 27; *AV*, XIV. 1. 21. There is a slight variation in the *AV* hymn.

6. *AV*, VIII. 1. 6.

7. *RV*, X. 85. 26.

8. A league of five (later six) tribes which inhabited New York State.

9. F. Engels, *The Origin of the Family, Private Property and the State*, p. 126. Among the Andaman islanders "the affairs of the community are regulated entirely by the older men and women". Radcliff Brown, *Andaman Islanders*, p. 44, quoted in Landtman, *Origin of the Inequality of Social Classes*, p. 312.

earliest known Greek, Roman and German popular assemblies, in which woman did not find any place. But the old Welsh laws, not later than the eleventh century A.D., show that woman had the right to vote at the popular assemblies[1]. So far as the Indo-Āryans are concerned, if we assume that matriarchy preceded patriarchy, it will have to be admitted that the *vidatha* is an institution of the highest antiquity.

By citing certain passages from the *Maitrāyaṇī Saṃhiā* (iv. 7.4: 97.15) and *Aitareya Brāhmaṇa* (iii.24.7-*Gopatha Br.*, ii.3.22) Bloomfield seeks to prove that even in early times woman had nothing to do with public assembly or life and that she did not attend the *sabhā*[2]. But these passages are the products of a later period, when the patriarchal society had been establised on a firm footing and woman was fast losing her old importance. As such they cannot apply to the earliest period represented by the Ṛk and Atharvan collections. In subsequent times women were relegated to the background in the conduct of public affairs. Still the *vidatha* tradition of woman's share in public affairs can be traced in the place given to her in the list of the ratnins. The list given in the *Taittirīya Brāhmaṇa* (1.7.3) consists of twelve ratnins, of whom three, namely, *mahiṣī*, *vāvātā* and the *parivṛkti* are women. It seems that in this case one fourth of those whose voice and support counts in the consecration of the king consists of women.

It is generally recognised that in the early stage of social development most institutions were tribal in nature. The tribal element is to be found in the case of the *sabhā* and *samiti*. While the corresponding words for *sabhā* in several Indo-European languages mean the assembly of the kin[3], there is a clear reference to the *viś* sitting in the *samiti*[4]. As regards the *vidatha* there is no direct evidence of its tribal character. In one passage, however, the people assembled in the *vidathas* are described as praising Agni's splendour and Maruts' might in *gaṇas*[5]. This seems to suggest that people assembled there in tribal groups. The tribal nature of the *gaṇa* is evident from the fact that

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1. Engels, op. cit. ,p. 188.
2. *JAOS*, xix, 14.
3. Brugmann, *Comparative Grammar of the Indo-Germanic Languages*, i, 395.
4. *RV*, X. 173. 1.
5. *vrātaṃvrātaṃ gaṇaṃgaṇaṃ suśastibhiragnerbhāmaṃ marutāmoja īmahe, pṛṣadaśvāso anavabhrarādhaso gantāro yajñaṃ vidatheṣu dhīrāḥ*. *RV*, III, 26. 6.

the Maruts, who are repeatedly mentioned in the *Ṛg Veda* and *Atharva Veda* as a *gaṇa* and according to a later source number sixty-three[1], are described as the sons of Rudra. Therefore the association of the *gaṇas* with the *vidatha* may be taken as indirect evidence of the latter's tribal character,—a feature which does not appear to be unlikely in the earliest phase of human history.

Since the *vidatha* was an assembly, there are references to its deliberative functions. We learn that people aspired for talking big there[2]. The householder prayed for warding off death so that living he could speak to the council[3]. It seems that in the deliberations of the *vidatha* advanced age received some weightage,—a characteristic which is generally found in primitive assemblies. Remarkably enough the function of debate appears to have been exercised by the Vedic assemblies, *e.g.*, the *vidatha*, the *sabhā* and *samiti*, and is not to be found in the early popular assemblies of the other Indo-European peoples.

What was the subject of deliberations can be known only vaguely. According to Oldenberg one of the meanings of the term *vidatha* is the "act of disposing of any business" or the like. This meaning appears in well known passages "may we with valiant men mightily raise our voice at the determining (of ordinance)[4]". There seems to be some sense in this, for Mitra-Varuṇa are described as directing the thoughts of the three gatherings in the sky, air and earth. They are described as strengthening the law[5]. At another place Agni, who comes to the *vidatha*, is described as an ordainer[6]. This shows that as an assembly it probably made laws and ordinances for the regulation of the affairs of the tribe. We may therefore presume that the *vidatha* transacted the tribal business which is typical of primitive assemblies.

Again in the opinion of Oldenberg another meaning of the term *vidatha* is distribution[7]. There is some evidence to accept this meaning. According to a passage from the kernel of the

1. *ŚB*, II. 5. 1. 12.
2. *AV*, . XIII 3. 24.
3. *AV*, XII. 2. 30; VII 1.6.
4. *SBE*, xlvi, 26.
5. *RV*, VI. 66. 10.
6. *RV*, III. 14. 1.
7. *SBE*, xlvi, 26.

Ṛg Veda members summoned in the *vidatha* are instructed to be present on the occasion of the distribution of whatever is produced daily by Savitar[1]. At another place Agni is described as the liberal distributor of produces in the *vidatha*[2]. It is worthy of remark that the distribution of produces was an important function of the primitive assemblies. Till recent times prevailed among the tribal people the practice that whatever game was obtained by an individual was not solely appropriated by him but shared together with his neighbours[3]. On this basis it is possible to suppose that the people assembled in the *vidatha* made distribution of what they procured as food. Another reference of almost the same kind suggests a tendency towards individual accumulation. A sacrificer is described as moving with his chariot "first in rank and wealthy, munificent and lauded in assemblies (*vidatheṣu*)"[4]. In this respect the *vidatha* stands in sharp contrast to the *sabhā* and *samiti*, of the distributive functions of which we have no instance. In the case of the Vedic *gaṇa*, however, we have a reference, which suggests communal appropriation of the wealth captured in war[5].

How this distribution was made in the *vidatha* is not clear. Probably the only reference, which hints at the nature of distribution effected, is the one which states that the *dhīras* (brave) in the assemblies do not diminish the portions due to the mighty Agni[6]. This may indicate two things. Either the portions were offered to the gods first and then distributed among the members or they were distributed among the gods there. Whatever might be the method of distribution this much is beyond doubt that one who was mighty in the *vidatha* received more share. This hints at unequal distribution.

Probably most Ṛg Vedic references to the *vidatha*, as many as about two dozen, point to its military nature. Some of them show that an important subject for discussion in the assembly was the exploits of the heroes. For example, the *vidatha*

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1. *yadadyadevaḥ savitāsuvātisyāmāsya ratninovibhāge. RV*, VII. 40. 1.
2. *tvam agne rājā varuṇo.....tvam aryamā satpatiryasya saṃbhujaṃ tvam aṃśo vidathe deva bhājayuḥ. RV*, II. 1. 4.
3. Will Durant, *The Story of Civilization*, i, 17.
4. *sa revānyāti prathamo rathena vasudāvāvidatheṣu praśastaḥ RV*, II. 27. 12
5. Infra, pp. 85—6.
6. *agne yahvasya tava bhāgadheyaṃ na pra minanti vidatheṣu dhīrāḥ. RV*, III. 28.4

discussed the conquering might of Agni[1]. In invocations made to the various gods the *vidatha* is described as full of heroes. There are at least twenty-one hymns in the *Ṛg Veda* which end with the verse "with brave sons (or heroes) in the assembly (*vidatha*) may we speak aloud"[2]. In these passages the word for son, namely *vīra*, came to be identical with *brave one*, which betrays the military nature of the Vedic tribe in which sons were valued because of their usefulness in war. The main military function of the *vidatha* may have been to conduct the tribal war against the hostile tribes, a phenomenon which was natural in the earliest phase of the Indo-Āryan history. It is well-known that primitive tribes consider themselves in a state of perpetual war with a tribe with which they have not concluded terms of peace. That is why the members of the Iroquois gens were bound to give one another assistance, protection and particularly support in avenging injuries inflicted by outsiders[3].

That the *vidatha* conducted its military operations under some war-chief can possibly be inferred from several passages. At one place Indra is called the might of the *vidatha*, and at another the lord of heroes leading the people to the *vidatha*[4]. Pūṣan is described as the hero of the *vidatha*, and Agni's will is represented like that of a sovereign in an assembly[5]. These divine chiefs seem to have been the reflections of human chiefs. How the chief was appointed is difficult to determine. There are, however, two references which show that Agni, frequently described as the priest, was elected in the *vidatha*. According to one passage Agni, the *hotṛ* priest who makes the assembly full, is elected at sacrificial offerings by the great and small alike[6]. Another passage states that the arrangers elect Agni as their priest in the sacred gatherings[7]. The sense of consent in accepting Agni as priest is found in another hymn, which

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1. *RV*, VI 8.1
2. *bṛhad vadema vidathe suvīāḥ*. *RV*, II. 1. 16; 2. 13; 11. 21; 13. 13; 14. 12; 15. 10; 16. 9; 17. 9; 18. 9; 19.9; 20. 9; 23. 19; 24. 16; 27. 17; 28. 11; 29. 7; 33. 15; 35. 15; I. 117. 25; II. 12. 15; VIII. 48. 14.
3. F. Engels, op. cit., p. 124.
4. *patiṃ daḳṣasya vidathasya*. *RV*, I. 56. 2; 130. 1.
5. *RV*, VII. 36. 8; IV. 2ь. 2.
6. *medhākāraṃ vidathasyaprasādhanaṃ agniṃ hotāraṃ paribhūtamaṃ matim, tamidatbhe haviṣyāsamānamittaminmaheṛṇatenānyaṃtvat*. *RV*, X. 91. 8.
7. *tvāmidatra vṛṇate tvāyavo hotāram agne vidatheṣu vedhasaḥ*. *RV*, X. 91. 9.

avers that gods and men have made Agni their chief support[1].

Thus it is obvious that Agni, the chief priest, was elected in the *vidatha*. We have no indication how Indra was made the hero or the war-chief of the *vidatha*. But generally in primitive societies no distinction can be made between the war-chief and the priest—in many cases the same person combining both offices. The evidence in the case of ancient India is not strong but not altogether wanting. Thus there is the case of Viśvāmitra, a rājanya of the Bharata and Kauśika families[2], who acted as the priest of king Sudās[3] and *hotṛ* priest at a sacrifice of Hariścandra[4]. Similarly Devāpi, the priest of king Śantanu[5], is represented by Yāska[6] as the elder brother of Śantanu. All this might suggest that at one stage in Vedic India also the functions of the chief and the priest were exercised by the same person. Hence it would not be untenable to hold that the war-chief was also elected by the people assembled in the *vidatha*. This is further corroborated by anthropological evidence. For the council of the Iroquois gens, which was a "democratic assembly" consisting of all male and female members, elected and deposed the *sachems* and chiefs, and it also elected the Keepers of Faith who exercised religious functious[7]. Had there been no real election of the war-chiefs in the *vidatha* in early times, the tradition would not have been carried down to the age of the *samiti* and continued in the form of various formalities observed in the coronation ceremonies described in the Brāhmaṇas[8].

In point of number, next to its military nature, references point to the religious character of the *vidatha*. Its religious aspect appeared so predominant and all-pervading to Śayaṇa that he explained the term *vidatha* as *yajña* sacrifice. But it would be as improper to equate *vidatha* with *yajña* in all Vedic passages on this basis as to equate the *samiti* with the battle[9] or sacrifice

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1. *RV*, X. 92. 2.
2. *RV*, III. 53. 9-12.
3. *RV*, III. 53. 11.
4. *AB*, VII. 16.
5. *RV*, X. 98. 7.
6. *Nirukta*, II. 10
7. Lewis H. Morgan, *Ancient Society*, p. 85.
8. Infra., Ch. IX.
9. *Nighaṇṭu*, II. 17

on the basis of Yāska[1]. The meaning of sacrifice assigned to *vidatha* may be true of some passages, but it cannot suit other passages in which *vidatha* and *yajña* are put as exclusive and independent words[2]. For instance, in a passage Heaven and Earth are praised with sacrifices (*yajñaiḥ*) in the assemblies (*vidatheṣu*)[3]. In another passage Indra and Varuṇa are invoked "to make our sacrifice (*yajñam*) fair amid the assemblies (*vidatheṣu*)[4]." These passages, which distinguish between *vidatha* and *yajña*, can be supplemented by some others of a similar type[5]. In this connection we may take into account the arguments, by which Bloomfield rejects the meaning of the term *vidatha* as sacrifice.[6] But, as will be shown later, his assertion that the *vidatha* was the patriarchal house does not seem to be convincing. Meanwhile it is worthwhile to state that in all cases it would not be correct to render the term *vidatha* as sacrifice.

This is not to argue against its religious character, which is inextricably mixed with the worldly character of the *vidatha*. The institution undoubtedly provided common ground to the whole folk for the worship of their gods. Agni, who is described as going on his embassy between both the gathering places (*vidathas*) of heaven and earth, seems to have been the centre of this worship[7]. People assembled in the gathering place also worshipped Indra, Mitra-Varuṇa, Viśvedevas and other gods[8]. It is significant that the worship performed in the *vidatha* is done in a collective manner, and blessings are sought for all the people. People seem to extend joint invitation to the gods for attending their sacrifices. For instance, the Maruts are invited to refresh themselves in "our" *vidatha*[9]. There is no manifestation of the desire of adding to one's wealth and progeny at the

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1. Quoted in Bandyopadhaya, *Development of Hindu Polity and Political Theories*, pp. 118-9.

2. Griffith, whose translation has been generally accepted in this chapter translates *vidatha* variously as synod, assembly, gathering and sacrifice. Whitney renders it as council.

3. *pradyāvā yajñaiḥ pṛthivī ṛtāvṛdhā mahi stuṣe vidatheṣu praceṭasā. RV*, I. 159. 1.

4. *kṛtaṃ no yajñaṃ vidatheṣu...RV*, VII. 84. 3.

5. *RV*, III. 4. 5; 26. 6.

6. *JAOS*, xli, 204-6.

7. *RV*, VIII. 39. 1.

8. *RV*, III. 1. 18; 14. 1; I. 130. 1; 153. 3.

9. *asmākam adya vidatheṣu bahiḥ ā vītaye sadata pipriyāṇāḥ. RV*, VII. 57. 2.

cost of others. Thus Savitar, who is invited to come to "*our synod*", is invoked to gladden "*all our people*" through "*our hymn.*[1]" Likewise, when Agni is being lauded in the assembly he is asked to "give us wealth with stores of heroes and mighty strength in food and noble offspring".[2] In another passage Indra is invoked to bless the people assembled in the *vidatha* with wealth.[3]

Most references to the *vidatha* from the *Atharva Veda* show that this institution continued to function primarily as a religious body in subsequent times. In this text gods are regarded as its maintainers,[4] and they are invoked in its meeting.[5] In one passage it is regarded as a heaven-gaining instrument,[6] and Agni acts as its *hotṛ* priest.[7]

There were two methods by which the gods were worshipped. One was the common method of inviting them to sit on the sacred grass and to request them to share in the food and banquet provided by the assembly. Thus Agni is asked to enjoy the sacrificial cake in the *vidatha*;[8] similarly Maruts are asked to accept sacrifices offered there.[9] Generally these were collective offerings made to the deity, and in this sense the *vidatha* served as a sacrificial institution. The second method of worshipping gods was to sing their praises in the assembly. In some cases the sacred food offered to the god is in the form of praises.[10] Several references indicate that the *vidatha* was the scene of singing. Singers assembled there and sang prayers in honour of the gods. Indra, the might of the *vidatha*, received in large measure the songs of praise.[11] Agni, who filled the *vidatha* hall, conserved the holy acts of the singers.[12] The gods were

1. *ā na ilābhirvidathe suśasti viśvānaraḥ savitā deva aitu, api yathā yuvāno matsathā no viśvaṃ jagadbhipitve manīṣā. RV*, I. 186. 1.

2. *vidathe manma śaṃsi, asme agne saṃyadvīraṃ bṛhantaṃ kṣumantaṃ bājaṃ svapatyaṃ rayiṃ dāḥ. RV*, II. 4. 8.

3. *asmab hyaṃ tadvaso dānāya rādhaḥ samarthayasva bahu te vasavyaṃ, indra yaccitraṃ śravasyā anu dyūnvidvadema vidathe suvīrāḥ. RV*, II. 13. 13.

4. *AV*, VII. 73 (77). 4.
5. *AV*, VIII. 3. 19.
6. *AV*, XVII. 1. 15.
7. *AV*, XVIII. 1. 20.
8. *RV*, III. 28. 4.
9. *RV*, III. 26. 4; I. 166. 2.
10. *RV*, 1. 186. 1.
11. *sthūrasya rāyo bṛhato ya īśe tamuṣṭavāma vidatheṣvindram. RV*, IV. 21. 4.
12. *RV*, X. 122. 8; II. 4. 8.

besung in the *vidatha*, so that they might be merci u to the devotees[1]. Such being the importance of singing, priests were nvoked to assume the role of singers to inspire the people in the assemblies.[2]

The *vidatha* was not only the scene of singing but probably also of drinking and sports. Soma is described as "driving the drops, at our assemblies", which shows that the people enjoyed the *soma* drink in the *vidatha*.[3] At one place it is said that the Maruts play sports in their gatherings[4], which were evidently conceived on the basis of gatherings of human beings. This suggests that the *vidatha* served as the playground for the people assembled there. Besides, it was an assembly in which the simple folk discussed the virtues of horse,[5] just as they dilated upon the virtues of kine in the *sabhā*. They also sang about the merits of the chariot wrought by Vibhvan.[6] All this shows that the *vidatha* met in a homely atmosphere, and was in line with primitive tribal assemblies which are characterized by singing and playing and the observance of festivals and religious cremonies.

As a key to the understanding of the sacred character of the *vidatha* we may refer, in particular, to the religious functions of the early assemblies of the Indo-European peoples. Each of the thirty curies, which together constituted the sovereign tribal assembly of Rome, had its peculiar worship and chapel.[7] But in course of time some of these tribal assemblies lost their worldly functions to other institutions and retained only their religious character. Speaking of tribal assemblies in Sweden, Chadwick says. "They appear to have been primarily religious gatherings, for the great annual sacrifices at the chief national sanctuary. It is more than probable that such was the case also with the assemblies of the ancient Germans."[8]

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1. *AV*, I. 13. 4; V. 12. 7.
2. *RV*, X. 110. 7.
3. *RV*, IX. 97. 56.
4. *krīḍanti krīḍā vidatheṣu ghṛṣvayaḥ, nakṣanti rudrā avasā namasvinam.... RV*, 1.166. 2.
5. *RV*, 1. 162. 1.
6. *vibhvataṣṭo vidatheṣu pravācyo yaṃ devāso'vathā sa vicarṣaṇiḥ. RV*, IV 36. 5.
7. William Smith, *A Smaller History of Rome from the earliest times to the death of Trajan*, p. 18.
8. H. Munro Chadwick, *The Heroic Age*, p. 169.

Bloomfield does not accept the collective nature of sacrifice associated with the *vidatha* and tries to show that it means the patriarchal house which served as the home of the Vedic sacrifice[1]. Accepting the conclusions of Barth[2] and Keith[3] he proceeds on the assumption that in the Vedic age sacrifice was a strictly private affair, the individual *yajamāna* kindling the sacred fire in his own house and performing the sacrifice. As such he concludes that the public nature of the *vidatha* sacrifice would not be in consistence with the prevalence of the individual type of sacrifice. But Bloomfield's basic assumption is only partly correct. There are reasons to suppose that during the Vedic period there existed public sacrifice alongside the individual sacrifice, and that the former was older than the latter. As shown above, comparatively speaking, there is evidence of public (in the sense of tribal) sacrifice among other Indo-European peoples. Therefore, it would be only natural to expect it in the Vedic literature, particularly in the *Ṛg Veda*, the earliest monument of the Indo-European letters. The presumption in favour of such a sacrifice is further strengthened by anthropological evidence, which bears testimony to the prevalence of communal (tribal) sacrifice in the earliest stage of social evolution.

As regards internal evidence in the Vedic literature one may cite several passages, indicating the tribal functioning of the people not only in worldly life[4] but also its reflection in religious life. The kernel of the *Ṛg Veda* (namely BK II to BK IX) contains numerous passages, in which prayers are addressed to the gods in chorus by the worshippers. Since sacrifice in the Vedic period is indispensably accompanied by prayer[5], there is no reason why it should not be of collective nature. In respect of sacrifice in general we may refer to two Ṛg Vedic passages, which indicate its tribal nature. It is stated, that men kindle the signal of sacrifice and the race of men (*mānuṣo janaḥ*) invites Agni to the solemn rite.[6] Similarly,

1. *JAOS*, xix, 14ff. 2. Barth, *Religions of India*, p. 50
3. Keith, *Religion and Philosophy of the Vedas*, p. 290.
4. This has been ably done by a host of scholars such as K. P. Jayaswal, R. C. Majumdar, N. C. Bhandyopadhaya and U. N. Ghoshal in their pioneer works on communal life in ancient India.
5. P. S. Deshmukh, *Religion in Vedic Literature*, p. 144.
6. *sajaṣastvā divo naro yajñasya ketum indhatte yaddhasya mānuṣo janaḥ sumnāyur juhve adhvare. RV*, VI. 2. 3.

another passage states that the dear folk (*priyaḥ janaḥ*) of Indra present oblations to him and are his friends[1]. These passages make no mention of individual sacrificer, and it is obvious that the word *jana* used in them stands for the tribe or the race. At several places in the *Ṛg Veda* the word *yajamāna* is used in plural, which suggests that more than one sacrificer participated in some religious rites. In one passage Sarasvatī is requested to give food and wealth to the "present sacrificers".[2]

With regard to specific Vedic sacrifices it may be pointed out that the domestic *gṛhya* rites are of strictly private nature, but of that there is hardly any trace in the earliest collection of hymns. Most Vedic sacrifices of later times provide for only one *yajamāna*, although some stipulate for more than one priest. Nevertheless, the *sattra* sacrifice, which was not conducted by one *yajamāna* but several and in which the merit of performance belonged collectively to them[3], may be regarded as a clear and specific case of the prevalence of collective (tribal) sacrifice during the Vedic period. In the opinion of Tilak the *sattras* are "the oldest of the Vedic sacrifices."[4]

Although no description of the *sattra* is given in the early Vedic literature, what we know about it from later sources seems to confirm the opinion of Tilak. Firstly, there are no separate priests but the *yajamānas* themselves act as priests.[5] This is an indication of an early stage of social development when the division of labour had not given rise to a separate class of priests. Secondly, the generally prevalent view about the sacrificers seems to be that only the members of the same *gotra* (clan) could perform this sacrifice.[6] This furnishes a clear example of the tribal sacrifices, which are known to have been practised among primitive tribes. Thirdly, the term *sattra* in its different forms occurs over fifty times in the *Ṛg Veda*, and according to Tilak its meaning is *yajña*. The primitive

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1. *RV*, VII. 20. 8.
2. *RV*, X. 17. 9.
3. Keith, op. cit., pp. 290, 349. S. A. Dange has brought to bear a new point of view on the analysis of the communal characterisics of the *sattra* in his book *India from Primitive Communism to Slavery*, pp. 41-3.
4. B. G. Tilak, *The Arctic Home in the Vedas*, p. 193.
5. *Jaimini Pūrvamīmāṃsāsūtra*, X. 6. 45-60.
6. The views of the ancient ritualists, *i. e.*, Gānagāri, Āśvalāyana and Jaimini, are quoted in Kane, *History of Dharmaśāstra*, ii, 1241.

character of the *sattra* affords no ground for doubting its antiquity. Had it been a priestly invention of later times it would have provided some measure either to fill the pockets of the priests at the cost of the lay sacrificers or to increase their social pre-eminence, but of such developments there is no indication in this sacrifice.[1]

Curiously enough the *sattra*, which is noted for its collective (tribal) character and antiquity, escaped the notice of Bloomfield. He, however, suspects that there may be something of either communal or national worship hidden away in the folds of the horse sacrifice,[2] We may add that an examination of some ceremonies of the *vājapeya* and *rājasyūa* sacrifices would also bear out his suspicion. Thus in the chariot race ceremony of the former, and in the cattle raid and dicing ceremonies of the latter, the king (sacrificer) participates as one of the numerous competitors, and in one case there is clear evidence of competitors being described as clansmen[3]. These ceremonies clearly betray elements of communal functioning in the above sacrifices. In the context of these traces of communal sacrifice it would be unfair to dismiss Hillebrandt's proofs for the existence of tribal sacrifices in the Vedic period as a "poor substitute for the evidence which should be forthcoming"[4]. The latest work on this line has been done by B. N. Datta, who, on the basis of the analysis of the Ṛg Vedic hymns composed by the *ṛṣis* of different clans in honour of different deities, concludes that originally a particular tribe or clan was the votary of a special god[5]. This is a very strong proof of the existence of the tribal or collective sacrifice in the earliest period. Hence the basic assumption of Bloomfield regarding the absence of collective sacrifices during the Vedic period is undoubtedly open to question.

Above all, as shown previously, in the large mass of the occurrences of the term *vidatha* it is not the individual who aspires for brave sons and wealth but a number of people assembled together. Lastly, the meaning of patriarchal house

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1. Ghoshal, op. cit., p. 3.
2. *JAOS*, xlviii, 200.
3. Infra, Ch. IX.
4. Keith, op. cit., p. 290.
5. B. N. Datta, *Dialectics of Hindu Ritualism*, pp. 110-4.

assigned to this term by Bloomfield runs counter to its interpretations given in the *Nighaṇṭu* and *Nirukta*. The former explains it as sacrifice and the latter as both sacrifice and assembly[1], but none interprets it in the sense of house.

In conclusion it may be stated that there is evidence of both communal and tribal life, religious and worldly, as well as patriarchal family life in the early Vedic period. The institution of the *vidatha*, however, seems to be in tune with the communal type of life. The use of words in the *Ṛg Veda* does not supply much direct evidence of strictly monogamous patriarchal family life. The term *kula*, which indicates such a life, is not used at all in the *Ṛg Veda ;* the term *kulapā* in the sense of family head is used only once. On the other hand the words for tribe, namely, *jana* and *viś*, are mentioned there respectively about 275 and 271 times. This can be taken as sufficient proof of the importance of the tribal and communal life during the early Vedic period. And it is probably this aspect of life which manifests itself in its manifold ramifications in the *vidatha*.

Similarly it may not be quite correct to attach undue importance to the fact that the *vidatha* was a council of the wise or a spiritual authority. There are, of course, some references to this aspect of its nature. We learn that there existed in heaven the synods (*vidathas*) of the wise.[2] It is not known whether the term *vidathya*, like *sabheya*, was used as a title of distinction[3]. But one or two stray references are not adequate to establish the general nature of the *vidatha* as the council of the wise. The balance of the probability is that it was a popular assembly in the beginning, but in course of time came to be confined to few people, and its membership, like that of the Anglo-Saxon national council witenagemot, came to be regarded as a mark of distinction.

An important point for consideration is whether the rājnyas and brāhmaṇas, who had practically established themselves as the ruling class in the period of the later *Saṃhitas* and *Brāhmaṇas*, attended the *vidatha*. References suggest the presence of the priest generally called the *hotṛ*, but priests or brāhmaṇas as a

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1. *Nirukta*, IX. 3; *Nighaṇṭu*, III. 17.
2. *RV*, III. 1. 2.
3. *sādanyaṃ vidathyaṃ sabheyaṃ pitṛśravaṇaṃ yo dadāśadasmai*. *RV*, I. 91. 20.

class are not associated with this institution. Although the people present in the *vidatha* address Indra and Varuṇa as rājan, there is no reference to the presence of rājans in that assembly. In one passage the term *vidathya* is applied to the *samrāṭ* or the great king, which shows that the king also attended the *vidatha*.[1] In another passage we find the use of the term "king in the assembly" (*vidatheṣu samrāṭ*).[2] But the rājanyas or brāhmaṇas hardly act as the members of the *vidatha*, as they do in the case of the *sabhā* and *samiti*. Ludwig has made several convincing citations to prove the high social status of the members of the *sabhā*. On the basis of *RV*, X. 97. 6. Ghoshal suggests that the rājas (princes) were the most distinguished members of the *samiti*, which evidently contained also a popular element[3]. But it is difficult to accept the view that *vidatha* primarily means the assembly, especially of the *maghavans* (rich men) and brāhmaṇas[4]. In interpreting *RV*, II. 27. 12 Zimmer takes the *vidatha* to be a smaller assembly than the *samiti*, which may give the impression that it was aristocratic in nature. There is no doubt that the passage in question refers to some rich and munificent people, riding on chariots, attending the *vidatha*, but unless we have more references of this character it is not possible to characterise this inititution as aristocratic. Besides, neither the above passage throws any light on the relative numerical strength of the *samiti* and the *vidatha* nor has it been discussed anywhere else in the Vedic literature. Indeed there is more evidence of the rise of aristocratic elements in the case of the *sabhā* and *samiti*, particularly in that of the former, than in the case of the *vidatha*. Hence if any hypothesis can be built on negative evidence, one can venture the suggestion that the early *vidatha* was probably the typical institution of the period when the tribe had not broken into classes such as brāhmaṇas and kṣatriyas.

In the light of what has been stated above it may be of some interest to examine the problem of the antiquity of the *vidatha* in relation to two other Vedic institutions, *i. e.*, the *sabhā* and *samiti*. The primitive character of the *vidatha* is evident from the

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1. *RV*, IV. 21. 2.
2. *RV*, III. 55. 7.
3. Ghoshal, op. cit., p. 17
4. Ludwig quoted in *VI*, ii, 296.

undifferentiated nature of its functions. That nature it shares with both the Vedic assemblies. What makes it more primitive is the distributive functions or common consumption of the produces, which presupposes common production. This, according to the evidence of anthropology, can be found only in the most primitive tribal organization. Secondly, the participation of woman in its deliberations places it earlier in point of time than the other Vedic institutions. Thirdly, the absence of any clear and definite evidence of class distinctions in the *vidatha* may be taken as another proof of its antiquity. Lastly, we may also consider the evidence of comparative philology in this connection. Just as the word *sabhā* has its parallel in some Indo-European languages, the term *vidatha* has its equivalent word in Gothic, an important Indo-European language. Although its parallel does not find place in any of the dictionaries according to the rules of philology, the term *vidatha* can be reduced to the *Gothic* word *vitoth*, which means law[1]. It may be noted that both these words can be derived from the root "*vid*" [2]. We may add that in the opinion of Oldenberg the term *vidatha* means ordinance, and according to Roth it means order[3]. It is not surprising that its deliberative functions should invest it with the meaning of law.

Thus a consideration of the nature of the composition and functions of the *vidatha* and the existence of its corresponding equivalent in Gothic tend to establish the hypothesis that the *vidatha* was the earliest collective institution of the Indo-Āryans. Since some of its features, namely, the association of woman and distributive functions are not found in the early assemblies of the Indo-European peoples, the *vidatha* may have been the common collective organization of the Indo-Europeans before they branched off into different sub-divisions.

A study of all the available references reveals that the *vidatha* was the earliest folk-assembly of the Indo-Āryans attended both by men and women, performing all kinds of functions, economic, military, religious and social. It answered the needs of a primitive society which hardly knew division of

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1. August Fick, *Indogermanischen Wörterbuch*, p. 189. I have consulted Drs. S.K. Chatterjee and T. Chaudhury on this point.

2. Ibid.

3. Quoted in *VI*, ii. 296.

labour or domination of the male over the female, and which probably shared its produces in common. It seems that the keystone of the *vidatha* system was co-operation. People gathered in this assembly fought together, sang together, prayed together, played together and deliberated together without any discrimination of sex. How far the *vidatha* served as an instrument of government is difficult to determine. The internal evidence in itself is too fragmentary to solve this problem, but the nature of primitive institutions as known to anthropology can throw some light on this question. In the opinion of Morgan the council of the gens was "the great feature of ancient society, Asiatic, European, and American from the institution of the gens in savagery to civilization. It was the instrument of government as well as the supreme authority over the gens, the tribe and the confederacy."[1] Whether the same can be said of the *vidatha* needs further investigation.

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1. Lewis H. Morgan, op. cit., pp. 84—5.

CHAPTER VI

THE VEDIC GANA AND THE ORIGIN OF THE POST-VEDIC REPUBLICS

K. P. Jayaswal, who did pioneer work in bringing the ancient Indian republics to prominent notice in the framework of Indian history writing, observed the following about their origin : "The hymns of the *Ṛik* and *Atharvan*, the view of the *Mahābhārata* and the tradition which Megasthenes heard in India in the 4th century B. C., all point to the fact that republican form of government in India came *long after monarchy*, and *after the early Vedic age*[1]". This view may be true of the class-divided post-Vedic republics, but so far as the tribal republics of Vedic times are concerned, such a generalisation does not seem to accord with the evidence of either early or later literature.

Gaṇa, the technical word for the republic, is found at forty-six places in the *Ṛg Veda*, at nine places in the *Atharva Veda*, and at several places in the Brāhmaṇas. In most cases it has been interpreted in the sense of "assembly" or "troops". For a few years after 1910 there raged a controversy as to the meaning of this term. In explaining the word *Mālava gaṇa* Fleet translated it as tribe. Jayaswal translated it as an assembly or government by assembly and was supported by F. W. Thomas. But if taken in the chronological order, both the interpretations may be correct. It may be noted that in Vedic texts the Maruts are repeatedly described as a *gaṇa*[2]. Since they were the sons of Rudra, their *gaṇa* in this sense was a tribal unit. Later this meaning tended to be obsolete. For instance, in the *Mālava gaṇa* the term Mālava did not indicate all the people of the Mālava state. The same was the case with the Kṣudrakas[3]. Patañjali states that the slaves and serfs of the Mālavas and the Kṣudrakas should not be known as *Mālavya* and *Kṣaudrakya*, but these terms should only be applied to the children of tribes-

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1. *Hindu Polity*, p. 23; our italics.

2. *RV*, I. 64, 12; V. 52. 13-4; 53. 10; 56. 1; 58.1-2; VI. 16. 24; X. 36.7; 77.1; III. 32. 2; VII. 58. 1; IX. 96. 17; *AV*, XIII. 4. 8; IV. 13. 4; *ŚB*, V. 4.3.17.

3. *Kaśikā* on *Pāṇini*, V. 3. 114.

men, presumably with full rights[1]. This is a clear indication that the Mālava and Kṣudraka republics were based on slavery and serfdom. Altogether the two references imply that the slaves and serfs of these republics corresponded to the vaiśyas and śūdras. It is further known that slaves and hired agricultural labourers in the republican states of the Mallas and Koliyas were excluded from the exercise of political power, which was monopolised by the nobles. Such a class distinction between fellow tribesmen is not to be found in the tribal *gaṇa* of the Vedic age.

A study of the references to the *gaṇa* in early and later Vedic literature would show that it was a sort of gentile organization, chiefly of the Indo-Āryans. It is incorrect to state that the Latin *gens*, which was a group of families descended in the male line from a common ancestor, and the Greek *genos*, are the Indo-European equivalents for the Sanskrit *gaṇa*.[2] The term *gaṇa* cannot be derived from the root *jan* which means to beget. It comes from the root *gaṇ* which means to count. Although literally the term *gaṇa* does not mean a tribe but an artificial collection of people not necessarily belonging to the same tribe, it appears that in most cases in the Vedic literature this term is used in the sense of a tribal organization.

The tribal character of the Vedic *gaṇa* is evident from what we know about the Maruts. They are described as sons of Rudra numbering either forty-nine[3] or sixty-three divided into seven groups, each consisting of nine[4]. There are several references to the *gaṇas* of the Devas in Vedic literature[5]. In Purāṇic and epic literature, which records our earliest traditional history, there are copious allusions to the *gaṇas* of gods and demons. It is needless to add that they were nothing but the reflections of the *gaṇa* organization existing in human society. In every case members of the *gaṇa* are represented as having the same ancestor. It is noteworthy that several of the *gaṇas* mentioned in these traditions bear metronymics. For instance, there

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1. *idaṃ tarhi kṣaudrakāṇāmapatyaṃ mālavānāmapatyaṃ ityatrāpi prāpnoti kṣaudrakyo mālavya iti. naitat teṣāṃ dāse vā bhavati karmakare vā.* Patañjali on *Pāṇini*, IV. 1. 168.
2. S. A. Dange, *India from Primitive Communism to Slavery*, p. 61.
3. *ekonapañcāśanmaruto vibhaktā api gaṇasyūpeṇaiva vartante. Tāṇḍya Mahābrāhmaṇa*, XIX. 14. 2.
4. *ŚB*, II. 5. 1. 12; *RV*, VIII. 96. 8; *TB*, I. 6. 2. 3.
5. *gaṇadevānāṃ ṛbhavaḥ sūhastāḥ. RV*, IV. 35. 3; *TB*, II. 8. 6. 4; *ŚB*, XIII. 2. 8. 4.

existed the *gaṇa* of the Ādityas descended from Aditi[1]. Further, references in the *Mahābhārata* relating to the exploits of Skanda or Kārtikeya inform us that he went to fight against the Daityas accompanied by seven *gaṇas* of mothers[2]. At another place, in a section on the eulogy of his mothers, we come across the names of over a hundred mothers who form a number of *gaṇas*[3]. The mythical references to their role in the destruction of the *gaṇas* of enemies indicate their fighting character[4]. It would not be correct to take mothers in the literal sense of the term. Obviously they stand for adult women who could take part in the battle. The idea that only men can fight is so deeply imbedded in our minds that only with great effort can we conceive of military assemblies of women, who accompanied Skanda in his march aganist the Daityas. The earliest division of labour known to prehistory is that between male and female, in which cattle breeding, hunting and fighting fell to the share of man, and cooking and agriculture to the lot of woman. But this myth perhaps refers to a still more primitive form of society, when *gaṇas* of females fought in the battle-field along with those of males. Although it does not record a historical fact, such a myth could not have been possibly conceived without some basis in the life of early times. Skanda, with whom the female *gaṇas* are associated, may have been a later god, but the story of the fight between Devas and Asuras is as old as the Vedic period. Moreover, although not forming a part of the main narrative, these references seem to have recorded the old traditions, and are not included in the didactic sections of the epic. All this may lead us to suppose that the female element was also associated with the Vedic *gaṇa*, although there is no direct proof of this in the Vedic literature. There are seven references in early Vedic texts to the association of woman with the *vidatha*,[5] but none in the case of the *gaṇa*.

There is no doubt that the tribal *gaṇa* acted also as an assembly. Griffith has translated this term at several places in the

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1. *Ādi Parva*, 60. 36-9.
2. *saptamātṛgaṇāścaiva samājagmurviśāmpate...Śalya Parva* (Kumbakonam edn.), 45. 29; 47. 33-4.
3. *śṛṇu mātṛganān rājankumārānucarānimān, kirtyamānānmayā vira sapatnaganasūdanān. yasaśvīnīnāṃ matṛīnāṃ śṛṇu nāmāni bhārata, yābhirvyaptistrayo lokā kalyāṇībhiścabhāgaśaḥ.* Ibid., 47. 1-2.ff.
4. Ibid.
5. Supra, pp. 64-5.

Ṛg Veda as an assembly of gods or men. The Vedic references hardly give any indication of the deliberative aspect of the *gaṇa* which can be inferred from a Purāṇic reference. On one occasion the sages assembled on the Meru mountains passed a resolution (*samaya*), as a result of which all the sages with their *gaṇa* assembled for the transaction of some business[1]. This might suggest that the resolution had been adopted earlier by a *gaṇa* of sages, although the term *gaṇa* is not mentioned in that connection.

In Roman assemblies fighting and voting went together. That may have been the case with the *gaṇa* to the military character of which there are numerous references. The *Ṛg* and *Atharvan* collections repeatedly mention the strong and vigorous *gaṇas* of Maruts in the sense of the army and troops[2], at times under the command of the Sun or Indra[3]. Heroes are described as marching in *gaṇas* or companies[4]. The troops of Matuts are called to the rescue of man[5]. The *gaṇas* seem to have been well equipped with swift steeds and well provided with weapons[6]. It seems that their chief war equipment were bows, arrows and quivers[7]. In the light of what is known about the relations between primitive tribes it may be presumed that these tribal republics were always hostile to one another and in a perpetual state of warfare. We learn, for example, that Bṛhaspati destroyed the obstructive Vala with the loud-shouting *gaṇa* and drove away the cattle. At another place Pūsan is invoked to lead the *gaṇa* of men that longs for kine to win the spoil[8]. On the analogy of the gentile organization of their primitive and early peoples, it can be said that the *gaṇa* was a self-acting armed organization, every member of which bore arms. Since neither the *Ṛg Veda* nor the *Atharva Veda*

1. *Vāyu P.* (ASS), 61. 12-4. Unless specified otherwise, the BI edn. of the *Vāyu Purāna* has been used in this book.

2. *yuvā sa mārto gaṇastveṣaratho anedyaḥ, śubhaṃ yāvāpratiṣkutaḥ. RV*, V. 61. 13.

3. *AV*, XIII. 4. 8; *yām ābhajo marutaindrāsomeyetivāṃ vardhannabhavan gaṇaste... RV*, III. 35. 9.

4. *rodosi ā vadatā gaṇaśriyo nṛṣācaḥ śurāḥ sarasāhimanyavaḥ, ā bandhureṣvama tirna darśatā vidyunna tasthau maruto ratheṣu vaḥ. RV*, I. 64. 9.

5. *trāyantāmimam devāstrāyantāṃ marutāṃ gaṇāḥ. AV*, IV 13. 4.

6. *ubhā sa varā pratyeti bhāti ca yadīm gaṇam bhajate suprayābhiḥ. RV*, V. 44. 12 ; VI. 52. 14.

7. *RV*, X. 103. 3 ; *AV*, XIX. 13. 4.

8. *imaṃ ca no gaveṣaṇaṃ sātaye siṣadho gaṇam. RV*, VI. 56. 5.

estricts war to a nobility or its retainers[1], it is natural to suppose that every member of the popular assembly such as the *sabhā*, *samiti*, *vidatha* and *gaṇa* could take up arms. It is the remnant of such an organization that is found later in the ten *āyudhajīvī saṅghas* of Pāṇini and four *vārtāśastropajīvī saṅghas* of Kauṭilya. The latter term probably indicated that these republics had not evolved permanent class divisions, in which only the ruling class possessed the power of arms as against the disarmed mass of the ruled class. Hence it would appear that the Vedic *gaṇa* was an armed organization of the whole people.

The leader of the *gaṇa*, at one place known as *gaṇasya rājā*, is generally called *gaṇapati*. Indra[2], Marut[3], Bṛhaspati[4] and Brahmaṇaspati[5] particularly the last three, are repeatedly described as *gaṇapati*. There is at least one reference in the *Ṛg Veda*, in which the leader of the *gaṇa* is given the title of *rājan* ; in connection with the *soma* sacrifice the king is invoked as *gaṇānāmpati*[6]. Brahmaṇaspati, who at several places is called *gaṇapati*, is also described as the supreme king of prayers.[7] The appellation of *rājan* to *gaṇapati* may suggest that gradually the latter transformed himself into the position of a king. Whether the *gaṇapati* was selected by the members of the *gaṇa* is nowhere indicated in the references. The *vidatha* elected its priest, but there is no such reference in the case of the *gaṇa*.[8] The tribal analogy and the practices of the Greek tribes strengthen the hypothesis that the *gaṇapati* was elected. At least there is no reference to the hereditary nature of his office. Clearly his most important function was to lead his band for the capture of cattle, which formed the chief spoils of war. It is stated that the *gaṇas* were always anxious to win wealth for themselves.[9]

It seems that the spoils captured by the soldiers were not appropriated by them in their individual capacity. It was the

1. *VI*, ii, 251.
2. *RV*, X. 113. 9.
3. *TB*, III. 11. 4. 2.
4. *gaṇānāṃ tvā gaṇapatiṃ havāmahe...jyeṣṭharājaṃ brahmaṇāṃ brahmaṇaspata ā naḥ*. *RV*, II. 23. 1.
5. *AB*, I. 21.
6. *AB*, IX. 6.
7. *RV*, II. 23. 1.
8. Supra, p. 69.
9. *yacciddhi te gaṇā ime chadayanti madhattaye, pari cidvaṣṭayo dadhurdadato rādho ahnyaṃ sujāte aśvasūnṛte*. *RV*, V. 79. 5.

duty of the members of the *gaṇa* to surrender all such wealth. For instance, a person speaks to the great captain of the mighty army who was the *gaṇa's* royal leader in these words: "To him I show my ten extended fingers. I speak the truth. No wealth am I withholding."[1] It seems that the *gaṇapati* distributed equal shares among them. This is suggested by the following passage of the *Atharva Veda* included according to Śāyaṇa in the *gaṇa-karmāṇi* (duties of the *gaṇa*). "Having superiors (*jyāsvant*), intentful, be ye not divided, accomplishing together, moving on with joint labour (*sadhura*) ; come hither speaking what is agreeable to one another. I make you united (*sadhrīcīna*), like-minded. Your drinking (*prapā*) be the same, in common your share of food ; in the same harness (*yoktra*) do I join (*yuj*) you together ; worship ye Agni united, like spokes about a nave"[2]. If this is taken as evidence of what happened in a *gaṇa*, it implies a sort of primitive communism as found in other tribal societies, in which the tribesmen laboured together and shared their produce in common. We do not know whether the *gaṇapati* received any special share in booty, although there is evidence of giving special share called 'geras' to the leader of early Greek tribes[3]. It is likely that by means of special shares the *gaṇapati* went on accumulating spoils of war till there was a qualitative change in the character of his office, making him into a hereditary *rājan*, ruling with the help of priests and nobles.

In the republics of the time of the Buddha there appears a well organized bureaucracy consisting of *rājan*, *uparājan*, *senāpati*, *bhāṇḍāgārika* etc. But the Vedic *gaṇa* does not know of any public officer except the *gaṇapati*. Whether this functionary received any other form of remuneration in addition to his share in the spoils of war is not clear. There is no mention of any form of compulsory taxes paid by the members of the *gaṇa* to its leader. The Marut-gaṇa is invoked to accept voluntary offerings made by the worshippers[4]. In the *Baudhāyana Gṛhyasūtra*, in the section on *baliharaṇam*, there is a ritual regarding offerings. With the recitation of the formula *gaṇebhyaḥ svāhā* and *gaṇapatibhyaḥ svāhā*

1. *yo vaḥ senānīrmahato gaṇasya rājā vrātasya prathamo babhūva, tasmai kṛṇomi na dhanā ruṇadhmi daśāhaṃ prācīstadṛtaṃ vadāmi. RV*, X. 34. 12.

2. *AV*, III. 30. 5-6 (Whitney's Translation). Bloomfield gives a slightly different translation. S. A. Dange draws attention to this passage (op. cit., p. 140).

3. George Thomson, *Studies in Ancient Greek Society*, pp. 329-33.

4. *accha ṛṣe mārutaṃ gaṇaṃ dānā mitraṃ na yoṣaṇā. RV*, V. 52. 14.

voluntary religious offerings are made to the *gaṇa* and its leader.[1] Similarly the Vedic phrase *gaṇānāṃ gaṇapatiṃ havāmahe* is evidence of religious offerings made to the *gaṇapati*. Proceeding on the assumption that these rituals are contemporary social practices put in religious garb, it would appear that the *gaṇapati* in human society received voluntary taxes out of love and affection for his leadership in war, a fact which is also supported by the prevalence of a similar practice among primitive tribes. What is offered voluntarily to the *gaṇa* and its leader in the early period perhaps assumes compulsory character when the tribal *gaṇa* is transformed into a monarchical state. In the *Ṛg Veda* the king is described as *balihṛt*, but no such epithet is applied to the *gaṇapati*.

The post-Vedic *gaṇas* are described as settled on a fixed territory, but the Ṛg Vedic *gaṇas* seem to be in a nomadic and migratory state, engaged in perpetual warfare for the possession of cattle. Perhaps the economic basis of the Ṛg Vedic *gaṇas* was the rearing of cattle, which constituted their chief form of wealth. It would thus appear that these *gaṇas* were not rooted in the soil of any particular territory but moved from place to place with their herds of cattle. There is no mention of the capture of agricultural produce or of land, which alone could ensure a stable economy. Later, in the *Śatapatha Brāhmaṇa*, the Maruts are described as peasants. Again, in the *Taittirīya Brāhmaṇa* Marut is described as grain, which is named *Māruta* after him.[2] Thus it seems that in the period represented by the Brāhmaṇas the economic basis of the *gaṇas* rested on the practice of the art of cultivation.

References indicate that the *gaṇa* also served as a sort of religious assembly. At one place Agni is invoked not to fail its members, who pray and worship. He is further asked to bring all the gods so that they might give riches to the members of the *gaṇa*.[3]

There is also mention of drinking and singing in the *gaṇa*. The *gaṇa* of the Maruts is referred to as drinking heavily.[4]

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1. II. 8. 9.
2. *māruta eṣa bhavati. annaṃ vai marutaḥ . TB*, 1. 7. 7. 3.
3. *agne yāhi dūtyaṃ mā riṣaṇyo devāṃ acchā brahmakṛtā gaṇena...devān ratnadheyāya viśvān. RV*, VII. 9. 5.
4. *...ādityān mārutaṃ gaṇam. pra vo bhriyanta indavo matsarā mādayiṣṇavaḥ drapsā madhvaścamūṣadaḥ. RV*, I. 14. 3-4.

Indra is invited to drink *soma* in the assembly of gods[1]. Bṛhaspati is referred to as singing or providing songs for the *gaṇa*[2]. There are several references to the singing of Maruts. In one reference their *gaṇas* are asked to sing to Parjanya[3]. In another they are described as singing and drinking the *soma* juice in a rejoicing mood[4]. It is also stated that Soma enters the hearts of all the company who sing[5]. Again, worshippers are asked to begin the song seated in the *gaṇa*, and Indra is invoked to give strength for sacrifice to one who sings[6]. It is probably from the singing function of the *gaṇa* that the word *gaṇaka*, meaning one who is an expert in the knowledge of sound (*svaramaṇḍala* etc.), is derived[7]. The term *gaṇikā* may have been derived from the word *gaṇaka*. The epic evidence for the existence of matriarchal *gaṇas* may suggest that in early times women also figured in the *gaṇa*, and hence came to be known as *gaṇikās* in later times. It is, however, worthy of remark that there is no mention of dancing in the early *gaṇa*, although it is associated with the *gaṇarājya* of the Licchavis during the sixth century B. C.[8].

One distinguishing feature of the Vedic *gaṇa* is the absence of class distinctions. Maruts, the typical example of the *gaṇa* society, are described as the *viśaḥ* or people[9]. They are repeatedly described as peasants, whose *gaṇas* consist of troops of seven each[10]. Even the earliest reference shows that they are sixty-three in number, divided into nine *gaṇas* of seven each[11]. This grouping gives no indication of class divisions based on labour. The Purāṇic traditions refer to the *gaṇas* of kṣatriyas. We are told that the Dhārṣṭaka Kṣattra comprised a *gaṇa* of three thousand kṣatriyas,[12] and that Nābhāga owed his power to the backing

1. *RV*, VI. 41. 1.
2. *sa suṣṭubhā sa ṛkvatā gaṇaṃ valaṃ ruroja phaligaṃ ṛaveṇa*. *RV*, IV. 50. 5.
3. *gaṇāstvopa gāyantu mārutāḥ parjanyaghoṣiṇaḥ pṛthak*. *AV*, IV. 15. 4.
4. *agne marudbhiḥ śubhayadbhirṛkvabhiḥ somaṃ piba mandasāno gaṇaśribhiḥ*. *RV*, V. 60. 8.
5. *RV*, IX. 32. 3.
6. *RV*, VI. 41. 1.
7. *viṇāvādakaṃ gaṇakaṃ gītāya*. *TB*, III. 4. 15.
8. Āmrapālī, the famous dancer in the Licchavi state, was courted by the rājās, and was so important as to serve as host to the Buddha.
9. *ŚB*, II. 5. 1. 12.
10. Ibid., V. 4. 3. 17.
11. *RV*, VIII. 96. 8 with the commentary of Sāyaṇa.
12. *Vāyu P.* (ASS), 88. 4-5.

of a thousand kṣatriyas[1]. Moreover, the kṣatriya clan of Haihayas consisted of five *gaṇas*[2]. All this might suggest that the *gaṇa* type of organization was peculiar to the kṣatriyas, but probably some Vedic clans were called kṣatriyas in later traditions because of their warlike character. At any rate it is clear that in Vedic times the same *gaṇa* did not consist of kṣatriyas and other elements. Therefore, in all probability, the Vedic *gaṇa* was not characterized by any *varṇa* distinction. If credence is given to the Purāṇic tradition, the times of the Vedic *gaṇa* may be taken as corresponding to the Kṛta age when the varṇa system did not exist. The *Śānti Parva* states that the members of the *gaṇas* are equal in terms of birth and family, but not in terms of bravery, wisdom and money[3]. In the tribal stage of society there could have been little inequality, particularly in respect of wealth, and hence equality by birth may have been the most significant factor in the early *gaṇa*. Later authorities define the *gaṇa* as a collection of families, of which there does not seem to be any indication in the case of the early Vedic *gaṇa*. Although in later Vedic sources the Maruts are divided into seven groups, perhaps the early Vedic *gaṇa* was a wider unit. It has been shown earlier that the word for family (*kula*) is mentioned only once in the *Ṛg Veda*.

Whether the *gaṇa* was a pre-Āryan institution is open to question. In the early traditions it is associated with the Devas as well as the Asuras. The *Vāyu Purāṇa* describes and names the *gaṇas* of Devas[4]. The *Ādi Parva* enumerates six *gaṇas* of gods, namely, those of Rudras, Sādhyas, Maruts, Vasus, Ādityas and Guhyakas, prayers to whom emancipate mankind from all sins[5]. The Vedic association of the *gaṇa* with well-known Āryan gods such as Bṛhaspati, Indra (who is mentioned in a fourteenth cen. B. C. Mitanni inscription[6]), and especially

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1. Ibid., 86. 3.
2. Ibid., 94. 51-2.
3. *jātyā ca sadṛśāḥ sarve kulena sadṛśāstathā na tu śauryeṇa buddhyā vā rūpadravyeṇa vā punaḥ. bhedāccaiva pramādācca nāmyante ripubhirgaṇāḥ... ŚP*, 108. 30-31. It is difficult to accept the translation of Beng. edn. quoted by Jayaswal. The words *tu* and *punaḥ* connect these two verses and do not separate them as has been done by K. M. Ganguly.
4. ii, 3. 2-3.
5. *trayastriṃśata ityete devāsteṣāmahaṃ tava, anvayaṃ saṃprabravīmyakṣyāmi pakṣaiśca kulato gaṇān. Ādi P.*, 60. 36.ff.
6. H. R. Hall, *The Ancient History of the Near East*, p. 201.

Marut who is also mentioned as Maruttash[1] in a Kassite inscription of the eighteenth century B. C., indicates that this form of tribal organization obtained among the Āryans. On the other hand, many epic and Purāṇic references to this institution are associated with Śiva, who is called *gaṇādhyakṣa*[2], with his son Skanda, Bhūtas[3], and above all with women. The *Vāyu Purāṇa* mentions the *gaṇas* of Yakṣas, Gandharvas, Kinnaras, Vidyādharas, who are described as the progeny of Kaśyapa[4]. We learn about the Saiṃhikeya *gaṇa* of Daityas who were ten thousand strong[5], and the numerous *gaṇas* of Mlecchas who inhabited the various parts of Jambūdvīpa such as Aṅga, Śaṅkha and Varāha dvīpas[6]. All this may suggest that the *gaṇa* form of organization also prevailed among the non-Āryans. Absence of a parallel word in Indo-European languages may lend force to the hypothesis that it was typically an Indian institution unaffected by Āryan influences. In sharp contrast to the *vidatha*, which became obsolete both as an organization and as a word in the post-Vedic period, the *gaṇa* continued into post-Vedic times.

The one tendency that vitiates the study of ancient Indian institutions such as the *sabhā*, *samiti* etc. is the attempt to concentrate on their purely political aspect as an independent and isolated phenomenon. Since primitive institutions hardly admit of any attempt at differentiation of functions, social and political, there can be no correct appraisal of their nature unless we examine their various aspects in inter-relation with one another. Judged in this light, the Vedic *gaṇa* was probably in the nature of a primitive tribal democracy centring in itself the military, distributive, religious and social activities of early man. Although there is no direct evidence of the election of the *gaṇapati*, it seems that there were no public officials, no taxes, no classes and no army apart from the *gaṇa* army. In other words, the Vedic *gaṇa* was primarily a tribal republic. By the end of the Ṛg Vedic

1. Ibid., p. 202, fn. 1.
2. *Mbh.* (Kumbakonam edn.), X. 7. 8.
3. *Bhāgavata P.*, II. 6. 13; XII. 10. 14. The Purāṇic statement that Sagara destroyed the five *gaṇas* of Yavanas, Pāradas, Kāmbojas, Pahlavas and Śakas refers to a much later tradition.
4. *Vāyu P.*, ii. 8. 11 ff.
5. Ibid., 7. 17-21.
6. Ibid., No. 477, App. Quoted in Patil, *Cultural History from the Vāyu Purāṇa*, p. 174.

period we come across tribal republics of other varieties. A passage[1], which refers to kings sitting together in an assembly, has been rightly interpreted to imply that some tribes had no hereditary chief, but were governed directly by the tribal council. As in some obigarchic clans, the title of the *rājā* was taken by all the great men of the tribe, who governed it through a folk-moot[2]. Accordingly Jayaswal's view that the republic came *after the early Vedic age* and *after monarchy*[3] can be true of the post-Vedic territorial and class-divided republics but not of the early tribal republics. It seems that as the office of the *gaṇapati* became transformed into that of the *rājan*, the tribal republic passed into the monarchical state, a fact supported by anthropological evidence[4].

The first and nearest attempt at the classification of the types of government is found in the *Aitareya Brāhmaṇa*, where the terms *svarājya* and *vairājya* are used in the sense of republican constitutions. The regions, which are credited with the two types of government[5], suggest that the greater portion of Āryan India, namely West and North, were studded with republican constitutions, which were transformed into or superseded by monarchies. An illustration of the point can be found in the case of the two trans-Himalayan tribes[6] Uttarakurus and Uttaramadras, who are described as having a *vairājya* form of government[7]. But when they migrated to the Indian plains, they established monarchies[8]. Again, when monarchy was dissolved, it made way for an artificial republic. The record of this process seems to have been preserved in the tradition

1. *RV*, X. 97. 6.
2. Basham, *Wonder that was India*, p. 33.
3. Our italics.
4. "Among the most primitive races tribal authority is exercised almost universally in the democratic form of a general council, while governments representing the monarchic principles are almost entirely absent among peoples usually relegated to the lowest group. We regard this as a very remarkable fact concerning primitive social organization, and it has in most cases only been mentioned in passing in theoretical literature." G. Landtman, *The Origin of the Inequality of the Social Classes*, pp. 309-10, cf. pp. 310-6.
5. *AB*, VIII. 14.
6. B. C. Law, *India as Described in Early Texts of Buddhism and Jainism*, p. 89.
7. *AB*, VIII. 14.
8. B. C. Law, op. cit., pp. 89. 93-6.

quoted by Arrian from Megasthenes, who states that the republican form of government was thrice established[1]. Although the Purāṇic traditions record the existence of *gaṇas*, they do not tell us anything about subsequent changes in their constitution. For example, they refer to a *gaṇa* of a thousand kṣatriyas headed by Nābhāga, who might be identical with sage Nābhāka mentioned in the *Ṛg Veda*. But the descendants of Nābhāga are not mentioned by the Purāṇas. Patil argues that since the Nābhāgas were a republican tribe, the Purāṇas did not care to preserve their genealogy[2]. Nevertheless, if a reference in an inscription of Aśoka[3] is taken as referring to the Nābhāgas, it will appear that they continued to function as a republican tribe for a long period. All this would suggest that the tribal republic was followed by monarchy and not *vice versa*.

The origin of the republics is discussed in a general way by D. R. Bhandarkar. On the basis of a passage of the *Bṛhadāraṇyaka Upaniṣad* along with the commentary of Sāyaṇācārya, referred to him by R. C. Majumdar, he argues that since "the crucial passage speaks of *gaṇas* only in the case of Vaiśyas and not of Brāhmaṇas, Kṣatriyas or Śūdras, it appears that we had commercial *gaṇas* (*i.e.*, śreṇis) first among the Vaiśyas before there were political *gaṇas* among the Kṣatriyas"[4]. He futher states that just as the political *gaṇas* are divided into *kulas* or families, so also the commercial *gaṇas* are divided into *gaṇas*, as is known from the seals discovered at Bhitā and Basārh[5]. As has been shown earlier, the *gaṇa* was well known in its political and social aspects as early as the Vedic period, when there was not even the faintest idea of its commercial character. Moreover, it is needless to add that in the beginning only the functions of agriculture (*kṛṣi*) and rearing of cattle (*paśupālana*) were assigned to the vaiśya ; (*vāṇijya*) was a later development. Hence the hypothesis of Bhandarkar regarding the origin of the *gaṇa* has no basis in fact.

The real causes of the origin of the territorial, class-divided *gaṇas* of the post-Vedic period have to be sought in the universal

1. Arrian, IX, McCrindle, *India as Described by Megasthenes and Arrian*, p. 208.
2. *Cultural History from the Vāyu Purāṇa*, p. 53.
3. *R. E.* XIII.
4. D. R. Bhandarkar, *Carmichael Lectures*, 1918, pp. 169-70.
5. Ibid., p. 170.

reaction against the pattern of life as evolved in the later Vedic period. While on the social plane the new movement sought to do away with the growing class and sex distinctions, as well as expensive and superstitious religious practices involving the destruction of cattle wealth on a large scale, on the political plane it wanted to do away with the hereditary kingship based on brāhmaṇical ideology and denial of all rights to the masses of the people. For lack of a new programme, the leaders of the new movement modelled their ideals on the basis of the past when there were no varṇa distinctions, no domination of the brāhmaṇas and kṣatriyas over the masses and no coercive authority of the king depriving the overwhelming majority of the people of their rights. Jayaswal thinks that the religious *saṅghas* were created on the pattern of political *saṅghas*[1], while the truth seems to be that both of them were created on the model of the primitive *gaṇas*, which hardly permitted distinctions of any kind. It seems to be particularly true of the early Jain religious order, which bears the same name *gaṇa*, with Mahāvīra as its *gaṇi* or leader, and nine among his prominent disciples as *gaṇadharas* or sectional leaders[2]. It was to recapture the past glory of equality in the simple tribal *gaṇas* that there arose the desire to overthrow the new forms of state and society. In doing so it was not possible to cancel the socio-political development of centuries at one stroke, and hence success was only partial. Kingship was dissolved and republics were set up, but the class-divided patriarchal society, bureaucracy, taxation system and an army for the coercion of the people remained. The tribal state, which probably guaranteed an equal share of food and equal rights to all its members, could not be resurrected in its pristine glory. Its new edition was the "distorted" republics of the Licchavis, Śākyas etc. with all the paraphernalia of a monarchical state apparatus under the control of the kṣatriyas and the brāhmaṇas[3].

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1. K. P. Jayaswal, op. cit., p. 42.
2. Mrs. S. Stevenson, *The Heart of Jainism*, p. 61.
3. In case of the post-Vedic *saṅgha-gaṇa* the "Kṣatriya aristocracy ranked higher in the social scale than the Brāhmaṇas and the gahapatis, not to speak of inferior classes". Ghoshal, *Indian Culture*, xii, 6.

CHAPTER VII

THE EARLY PARISAD

The nature of the later *pariṣad*, which is mentioned in the *Arthaśāstra*, Aśokan inscriptions and the Dharmaśāstras[1], is fairly well known, but our knowledge of the early *pariṣad* is deficient. We can, however, form some idea of it on the basis of references in the *Ṛg Veda*, the *Atharva Veda*, later Vedic literature and its frequent mention in the narrative portions of the *Mahābhārata* and the *Purāṇas*. Although the epic and Purāṇic evidence cannot be considered as reliable as the Vedic evidence, it cannot be altogether discarded.

In a passage occurring in the *Ṛg Veda* Indra is celebrated for destroying with his thunderbolt the *pariṣadas* (companions) of the Asuras who obstruct rain[2]. This suggests that under the leadership of Indra, the Āryans fought against the organised bands of the pre-Āryans. A reference from the later portion of the same text shows that the *pariṣadvāns* (associates) of god Vasu desired to slay the son of Nṛṣad[3]. These references indicate the primitive military character of the *pariṣad*, mentioned in the case of Āryans as well as non-Āryans. Two other references throw some light on the nature of property, collectively owned by the members of the *pariṣad*. In a prayer, belonging to the early portion of the *Ṛg Veda* and reproduced by the *Atharva Veda*, the gods are described as "making us a conclave (*pariṣad*) rich in kine"[4]. Sāyaṇa explains the terms *gavyaṃ pariṣadanthaḥ* as *gosaṅgham*, and so Griffith translates it as a "herd of cattle". But since the term *gavyam* occurs as the adjective of *pariṣad*, the correct meaning seems to be 'an assembly rich in kine',[4] a feature which is not uncommon to an early assembly. Another passage from the same collection states that the wealth of the foe belongs

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1. K. P. Jayaswal, *Hindu Polity*, Chs. XXX & XXXI ; R. K. Mookerji *Aśoka*, p. 148 ; V. R. R. Dikshitar, *Mauryan Polity*, pp. 133-4 ; A. S. Altekar, *Sources of Hindu Dharma*, Ch. VI.

2. *vivajreṇa pariṣadau jaghāna*. *RV*, III. 33. 7.

3. *RV*, X. 61. 13.

4. *gavyaṃ pariṣadanto agman*. *RV*, IV. 2. 17 ; *AV*, XVIII. 3. 22.

to the *pariṣad*, and, in that connection, it expresses the desire of the people to be "masters of permanent riches"[1]. In other words the booty is not confined to the leader but claimed collectively by the whole group which he leads. All this would suggest that the *pariṣad* owned kine and spoils of war in common.

In the *Yajur Veda* the epithet *pariṣadya* applied to Agni may point to his presence in the *pariṣad*[2]. This is corroborated by a Purāṇic reference, in which Pariṣatpavamāna is the name of a descendant of Agni[3]. It seems that, as in the case of the *vidatha*, the fire-god was supposed to grace the *pariṣad* with his presence. This indicates that among the Āryans the *pariṣad* also functioned as a religious assembly, in which they offered worship to Agni. A later Brāhmaṇa mentions *daivī pariṣad* (divine assembly) along with *sabhā* and *saṃsad*[4], two other terms for assembly. Clearly the divine assembly was a reflection of the worldly assembly prevalent among the Āryans. This is counter-balanced, however, by another reference, in which Ahirbudhnya, a form of Rudra (and therefore probably pre-Āryan), is represented as *pariṣadya*, which term is explained by Sāyaṇa as (*sabhāyogya*) worthy of attending the *sabhā*.[5] A passage from a later Brāhmaṇa suggests that the *pariṣad* was a royal assembly, in which members evinced anxiety for securing victory over their opponent in debate. In the reference one party declares: "I am a supporter of the king and you are the supporter of a kingless state"[6], which implies that it was not without tough fight that the champions of the kingless state gave way to those of monarchy. Perhaps it indicates the process by which the king was gaining his foothold in the early *pariṣad* with the help of his supporters.

The few references that are found in the early Vedic literature do not give any direct evidence of the tribal character of the early *pariṣad*, but the oft-quoted passage from the *Śatapatha Brāhmaṇa* and relating to the *pariṣad* of the Pañcālas in later

1. *pariṣadyaṃ hi araṇasya rekṇo nityasya rāyaḥ pataya syāma. RV*, VII. 4. 7. The translation of the term *pariṣadyam* by Wilson and Griffith seems to be faulty. It should mean "belonging to the *pariṣad*", a meaning which is in keeping with the military and tribal nature of the early assembly.

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2. *VS*, V. 32.
3. *Brahmāṇḍa P.*, II. 12. 22.
4. *Jaimini Upaniṣad Br.*, II. 11. 13-4.
5. *TB*, III. 1. 2. 9.
6. *parṣadi rājani cottaravādī bhavatyuttaravādī bhavati. Sāmavidhāna Br.*, II. 7. 5. The passage has been interpreted on the basis of Sāyaṇa's commentary.

Vedic literature shows that it was primarily their clan assembly presided over by the king[1]. The epic and Purāṇic references point not only to the tribal but also to the military and partly matriarchal character of the *pariṣad*. It has been shown that Ahirbudhnya, a form of Rudra, is called *pāriṣadya*, but in the *Mahābhārata*, Skanda, the son of Śiva, is assoicated with the *pāriṣadas* (obviously the members of the *pariṣad*) at numerous places. Śiva, who is described as *gaṇādhyakṣa*, is also called *pāriṣadpriya*, *i.e.*, one who loves the company of the members of the *pariṣad*[2]. There is some evidence that *pāriṣadas* (companions) had kinship with their leader Skanda. These fearful and curious-looking comrades represented as the male children of Skanda were born as a result of the striking of his thunder[3]. The gist of the myth seems to be that Skanda and his followers belonged to the same clan. In this sense the relation of the *pāriṣadas* to Skanda is similar to that of the Marut-gaṇas with their father Rudra. Their tribal character can be further inferred from the statement that clad in diverse kinds of skins the *pāriṣadas* speak diverse languages and different provincial dialects[4]. They can be thus compared to primitive peoples, among whom every tribe has its own dialect—its basis being not territorial. The hypothesis about the tribal character is further strengthened by the comparison of their faces to various kinds of animals and birds such as cocks, dogs, wolves, hares, camels, sheep, jackals etc.[5] Such associations with animals probably disclose their totemic origin. Since the totems of primitive tribes owed their origin to the sources of their food supply[6], in many cases the edible species of animals might suggest totemic and tribal connections. It may, however, be noted that in the long list of animals and birds connected with the *pāriṣadas* horse, which is generally associated with the Āryans, is conspicuous by its absence.

The military character of the *pariṣad* indicated by Vedic references is confirmed by epic and Purāṇic evidence. In the

1. *Chāndogya Up.*, V. 3; *Bṛhadāraṇyaka Up.*, VI. 2; *ŚB*, XIV. 9. 1. 1.
2. *Mbh.*, X. 7. 8. If not otherwise specified, the edition used in this chapter is Kumbakonam.
3. *skandapāriṣadān ... vajraprahārāt skandasya jajñur... Mbh.* (Chitrasala Press), III. 228. 1.
4. *Mbh.* (Cal.), IX. 45. 102.
5. Ibid., IX. 46. 79-88.
6. George Thomson, *Studies in Ancient Greek Society*, p. 37.

Matsya Purāṇa the *Śiva-gaṇas* with awkward forms, who fought against the Asuras, are described as *pārṣadas*.[1] In numerous references in the *Mahābhārata* the *pāriṣadas* are described as "fearful people equipped with uplifted weapons" of various kinds. The same expression *pāriṣadairghorairnānāpraharaṇodyataiḥ* is used at several places.[2] At the time of his investiture with the rank of generalissimo for fighting against the Asuras, Skanda or Kārtikeya is supplied with mighty soldiers (*pāriṣadas*) by Brahmā, Pūṣan and Vindhya.[3] Invariably represented as mighty and impetuous fighters, the *pāriṣadas* made over to Skanda are portrayed as armed with terrible weapons and fighting with large pieces of stones (*mahāpāṣāṇayodhinaḥ*).[4] Passionately fond of battle this is the one hobby in which they take great delight. They were so brave that even the foremost among the gods were no match for them.[5] Perhaps even in times of peace they continued their predatory activities against the Āryan people, for they are stigmatised as stealing the life of little children.[6]

Although several gods had their own *pāriṣadas*, who were lent to Skanda in the fight against the Daityas, generally speaking the *pariṣad* was led by Śiva or Skanda. There is a whole chapter in the *Śalya Parva* dealing with the *pāriṣadas* under the leadership of Skanda.[7] It informs us that, accompanied by them and the members of the matriarchal *gaṇas*, he proceeded for the destruction of the Daityas.[8] How was Skanda made their leader? There is perhaps some indication that he was elected. Firstly, recognising him as their leader the gods willingly furnished him their *pāriṣadas*. Secondly, when Skanda was born, persons of different varṇas sought his protection and came to be called *pāriṣadas* by the brāhmaṇas.[9] All this indicates willing acceptance of his leadership by his followers, although the second

1. V. R. R. Dikshitar, *Purāṇic Index*, ii, 321. Both the terms *pāṣada* and *pāriṣada* are used in the sense of companion.
2. *Mbh.* (Chitrashala Press), III. 109. 3, 272. 78.
3. *Mbh.*, IX. 46. 23-6, 44, 49-51.
4. Ibid., IX. 46. 108, 111-4, 49-50.
5. Ibid., IX. 45. 95.
6. *Mbh.* (Chitrashala Press), III. 228. 2.
7. Ch. 46.
8. *Mbh.* (Cal.), IX. 47. 53-4.
9. *Mbh.* (Chitrashala Press), III. 225. 31.

reference reflects a period of anarchy when irrespective of varṇa considerations people offered their allegiance to some lord, and hence it might indicate a developed stage of myth-making, perhaps in post-Maurya times. This lateness, however, cannot be ascribed to some other references to the *pariṣad*. In later times the *pariṣad* is always associated with the king, but the early epic or Purāṇic references hardly make mention of any king having his *pariṣad*. We may therefore presume that when the commander was elevated to the position of the king, the *pāriṣadas*, whose number fell down, assumed the character of councillors in peace rather than comrades-in-arms.

There is some idea about the size of the early *pariṣad*. The tradition of a large *pariṣad*, *e.g.*, of 1000 members, is preserved both in the *Arthaśāstra* of Kauṭilya and the *Rāmāyaṇa*[1]. In connection with the presentation of fighting companions (*pāriṣadadāna*) made by different gods it is said that they were joined by other such comrades who came in thousands.[2] An early law-book states that those who are without *mantra* (sacred counsel) and *vrata* (vow), even if accompanied by thousands of companions, cannot shine in the *pariṣad*.[3] These statements give sufficient indication of the big size of this assembly in earlier times.

In post-Vedic times the *mantripariṣad* in particular and the *pariṣad* in general shows no trace of having any woman member. But the use of the term *pāriṣadī* suggests otherwise in the case of the early *pariṣad*. In formulas accompanying the water oblations to ancestors, oblations have to be offered not only to the *pārṣadas* of Brahmā, Rudra, Vighna, Skanda, Viṣṇu, Vaivasvat (either Yama or Manu) and Dhanvantari but also to their wives and *pārṣadis* (lady companions).[4] This leaves no doubt that at one time women were also regarded as the members of the *pariṣad*. There can be little question about the antiquity of the formulas referring to *pārṣadīs*, for they occur in the second book of Baudhāyana, considered as a part of the original Dharmasutra[5]. In point of time this might reflect the state of affairs

1. Jayaswal, op. cit., p. 302.
2. *sahasrasaḥ pāriṣadāḥ kumarmupatasthire. Mbh.* (Cal.), IX. 46. 78.
3. *Baudhāyana Dharmasūtra*, I. 1. 16.
4. Ibid., II. 5. 12; also in ms. O given in Appendix I.
5. Ibid., Introduction, pp. ix-x.

existing towards the end of the Vedic period. The practice of having woman members of the *pariṣad*, however, was perhaps confined to the South to which Baudhāyana belonged, and where even in later times the matrilineal traces persisted. Thus the association of woman with the *pariṣad* cannot be denied, although it has to be admitted that the evidence in this case is not as strong as in the case of her membership of the *vidatha* and *sabhā*.

Something can be said about the relation between the *pariṣad* and *gaṇa* on the basis of post-Vedic sources. Some of the references do not suggest any difference between the two. The *iva-gaṇas* fighting against the Asuras are described as *pārṣadas*; which implies that in later times the *gaṇa* and *pariṣad* are considered identical in this case. In the epic and Purāṇic references both of them are generally associated with Śiva ; the *gaṇa* is frequently referred to as the assembly of the Maruts, the sons of Śiva. The *pariṣad* and *gaṇa* are placed on the same footing in connection with voluntary offerings, which are made to the former just after the *gaṇa* and *gaṇapati*.[1] Further, the enumeration of about a hundred matriarchal *gaṇas* may indicate female membership[2] in the case of the *gaṇa*,—a feature which is probably also true of the *pariṣad*. The statement that Skanda proceeded to fight against the Asuras accompanied by the *pāriṣadas* and the mother *gaṇas*[3] suggests some distinction between the two institutions, but its exact nature is nowhere clearly stated.

All this would suggest that the early *pariṣad* was a tribal military assembly, partly matriarchal and partly patriarchal. It had hardly anything to do with the king and brāhmaṇas, who came to dominate it in later times. Proceeding on the assumption that matriarchy preceded patriarchy and that the evolution of kingship and varṇa society could take place only by the end of the Vedic period, the early *pariṣad* may be regarded as an institution of Vedic times. But how do we account for comparatively rare references to it in the Veda ? st, out of the four references to the *pariṣad* in this collection, three occur in what is regarded as its kernel, which is sufficient proof of its antiquity. Second, paucity of data in Vedic literature may have been due to the pre-Āryan character

1. *Baudhāyana Gṛhyasūtra*, II. 8. 9.
2. *Mbh.*, IX. 47.
3. Ibid., IX. 47. 54.

of the *pariṣad*, which can be inferred from its association with Śiva and Skanda and the absence of horse in the list of its totems. Pre-Āryan practices and institutions naturally found their way into epic and Purāṇic traditions in post-Maurya and Gupta times, for in course of the preceding centuries elements of non-Āryan culture had been imbibed by the Āryans on a considerable scale. Third, the *Mahābhārata* references, which occur chiefly in connection with the exploits of Śiva or Skanda, although not forming part of the main narrative, undoubtedly record the tradition of earliest times. They rarely occur in the didactic or Smṛti sections of the epic and the Purāṇas, as is the case with the exposition of the *rājadharma* (duties of the king) in the *Śānti Parva*. If the epic and the Purāṇic traditions can be utilised for constructing our earliest dynastic history, there is no reason why they should not be tapped for the reconstruction of the account of our earliest social and political institutions.

In judging the character of the early *pariṣad* on the basis of two sets of evidence, Vedic and post-Vedic, there is always the danger of slipping into the chronological fallacy. But the relevant references can convey some meaning only if they are examined according to the methodology of Pargiter, namely, the coincidence between the Vedic and epic-Purāṇic [material. Apart from the independent value of the epic references to the *pariṣad*, their broad agreement in several respects with the Vedic counterpart imparts to them some measure of authenticity. This shows that in its essentials there is hardly any difference between the Vedic and the epic *pariṣad*. Both the sources show that it was a tribal military assembly. But as will be indicated later, there is a world of difference between the structure and functions of the *pariṣad* as known from the early Vedic and epic sources and the one as known from the Jātakas, Kauṭilya's *Arthaśāstra*, Aśokan inscriptions and the Dharmaśāstras.

The transitional phase in the history of the *pariṣad* can be ascribed to the period represented by the Upaniṣads and Gṛhya-sūtras. It seems that, on account of the growth of varṇas and state power towards the close of the later Vedic period, the *pariṣad* tended to become partly an academy and partly a royal council dominated by the priests, who functioned as teachers and advisers. The academic character of this institution is

snggested by the references in some Upaniṣads and one Gṛhya-sūtra. According to the latter the *pariṣad* is a seminary in which the pupil sits near the teacher [1]. The evidence that it functioned as a royal council is provided by the *Pāraskara Gṛhyas ūtra*, wherein the *pariṣad* is represented as conducting debate under the chairmanship of its *Īśāna* (president). We further learn that in the course of debate the members not only desired to prove themselves superior and brilliant over others but also tried to disarm the wrath of the president and win his favour[2]. The commentary of Harihara to a passage of the same source avers that this body was attended mainly by the brāhmaṇas[3], but perhaps this reflects the composition of the *pariṣad* in the age of the commentator rather than in that of the text.

That the *pariṣad* acted as a royal council and its members exercised enormous influcnce upon the king is known from Pāṇini's grammar, in which the king is called *pariṣadbala*. The same source informs us that there was no differentiation of functions in the case of the *pariṣad*, the same body performing social, academic and political functions[4]. Although Pāṇini does not throw any light on the composition of this body, either as a royal council or as a literary academy, the *pariṣad* seems to have been a small and distinguished body. It seems that nobody could be a member of the *pariṣad* (i.e., *pāriṣad* or *pāriṣadya*) unless he was duly qualified or eligible for it[5]. Thus it would appear that towards the close of the Vedic period the character of the *pariṣad* had undergone a qualitative change. The name remained the same, but its connotation became different.

The new character of the *pariṣad* stabilised during the pre-Maurya period. In the early brāhmaṇical law-books the *pariṣad* took on the character of a body of legal experts. The *pariṣad* as known to the Dharmasūtras was an institution engaged in teaching and intellectual discussions, but its learned members were now inclined more towards law than teaching. In respect of its structure, the relevant passages from the Dharmasūtras justify the statement that it was essentially a council of the

1. *Khadira Gṛhyasūtra*, III. 1. 25; *Gobhila Gṛhyasūtra* (*SBE*), III. 2. 50.
2. *PGS*, III. 13. 4-5.
3. Ibid.
4. V. S. Agrawala, *India as known to Pāṇini*, p. 399. For academic functions of the *pariṣad* see op. cit., pp. 297-8.
5. Ibid., p. 399.

priests[1]. Baudhāyana, Gautama and Vasiṣṭha describe its composition more or less in similar terms[2]. Baudhāyana clearly states that the ten members of the *pariṣad* should be *vipras*[3] (*i.e.*, brāhmaṇas). The details of qualifications laid down for the membership of the *pariṣad* in other references too leave no doubt that it was to be formed mainly of the priests.

The process by which the *pariṣad* was reduced to the position of a small body dominated by the brāhmaṇas can be linked up with the break-up of the old tribal society into varṇas and the emergence of the brāhmaṇas as one of the dominant classes. The supremacy which the brāhmaṇas enjoyed from the end of Vedic period[4] is naturally reflected in the composition of the *pariṣad* outlined in the brāhmaṇical law-books.

The process of reduction in the size of the *pariṣad* was probably gradual. It is possible that in between the small *pariṣad* of the *Dharmasūtras*, *Arthaśāstra* and Aśokan inscriptions on the one hand, and the early *pariṣad* on the other, intervened an intermediate *pariṣad* of comparatively bigger size corresponding to the *parisā* of the Jātakas or to the council of thirty-seven amātyas in the *Śānti Parva*.[5] Perhaps Kauṭilya's quotation of the views of old thinkers that the *pariṣad* should consist respectively of twenty, sixteen or twelve members refers to such an intermediate stage.[6] At any rate the *mantri-pariṣad* mentioned in Kauṭilya, or the legal *pariṣad* of the brāhmaṇas, was basically different from the early *pariṣad*, to which we cannot attach any constitutional or political significance as we do in the case of the *sabhā* and *samiti*.

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1. E. Hopkins. "Social and Military Position of the Ruling Caste etc.", *JAOS*, xiii, 148.

2. *Baudh.*, 1. 1. 8. 9; *Gautama*, XXVIII. 50-51 ; *Vas.*, III. 20.

3. *Baudh.*, 1. 1. 8. 9.

4. Cf. U.N. Ghoshal, "The Status of Brāhmaṇas in the Dharmasūtras," *IHQ*, xxiii, pp. 83-92. H. C. Ray, "Position of the Brāhmaṇas in the Arthasāstra", *Proceedings of the All-India Oriental Conference*, 1924.

5. R. N. Mehta, *Pre-Buddhist India*, p. 135.

6. *AŚ*, I. 15.

CHAPTER VIII

RATNAHAVIMSI CEREMONY

Perhaps no other single ritual throws so much light on the political organization of the Āryans in the later Vedic period as the *ratnahavīṃṣi* ceremony, which forms a part of the *rājasūya* coronation sacrifice. In commenting upon its importance we have to acknowledge our debt to Weber, Jayaswal and Ghoshal, who have given sufficient thought to the examination of the later Vedic texts bearing on this subject[1]. But there is still some scope for the further study of the problem, if we bear in mind the regional differences in the composition of the source-material, the economic background of the period, the comparative study of the early institutions of the other Indo-European peoples, and the difficulty of interpreting the exact functions of the ratnins (jewel-holders).

According to the *ratnahavīṃṣi* ceremony the sacrificing king went to the house of each ratnin and offered oblations to the appropriate deity there. The names of these ratnins are mentioned in five texts, on the basis of which Ghoshal has prepared a chart,[2] which is reproduced on page 104 with some modification.

Jayaswal enumerates eleven ratnins[3], but the names which occur in one list do not find mention in another list, with the result that the total number of the persons whose houses are visited by the king for offering oblations to various gods comes to fifteen. As regards the order and mention of their names, we observe a marked difference between the various other texts of the *Yajus* on the one hand and the *Śatapatha Brāhmaṇa* on the other. The list in the *Taittirīya Brāhmaṇa*, however, is more in conformity with that given in the Saṃhitās of the *Yajus*. Leaving aside the differences with the list of the *Śatapatha Brāhmaṇa* for later consi-

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1. Jayaswal, *Hindu Polity*, pp. 200-5; Ghoshal, *Historiography & Other Essays*, pp. 249-54.

2. Ghoshal, op. cit., facing p. 249. Actually these are not known as ratnins in the *KS* & *TS*, which appellation is applied to them later in the *TB* and *ŚB*.

3. Op. cit., pp. 201-3.

LIST OF RATNINS AT THE RATNAHAVĪMṢI

TS, I. 8. 9	*MS*, II. 6. 5; IV. 3	*KS*, XV. 4	*TB*, I. 7. 3 ff.	*ŚB*, V. 3. 1 ff.
1. brahman	1. brahman	1. purohita for Bṛhaspati	1. brahman	1. senānī
2. rājanya	2. rājanya	2. rājā for Indra	2. rājanya	2. purohita
3. mahiṣī	3. mahiṣī	3. mahiṣī for Aditi	3. mahiṣī	3. sacrificer
4. parivṛkti	4. parivṛktī	4. parivṛkti for Nairṭa	4. vāvātā	4. mahiṣi
5. senānī	5. senānī	5. senanī for Agni	5. parivṛktī	5. sūta
6. sūta	6. saṃgrahītṛ	6. saṃgrathītṛ for Aśvins	6. senānī	6. grāmaṇī
7. grāmaṇī	7. kṣattṛ	7. ksattṛ for Savitar	7. sūta	7. kṣattṛ
8. kṣattṛ	8. sūta	8. sūta for Varuṇa	8. grāmaṇī	8. saṃgrahītṛ
9. saṃgrahītṛ	9. vaiśyagrāmaṇī	9. vaiśya-grāmaṇī for Maruta	9. kṣattṛ	9. bhāgadugha
10. bhāgadugha	10. bhāgadugha	10. bhāgadugha for Pūṣan	10. saṃgrahītṛ	10 akṣāvāpa
11. akṣāvāpa	11. & 12. takṣan and rathakāra	11. akṣāvāpa and	11. bhāgadugha	11. gonikartana
	13. & 14. akṣāvāpa and govikarta	12. govyaccha for Rudra	12. akṣāvāpa	12. pālāgala
				13. parivṛkti (not mentioned as ratnin.)

deration, let us, as a whole, examine the lists which seem to have been composed in the land of the Kuru-Pañcāla. That the *rājasūya* sacrifice was performed in this land is evident from the formula of besprinkling, according to which the people to be ruled by the king are represented to be Bhāratas, Kurus and Pañcālas[1]. Therefore the institution of the ratnins probably functioned in Madhyadeśa. Barring some changes which occurred when the Āryans moved further east into Videha, this institution, as would appear from the evidence of the *Śatapatha Brāhmaṇa*, continued in existence till the end of the Vedic period.

If we accept the contention of Von Schroeder, who regards *Maitrāyaṇī* and *Kāṭhaka* Saṃhitās earlier in point of time[2], it would appear that the earliest list as given in the former text consists of fourteen ratnins. At the head of the list stands the brāhmaṇa, who occupies this position in three texts and also in a fourth where he is known as the *purohita*, a title which is applied to him in the *Śatapatha Brāhmaṇa*, where he occupies the second position. The brāhmaṇa, at whose house the pap is to be offered by the king to Bṛhaspati, the chief priest of the gods, obviously represents the newly organized priestly class. It has been argued with great force of logic that the brāhmaṇas were pre-Āryan priests. The fact that they stand at the head of the ratnins speaks not only of their ingenuity in ingratiating themselves into the favour of the conquerors but also of the great tolerance shown by the newcomers.

The second name in four texts is that of the rājanya, with the difference that he is mentioned as rājā in one text. If we accept the interpretation of the *Śatapatha Brāhmaṇa* and *Kāṭhaka Saṃhitā* this ratnin would appear to be the king himself, but it sounds strange that the king's name should get the third place in the *Śatapatha* and the second place in other texts. It is almost clear that the rājanya, at whose house the oblation is to be made to Indra, the warrior *par excellence*, represents the warrior class of the kṣatriyas.

The third name in all the lists, excepting that of the *Śatapatha Brāhmaṇa*, is that of the *mahiṣī*. The term literally means the chief queen, which shows that the king used to marry several queens. Jayaswal thinks that the queen is provided here to complete

1. *TS*, I. 8. 10 ; Keith, *HOS*, xviii, p. xciii.
2. *HOS*, xviii, pp. xci-iv.

the spiritual self of the king-elect.[1] But the explanation given in the *Śatapatha Brāhmaṇa* does not warrant this assumption. It seems that the *mahiṣī*, at whose house oblation is to be offered to Aditi, represents the goddess Earth, which, like a milch cow and mother, sustains men and fulfils all their desires[2]. This would indicate the importance of the matriarchal element in later Vedic polity,—a point which is also supported by the mention of the two other queens as ratnins.

The fourth name in three Saṃhitās and the fifth name in one Brāhmaṇa is that of the *parivṛkti*. She is not formally included in the list of the ratnins in the *Śatapatha Brāhmaṇa*, but, after the enumeration of the ratnins, appears as a discarded wife who has no son and whom the king visits in order to free himself from the evil that might overtake him.[3] Although the object stated here is not to secure the support of such a wife, there can be no doubt about her importance, of the fact that she was considered capable of doing evil to the king. Unlike the other ratnins, she was not taken to be a source of positive help to the ruler, but a source of opposition which had to be disarmed. We may add that the *vāvātā* or the favourite wife is mentioned as a ratnin only in the *Taittirīya Brāhmaṇa*, where she occupies the fourth place and is followed by the *parivṛkti*.

The fifth name in three Saṃhitās is that of the *senānī*, who is assigned the sixth place in one Brāhmaṇa and the first place in another. Originally the *senānī* seems to have been the leader of the host, but in the *Śatapatha Brāhmaṇa* he seems to have functioned as the commander-in-chief.[4] Sāyaṇa's characterization of the *senānī* as śūdra may have been inspired by brāhmaṇical antipathy towards the warrior class, and therefore, cannot be taken seriously.

In our discussion above, five ratnins have been arranged in the order in which they seem to have been placed by most texts. But it is difficult to arrange the remaining ratnins in any definite order of importance. Nonetheless, we can examine the position of these six ratnins, namely, *sūta*, *grāmaṇi*, *kṣattṛ*, *saṃgrahītṛ*, *bhāgadugha* and *akṣāvāpa*, who are common to all the lists.

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1. *Hindu Polity*, p. 201.
2. V. 3. 1. 4.
3. V. 3. 1. 13
4. V. 3. 1. 1..

The *sūta* is taken by several writers in the sense of a court minstrel or chronicler,[1] an interpretation which suits the epic *sūta*, but the fact that oblation at his house is offered to Varuṇa or which the sacrificial fee of horse is prescribed shows that this celebrity was a charioteer.[2] In another reference this functionary is considered identical with the *sthapati*[3], who may be taken variously as governor, chief, architect, master-builder, carpenter and wheelwright.[4] Of these the meanings of governor[5] and chief judge[6] have been preferred. But in view of the association of the *sūta* with chariot, probably the meaning wheelwright would better suit the context. It is likely that the *sūta* functioned both as a charioteer and wheelmaker. It is perhaps on account of this association with manual labour that in later times he fell in esteem. But his importance in the earlier period was well recognised, for in the *Atharva Veda* he and the *grāmaṇī* figure among those whom the newly consecrated king wishes to make his support(*upastins*).[7]

The *grāmaṇī* is mentioned as *vaiśya-grāmaṇī* in two Saṃhitās which indicates that he was the head of the people (*viś*) living in the villages. It is suggested that he was a hereditary territorial proprietor living in the capital,[8] but this argument may apply to all the other ratnins although there is nothing to show that these persons were living at the capital. We should think that still the kingdoms of the Bhāratas, Kurus and Pañcālas was not so large as to render the movement of the rulers difficult in their respective states. The exact functions of the *grāmaṇī* are difficult to determine. In all likelihood he still continued the old practice of leading little groups of people to the battle-field, in addition to which he may have acquired functions of a general supervisory nature over the villagers. Jayaswal thinks that the *grāmaṇī* was also the head of the township,[9] but it is doubtful whether urban life had developed on any considerable scale during the later Vedic period. Similarly the conjecture that

1. Ghoshal, op. cit., chart facing p. 249.
2. *ŚB*, V. 3. 1. 5.
3. Ibid., V. 4. 4. 17-8.
4. Monier-Williams, *Sansk-Eng. Dictionary*, s.v. *sthapati*.
5. Eggeling, *SBE*, xli, 111.
6. Ghoshal, *Historiography & Other Essays*, p. 272.
7. *AV*, III. 5. 7.
8. Eggeling, *SBE*, xli, p. 61, fn.
9. *Hindu Polity*, p. 202.

royal dues were received through the *grāmaṇī*[1] does not seem to have been well founded, for, as will be shown later, this function was probably performed by the *bhāgadugha*.

To the *kṣattr* are assigned the meanings of carver and chamberlain.[2] But perhaps the first meaning is not suitable because this better applies to the *takṣan* and therefore makes this interpretation superfluous in the case of the *kṣattṛ*. He therefore should be better taken in the sense of chamberlain, who was employed to hold umbrella over the king. Like the *sūta*, his position also suffered a decline in later times when he came to be condemned as a member of the mixed caste. His association with Savitā, the impeller of gods, does not throw much light on his position.

There is also difference of opinion about the postion of the *saṃgrahītṛ*, who is regarded as the master of treasury by Jayaswal on the basis of later commentators.[3] According to Jayaswal in the *Arthaśāstra* this office-bearer is called *sannidhātā*. But there is no point in projecting later ideas into the meaning of the term in the earlier period. The literal meaning of the term is the holder of the reins or the driver,[4] and hence this ratnin should be understood in the sense of a charioteer of an inferior kind, in contrast to the *sūta* who acts as a *sārathi* to the chief warrior. In the ritual of the cattle raid the chariot plays such a vital part[5] that it is no wonder that so much weight is given to different kinds of people associated with the making and moving of the chariot. That the *saṃgrahītṛ* was a charioteer can be also inferred from the fact that at his house oblation is to be offered to the Aśvins,[6] who are represented as swift-moving gods in the sky having horse as their means of conveyance (*vāhana*).

Though somewhat low in various lists a very significant ratnin mentioned is the *bhāgadugha*. Although at one place this term is taken in the sense of the distributor of shares,[7] an attribute applied to Pūṣan, its literal meaning undoubtedly is the milcher of the share. That the terms for the tax-collectors

1. *CHI*, i, 117.
2. Keith, *HOS*, xviii, 120 ; Jayaswal, op. cit., p. 202 ; Ghoshal, *Historiography and other Essays*, chart facing page 249. For its Pali equivalent *khatta* see *DN*, i, 112.
3. *Hindu Polity*, p. 202.
4. Ibid., fn. 12.
5. *ŚB*, V. 4. 3.
6. Ibid., V. 3. 1. 8.
7. *SBE*, xli, 63, fn. 1 on *ŚB*, I. 1. 2. 17.

were directly associated with the taxes they collected can be inferred from the use of the term *balisādhaka* n the pre-Maurya period.[1] The office of the *bhāgadugha* naturally might suggest that from this time onwards taxes were collected regularly, *bhāga* taking the place of voluntary *bali* of the age of the *Ṛg Veda* when the people did not pay fixed taxes to the king but brought him voluntary presents.[2] Whether this *bhāga* was a share of the produce in rice, of the cultivation of which we have both literary and archaeological evidence,[3] we cannot say. Since at the house of the *bhāgadugha* oblation is offered to Pūṣan[4], the god of cattle, in all likelihood this tax was collected in cattle rather than in grain, which latter practice first began in the age of the Buddha.

The eleventh ratnin common to all the lists is the *akṣāvāpa.* The literal meaning of the term is dice-thrower. But it is argued that for the king to approach the officer-in-charge of gambling seems to be something very extraordinary, and hence on the basis of the *akṣaśālā* mentioned in the *Arthaśāstra* of Kauṭilya this ratnin is interpreted as the officer-in-charge of state accounts.[5] But as suggested earlier, later evidence cannot be always used in elucidating the functions of the officers of the later Vedic period. There is no doubt that the *akṣāvāpa* was the dice-thrower, for in this connection reference is made to the gaming-board and dice.[6] In the generic sense therefore the *akṣāvāpa* may be taken as an officer connected with sports, which constituted one of the important activities of the Vedic people organized in popular assemblies.

Finally, we have to consider the remaining four ratnins, whose names occur in one list or the other, thus making the total of fifteen. Of these the name of the *govikartana* occurs with variation in three lists, *govikarta* in the *Maitrāyaṇī* and *govyaccha* in the *Kāṭhaka* editions of the *Yajus*, and *gonikartana* in the *Śata-*

1. *Jāt.*, v, 106.
2. Zimmer, *Altindisches Leben*, p. 166. The presumption that taxes were first voluntary and then became compulsory is strengthened by some examples from subsequent history. The land grants of the Maitrakas of Valabhi refer to officers who were "charged with the forcible collection of the unrealised so-called voluntary gifts of the subjects" (*anutpanna-dānasamudgrāhaka*). U. N. Ghoshal, *Hindu Revenue System*, pp. 221-2.
3. *AI*, No. 10, 134.
4. *ŚB*, V. 3. 1. 9.
5. Jayaswa, op. cit., pp. 202-3.
6. *ŚB*, V. 3.1.10.

patha Brāhmaṇa. The literal meaning of the term is butcher or the killer of the cows. And hence this officer has been understood in the sense of chief huntsman.[1] The theory that this officer corresponds to Megasthenes' officer being in charge of the huntsmen who cleared the land of wild beasts and fowls which devoured the seeds[2] seems to be without any basis. The correct position seems to be that he acted as the keeper of the games and forests. Perhaps his duty was to get sufficient game for the royal household, showing thereby that hunting still continued as one of the chief occupations of the people and that beef was one of the chief items in their food.

The two other ratnins, *takṣan* and *rathakāra*, are mentioned in two Saṃhitās of the *Yajus*. There can be hardly any dispute about their meaning ; one stands for the carpenter and the other for the chariot-maker. The fact that all kinds of metals are prescribed as the sacrificial fee in the ceremonies performed at their homes shows that they owed their importance to their association with metal-working.[3] It seems that the *rathakāra* and *takṣan* owed their positions to their original membership of the Āryan tribes, which had gradually disintegrated into varṇas, since in the *Atharva Veda*, the *rathakāra* and the *karmāra* (whose place is now taken by the *takṣan*) are clearly described as part of the *viś* (people) round the king[4]. Their inclusion in the two *Yajus* collections, therefore, should be viewed less as a priestly manipulation rather than as their recognition as important elements in the state. That the experts in crafts enjoyed high position in primitive socities cannot be denied[5].

The *Pālāgala* should be considered as the last in the list of the ratnins, for his name occurs in the *Śatapatha Brāhmaṇa*, which was composed towards the end of the later Vedic period. He acted as a messenger carrying errands from place to place[6]. We may note that messengers play an important part in the political organization of the primitive tribes in Australia. They are used

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1. Ghoshal, *Historiography and Other Essays*, the chart facing p. 249.
2. Jayaswal, op. cit., p. 203.
3. *MS*, II. 6. 5; *Ap. ŚS*, XVIII. 10. 17.
4. III. 5. 6.
5. Alexander Goldenweiser, *Anthropology*, p. 386.
6. *ŚB*, V. 3. 1. 11.

by the headmen, councils and other groups in authority to communicate to particular individuals, local groups, or tribes information about holding a meeting, a ceremony or a communal feast, or organizing an expedition for blood-revenge.[1] On this analogy, although the *pālāgala* was considered a śūdra, his importance in the political organization of the later Vedic period cannot be underestimated. The name *pālāgala* does not appear to be āryan but most probably stands for some aboriginal tribe living in Videha, which marked the easternmost expansion of the Āryans in the age represented by the *Śatapatha Brāhmaṇa*. This can also be inferred from the use of the term *pālāgalī*, condemned as a śūdra wife,[2] who may have been wedded from the aboriginal people. Incidentally the sacrificial fee of a skin-covered bow, leather quivers, and a red turban, for the courtier[3] suggests that he was equipped with these weapons in order to defend himself on the way against unfriendly elements.

The inclusion of the *pālāgala* in the list of the ratnins is one of the several striking features of the *Śatapatha Brāhmaṇa* list. Its another important feature is the elevation of the *senānī* to the top of the list of the ratnins. This also can be explained on the basis of regional differences. Although the Āryan expansion in Videha is attributed by the *Śatapatha Brāhmaṇa* to the pioneering efforts of Videgha Māthava, and Agni Vaiśvānara who seems to have cleared thef orests by burning it,[4] it is resonable to think that such expansion involved wars with the result that the *senānī* or the military leader came to the forefront. It is curious that while the *Śatapatha Brāhmaṇa* has many passages testifying to the pretensions of the brāhmaṇas, who claim the immunity of their property, it also gives the impression that the kṣatriyas were asserting themselves not only in the political field, but, what is more significant, in the intellectual field which was considered to be the monopoly of the brāhmaṇas. Several kṣatriya rulers mentioned in that text and the concurrent stories of the Upaniṣads, namely, Aśvapati Kaikeya, Pravāhaṇa Jaivali, Vaideha Janaka and Ajātaśatru of Kāśī, are noted for their

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1. Alexander Goldenweiser, op. cit., p. 380.
2. *Śūdras*, p. 50.
3. *ŚB*, V. 3. 1. 11.
4. Ibid., 1. 4. 1. 10-17; cf. *SBE*, xii, pp. xli-iii.

philosophic attainments, disputing with and instructing the priests in philosophy.[1] It is no wonder then that the *senānī*, who represents the warrior class, is placed at the head of the ratnins and the *purohita* is given the second place in the present text. The lack of internal consistency in the *Śatapatha Brāhmaṇa* in this respect can be explained by presuming a later redaction of this text in the brāhmaṇical interests.

Another indication of the growing military and patriarchal atmosphere in which this Brāhmaṇa seems to have been composed is to be found in the complete omission of the *vāvātā* from the list of ratnins and the mention of the *parivṛkti* not as a regular ratnin but at the end of the formal enumeration of all the ratnins. This indicates gradual deterioration in the position of women of which we get more evidence in post-Vedic times.

Lastly, we might take into account the emission of the *ratha-kāra* and *takṣan* from the list of the ratnins in the *Śatapatha Brāhmaṇa*. This should be taken as proof of the growing contempt of the brāhmaṇas and kṣatriyas for the artisans engaged in manual labour. The next step is to be found in pre-Maurya times when the *rathakāra* is condemned as a mixed caste in the Dharmasūtras and as a follower of *hīna sippa* (low trade) in the early Buddhist texts. The origins of this contempt can be traced back to the age of the *Śatapatha Brāhmaṇa* when social classes based on the division of labour tended to be stratified into castes. Thus the ratnin list as given in the present text is richer in content and more elaborate in regard to the functions of the ratnins, and marks a transition from a partly tribal and matriarchal society into a completely class and patriarchal society.

An interesting anthropological explanation of the *ratnahavīṃṣi* ceremony has been given by Heesterman. In his opinion this ceremony is based on the idea of marriage and rebirth, which is most clearly represented by the group of royal consorts, who act as wombs.[2] He thinks that the charioteers and the representatives of the four varṇas can also be connected with the idea of the embryonic covers.[3] But this interpretation can hardly be put on the explanations of the rituals given in the Saṃhitās or

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1. *CHI*, i, 113.
2. *The Ancient Indian Royal Consecration*, p. 55.
3. Ibid., p. 56.

the Brāhmaṇas. Further, by the later Vedic period the institutions of wife and mother had been so well established that the very idea of entering the wombs of his wives and thus treating them as his so many mothers must be regarded as extremely reprehensible and repulsive not only to the royal sacrificer but also to the brāhmaṇa priests. Heesterman contends that the names of the ratnins do not provide us with any clue to the actual organiza tion of the government.[1] He points out that royal consorts, governmental or household dignitaries, and artisans are incoherently mixed up in the list.[2] But at the early stage, when life had not been so much compartmentalized and purely govenmental functions not completely differentiated from other functions, there is nothing incongruous about the banding together of several functionaries. We have several passages which convey in no uncertain terms the political importance of the personages whom the king visited in connection with the *ratnahavīṃṣi* ceremony. In many cases it is stated in so many words that the king regards the ratnins as the sustainers of his realm, a point which has been stressed by several writers.[3] The ratnins are described as the givers and takers of the kingdom (*rāṣṭrasya pradātāraḥ, ete pādātāraḥ*).[4] In one text they are described as "limbs of the ruling power"[5] (*kṣatrasya vā etanyaṅgāni*), which expression reminds us of the seven limbs of the state mentioned by Manu and other authorities. The same text avers that, if the ratnins become vigorous and energetic, the state also becomes vigorous and energetic.[6] The formula recited at the house of most ratnins states that the king is consecrated for the sake of the ratnin and that he makes the ratnin his faithful follower.[7] That the *purohita*, the *rājanya*, the *mahiṣī*, the *sūta*, the *grāmaṇī*, the *kṣattṛ* and the *saṃgrahītṛ* were persons of distinction is also corroborated by a source which has nothing to do with the *ratnahavīṃṣi* ceremony. These are described as persons who

1. Ibid., p. 53.
2. Ibid.
3. Jayaswal, *Hindu Polity*, pp. 203-4; Ghoshal, *Historiography and other Essays*, pp. 250-1.
4. *TB*, I. 7. 3.
5. *MS*, IV. 3. 8.
6. *...yasya vā etanyojasīni bhavanti tadrāṣṭramojasī bhavati...yasya u ā etāni tejasīni bhavanti tadrāṣṭraṃ tejasī bhavati.* Ibid.
7. *ŚB*, V. 3. 1. 12.

consecrate the king, and together sustain the kingship.[1] The functionaries, who are described as ratnins in the ceremony, also figure as important personages in another ritual of the *rājasūya* sacrifice, *i. e.*, the passing round of the sacrificial sword which forms part of the game of dice. The *White Yajus* school mentions *sūta* and *grāmaṇī*, to whom the sword has to be passed round in order to make them ultimately subordinate to the king.[2] In this connection a text of the *Black Yajus* school states that the sword is passed on to the *purohita*, who hands it over to the ratnins. Finally it goes to the *akṣāvāpa*, who prepares the gaming ground with it.[3] Although only two ratnins are specifically mentioned in this context, three others, namely the *saṃgrahītṛ*, the *bhāgadugha* and the *kṣattṛ*, are invited by the king, at the end of the ceremony of the game of dice, to act as witnesses.[4] But it is difficult to speak in terms of the high constitutional position of the ratnins,[5] for there was hardly anything like constitution as we use the term in modern times. Jayaswal describes the ratnins as high functionaries of the state,[6] which seems to be correct in so far as the object of the jewel-offering ceremony was to secure the support and allegiance of the ratnins to the king. We may add that the ritual also presupposed the support of the gods, to whom oblations were offered at the house of the ratnins. In case of the *parivṛkti* the oblation was offered not to secure the support of the god but to ward off the evil associated with that queen and the god Nirṛti. At any rate the negative importance of the discarded queen cannot be questioned. Perhaps it is not possible to push the distinction between the officers of higher grade and those of lower grade too much,[7] for in the texts the allegiance of every functionary is considered to be eqully important for the king. Nevertheless, some sort of precedence is observed in the official hierarchy.

It seems that the ratnins, eleven of whom are common to all the lists and twelve to the majority of them, formed some sort of

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1. *PB*, XIX. 1. 4.
2. *ŚB*, V. 4. 4. 15-9.
3. *Ap.ŚS*, XVIII. 18. 14-6.
4. Ibid., XVIII. 19. 6. These three functionaries are also mentioned by Bhaṭṭabhāskara Miśra in his comment to *TS*, I. 8. 16.
5. Ghoshal, op. cit., p. 251.
6. Op. cit., p. 203.
7. Cf. Ghoshal, op. cit., p. 255, fn.

king's council. The number may have varied from state to state, for the *rājasūya* ceremony was practised in the kingdoms of the Bhāratas, the Kurus and the Pañcālas. It is clearly stated that the kings of the Kuru-Pañcālas were performers of the *rājasūya* sacrifice.[1] The geographical horizon of the *Śatapatha Brāhmaṇa* suggests that it was also practised in Videha, where the number of the ratnins seems to have been twelve although the *parivṛkti* was not included in the list of regular ratnins. It is striking that the practice of having a council of twelve prevailed among several Indo-European peoples. According to Chadwick, there is some evidence for councils consisting of a fixed number of men, namely twelve, whose position may have differed somewhat from the ordinary members of the court. The Old Saxons had a council of twelve which met annually, but they had no king. Such a council of twelve existed in Sweden in traditional and historical times. Some Indo-European gods too were credited with possessing a council of twelve which performed judicial and sacrificial duties ; there is the legend of the twelve Frisian judges.[2] Councils of twelve are known to have existed among the Celts and other European peoples.[3] It appears that excepting the Homeric people the council of twelve was an institution common to many Āryan peoples, and therefore Chadwick thinks that this type is of great antiquity.[4] Most probably before their separation the Āryans possessed such an institution, which they continued to retain even when they had settled down as independent peoples in Europe and India. In view of this supporting evidence from the institutions of the other Āryan peoples it is reasonable to suppose that the eleven, and in most cases twelve, ratnins of the later Vedic period may have functioned as a regular council for advising and helping the king, for the composition of the *sabhā* suggests that it was too big a body to be helpful in advising the king in conducting the day-to-day affairs of the state. "It might naturally be expected that the authority of the council would make itself felt most on the occasion of the king's death", *i. e.*, on the succession of a new ruler to the throne.[5]

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1. *ŚB*, V. 5. 2. 5.
2. *The Heroic Age*, p. 370.
3. Ibid.
4. Ibid.
5. Ibid., p. 371.

It is this which explains the king's going to the ratnins' at the time of his accession to the throne.

But in those days it was difficult to distinguish between the members of the council on the one hand and the high functionaries or officers of the state on the other. Apparently the ratnins constituted a sort of bureaucracy, the most developed form of which is to be found in the *Arthaśāstra* of Kauṭilya. But there is no doubt that the number of officials known from the *ratnahavīṃṣi* indicates a far more developed administrative orgarization than what we find in earlier times. Although the *Ṛg Veda* does not know the ratnins as such, certain high personages such as *rājanya*, *purohita*, *senānī*, *sūta*, *grāmaṇī* are mentioned there. But in the later Vedic period we come across half a dozen new functionaries, some of whom seem to have been recruited from the pre-Āryans. The most significant from the administrative point of view seems to be the office of *bhāgadugha*, the officer in charge of taxes, which indicates that the taxation machinery was being consolidated from this time onwards. Although some officers of the state were concerned with religion, sports, cattle, which perhaps were the legacy of the tribal life, others performed functions which would be regarded as properly governmental. It can be said that the ratnins were "differentiated organs of government", not to be found in the early stage. It appears that the old tribal assemblies were found inadequate to deal with the problems, which had cropped up on account of the expansion of the Āryans, with the result that the state was having more officials, as different from the people, to manage its own affairs.

The existence of numerous officials, some of non-Āryan origin, indicates that the state had ceased to be tribal and become predominantly territorial in character. Especially the office of the *bhāgadugha* presupposes the king's rule over a fixed territory from the inhabitants of which he realised taxes. The territorial character of the state can also be inferred from the use of the term *rāṣṭra* in the sense of kingdom at several places.[1] Each of the ratnins lived in his house, which is another indication of the well-established settlements in the state.

How the ratnins were elected is difficult to state precisely.

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1. *MS*, IV. 3. 8; *TB*, I. 7. 3.

According to Jayaswal they were high functionaries of the state selected on the principle of class and caste representation.[1] How every caste sent and selected its representatives is not clear, but it cannot be denied that almost all the varṇas and important social groups were associated with the work of government. And in some cases even the representative character of the ratnin can be inferred. Thus the *vaiśya-grāmaṇī* represented the *viś* or the village, the headship of which he enjoyed. Possibly the headman may have been elected because of personal qualities and seniority in age, if we accept the analogy from primitive societies. Since the varṇas of several ratnins such as *kṣattṛ*, *saṃgrahītṛ*, *akṣāvāpa* etc., cannot be determined with certainty, it is very difficult to find out the varṇa ratio among the ratnins. Some ratnins were undoubtedly of śūdra extraction or were condemned as such. But as has been shown elsewhere, all the śūdra ratnins cannot be proved to have been non-Āryans,[2] and hence it is wrong to hold that the śūdra ratnins represented only the conquered helots, as has been done by Jayaswal.[3]

What is remarkable about the ratnin list is that the members of the weaker sex also found place here. In some lists two, and in others three, ratnins happen to be women, *i. e.*, the wives of the king. The fact that out of about a dozen ratnins associated with the state ceremony women occupy two or three places reminds us of the age of the *Ṛg Veda* when women took part in the the deliberations of the *vidatha* and, to some extent, even in those of the *sabhā*. In post-Vedic times they gradually came to lose their importance, a process which had begun in the later Vedic period because of the practice of polygamy. The king had at least three wives in this period ; the *mahiṣī* enjoyed the highest legal status, the *vāvātā's* position was based on favour and love shown to her, and the *parivṛkti* was practically discarded on account of her barrenness. The ritual shows that the legal status of the *mahiṣī* was not yet established on a firm footing, and that the other wives of the king could challenge her position, for the other two could not be ignored on this occasion of great political importance.

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1. *Hindu Polity*, p. 203.
2. *Śūdras*, p. 51.
9. *Hindu Polity*, p. 204.

The above discussion would show that the *ratnahavīṃṣī* ritual was the product of a developed political, social, and economic organization in which tribal and matriarchal elements were being submerged by class, territorial, and patriarchal elements, leading to the establishment of differentiated organs of government in the later Vedic period. In spite of priestly support the new state was predominently military in character, for as many as half a dozen functionaries were associated with military work.

CHAPTER IX

SOME TRIBAL AND PRIMITIVE ASPECTS OF THE LATER VEDIC POLITY

Our chief source for the study of the later Vedic polity the coronation rituals, but the attempt to look for elements contractual or constitutional monarchy in the Vedic period[1] h vitiated our understanding of the significance of several cerem nies in the *rājasūya* and *vājapeya* sacrifices. This, to some exten has been counterbalanced by Ghoshal's study of these rituals A recent study of the *rājasūya* by Heesterman underestimates i social and political implications, which were brought to ligl by Weber and treated further by several Indian scholars Heesterman claims to have studied the problem against the Vedi view of the world, but he adopts a completely anthrolopogica and idealistic approach, with the result that his study presen an incomplete picture, ignoring several important factors. I our opinion there is still scope for further examination of thes Vedic ceremonies in the light of comparative anthropolog and parallel rituals prevalent among other branches of Indo European peoples. The present study therefore will be confine to primitive and tribal aspects of the later Vedic polity as know from the rituals, but will not completely ignore the social aspect of these rituals. Excepting the *ratnahavīṃṣi* ceremony, which pre supposes a developed society based on differentiation of functions and settlement in a fixed territory, other rituals such as the *devasūhavīṃṣi* (offerings to gods acting as divine quickeners), sprinkling ceremony, the ceremony of vesting sovereignty, the mimic cow raid, the chariot race and the game of dice can be interpreted in this light.

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1. Jayaswal, *Hindu Polity*, pp. 219-20.
2. *Historiography and other Essays*, Essay XIII.
3. J. C. Heesterman, *The Ancient Indian Royal Consecration*, pp. 4 & 5, and fn. 2.

In the *devasūhavīṃṣi* ceremony, according to all the texts, desire is expressed for different kinds of authority, two of which, namely *kṣatra* and *jānarājya* are mentioned by all the authorities.[1] The first means chiefdom or simple authority over the people, but the second has variously been interpreted as man-rule, rule over the people, and national rule. Ghoshal thinks that it means rule over the whole folk as distinguished from rule over a single tribe.[2] But the use of the term *pañcajanāḥ* in the Vedic literature in the sense of five tribes is well known. Hence *jānarājya* probably means the desire for rule over the tribe to which the king belongs. We need not examine the terms indicating other forms of authority, for which desire is expressed in this ceremony, but it is significant that nowhere desire is expressed for territorial sovereignty. In the invocation formula, the king is described as the son of such a man and the son of such a woman.[3] In one text, however, he is described only as the son of such a man[4]. While the formula indicates the human origin of Vedic kingship, it also suggests matrilineal influences in Vedic society. Not only the name of the father is given, but the name of the mother also is mentioned. The formula therefore indicates that the mother is as important as the father. This ceremony is concluded by the priests by presenting the sacrificer to the assembled folk with the following words :

> "This is your king, ye (people), Soma is the king of us Brāhmaṇas".

For the term people we have variants such as the Kurus, Pañcālas, Bharatas etc.[5] This shows that the basis of the kingship is not fully territorial but tribal. Since the brāhmaṇas are excluded from the control of the king, it implies that although part of the tribe they are raised above the common people belonging to the tribe. Or it might suggest that since the brāhmaṇas do not belong to the original tribe they are exempted from the authority of the king ; this might indicate the non-Āryan origin of the brāhmaṇas for which a case has been made by several

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1. *VS*, IX. 40; *MS*, II. 6. 6; *TS*, I. 8. 10; *KS*, XV. 5.
2. Op. cit., p. 257.
3. *VS*, IX. 40; *MS*, II. 6. 6.
4. *TS*, I. 8. 10.
5. *VS*, IX. 40; *KS*, XV. 7; *MS*, II. 6. 9; cf. *TS*, I. 8. 10; *TB*, 1. 7. 4 uses the term Bharatas.

scholars.[1] The theory that Soma is identical with the king and consequently the crucial passage does not refer to the special position of the brāhmaṇas[2] has hardly any basis in facts, for there are several other passages which indicate the privileged status of the brāhmaṇas. In view of the clear statement of the *Śatapatha Brāhmaṇa* that the brāhmaṇa is not to be lived upon by the king[3] it would be wrong to think that the passage implies the glorification of the royal sacrificer and not the independence of the brāhmaṇa.[4]

An important ceremony in the *rājasūya* ritual is the *abhiṣecanīyam*, in which the king is sprinkled over by the representatives of the three upper classes and the *janya*, who is interpreted variously as a sūdra, a member of the hostile tribe, king's rival or a man of aristocratic birth or a foreign ally.[5] It is difficult to account for the origin of the practice of sprinkling, which seems to have been shrouded in mystery.[6] But it seems that this rite corresponds to that of purification, which is prescribed in almost all important *saṃskāras* (rituals) laid down in the Gṛhyasūtras. We do not know how far this idea is connected with that of the renewal of life. At any rate, according to primitive methods of purification, the novices are washed in water or blood; they bathe in a stream or in the sea, or are scorched in front of fire.[7]

The sprinkling ceremony is followed by the investiture ritual, in which the priest invests the prince with a strong bow with three arrows and the prince is asked to protect the people.[8] The bow is described as the noble man's strength, and in the opinion of a Brāhmaṇa the weapon is handed to the king in order to endow him with strength and consequently make him fit for consecration.[9] This ritual may have its origin in the hunting ceremony practised among primitive tribes at the time of

1. Pargiter, *Ancient Indian Historial Tradition*, p. 306 ff; Kosambi, *An Introduction to the Study of Indian History*, pp. 97-8.
2. Heesterman, op. cit , pp. 75-7.
3. V. 3. 3. 12.
4. Heesterman, op. cit., pp. 77-8.
5. Jayaswal, *Hindu Polity*, p. 208; Ghoshal, op. cit., p. 267.
6. Bandyopadhaya, *Development of Hindu Polity and Political Theories*, p. 174.
7. George Thomson, *AA*, p. 99.
8. *VS*, X. 8-9; *ŚB*, V. 3. 5. 27-30.
9. *ŚB*, V. 3. 5. 30.

the initiation of a person into manhood when he uses the bow. It appears that the bow, which is the symbol of sustenance in the case of the primitive man, becomes the symbol of power and protection in the case of the initiation of the sacrificer into kingship.

Next the king is announced to the deities and then to the people by name, parentage and tribe.[1] The fact that the king is announced by his tribe is explained by Kātyāyana as indicating the tribal basis of the later Vedic kingship. In the opinion of this commentator the king was not the "king of the people as the territory was not fixed but fluctuating".[2] This is also evident from the fact that the proclamation was made : "Oh people, this is your king".[3] While these references indicate the tribal character of the Vedic state, there is a passage in the *Taittirīya Saṃhitā* in which, the king is announced "in this tribe (*viś*), in this kingdom (*rāṣṭra*)."[4] This might imply that the tribe and the state were now considered identical. Although the state was regarded territorial in nature, its tribal character still persisted, inasmuch as the ruling class belonged to the same tribe. Significantly enough the compilers of the later Vedic texts were conscious of the gradual transformation of the Vedic state from the tribal to the territorial stage. This can be inferred from a passage, which states that by partial performance of a ritual the king attains the people (*viś*), but not the kingdom ; on the other hand he attains both by its full performance.[5] But the following ceremony, in which the king mounts the four quarters and the zenith, symbolises his sovereignty over those regions.[6] It implies the conception of territorial sovereignty. This sovereignty was further accompanied by the assertion of royal authority over people of different social classes, for in the accompanying formula brāhmaṇas, kṣatriyas and vaiśyas, and some others whose identity it is difficult to establish, are invoked to extend their protection to the sacrificer.[7] This ceremony

1. *TS*, I. 8. 12; *KS*, XV. 7; *MS*, II. 6. 9; *TB*, I. 7. 7; *KŚS*, XV. 94-6.
2. *yasyāśca jāte rājā bhavati. deśasyānavasthitatvāt. KŚS*, XV. 96-7.
3. *ŚB*, V. 3. 3. 12. Here the name of the people, *viz*. Kurus, Pañcālas and Bharatas, is inserted in other texts such as *Āp. ŚS*, XVIII. 12. 7.
4. I. 8. 12.
5. *...ubhe eva viśaṃ ca rāṣṭraṃ cā' vagacchati. TS*, II. 3. 1.
6. *VS*, X. 10-14; *TS*, I. 8. 13; *KS*, XV. 7; *MS*, II. 6. 10.
7. Ibid.

clearly indicates the political influence of the three higher classes, whose appearance was tending to strongly undermine the tribal character of the state in later Vedic times.

In the *rājasūya* sacrifice there is a curious ceremony, in which the priest silently strikes the king with sticks on the back.[1] This is explained variously by various writers. Some regard it as the height of priestly authority,[2] others think that by this the king is brought under the laws ;[3] still others hold that the ceremony signifies the king's purification or acquisition of special privileges,[4] *i. e.*, the king's immunity from punishment. There is support for the last view in some texts. The *Śatapatha Brāhmaṇa* makes it clear that through this process the king is made exempt from judicial punishment.[5] Another later text states that thereby the king is purified of his sin and carried beyond death.[6] The significance of the ritual can be better understood if we take into account the practices prevalent among primitive peoples. The savage Timmes of Sierraleone, who elect their king, reserve to themselves the right of beating him on the eve of his coronation; and they avail themselves of this constitutional privilege with such hearty goodwill that sometimes the unhappy monarch does not long survive his elevation to the throne.[7] It seems that the practice was meant to test the endurance of the king. We may also refer to an analogous rite among the Spartans. As Nilson points out, the flagellation of the Spartan boys "was once a rite in which the boys were struck with the sacred bough, which conferred strength and good luck".[8] In other words, it seems to have been a rite of initiation. Thus originally the ceremony of beating was either a rite of initiation or a test to find out the power of endurance in the tribal chief. In later times the priests laid hold of this ritual to assert their power over the king, and it came to be interpreted as the king's exemption from the operation of law.

1. *ŚB*, V. 4. 4. 7.
2. Weber, *Über den Rājasūya*, p. 63 quoted in Ghoshal, op. cit., p. 2, fn. 37.
3. Jayaswal, *Hindu Polity*, p. 217.
4. Ghoshal, op. cit., p, 269.
5. V. 4. 4. 7.
   K ŚS, XV. 191-2.
7. Frazer, *The Golden Bough*, p. 176.
8. Quoted in Thomson, *AA*, p.. 437.

The tribal and primitive character of the rituals is more in evidence in the ceremonies of cow raid, game of dice and chariot race. These seem to have been originally prescribed as ordeals for establishing the qualifications of the sacrificer for kingship. In the ceremony of cow raid the king is allowed to take away a herd of kine from the house of a friend. The *Śatapatha Brāhmaṇa* states that the sacrificer takes more than a hundred cows from his relative, using his chariot for the purpose and "conquering by the impulse of Maruts."[1] It comments that the Maruts are the clansmen, and it is by his clan that the chieftain wins what he desires to win.[2] We further learn from the same source that the king presents to his relatives just as many cows as he takes from them or more.[3] The sacrificer returns the cows because he is not capable of a cruel deed.[4] In the ritual of the *Black Yajus* there takes place a sham fight, in which the king discharges the arrows at a rājanya posted with bow in hand and thus overpowers him.[5] The whole ceremony therefore means defeating the relative in the cow raid and then reinstating the vanquished in his position by doing him an act of grace. The ceremony of cow raid reminds us of an old test prevalent among the tribal people. Primarily this must have meant the ability to capture cows from the enemies, of which we have many instances in the Vedic period, the very term *gaviṣṭi* having the secondary meaning of war. In the present ritual, however, cows are not taken from the inimical tribes but from the relatives, the idea being to assert the royal power over the rival from the same tribe. Evidently it is a mimic cow raid, for the contestant is deliberately made to win. But there is no doubt that originally the king's success in the cow raid exhibited in him those qualifications, which distinguished the early chiefs in the cattle forays.

Another such rite prescribed in the *rājasūya* ceremony is the game of dice. According to this a cow is staked on the gaming ground by a tribesman of the king, who wins the state from him.[6] It is suggested that this symbolises the assertion of the

1. V. 4. 3. 1.-8.
2. V. 4. 3. 8.
3. V. 4. 3. 12.
4. Ibid.
5. *SBE*, xli, 100, fn. 1.
6. Heesterman (op. cit., p. 156) thinks that the reals take of the game the king himself, although the ritual leaves no doubt that the real stake is e cow.

royal sacrificer's rule over the common freeman.[1] But most probably the game of dice was intended to test the sagacity of the chief at the time of election, which was confined at an earlier stage only to the members of the tribe for the king's competitor in this game is described as his *sajāta*.[2] Actually this might refer to the state of affairs existing in the earlier period. But although kingship had become hereditary now, the farce of election had found a place in the coronation ceremony.

But, of such ordeals as imply the election of the king at some early stage, the chariot race occupies an important place. It forms a part of the *vājapeya* sacrifice, by performing which a brāhmaṇa becomes the chief priest and a kṣatriya attains universal sovereignty. In the race the royal sacrificer enters into competition with sixteen other competitors, the total number of the chariots being seventeen.[3] The chariots start with beating of drums, and war cries are raised. In the course of this ritual a rājanya shoots an arrow for fixing the goal of the race. Commenting on this the *Śatapatha Brāhmaṇa* states that the rājanya is "most manifestly of Prajāpati"; hence while being one he rules over many.[4] This may rightly be taken as the first statement of the doctrine of the divinity of the king, which is hardly supported by any other Vedic text.

Heesterman thinks that chariot races and other games were intended to serve the function of regenerating the productive forces in the cosmos, of renewing the world.[5] While the passages quoted by him nowhere mention this purpose of the chariot race, the general theory that most rituals in primitive society were saturated with the ideas of rebirth can apply also to the chariot race. But we are apt to miss the real significance of this ritual if we are to look at it only from that point of view. The chariot race, although the product of a developed social stage, seems to have been an older test for proving the king's superiority in valour and physical powers; it was intended to discover the military qualities of the king or the chief of the tribe. The victory cries raised in connection with this rite make it clear

1. Ghoshal, *Historiography and other Essays*, p. 272.
2. *VS*, X. 29; *ŚB*, V. 4. 4.19-23; *KŚS*, XV. 197-205.
3. *ŚB*, V. 1. 5. 6-10.
4. *ŚB*, V. 1. 5. 13-4.
5. *The Ancient Indian Royal Consecration*, p. 133.

that it was the reflection of the actual practice in military campaigns.[1] Remarkably enough chariot race as a rite prevailed not only among several primitive peoples, but also in pre-historic Greece. In that country initiation into kingship was effected by a competitive ordeal, which was originally a foot race and later became a chariot race. In this race the winner was acclaimed as the god king of the year.[2] According to tradition the earliest games at Olympia were held by Endymion, who set his sons to run a race for the kingdom.[3] Influences of this tradition continued to persist in later times. Even in historical times the Olympian victor was regarded with superstitious veneration and invested with honours that might be described as royal or divine. At Olympia he was crowned with olive. On his return to his native city he was dressed in purple and drawn by white horses in a triumphal procession through a breach in the walls.[4] Probably the ceremony of chariot race was inherited by the Vedic Āryans from the original stock of the Indo-Europeans, who used this method in the selection of their chief. In India also the race was undoubtedly used for this purpose, for at the very beginning of the *vājapeya* sacrifice it is stated that the king belongs to him who wins the race.[5] But later it became a mock race in which the form continued but the substance had departed; for the king was deliberately made to win this race.

The concluding portion of the *vājapeya* sacrifice also bears witness to the tribal aspects of the Vedic polity. After the king has ascended the throne he is addressed thus: "Thee for tilling / Thee for peaceful dwelling /—Thee for wealth /—Thee for thrift /"[6] This according to the *Śatapatha Brāhmaṇa* implies that the king is placed on the throne for the welfare of the people.[7] In other words the supreme power was vested in one man; the purpose of the gift was promotion of agriculture and well-being of the people. It may be noted that the tribal chief of an agricultural society was meant for performing similar duties. Agricultural

1. Heesterman, op. cit., p. 137.
2. Thomson, *AA*, p. 118.
3. Fraser, *The Golden Bough*, p. 156.
4. Thomson, *AA*, p. 118.
5. *ajimeva asmin ajāmahai. sa yo na ujjeṣyati tasya na idaṃ bhaviṣatīti. ŚB*, V. 1. 1. 3.
6. *ŚB*, V. 2. 1. 25.
7. Ibid.

society, due to slow, arduous and uncertain nature of agricultural processes, is characterized by the extensive development of magic. Out of such a society eventually there emerges the god-king with the special function of promoting by mimetic magic the annual sequence from seed-time to harvest.[1] This may not have been the case in Vedic India where the king had not yet acquired the status of God, but at any rate we notice striking similarity in respect of the ruler's obligations, which were not confined to the maintenance of law and order.

The formula addressed on the occasion of the *vājapeya* sacrifice to the king reminds us of the coronation oath in the *aindra mahābhiṣeka* ceremony. Herein the king and the priest pledge mutually to each other to observe a certain code of conduct. The king repeats the following oath which is administered to him by the priest :

'From the night of my birth to that of my death, for the space between these two, my sacrifice, my gifts, my place, my good deeds, my life, and mine offspring mayest thou take, if I play thee false".[2]

Jayaswal rightly points out that the oath is contractual in nature,[3] but there is nothing to show that the pledge was given to the people as a whole. Jayaswal thinks that the oath was made to the officiating priest, who represented the whole community.[4] But by no stretch of imagination the member of one social class, however pre-eminent, can be taken as representing the interests of all other social classes. In the beginning the oath may have been made by the chief in relation to the whole tribe. We have examples of such oaths in primitive societies. For instance, the Mexican kings, when they mounted the throne, swore that they would make the sun shine, the clouds give rain, the river flow, and the earth bring forth fruits in abundance.[5] Although the present oath is dissimilar, it may have been administered by the tribe to the chief. But as the tribe disintegrated into classes and the priests emerged as important a class as the warriors themselves, the king transferred his pledge to the priests to whose ideological support he owed his power.

1. Thomson, *AA*, p. 22.
2. *AB*, VIII. 15 (Keith's tr.).
3. Op. cit., p. 210.
4. Ibid., p. 211.
5. Frazer, op. cit., p. 87.

The rituals shed some light on the nature of the office of the king. Here the *Aitareya Brāhmaṇa* furnishes contradictory evidence. According to one school if enjoyment of the kingdom, *i.e.*, rule is desired for the life-time of the king-elect only the first syllable *bhūḥ* is to be pronounced, if for two generations *bhūr bhuvaḥ*, if for three generations *bhūr bhuvaḥ svaḥ*, namely, the complete formula was to be repeated.[1] In the same source there also occurs the phrase *rājānaṃ rājapitaram*,[2] which indicates hereditary kingship for two generations. Thus according to this Brāhmaṇa the maximum period up to which a dynasty could rule was of three generations. But the *Śatapatha Brāhmaṇa* mentions dynasties of kings who ruled successively for ten generations. The two sets of evidence can be reconciled only by presuming that in the beginning the tenure lasted only for a limited period, and then in course of time it became hereditary. The fact of limited tenure is supported by the practice among primitive and ancient tribes. Among several tribes the tenure of the ruler lasts for a year, and when it expires the king or the chief is re-crowned. An historical instance can be found in the case of Babylon, whose kings used to take the hand of Marduk annually[3] But the tenure lasted for a longer period in Greece where at the end of every eight years the king's sacred powers needed to be renewed by intercourse with the godhead, and that without such a renewal he would have forfeited the right to the throne.[4] What was obviously a matter of ritual in later times may have been a reality in earlier days. This might be also true of the formulas quoted from the *Aitareya Brāhmaṇa*.

A general review of the coronation rituals suggests that coronation was nothing but a form of initiation, namely, a more imposing version of the initiation of the primitive man into manhood or chieftainship. In the rituals there repeatedly occurs the idea of rebirth, which shows that when the king ascended the throne there began a new phase of his life, implying a complete break with his past. Further, the ordeals prescribed on the occasion of coronation are similar to those prescribed for testing

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1. *AB*, VIII. 7; according to Weber (*Ind. Stud.*, ix, 335) this passage refers to the sacrificer, his son and grandson.
2. Ibid, VIII. 12.
3. Frazer, *The Golden Bough*, p. 281.
4. Ibid., pp. 279-80.

the physical power of the man and the chief at the time of initiation. As we know, in the selection of a man for succession to the throne in early society physical strength and beauty held a prominent place.[1] Some of the ordeals such as the chariot race seem to have been common to other branches of the Āryans, who first used horses for yoking to the chariots and not for riding. But the ordeals of cow raid and the game of dice, to which we find many references in the Vedic literature, seem to be of Indian origin. In any case these ordeals cannot be taken as indicating the primitive character of kingship in the later Vedic period when they were retained only as a matter of form. But they leave no doubt about the fact that the king was elected in the earlier period.

Since in some ordeals the competitors of the king were of equal birth(*sajāta*)we may reasonably conjecture that originally, the king was elected by the members of his own tribe. Further evidence of the tribal character of kingship is to be found in the fact that the king is mentioned by the *viś*, and is formally announced to the *viś*. But it seems that by the later Vedic period the tribal character of kingship had been more than undermined. Several rites imply the territorial jurisdiction of the king, while two rites explicitly refer to this aspect of the later Vedic kingship. The great solvent of the old tribal order was the rise of social classes based on the differentiation of functions. Thus in several ceremonies the participants are not described as the representatives of of the tribe, but as brāhmaṇas, kṣatriyas, vaiśyas, and in some cases even śūdras. Finally, the names of officials mentioned in the *ratnahavīṃṣi* ceremony indicate that the old tribal equality was being shattered not only by the elevation of some members of the tribe to higher position over the others but also by the recruitment of the aboriginals into the ranks of the Āryans. Hence there does not seem to be much support for the view that monarchy was generally tribal in the later Vedic period.[2]

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1. Ibid., p. 156.
2. Cf. Ghoshal, *Historiography and other Essays*, p. 289.

CHAPTER X

LAND REVENUE SYSTEM IN THE PRE-MAURYA PERIOD

(C. 600-300 B. C.)

Although Ghoshal's *Hindu Revenue System* does not consider the system of land revenue in the three centuries preceding the establishment of the Maurya empire, the excellent works of Fick and Mr. and Mrs. Rhys Davids, supplemented by those of B. C. Sen, A. N. Bose and R. N. Mehta, leave little scope for further addition to our knowledge in this respect. There is, however, some justification for the evaluation of generalizations regarding the nature of the royal share realised from the peasants, and of the grants made by the king. While Fick and Rhys Davids hold that the royal share was a tithe levied upon the annual produce in kind,[1] Bühler thinks that it was ground rent.[2] The available data do not permit us to reject or accept any one of these views entirely. That the tithe system prevailed can be inferred from a Jātaka story in which a *seṭṭhi* feels guilty in conscience while plucking some blades from the untithed field.[3] On the other hand, the two references, which relate to the measuring of field by royal officers, are capable of being interpreted in a way which may suggest some sort of ground rent.[4] Bühler compares the *rajjugāhaka-amacca* with the Land Revenue Settlement Officer of British India and suggests that the measurement was done for the purpose of assessing ground rent.[5] But Fick surmises that measurement may have been done with the object of obtaining an approximate idea of the amount of rent payable by the subjects to the king or to determine from the extent of the land the average produce to be brought to the king's storeroom.[6] Nevertheless, the fact that in measuring the field the

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1. *Social Organisation of N. E. India etc.*, pp. 118-9; *CHI*, i, 177.
2. *ZDMG*, xlvii, 466ff.
3. *Jāt.*, ii, 378.
4. *Jāt.*, ii, 376; iv, 169.
5. Ibid., ii, 378; *ZDMG*, xlvii, 468-70.
6. *Social Organisation of N. E. India etc.*, p. 149.

rajjugāhaka-amacca was conscious of doing nothing which might cause loss either to the *rājā* or to the *khettasāmika* or *kuṭumba*[1] lends strength to Bühler's hypothesis that the land was measured for the purpose of levying rent on it. But whether this was the normal practice throughout the north-eastern regions cannot be stated. Pāṇini refers to officers called *kṣetrakara*, who divided the cultivable land into plots by survey and measurement and fixed their area[2]. Here also we have no means to find out whether these plots were demarcated for purposes of taxation, although the possibility cannot be ruled out. Another reference in *Pāṇini* (vi. 3. 10) has been taken to mean that an impost of two or three *pāda* coins was levied on every *hala* or plough-measure of land in Eastern India[3] This interpretation of the *Kāśikā* in its comment to *kāranāmni ca prācāṃ halādau* may be applied to the state of affairs in pre-Maurya times, but its mention of three other taxes, in the same connection, levied respectively on households, individuals, and hand-mills[4] may perhaps be true of the conditions existing during the seventh century A. D., when this commentary was written.

Theoretically, as head of the community, the king was the owner of all the land, a position which developed out of the Vedic custom, according to which no land could be alienated without the consent of the *viś*. The functions of such royal officers as *kṣetrakaras*, *rājakammikas*[5] etc. show that in many cases the king exercised this right effectively. But, as regards taxes on the general peasantry, the early Pāli texts hardly give any indication that the king made these levies by virtue of his being the owner of soil. The almost contemporary law-book of Gautama, however, states that the king was entitled to *bali* because of the protection afforded by him to the people.[6] But Maskarin comments that taxes are to be paid by the cultivators on the plots of land which they obtain from the king;[7] we cannot say how far this is applicable to the pre-Maurya period.

1. *Jāt.*, i i, 376.
2. V. S. Agrawala, *India as known to Pāṇini*, pp. 142, 197.
3. Ibid., pp. 414-5.
4. Ibid.
5. *Jāt.*, i v, 169.
6. X. 28 with the comm. of Haradatta (ASS edn.).
7. Comm. to *Gautama*, X. 24

Gautama adds that the rate of *bali* should be 1/6, 1/8 and 1/10[1], which Haradatta rightly interprets as differing according to the fertility of soil. It is obvious, then, that assessment of taxes was done in relation to the fertility of land, and that there was no uniform rate irrespective of the nature of the yield. This might suggest that the idea of land rent was gradually developing.

It is interesting to examine the terms used for taxes during this period. *Bali* stands for voluntary offering, although this was not the case in the post-Vedic period. But the terms *bhāga* and *kara* respectively show that the king was entitled to his share or that he could realise taxes from the people. We may add that in ancient Assyria also the term "gift" was used for regular taxes for a long time in spite of the fact that the subjects were compelled to make these payments.[2] It would appear that what constituted gift by clansmen at one stage became taxes later. In ancient India there continued for some time the contradiction between the revenue terminology and its actual content. Thus although taxes were compulsory in pre-Maurya times, the most frequently used term in the Jātakas is not *bhāga*[3] but *bali*. But Gautama uses the term *kara*[4] and Pāṇini a more emphatic word *kāra*.[5] Later the two terms *bhāga* and *kara* came to be used more frequently. In course of time *bhāga* came to be regarded as the principal form of land tax and the king came to be known as *ṣadbhāgin*, with the result that in the *Arthaśāstra* of Kauṭilya *bali* figured as one of the several taxes connected with land.[6]

How far the peasant communities strove to maintain the traditional and customary rate of *bali*, coming down from the Vedic period, is difficult to say. In spite of the exhortation that the king should levy taxes only in accordance with *dhamma*,[7] there were several instances of oppressive taxes in the Jātakas,[8] which suggest that the king could increase taxes, either in order to fill up his coffers or to harass the people. He could also remit

1. X. 24.
2. Olmstead, *History of Assyria*, p. 516.
3. *Jāt.*, ii, 378.
4. X. 11.
5. Agrawala, op. cit., p. 415.
6. II. 15.
7. *Jāt.*, iv, 399, 400.
8. Ibid., ii, 240; iv, 224; v. 98.

taxes.[1] The fact that the king could enhance and remit *balī* shows that this was no longer treated as a voluntary or customary offering, but as a tax imposed on the people by the king.

It is curious that *bali* was not realised in money, although we find that incomes of villages were estimated in terms of money, and in some cases even hired labourers were paid in cash. But in the early Pāli texts there is no indication of tithe being commuted into money rent. Nevertheless, as shown earlier, it can be inferred from Pāṇini that in Eastern India money rental was imposed on every plough-measure of land. Generally, money economy was not so advanced as to eliminate payment of royal share in kind. That *bali* was synonymous with payment in kind can be deduced from the fact that at one place, in the same compound, *bali* and *kahāpaṇa* are mentioned as two separate impositions.[2] The term *nivāsavetana*, occurring in a Jātaka story,[3] can be taken in the sense of house-rent, but here also payment is made not in cash but in oxen.

Unless the term *bhāgadugha*, literally "milcher of the share" or "distributor", is taken in the sense of "tax-collector",[4] we have hardly evidence of any machinery for revenue collection during the Vedic period. But in post-Vedic times we come across half a dozen officers who worked as tax-collectors, not to speak of the *gāmabhojaka* and a few others who were connected with the work of assessment and measuring grain for storing it in the royal granary. The precise functions of the *gāmabhojaka* and royal collectors, and their mutual relations, cannot be determined. Fick's view that the *gāmabhojaka* was an official appointed to collect the revenue of a village for the king has rightly been questioned,[5] for he relies upon a solitary passage in the introductory episode of a Jātaka story.[6] But since the *gāmabhojaka* could impose and realise fines from the villagers in the case of minor disputes[7] and offences of murder etc., committed by drunkards,[8] it is likely that he acted also as royal collector.

1. Ibid., iv, 169.
2. Ibid., ii, 240.
3. Ibid., i, 194.
4. *VI*, ii, 100; supra, pp. 108-9.
5. B. C. Sen, *JDL*, xx, 165.
6. *Jāt.*, i, 354.
7. Ibid., i, 483.
8. Ibid., i, 199.

Besides, in the earlier stage we cannot expect so much of differentiation of functions that this official should act as local magistrate and judge, and that the functions of the tax-collector should be entirely taken away from him. Therefore, in contrast to a set of officers who were exclusively charged with the work of revenue collection, the *gāmabhojaka* did not confine his activities to the realisation of royal dues, but he also settled local disputes, maintained law and order,[1] sometimes interdicted cow-slaughter[2] and occasionally helped villagers in times of distress.[3] It is beyond doubt that the institution of *gāmabhojaka* was almost universal, but there is not much evidence that he acted as a regular collector of taxes appointed by the king. Further, the office of the *gāmabhojaka* was not a device for providing revenues to favourites and brāhmaṇas. In fact, this office, in spite of its being the lowest rung in the ladder, was an important part of the administrative machinery, which was headed by the commander-in-chief.[4] *Gāmaṇis* are also mentioned as village headmen, who seem to have been king's favourites living in luxury,[5] but there is no proof that they acted as regular royal collectors and enjoyed revenues raised from the villages.[6] It is likely that the office of the village headman, whether of the *gāmabhojaka* or the *gāmaṇi*, was elective in the beginning, but in course of time he came to be an officer of the king, with the result that he became less representative of the interests of the local folk.

The *gāmabhojaka* was not an absentee landlord, as is suggested by a recent writer.[7] It cannot be proved that revenues were assigned to the village headman; in this respect the literal meaning of the term cannot be taken as indicating the real position of the *gāmabhojaka*. In several passages of the *Aitareya Brāhmaṇa*[8] the term *bhoja* seems to be used as king's title. Even the evidence that the *gāmabhojaka* collected royal dues from the peasants is not strong, but to regard him as the lord of the land of the village will be stretching the imagination too far.

1. Ibid., i, 199, 483.
2. Ibid., iv, 115.
3. Ibid., ii, 135.
4. Ibid., v, 484.
5. Ibid., iv, 310.
6. Cf. *JDL*, xxiv, 16.
7. A. N. Bose, *Social and Rural Economy of Northern India*, i, 39.
8. VIII. 12., 14, 17; *VI*, ii, 112.

As regards half a dozen royal collectors mentioned in the Jātakas, although their names differ, there is nothing to show that they were placed in charge of different taxes. On the contrary, we have positive evidence that they all were connected with the collection of *bali*, which was the chief royal tax. One of these, the *yutta*[1] can be identified with Paṇini's *āyukta*, which was a general term for government servants engaged in routine work[2]. In the case of special assignments they were called *niyukta*,[3] and seem to be the same as the *nityuktaḥ* mentioned by Gautama[4]. The commentators take two views of the functions of this office. Haradatta point out that they were appointed among the cultivators for their protection, but he quotes another view that this officer was employed for collecting *bali* etc.[5] The latter is obviously the opinion of Maskarin, for explaining the term *balidāna*,[6] he states that royal dues known as *rājagrahaṇam* or *baligrahaṇam* should be paid annually to the *niyukta* by those who live on agriculture.[7] Thus *nityukta* and *niyukta* of Gautama stand for the same officer, and the interpretation of *nityukta* as tax-collector suits the text better, for the term is used in connection with *bali*. Another class of tax-collectors, the *tuṇḍiyas*, were not regular tax-officers but a special class of collectors, employed to realise *bali* from the people by subjecting them to beating and binding.[8] The *akāsiyas* were also oppressive tax-collectors,[9] who dispossessed the cultivators of their earnings. So the *tuṇḍiyas* and *akāsiyas* were special officers appointed to raise taxes on behalf of the king in times of emergency or to collect additional taxes. But this does not seem to have been the case with *balisādhakas*[10] and *niggāhakas*,[11] who also are put in the commentary[12] as *balisādhakas* ; these two probably were ordinary tax-collectors, normally collecting *bali* from the people. The term

1. *Jāt.*, v, 117.
2. Agrawala, op. cit., p. 498.
3. Ibid.
4. X. 29.
5. Comm. to Gautama X. 29.
6. Ibid., X. 23.
7. *Dharmakośa*, i, pt. 3, 1661.
8. *Jāt.*, v, 102-3, *gāthā* with comm.
9. Ibid., vi, 212. *gāthā*.
10. Ibid., v, 106.
11. Ibid., iv, 362.
12. Ibid.

balipaṭiggāhaka has also been interpreted as tax-collector,[1] but this should be taken in the sense of receiver of offerings or oblations.[2] The *rājakammikas* were, however, regualr tax-collectors who measured land and realised taxes.[3] Pāṇini mentions a class of officers known as *kārakaras*, who were entrusted with the raising of taxes in Eastern India,[4] but the work of measuring land was done by the *kṣetrakaras*. Another officer connected with land revenue work was the *rajjugāhaka-amacca*, who may have been primarily an assessor of taxes rather than a collector. Thus although we have no clear idea about the exact functions of each of these collectors, the fact of the revenue machinery being more organized and developed in post-Vedic times than what we find in the Vedic period seems to be undoubted.

An important point to be examined in this connection is the relation between different classes of tax-collectors. Fick points out that taxes were paid to the official who represented the king in the province alloted to him.[5] But he does not make it clear who these officials were and what was their relation with the royal collectors we have noticed above. Similarly, he states that, in the village, revenues were given to the *gāmabhojakas*.[6] But if this official collected taxes from the cultivators in all cases what was the necessity of employing three or four other officers for the purpose ? Besides, how did they function in relation to the village superintendent ? Unfortunately for lack of further data these questions cannot be answered satisfactorily.

The question has been raised whether there was any considerable class of intermediaries connected with land during this period. A recent writer, while dealing with the position of the *gāmabhojaka*, points out that there intervened in Indian land system a powerful class of intermediaries somewhat analogous to the modern landlords.[7] In our opinion this statement can be applied in some measure to those brāhmaṇas who were granted land by the king and not to the *gāmabhojakas* who were either

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1. Fick, op. cit., p. 120.
2. PTS *Pāli-English Dictionary*, s. v. *balipatiggāhaka*.
3. *Jāt.*, iv, 169.
4. Agrawala, op. cit., p. 415.
5. Op. cit., p. 120.
6. Ibid.
7. Bose, op. cit., i, 38.

representatives of the local folk or regular officers appointed by the king and dismissed by him when occasion demanded it.

Whether there were manorial lords during this period depends upon the correct interpretation of certain terms such as *brahmadeyya* and *rāja-bhoggam*. The explanation of Buddhaghoṣa that the grants mentioned in the early Pāli canons carried with them administrative and judicial rights[1] may be true of the conditions existing in the fifth century A. D. when the commentator flourished, but may not suit the state of affairs in the pre-Maurya period. Therefore, the inference of Rhys Davids that the practice of the grant to local notabilities of local government can be traced back to the time of the Buddha[2] cannot be sustained by evidence. Since the states were comparatively smaller in area, even the local affairs could be managed by the officers of the king. Although there are several instances of *brahmadeyya* grants in Kosala and Magadha, mentioned in the *Dīgha Nikāya*,[3] significantly enough neither the word *akara* nor any other word indicating immunity of taxes is found in the string of adjectives qualifying the land granted. The absence of the list of exemptions may lead us to the presumption that the grantees had to pay some tribute to the king.[4] And hence, compared to the grants of post-Maurya and Gupta periods, the pre-Maurya grants were of a very limited nature. The *brahmadeyya* grants of this period did not carry these privileges which we find later.

The term *rāja-bhoggam* is another important word in the grants of the *Dīgha Nikāja*, the precise meaning of which is a matter of dispute. In the opinion of T. W. Rhys Davids *rāja-bhogga* was a form of tenure, the holder of which was empowered to exact all dues accruing to the government within the boundaries of the district or estate granted to him. He could hold his own courts, and occupied in many ways the position of a baron, or lord of the manor, except that he could draw no rent.[4] But, in the cluster of adjectives qualifying such grants, the term *rāja-bhoggam* should be taken in the sense of "royal", or that enjoyed by the king ; and not in the sense of "a grant to be enjoyed by the grantee in the same way as the king does it", as has been

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1. *Sumaṅgala Vilāsinī*, i, 246.
2. *CHI*, i, 159.
3. i, 87, 111, 114, 131, 224.
4. Cf. Sen, *JDL*, xx, 106.
5. *CHI*, i, 159.

done in the translation of this term by Rhys Davids.[1] In the grants occurring in the *Dīgha Nikāya*, the form of tenure is indicated not by the word *rāja-bhoggam* but by the word *brahma-dyya*, which is a well recognised form of tenure in brāhmaṇical texts and inscriptions of the later periods. Fick cites several references to show that the *rāja-bhoggas* were a class of officers in the pay of the king, and equates them with the *rājanyas*.[2] This may hold good of the reference he quotes,[3] but does not apply to the above references cited from the *Dīgha Nikāya*. The commentary explains *rāja-bhoggam* as *rāja laddhaṃ bhoggam*, i. e., the meal or domain acquired by the king,[4] which evidently refers to royal possession. It is likely that during this period *brahmadeyya* grants were made only out of royal domain or crown land, and not out of the land held by the communities of peasant proprietors.

A similar term *bhogagāma*, which often occurs in the Jātakas, apparently means a village given by the king to his favourites for enjoyment; there is hardly anything to show that *bhogagāmas* were granted to people for rendering administrative or other services to the state. It was a mark of favour bestowed by the king upon anybody with whom he was pleased, so much so that a *bhogagāma* could be conferred even upon a barber.[5] A passage from the Jātaka[6] has been interpreted to mean that the *amacca* was the *bhojaka* of a village, which was given by the king for his enjoyment as remuneration for his office.[7] But the passage in question makes it very clear that this particular *amacca* was entrusted with the duty of collecting royal revenues (*rājabali*) from a village, for we learn that when he conspired with the robbers to carry off the taxes collected for the king, he was heavily punished. Another reference,[8] on the basis of which it has been stated that a monarch could endow a minister with the contributions of the *gāmas*[9] (villages), should not create the impression that the grant was made to the minister

1. *SBB*, ii, 108.
2. Op. cit., p. 153.
3. Ibid., p. 152.
4. *Sumaṅgala Vilāsinī*, i, 245.
5. *Jat.*, i, 138.
6. Ibid., i, 354.
7. Bose, op. cit., i, 43; cf. *CHI*, i, 177.
8. *Jat.*, vi, 261.
9. *CHI*, i, 177.

in return for his administratie services. In this particular case, sixteen excellent villages (probably conventional in number) were granted to a minister as a reward for his ability to provide the right solution to a philosophical question, namely, the definition of an ascetic; and further in this case the minister was the Bodhisatta. The view that the ministers got as their chief remuneration villages together with cows, chariots, elephants etc.,[1] and that salaries and food were additional payments,[2] does not seem to be sound. In fact, they were given *bhatta-vetana* primarily as their remuneration, and villages were an additional favour occasionally bestowed on them when the king so pleased. The specific purpose for the grant of villages mentioned in the Jātakas is the reward for wise or religious instruction imparted to the king by the Bodhisatta.[3] Most grants of the *bhogagāmas* refer to their enjoyment by the *purohita*.[4] Thus it will appear that generally these villages were granted to those who were the chief advisers and religious instructors to the king, and not to the *amātyas*. In spite of the fact that the grantees enjoyed the revenues of these villages, it is obviously wrong to translate *bhogagāmas* as zamindaris, as has been done in several cases in the Jātaka translations, for the donees enjoyed no proprietory rights whatsoever in the villages granted to them.

Taking the grants as a whole, certain points seem to be clear. Firstly, although the king had the power to make grants, he was not under the obligation to do so, as seems to have been the practice in post-Maurya and Gupta times. Secondly, grants were made for spiritual and religious services. Thirdly, these grants were probably tenable for life time. This inference is, however, not based on the wrong translation of a Jātaka passage,[5] in which the term *gāmavaram* should be translated as prosperous village, and not as "for life" which Rouse has done. Further, the grants give neither any indication of being passed on to the descendants of the grantees nor of the obligation imposed by the donor on his successors to maintain these grants under threats of imprecations. Fourthly, there is nothing to show that th:

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1. De, *JDL*, xxiv, 10; *Jāt.*, vi, 363.
2. Ibid.
3. *Jāt.*, i, 365; ii, 229; vi, 344.
4. Ibid., ii, 428-9, *gāthā* 117; iii, 105; iv, 473.
5. Ibid., ii, 428-9, *gāthā* 117.

bhogagāmas were free from tributes to the king. The dominant role of the kṣatriyas during this period might suggest that they realised taxes even from the brāhmaṇa donees.

It is also of some relevance to examine the usual mode of payment made to the officers and other employees of the king. The common term used for remuneration is *bhatta-vetana*. At one place it has been translated as food-money.[1] But Horner renders *raññο bhattaavetanāhāro* as "living on a salary and food from a king".[2] Probably the latter meaning is correct. Apparently the term *vetana* cannot be taken literally as cash payment, but in the case of the reference quoted above we can well presume that there was no necessity of paying the officers again in kind if they were already given provisions. Therefore, wherever the term *vetana* is compounded with *bhatta*, it may be taken in the sense of cash payment. Accordingly, the statement that elephant troops and chariotmen, royal guard and infantry were given *bhatta-vetana*[3] should mean that, besides provision for maintenance, they were paid cash salary by the king. There is also a reference to the increase of the *vetana* of his elephant-driver, or his life-guardsman, his chariot-soldier or his foot-soldier by the king,[4] which may suggest that in this case salaries were paid in cash. The army organization was not based on the land system, as we find it in Assyria. Hence in pre-Maurya times soldiers were not allotted land for subsistence, although in the Maurya period the *Arthaśāstra* of *Kauṭilya*[5] refers to villages supplying soldiers and thus enjoying freedom from taxation. In some cases even hired labourers were paid in cash.[6] Moreover, whether it is the income of a village,[7] or payment to to a youth skilled in tracking footsteps[8] or an archer,[9] or gift to the Great Being,[10] the amount stated in each case is a thousand pieces of money. Obviously this figure is conventional, as is inevitable in folk literature, but all this undoubtedly establishes the possibility of payment in cash to the officers

1. Ibid., iv, 132; Tr. *Jāt.*, iv. 84.
2. *The Book of Discipline*, ii, 67.
3. *Jāt.*, iv, 134, *gāthā* 100.
4. Ibid., vi, 295.
5. II. 35.
6. *Jāt.*, iii, 26.
7. Ibid., i, 138.
8. Ibid., iii, 505.
9. Ibid., v, 128.
10. Ibid., ii, 462.

and employees of the king. Nevertheless, since revenucs were collected in kind, officers may also have been paid in kind supplemented by cash. And hence there is not much ground to suppose that payment was made to the *amātyas* and other royal officers by grants of land revenues,—a practice which became general from the post-Gupta period onwards.

It is contended that absentee landlordism prevailed in the pre-Maurya period.[1] But, in citing two Jātaka passages as evidence for this, reliance has been placed on their wrong translation in Cowell's edition. In one case the correct translation should be "the householder Aḷāra who lives in the city of Mithilā" and not "the landowner Aḷāra" ; for the term *kuṭumbika*[2] cannot be translated as landlord, as has been done.[3] Similarly, the passage *ekaṃ gāmakaṃ nimantanaṃ bhuñjanatthāya gantvā*[4] should be rendered as "the Bodhisatta, who was a rich merchant, *had gone to a village to attend a feast dinner*" and not as "*...had been to a village to collect his dues*", as has been done.[5] There is no doubt, however, that Anāthapiṇḍika was an absentee landlord,[6] but this generalization cannot be applied to the other grantees or landowners. We have also an instance in which the Bodhisatta sent his men to receive the revenues of those villages which king Cūlaṇī had given him.[7] But such stories very much exaggerate the amount and nature of gifts made to the Bodhisatta—the idea being to provide a moral for the common people—and even if we accept these in essentials, the cases of such landlords enjoying the revenues of villages where they did not live were very few.

Really speaking, we have some landlords who got their land cultivated by slaves and hired labourers.[8] They can be better characterized as big peasant proprietors who had their surplus land cultivated by gangs of agricultural labourers, and,therefore, were not in any sense analogous to the modern landlords who live upon the revenues collected from their tenants. Basically, Mrs. Rhys Davids' conclusion that in the time of the Buddha

1. Bose, op. cit., i, 39.
2. *Jāt.*, v, 164.
3. *Jāt.*, Tr. v, 86.
4. *Jāt.*, i, 413.
5. *Jāt.*, Tr. i, 245.
6. *Jāt.*, i, 412 present story, 441.
7. Ibid., vi, 463.
8. Ibid., ii, 181; iii, 293; iv, 276; *Sutta Nipāta*, i, 4.

the rural economy was based on peasant proprietorship[1] seems to be sound. It may be added that there were some big peasant proprietors possessing holdings of 500 or 1000 *karīsas* (acres ?), but mostly the peasant holdings were just enough to be worked by their individual owners. As regards the various kinds of tenure, very probably the term *rājabhoggam* does not indicate any kind of land tenure. There are many instances of *bhogagāmas* and *brahmadeyya* grants, but the grantees cannot be described as manorial lords in any sense of the term. Mrs. Rhys Davids speaks of some rural autocrats having country-seat, tenant farmers and serfs,[2] but this statement cannot be applied to the grantees. Country seat implies residence in towns as well which, in most cases, does not seem to be true of the grantees. Since land did not belong to them, they cannot be described as possessing tenant-farmers. Similarly, although the *bhogagāmas* were settled villages, the tenants settled therein were not reduced to the position of serfs because the grantees could not increase taxes on the inhabitants of the villages granted to them. This is clear that most tenants maintained direct relation with the king through the royal collectors and the *gāmabhojaka*, and that the number of intermediaries in the land system was negligible. Notwithstanding the reproach with which the *niggāhakas* were looked upon by the people, the peasantry had to pay hardly any other tax except *bali*; thus it was not burdened with those taxes on land which are prescribed by the *Arthaśāstra* of Kauṭilya and which can be inferred from the long list of exemptions provided in the copper-plate grants made to the brāhmaṇas and temples in later times.

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1. *CHI*, i, 176.
2. Ibid., i, 178.

CHAPTER XI

RELIGION AND POLITICS IN THE ARTHASASTRA OF KAUTILYA

I. INFLUENCE OF RELIGION ON THE POLICY OF THE STATE.

For the sketch of the later Vedic polity we have to depend mainly on the rationalization of rituals, which give us the first clear indication of close connection between religion and politics in ancient India. Several centuries later when monarchy is established on a firm footing, this connection persists in the Maurya period but in a different shape. While the Vedic rituals tended both to strengthen and restrict royal power, the religious measures of the state, as known from the *Arthaśāstra* of Kauṭilya, were more intended to strengthen royal power than limit it. Although Kauṭilya's *Arthaśāstra* does not contain any independent section on religion and politics, there are numerous references to this subject scattered throughout his treatise. They show how considerations of religion shape the internal policy of the state and how religion is used as an effective instrument, especially in relation to external enemies.

As regards internal policy the Kauṭilyan state upholds the brāhmaṇical social order and follows the brāhmaṇical religious practices. Brāhmaṇism, as developed on the basis of the Vedic religion, may be regarded as the bedrock of the *Arthaśāstra* polity; what is *dharma* (righteous) and what is *adharma* (unrighteous) is learnt from the three Vedas.[1] The *varṇāśrama dharma*, which in post-Vedic times had become the foundation of the social structure, is expounded by Kauṭilya[2] in such terms as we find it in early law-books. He insists that every varṇa must perform its functions, and, at the end of this exposition, concludes that the person who observes his duty attains heaven and infinite bliss. In case he violates his duty, the world is destroyed on account of the confusion of castes.[3] What is more significant

1. *AŚ*, I. 2.
2. Ibid., I. 3.
3. Ibid.

Kauṭilya instructs the king that he should never allow the people to deviate from their duty. For if human society adheres to the practices befitting the āryas, is based on the law of the four social classes and stages, and is maintained in accordance with the precepts of the three Vedas, it will prosper and never perish.[1] Thus the king is required to maintain a society which derives its ultimate sanction from the Vedas. At one place the Kauṭilyan king is called *dharmapravartaka*, which is taken to mean that he is the promulgator of a new *dharma*. From this it cannot be inferred that *dharma* does not place any limitation on the powers of the king who enjoys absolute authority in this respect[2]. The context in which this epithet is applied to the king does not warrant this inference. It is stated that, if the *varṇāśrama dharma* perishes, the king should act as the founder of the *dharma*,[3] which clearly leaves no freedom to the king to establish the social order of his liking but merely enjoins him to restore and revive the order which is destroyed. The above references clearly show that Kauṭilya wants the head of the state to preserve and enforce the brāhmaṇical social organization which, rests for its validity on the Vedas.

The external policy of the Kauṭilyan state is guided by religious considerations. In the pacification of the conquered peoples the king is asked to pay attention to their religious practices and susceptibilities. Kauṭilya states that the king should show his devotion to the territorial and religious festivals and the amusements of the conquered people.[4] He should worship the local gods and favour the orators and religious and intellectual leaders with gifts of land and money, and remission of taxes.[5] It is further said that he should do away with the unrighteous practices (*adharmiṣṭam*) and establish righteous practices in their place. He should prohibit the slaughter of animals for half a month during the period of *cāturmāsya* (a season of four months), for four nights during the periods of the full moon, and for a night on the day of the birth star of the conqueror

1. Ibid.
2. Cf. H. N. Sinha, *Sovereignty in Ancient India*, pp. 149, 199.
3. *caturvarṇāśramasyāyam lokasyācārarakṣaṇāt naśyatāṃ sarvadharmāṇāṃ rājā dharmapravartakaḥ*. *AŚ*, III. 1.
4. *AŚ*, XIII. 5.
5. *sarvatrāśramapūjanaṃ ca vidyāvākyadharmaśūrapuruṣāṇāṃ ca bhūmidravyadānaparihārān kārayet*. Ibid.

or of the national star. The king should also prohibit the slaughter of females as also the castration of young ones[1]. In the enemy country the life of an ārya and the property belonging to gods, brāhmaṇas and ascetics should not be enjoyed by the king[2] Therefore, according to the above provisions, the king is required to respect the religious sentiments of the conquered people not only by following a policy of toleration, but also by by positively observing their religious practices and enforcing the main tenets of the brāhmaṇical social order in which the priests enjoyed several immunities.

Kauṭilya's attitude towards the brāhmaṇas, who were the ideological custodians of the existing social order and were mainly concerned with religious affairs, deserves careful consideration. The later Vedic texts allow three important privileges to the brāhmaṇas, namely, exemption from physical torture, and the right to honour and gifts. All these concessions are generally recognised by Kauṭilya. According to him, the brāhmaṇa is described as *apīḍanīya*[3] which implies his immunity from physical punishment, but in the *Śānti Parva* he is repeatedly described as *adaṇḍya*[4] which seems to suggest his exemption from all kinds of punishments. Exception in the *Arthaśāstra* is, however, made in the case of rape with the wife of a teacher, selling liquor and committing theft, for all of which the face of the brāhmaṇa convict has to be branded[5]. There is at any rate no doubt about the highest place of honour being accorded to the brāhmaṇas in the *Arthaśāstra*, which states that they occupy the same position among human beings which gods occupy in heaven[6]. This view of the status of the priestly class is perhaps corroborated by epigraphic evidence, for Aśoka seems to have exposed the brāhmaṇas who were considered deities on the earth[7]. Similarly Kauṭilya unequivocally recognises the brāhmaṇas' special privileges to officiate at the sacrifices and to receive gifts in return.

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1. *AŚ*, XIII. 5.

2. *paraviṣayādvā vikrameṇānītaṃ yathāpradiṣṭaṃ rājñā bhuñjita anyatra āryapraṇebhyo devabrāhmaṇatapasvidravyebhyaśca. AŚ*, III. 16.

3. *AŚ*, IV. 8.

4. 56. 22; 59, 69, 114.

5. *AŚ*, IV. 8.

6. *ye devā devalokeṣu ca brāhmaṇāḥ*. Ibid., XIV. 3.

7. Here the interpretation of Sénart and H. P. Śāstrī has been followed, but see Raychaudhri, *PHAI*, 5th edn., p. 357.

These are not only retained but sanctified by the laws enforced by the state. We have detailed regulations about the realisation of the sacrificial fee. Thus in case the priest dies, the fee as fixed according to the nature and importance of the sacrifice, big or small, is to be paid to the heir of the priest[1]. If a sacrificer dismisses a priest before the completion of the sacrifice, he is to be punished with the first amercement[2]. Like other law-givers Kauṭilya is, however, in favour of sending out those priests who do not maintain the prescribed standards[3]. The real significance of these provisions regarding payment of the fee to the priests lies in the fact that they are incorporated in the section which deals with the wages of the labourers and those engaged in co-operative undertakings, which implies that *dakṣiṇās* (sacrificial gifts) are not voluntary but obligatory inasmuch as they are to be enforced by the state.

More important evidence of the intimate connection of the state with the brāhmaṇical religion is to be found in the regulations, which provide for the state patronage of several gods and their worship. In connection with the construction of the capital Kauṭilya lays down that the northern area of the city should be reserved for the tutelary deity of the city (*nagaradevatā*) and for the brāhmaṇas[4]. In the centre of the city are to be located half a dozen divinities[5]. Deities of architecture are to be established in the corners, and guardian deities of quarters in quarters appropriate to them. The principal gates of the capital should be named after gods and be called Brāhma, Aindra, Yāmya and Saināpatya, and places of worship and pilgrimage should be constructed inside the capital[6]. In the section dealing with the duties of the treasurer it is provided that the three-storey treasury should be solemnised with the presence of a guardian deity. All the various buildings connected with the treasury should be furnished with necessary means to worship the appropriate guardian gods[7]. Similarly, while

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1. *AŚ*, III.14.
2. Ibid.
3. Ibid.
4. Ibid, II. 4
5. Ibid.
6. Ibid.
7. Ibid, II. 5.

dealing with the duties of the superintendent of agriculture Kauṭilya provides that at the time of sowing seeds a formula should be recited in saluting God Prajāpati Kaśyapa and invoking the blessings of Sītā Devī.[1]

The *Arthaśāstra* prescribes several rituals warding off providential visitations such as fire, flood and similar other natural calamities. Although it is not stated whether these are to be performed on behalf of the state, this can be inferred from the qualifications laid down for the office of the royal *purohita*, who is assigned the highest pay of 48,000 paṇas. It is ordained that the chief priest should be capable of preventing calamities, providential or human, by performing such expiatory rites as are provided in the *Atharva Veda*[2]. Probably his office is intended to be used in the worship of Indra, Gaṅgā, Parvata and the Mahākacchapa in case of drought; in the worship of rats against rat menace;[3] in the worship of snakes against snake menace; in the worship of the Parvata against the menace of tigers and of the *caityas* (funeral mounds, or sanctuaries), against the menace of demons (*rākṣasas*)[4]. Further, the chief priest seems to have been required to officiate in the performance of oblations and the making of offerings to gods on ordinary and full moon days[5]. The obligation of the state does not cease with the appointment of the *purohita* for the purpose of obviating bad days. Kauṭilya further enjoins the king that he should honour and settle in his kingdom such accomplished ascetics as are expert in magical arts and consequently can ward off providential visitations[6]. Kauṭilya's indication of royal responsibility for the protection of the people against natural calamities is in tune with the primitive view of the similar functions of the king, but the *Arthaśāstra* provision for the office of the chief priest, one of the three highly paid posts in the state, shows that the king was not expected to exercise this function himself, as in the case of the primitive chief, but through an independent religious functionary appointed for the purpose.

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1 Ibid., II. 24.
2. *AŚ*, I. 9.
3. Ibid., IV, 3. additional reading found in the Munich ms.
4. Ibid.
5. Ibid.
6. Ibid.

In some provisions Kauṭilya affords special protection to wealth owned by the temples. He lays down that the village elders should augment the property of the temples along with that of the minors[1]. There is also provision for the protection of the *devapaśu*, which term is taken to mean certain animals left in the name of the god for the use of the community.[2] But if we rely on the comment of T. Gaṇpati Śāstrī to another passage of the *Arthaśāstra*, it would appear that this term probably stands for animals owned by the gods and temples. For it is laid down that those who steal or take possession of images, animals, employees, fields, houses, gold, gold coins, precious stones and crops belonging to the gods are either to beheaded or have to pay the highest amercement[3]. The severity of this provision is an indication of the fact that special care is taken about the protection of the property belonging to gods and temples[4]. Special favour is shown by Kauṭilya to sacred places in general. It is stated that, if hindrance is caused to the forests of brāhmaṇas, *soma* plantations, temples, places of gods, sacrifice and pilgrimage, steps shall be taken to remove it first and then to take care of the plains belonging to ordinary peasants[5]. Several rules are intended to secure the sanctity of the images of gods. It is ordained that when a senseless person indulges in sexual intercourse with the idols of goddesses, he shall be fined twenty-four paṇas[6]. Another law relates to the protection of the sacred trees, which are the objects of worship by the common people. If these trees are felled, the offenders are made liable to fines double the amount provided in the case of felling ordinary trees. Similar fine, however, is recommended in the case of cutting trees, which mark the boundaries or which are grown in the king's forests[7]. This law reminds us of the provision of Hammurabi, who prescribes the same punishment

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1. Ibid., II. 1.
2. *AŚ*, IV. 13; Tr. p. 263.
3. Ibid., IV. 10; *TGS*, ii, 166.
4. Manu (IX. 280) broadens the scope of this rule by providing that those who break into a royal storehouse, an army, or a temple, and those who steal elephants, horses or chariots, should be slain by the king without any hesitation.
5. *AŚ*., III. 9.
6. Ibid., IV. 13.
7. Ibid., III. 19.

for stealing the property belonging to the temple or the palace.

Persons and things associated with religious worship are granted some concessions. Thus commodities intended for sacrificial performance, worship of gods and any religious rite are allowed exemption from toll[1]. A śrotriya, *i.e.*, a brāhmaṇa learned in the Veda can take flowers, fruits, and part of barley wheat as *agrāyaṇa* (first fruits), and obviously he should not be held guilty[2]. All such references sufficiently indicate that the policy of the Kauṭilyan state is influenced by religious considerations, involving preferential treatment of the priests, gods, temples and sacred trees. At one place in the *Arthaśāstra* the king is made responsible to divine power. It is stated that, if the king punishes an innocent man, he shall throw into water, dedicating to Varuṇa, a fine equal to thirty times the unjust imposition, and afterwards this amount shall be distributed among the brāhmaṇas. Kauṭilya adds that by this act the king shall be free from the sin of unjust imposition; this is because Varuṇa is the ruler of sinners among men[3]. The present ordinance of Kauṭilya involves three important points. Firstly, the king is not considered accountable to any human agency for his acts of commission and omission. Secondly, if Varuṇa is the *śāstā rājā* (ruling king) among men who commit wrongs, where is the room for the jurisdiction of the earthly king ? Since the king is considered responsible to Varuṇa, it is obvious that he is supposed to derive his competence from that god. Thirdly, how this responsibility is to be exercised in effect ? On behalf of the god this can be done only by some human agency which is represented by the brāhmaṇas, who in fact realise the fines from the king and thus exercise *de facto* power over the king. Strikingly enough the idea that the king has to pay a fine for the miscarriage of justice is to be found in Yājñavalkya, a law-book of the Gupta period[4]. Whether the idea of the ruler's responsibility to divine power has been borrowed by the Gupta lawgiver from Kauṭilya or whether this has been incorporated in the *Arthaśāstra* at a later stage is difficult to deter-

1. Ibid., II. 21.
2. *AŚ*, II. 24.
3. *adaṇḍyadaṇḍane rājño daṇḍastriṃśadguṇe ambhasi, varuṇāya pradātavyo brāhmaṇebhyastataḥ param. AŚ*, IV. 13.
4. II. 307.

mine in the present state of the textual study of Kauṭilya[1]. This idea is expressed in a slightly different form by Manu, who avers that Varuṇa is the lord of fines inflicted on the great sinners just as, being the wielder of *daṇḍa*, he is also the lord of the kings[2]. But he does not state whether, in case of miscarriage of justice, the king should pay any fines to Varuṇa. At any rate if we accept the crucial passage of Kauṭilya at its face value, it will mean that our author imparts a theocratic character to the state.

How far Kauṭilya thinks in terms of divine kingship is difficult to say. One of his measures for winning the allegiance of the people is to depute spies for the propagation of the king's divinity among them. The folk in the town and countryside have to be convinced about his special visible quality, which entitles the king to burden them with fines and punishments. Therefore, the spies are instructed to tell the people that kings, who dispense rewards and penalties, occupy the position of Indra and Yama. He who disregards them is afflicated with divine punishment. Such is the argument to be used in dispelling the doubts of the people of "low type."[3] This view of the divine element in the king is different from Kauṭilya's earlier statement, which implies that the king is ultimately responsible to Varuṇa, and indirectly through him to the brāhmaṇas. The present idea, however, seems to have been developed in Manu and the *Śānti Parva*, which ascribe the attributes of about half a dozen divinities to the king. But, unlike these post-Maurya texts, Kauṭilya nowhere states that the king is a great deity functioning in the form of a human being. Besides, his present view is dissimilar to the idea of the divine character of kingship prevalent in near contemporary Hellenistic monarchies. When Alexander conquered Egypt, he found it politically useful to accept the native idea that the Pharaoh was a deity. In subsequent times this conception was inherited and welcomed by the Hellenistic monarchies of Egypt, Bactria etc., which arose on the ruins of

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1. Further progress in the study of the *Arthaśāstra* will mainly depend on the determination of stratification in this text.

2. IX. 243-5.

3. *AŚ*, I. 13.

the Alexandrine empire[1]. They officially encouraged emperor-worship. In any case the Kauṭilyan comparison of the king with some gods could serve the purpose of strengthening royal power, and not priestly power which stood to gain by the theory that the king was responsible to Varuṇa.

In contrast to the favours extended to the brāhmaṇas Kauṭilya exhibits an attitude of antipathy towards the sects opposed to the brāhmaṇical system of life. Particularly the Pāṣaṇḍas, who included the Buddhist monks and were outside the pale of the Vedic system, are marked out for discriminatory treatment. The Pāṣaṇḍas and caṇḍālas are required to live on the border burial grounds[2]. Further, if the Pāśupatas, Śākya monks etc. come to stay in charitable institutions, information to that effect has to be sent to the local officials called *gopa* or *sthānika*[3]. No such intimation is considered necessary in case ascetics and śrotriyas of known character come to reside there[4]. Kauṭliya thinks that the abodes of the Pāṣaṇḍas provide shelter to the suspicious characters, and hence spies are instructed to make a search for them in such places[5]. Possibly the Pāṣaṇḍas were associated with anti-state activities, for Kauṭilya lays down certain regulations regarding crimes committed by the Pāsaṇḍas and the Kṣapaṇakas. It is provided that when fine is imposed on them they may make up for its payment by the performance of penance or oblations or a ritual called *mahācchavardhana* in the name of the king for as many nights as the number of *paṇas* of their fines. No such exemption, however, is to be granted in the case of defamation, theft, assault and abduction of women.[6] Further, the Pāṣaṇḍas do not enjoy any security of property. Kauṭilya ordains that spies can confiscate the property of the church of the Pāṣaṇḍas and of temples, provided it is not enjoyable by the brāhmaṇas. It implies that the property of the brāhmaṇas is free from such attachment[7].

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1. W. W. Tarn, *Hellenistic Civilization*, p. 49ff. Tarn's view that the idea of the divinity of the king was borrowed by Alexander from Asia also does not apply to the case of India.
2. *AŚ*, II. 4.
3. Ibid., II. 36, on the basis of the commentary of T. Gaṇapati Śāstrī.
4. Ibid.
5. Ibid.
6. Ibid., III. 16.
7. Ibid., V. 2.

Kauṭilya shows similar antipathy towards some classes of asceties, whose movement is to be regulated by the state. Of the asceties only the *vānaprasthas* are permitted to settle in the countryside and not other kinds of *pravrajitas*[2]. There is an omnibus rule prohibiting all kinds of heretical sects from participation in the feast meant for gods and ancestors. According to this, if the Śākyas, Ājīvikas and śūdra asceties are invited at the feast, a fine of hundred paṇas shall be imposed on the guilty[3]. It is further provided that those ascetics who indulge in unseemly conduct shall be prevented from doing so under penalty by the king, for such a practice amounts to *adharma*. And when *adharma* overwhelms *dharma*, ultimately it destroys the ruler himself[4].

The above references bear witness to the intolerant policy of the Kauṭilyan state. This policy, however, does not amount to rank persecution, for the rigour of intolerance is relieved by a number of redeeming features. In several cases no distinction is made between the Pāṣaṇḍas and other sections of people. It is stated that the Pāṣaṇḍas and people of four castes can fix their abode in a large area, without offering any obstacle to one another[5]. This can be compared with the harsh attitude of Manu, who provides for the immediate expulsion of the Pāṣāṇḍas (understood as Buddhists etc. by Sarvajñanārāyaṇa) from the capital or town (*pura*), along with some other undesirable elements[6], on the plea that because of their unrighteous conduct they disturb the loyal subjects[7]. Further, according to Kauṭilya, the business of Pāṣaṇḍas, like that of all other classes of people including the śrotriyas, should receive the attention of the king[1]. Equality between heretics and others is ensured by the rule that kinsmen, śrotriyas or Pāṣaṇḍas cannot acquire the right of possession over the building of others, during the absence of the king,

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2. Ibid., II. 1.

3. Ibid., III. 20.

4. Ibid., III. 16. Shama Sastry gives a different translation of this passage, which is construed in *TGS*, ii, 99 as *pravrajyāsu vṛthācārāṃ rājā daṇḍena vārayet, dharmo hyadharmopahataḥ śāstāraṃ hantyupekṣitaḥ.*

5. Ibid., III. 16.

6. IX. 225.

7. IX. 226. In the parallel verses in *ŚP*, 89. 13-4 the Pāṣaṇḍas are not mentioned.

8. Ibid., I. 19.

by mere occupation thereof[1]. In other words, so far as the question of residence and attendance to their business is concerned, the same law applies to the orthodox and heretical sects. But strict vigilance is to be kept over the movements and dwelling places of the heretics, who are prevented from mixing with the people of the countryside, perhaps the apprehension being that they might incite the people against the brāhmaṇical social order, a suspicion which is clearly expressed by Manu.

The above exposition of Kauṭilya's view of the religious policy clearly establishes the religious, especially the brāhmaṇical, character of the state. But this runs counter to some other pieces of evidence according to which the interests of the state override considerations of religion and priestly privileges. Thus it is clearly stated that of the four legs of law, *carita* (custom), *vyavahāra* (agreement), *dharma* (the provisions of the law-books) and *rājaśāsana* (royal edicts) the succeeding item overrides the preceding one[2]. This clearly implies that royal edict supersedes all other sources of law. Moreover, it is explicitly stated that whenever *śāstra* (the brāhmaṇical law-book) comes into conflict with a royal decree based on the customs of the people (*dharmanyāya*), the latter shall prevail[3]. Thus in so far as priestly power is made subordinate to royal power this reflects the non-religious character of the state.

Further evidence of the non-religious character of the state is found in Kauṭilya's emphasis on the unquestioned loyalty of the officials to the head of the state. He does not like the high officials to be divided in their allegiance; their primary loyalty should be to the king and not to religious practices. This can be inferred from the nature of tests laid down for the examination of the character of those *amātyas* who are appointed in government departments. Thus only those *amātyas* who prove themselves above religious allurement deserve to be appointed to the post of judges. The test laid down for such appointment is this :—the king dismisses a priest who, when ordered, refuses to teach the Veda to a person who is without right to sacrifice. In such a situation, if, in spite of the instigation of the king's

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1. Ibid., III. 16.
2. *AŚ*, III. 1.
3. Ibid., based on the commentary of *TGS*, ii, 10.

spies, the *amātyas* refuse to be provoked into action against the king, they are considered fit for employment in civil and criminal courts.[1] This suggests that high officials of the state such as judges are required to tender their primary allegiance to the king, even in violation of prevalent religious practices laid down by the brāhmaṇical religion, which does not permit the teaching of the Veda to one who is not entitled to the performance of the Vedic sacrifice (*ayājya*). This, then, is another proof of the exaltation of royal power. It implies that the king may appoint as judges only such persons, as, if necessary, can override religious considerations and faithfully execute royal orders in the administration of justice.

There seems to be some indication of the state control of even brāhmaṇical institutions. Kauṭilya provides for an officer known as the superintendent of temples (*devatādhyakṣa*), who is charged with the function of collecting at one place various kinds of property of the gods of the capital and countryside and depositing them in the royal treasury.[2] It is not made clear whether the temples have to pay any regular dues to the state or their property is forcibly confiscated by the state. But since the functions of the *devatādhyakṣa* are mentioned in the section on the replenishment of treasury, there is no doubt that the property of the temple is intended to be used for state purposes. This policy is, however, clearly to be followed only in relation to the property of the non-brāhmaṇical sects. But the comment of Patañjali to a passage of Pāṇini that the Mauryas sold the images of gods [3] might suggest that even the brāhmaṇical temples were not intended to be exempt from the policy of expropriation, which may have been adopted in emergent situations.

The foregoing analysis of the influence of religion on the policy of the state, according to Kauṭilya, leaves no doubt that on many points, in the opinion of our thinker, the policy of the state can hardly be conceived independently of religious considerations. But the relation between the two expresses itself in

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1. *AŚ*, I. 10.
2. *AŚ*, V. 2.
3. *mauryairhiranyārthibhirarcāḥ prakalpitāḥ*...Pat. on *Pāṇini*, V. 3. 99; cf. V. S. Agrawala, *India as known to Pāṇini*, pp. 361-2.

two contradictory ways. The Kauṭilyan state upholds the brāhmaṇical mode of life in so far as it is in consonance with its main objective, *i. e.*, the maintenance of the *varṇāśrama dharma*, but discards the religious practices which stand in the way of the expansion of the state. This also seems to be the view of a school in the *Śānti Parva*, which states that if the teacher or friend act against the interests of the seven element-state they should be killed[1]. The same text, however, adds that the teacher should be abandoned.[2]

The Kauṭilyan state does care for gods and temples, and mostly confirms the privileges accorded to the priestly class. At the same time it adopts a policy of discrimination towards the heretical sects, a policy which is in line with the attitude of Manu but seems to have been modified by the lawgivers of Gupta times. Both Yājñavalkya[3] and Nārada[4] refer to the guilds of Pāṣaṇḍas and enjoin the king to enforce their rules and customs. This betokens a liberal attidude towards the heretical sects, which is well in accord with a similar view of the religious position of the śūdras during this period[5]. Although Kauṭilya does not allow the heretics semi-autonomous existence, his policy of discrimination is not carried to such extremes as the idea of state cult expounded by Plato in the *Laws*. For the sake of maintaining the integrity and unity of the state Plato introduces the state cult, which implies that certain religious beliefs and practices should be enforced among all sections of people. Those who violate them are either to be imprisoned or even put to death. But such persecution does not characterise the policy of the Kauṭilyan state. Although Kauṭilya emphasises that the *dharma* based on the three Vedas has to be observed, the policy that he recommends towards the dissenters outside the Vedic fold is to keep watch on their dwelling places, to ban their entries into villages and to confiscate their property in order to meet the needs of the state treasury. They are to be punished when they

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1. 57. 5.
2. 57. 6-7.
3. *Śreṇinaigamapākhaṇḍigaṇānāmapyayaṃ vidhiḥ, bhedaṃ caiṣāṃ nṛpo rakṣet pūrvavṛttiṃ ca pālayet.* II. 192.
4. X. 1-2.
5. *Śūdras*, pp. 268-78.

commit crimes such as theft, assault, defamation and abduction of women. Such provisions do not bear comparison with the type of sectarian intolerance in the *Laws*, which adduces the first reasoned defence of religious persecution.

The Kauṭilyan state is comparatively tolerant, but not secular, as has been suggested by some scholars. Secularism implies complete elimination of religious influence from the organised policies of the state, but this is far from true in the case of Kauṭilya. In Indian tradition the special importance of Kauṭilya lies in the fact that in many ways he overrides religious considerations to serve the cause of the state. In this sense Kauṭilya made the first serious attempt to reconstruct the science of polity and emancipate it from the influence of religion and theology. But because of the predominantly religious character of society in which he lived, he could not completely disentangle the state from the thraldom of religion.

II. SUPERSTITION AND POLITICS

A striking example of the practical character of the statecraft of Kauṭilya is his lack of faith in the efficacy of certain religious practices, and his exploitation of the credulous beliefs of the people for promoting the interests of the state, internal as well as external[1]. Internally, a number of superstitious devices are suggested by him for augmenting the royal treasury. For instance, on some nights the king may set up a god or a sacred shrine, or may point out an evil omen, and then either for the sake of worshipping the god or for averting the calamity he may appropriate the collections raised on the pretext of holding congregations and processions[2]. He may use the untimely appearance of flowers and fruits in the temple garden to his advantage, and may declare the arrival of a god on this basis[3]. A spy in the guise of a Rākṣasa (demon) demanding a daily tribute of human beings may appear in the tree, and a false panic may be raised that an evil spirit has appeared. Thus a subscription (*hiraṇya*) may be raised collected from the people

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1. U. N. Ghoshal *HPT*, p. 101

2. *daivatacaityaṃ siddhapuṇyasthānamaupapādikaṃ vā rātrau utthāpya yātrā samājābhyām ājivet. AŚ*, V. 2.

3. *AŚ*, V. 2.

of the capital and countryside under the pretext of warding off evil spirits.[1] It seems that some of these measures were really put into effect. We learn from Patañjali that the images set up by the Maurya kings served as a source of income on account of their sale, and also provided livelihood (*jīvikā*) through the offerings that were made to it[2].

A serpant with several heads may be held up before the people and fees (*hiraṇya*) may be collected from the spectators.[3] Or a cobra may be rendered unconscious by diet, and credulous spectators may be invited to witness the sight on payment of fee[4]. Those who are incredulous may be administered a poisonous drink or may be sprinkled over with poisonous water to render them senseless, and then the spies may attribute their insensibility to the curse of gods[5]. Similarly, spies may cause the condemner of the god to be bitten by a cobra, and may give out that this is due to the curse of the god. Further, under the pretext of adopting remedial measures against this ominous phenomenon, they may raise collections for filling the treasury.[6] Obviously the object in the last two cases is to coerce the rational elements into submission to superstitious practices and payment of money to the government. Thus all these devices enumerated by Kauṭilya are to be used by the state for fleecing the people by playing upon their superstition. They occur under the section "replenishment of the treasury"[7], which, according to Kauṭilya, is an important organ of the seven-element state.

Kauṭilya is very clear in his mind that religious formalities should not be a bar to the acquisition of wealth. According to him, some of the obstructions to profit (*lābhavighna*) are desire

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1. *caityopavanavṛkṣeṇa vā devatābhigamanamanārtavapuṣpaphalayuktena khyāpayet.* Ibid.

2. Comm. to *Pāṇini*, V. 3. 99; cf. Agrawala, op. cit., p. 362.

3. *suraṅgāyukte vā kūpe nāgamaniyatśiraskaṃ hiraṇyopahāraṇe darśayet. AŚ*, V. 2.

4. *sarpadarśanamāhāreṇa pratibandhasanjñaṃ kṛtvā śraddadhānānāṃ darśayet.* Ibid.

5. *aśraddadhānānām ācamanaprokṣaṇeṣu rasaṃ upacāyya devatābhiśāpaṃ brūyāt.* Ibid.

6. *abhityaktaṃ daṃśayitvā vā yogadarśanapratīkāreṇa vā kośābhisaṃharaṇaṃ kuryāt. TGS*, ii, 197.

7. *AŚ*, V. 2.

for the other world (*paralokāpekṣā*), adherence to virtuous life (*dhārmikatvam*), and faith in the auspiciousness of days and stars (*maṅgalatithinakṣatreṣṭitvam*)[1]. This implies that a person intent on gaining wealth should not care for these ingredients of religion. As to the belief in astrology, Kauṭilya clearly states that wealth will pass away from the childish man who enquires most after the stars. As he puts it, "wealth is the star for wealth ; what will the stars do[2]". In keeping with this principle Kauṭilya wants his ruler to do away with religious customs whenever they thwart the achievement of his objectives. He apparently wants to convince his ruler that religious practices are so many superstitions, of which the latter should take advantage in serving his interests.

Advantage is to be taken of this policy in dealing with the internal enemies of the state. It is provided that when a seditious person (*dūṣya*) is engaged in a sacrificial performance in a forest, fiery spies may murder him and carry away the corpse as that of an outcast[3]. Moreover, spies are instructed to lure the seditious person into the purchase of rich offerings to be made to the god to acquire a vast amount of treasure. When he brings out his newly-acquired wealth for the purpose, he may be caught red-handed in the very act of the purchase[4], and his whole property confiscated. Hence Kauṭilya does not believe in the performance of sacrifice by the opponents of the state whom he regards as condemnable and irreligious[5]. On the contrary, he considers religious engagements of the seditious person as a suitable opportunity for punishing him.

But it is especially in dealing with the external enemies of the state that Kauṭilya makes use of sacrifices and worship. He lays down a number of contrivances for destroying the enemy in those places of worship and pilgrimage which he frequents out of faith[6]. To enumerate these contrivances, a wall or

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1. Ibid., IX. 4
2. *nakṣatramatipṛcchantaṃ bālamarthotivartate, artho hi arthasyanakṣatraṃ kiṃ kariṣyanti tārakāḥ. AŚ*, IX. 4.
3. *AŚ*, V. 2.
4. Ibid.
5. Ibid.
6. *daivatejyāyāṃ yātrāyam amitrasya bahūni pūjyāgamasthānāni bhaktitaḥ. tatrāsya yogamubjayet. AŚ*, XII. 5.

stone may be let fall on the head of the enemy when he has entered into a temple[1]. Stones or weapons may be showered on his head from the topmost storey[2]. An outdoor panel or a huge rod may be made to fall on the enemy[3]. Weapons concealed inside the body of an idol may be hurled at his head[4]. It is also laid down that when the enemy visits a temple or asectics, spies hidden in underground chambers or somewhere else may strike him[5]. Kauṭilya also provides that poisoned rice and water may be served in feeding the enemy's people in honour of gods or ancestors, and in conspiracy with traitors to his enemy he may strike the enemy with his concealed army[6]. Further, if the fort is surrounded by the enemy, the ruler may lie concealed in a hole bored in the body of an idol[7].

Another masterly method recommended by Kauṭilya is that the enemy may be manoeuvred into the performance of certain sacrifices by the spies of the king, who should kill him in the act of performing the sacrifice [8]. In order to delude the enemy the ruler intent on conquest may himself undertake the performance of expiatory rites to stay the calamity, and thus may snare his enemy into the celebration of sacrifices[9]. The measures show that in contriving the end of the enemy the ruler should profit by the latter's religious preoccupations.

Resort is to be taken to religious camouflage for doing harm to the enemy in other ways. Thus Kauṭilya states that spies disguised as ascetics may serve the sacrificial beverage mixed with an intoxicant to the cowherds of the enemy, and thus may carry off their cattle[10].

In an invasion of the enemy's country Kauṭilya thinks it of primary importance that the people should be convinced of

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1. *AŚ*, XII. 5.
2. Ibid.
3. Ibid.
4. Ibid.
5. *AŚ*, XIII. 2.
6. *daivatopahāraśrāddhaprahavaṇeṣu vā rasaviddhamannapānamavasṛjya kṛtopajāpo dūṣyavyañjanairniṣpatya gūḍhasainyo'bhihanyāt. AŚ*, XII. 5.
7. *AŚ*, XII. 5.
8. *AŚ*, XIII. 2.
9. *etān vā yogānātmani darśayitvā pratikurvīta. pareṣāmupadeśārtham. tataḥ prayojayedyogān. AŚ*, XIII. 2.
10. *AŚ*, XIII. 2.

the omniscience and divinity of the king intent on conquest. Such a ruler should enthuse his people and overawe his enemy's people by giving publicity to his power of omniscience and close association with gods [1]. Kauṭilya lays down several devices for the purpose, in which spies play a vital part. As to his omniscience, acting on the information brought by the spies about the activities of chief officers and seditious people the king should create the impression that he knows everything because of his supernatural power [2]. He should attribute his knowledge of foreign affairs to his power of reading omens, although he actually gets it through a domestic pigeon[3]. The methods for establishing the divine associations of the king are more numerous. The king should hold conversations with his spies, who suddenly appear as fire-gods in the midst of fire through an underground tunnel[4]. He can worship such spies when they rise up from water in the form of Nāgas[5]. He may arrange to exhibit the miraculous phenomenon of the spontaneous outbreak of fire in water[6]. He may sit on a raft in water, which is secretly but securely fastened by a rope to a rock[7]. Lastly, he might undertake certain magical performances in the water in order to impress the people with his superhuman powers[8]. In this connection Kauṭilya recognises the great value of propaganda when he provides a host of publicity officials for the dissemination of belief in the divinity of the king. As many as seven classes of officials, astrologers, soothsayers, horologists, Paurāṇikas (story-tellers), Ikṣaṇikas (probably a type of astrologers), spies and Sāchivyakaras (companions of ministers) are to be pressed into the service of the state for the purpose. As the first four of these are mentioned elsewhere in the *Arthaśāstra*

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1. *vijigiṣu paragrāmamavāptukāmaḥ sarvajñadaivatasaṃyogakhyāpanābhyāṃ svapakṣaṃ uddharṣayet. parapakṣaṃ ca udvejayet. AŚ*, XIII. 1.

2. *sarvajñakkhyāpanam tu gṛhaguhyaprāvṛttijñāne mukhyānāṃ pratyādeśo kaṇṭakaśodhanāpasarpāgamena prakāśanaṃ rājadviṣṭakāriṇām. AŚ*, XIII. 1. Jolly's edn. of the *AŚ*, p. 242, prefers *jñānena* in place of *jñāne*.

3. *AŚ*, XIII. 1; cf. Udayavīra Śāstrī's edn., pt. II. p. 544.

4. *daivatasaṃyogahkyāpanaṃ tu suraṅgāmukhena agnicaityadaivatapratimācchidrānupraviṣṭaiḥ agnicaityadaivatavyañjanaiḥ saṃbhāṣanaṃ pūjanaṃ ca. AŚ*, XIII.1.

5. *AŚ*, XIII. 1.

6. Ibid.

7. Ibid.

8. Ibid.

as members of the priestly class [1], this testifies to the important role of the priests in moulding public opinion. They are to give wide publicity to the superhuman powers of the king throughout his territory. Similarly, in foreign countries they are to spread the news of gods appearing before the king and of his having received from heaven the power of the sword (*daṇḍa*) and the power of the purse (*kośa*), the two important elements of the state. Further, they should make it known to the people of the enemy that the conqueror is capable of interpreting dreams and following the language of beasts and birds, and hence his victory is assured. Moreover, by means of a firebrand and the noise of drums from the sky the officials should convince the people of the impending defeat of their ruler[2]. A trick suggested by Kauṭilya is to damage the images of gods, from which blood may be caused to flow out in floods; spies may then represent this as an indication of defeat to the enemy[3].

These ingenious devices intended for the propagation of the supernatural powers of the ruler, desirous of conquest, occur under the thirteenth book of the *Arthaśāstra*, which deals with the methods of capturing the capital (*durgalambhopāya*). Involving as they do numerous magical tricks, these measures reveal that neither Kauṭilya himself believes in the genuineness of the royal divinity and omniscience nor does he want the ruler to believe in this nonsense. But he wants that nevertheless, by means of skilful propaganda carried on by a well-organized machinery, the masses should be impressed with the all-knowing and divine character of the conqueror, so that his own people might support him whole-heartedly in his aggressive designs, and those of the enemy might transfer their allegiance to the new conqueror. It is argued that such magical tricks and similar practices advocated at a few places in the *Arthaśāstra* are foreign to the work and in contradiction to the true character of Viṣṇugupta as we have it in the rest of the *Arthaśāstra* or in the drama

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1. *kārtāntikanaimittikamauhūrtikapaurāṇikasūtamāgadhāḥ purohitapurassaṣāḥ sarvādhyakṣāśca sāhasrāḥ. AŚ*, V. 3.

2. *parasyaviṣaye daivatadarśanaṃ divyakośadaṇḍotpattiṃ āsya brūyuḥ. daivataprasnanimittā vāyasāṅgavidyāḥ svapnamṛgapakṣivyāhāreṣu cāsya vijayaṃ brūyuḥ... AŚ*, XIII. 1.

3. *daivatapratimānāmabhyarhitānāṃ vā śoṇitena prasrāvam atimātraṃ kuryuḥ. tadanye devarudhirasaṃsrāve'tra śūravādiko'nyatamo vā draṣṭum āgacchet. AŚ*, XIII. 2.

of the *Mudrārākṣasa*[1]. They appear to be the interpolation of a later period when Tantricism had grown into a craze in India. While the problem of distinguishing between the genuine and spurious in the *Arthaśāstra* has still to be solved, the apparent contradiction in Kauṭilya can be explained by presuming that he does not stop at any scruples for the sake of the state.

What has been stated above shows that a distinctive feature of the *Arthaśāstra* politics as expounded by Kauṭilya is the deliberate use of superstition by the ruling class to hoodwink and overawe the masses into allegiance to the state. Kauṭilya proposes a number of superstitious practices not only to deprive the people of their earnings but to mobilise them for furthering the aggrandizing schemes of the conqueror and for destroying the enemy. The way in which Kauṭilya lays down these measures leaves no doubt that he does not believe in them but regards them as superstition. Since they exert tremendous hold on the minds of the masses, he turns them into an instrument for serving the interests of the state. Indeed, he earnestly desires that the common people should put their faith in these superstitious practices. To achieve this object he proposes methods of organized persuasion and indirect coercion. Perhaps the most important function of the propaganda machinery of the Kauṭilyan state is to sow the seeds of illusion in the masses of the people about the supernatural powers of his ruler. Kauṭilya seems to have acted according to the principle that as a result of ceaseless and effective propaganda even falsehood can be made to appear as truth. In case the people refuse to be credulous, they are to be subjected to practical indoctrination and physical torture at the hands of the agents of the king. The Kauṭilyan king should not believe in the performance of sacrifices or worship of gods, because whenever the occasion demands they are to be violated with impunity. Kauṭilya's attitude on the whole question can be perhaps summed up by stating that what is superstition for the ruler is true faith for the masses.

In time of distress (*āpaddharma*) the brāhmaṇical canons such as the *Manu Smṛti* and the *Śānti Parva* permit the ruler to override religious considerations. The latter, however, also recommends the use of superstitious practices on the part of the king

1. H. C. Seth, "*The Spurious in Kauṭilya's AŚ*," *A Volume of Eastern and Indian Studies presented to Professor F. W Thomas*, p. 25.

for misleading the people. In a section, in which Bhīṣma instructs the king to behave as a veritable opportunist, he lays down that a ruler desirous of wealth should pose as a religious pretender, appearing with a tuft of hair[1]. Clearly the measure is intended to exploit the superstitious beliefs of the masses in order to extort contributions from them. The difference between the *Śānti Parva* and Kauṭilya lies in the fact that the latter prescribes many other measures of this type.

This is, however, not to single out Kauṭilya as an exponent of superstitions in ancient politics, because it is precisely this idea which is to be found in *The Republic* of Plato, which propagates the lie and fiction that God has placed gold in the philosophers, silver in the warriors, and brass and iron in the husbandmen and artisans[2]. He feels that it is not possible to pass this myth as fact among the masses in one generation, but they may be made to believe in the tale in the second, third and the succeeding generations[3]. Widely separated in point of distance, although not in point of time, Plato and Kauṭilya[4] give expression to the view that the ruling class should foster superstitions for the preservation and extension of its power. This view found favour also with the politicians in Rome. In spite of the influence acquired by the priestly colleges of Rome, "it was never forgotten—least of all in the case of those who held the highest position—that their duty was not to command, but to tender skilled advice.[5]" The Roman statesmen submitted to these transparent tricks rather from considerations of political expediency than from religious scruples; and the Greek Polybius might well say that "the strange and ponderous ceremonial of Roman religion was invented solely on account of the multitude which, as reason had no power over it, required to be ruled by signs and wonders"[6]. A similar trick was exercised by statesmen in early India and sometimes exposed by bold and penetra-

1. *arthakāmaḥ śikhāṃ kuryāddharmadhvajopamām. ŚP*, 120. 9.
2. *The Republic* (Jowett's Tr.), pp. 126-7.
3. Ibid.
4. The writer is inclined to agree with the theory that Kauṭilya was a contemporary of Candragupta Maurya.
5. Mommsen, *History of Rome*, i, 179, quoted in *SBE*, xii, pt. I, Introd., p. x.
6. Mommsen, op. cit., iii, 455, quoted in *SBE*, xii, pt. I, Introd., p. x.

ting thinkers. Thus Bāṇa had the temerity to reject the whole rigmorale of royal divinity as the work of sycophants who befuddled the minds of weak and stupid monarchs, but did not fool the strong and wise"[1].

We have assigned an independent section to superstition and politics in Kauṭilya in order to draw attention to a feature, which has generally been ignored. But really we cannot draw any sharp line between the first and second sections of our study. Taken as a whole our examination of the relation between religion and politics in the *Arthaśāstra* reveals three major trends. First, basically the Kauṭilyan state upholds the brāhmaṇical ideology as set forth in the early law-books. But it would be wrong to think that it is obedient to an all-potent sacredotal authority, a characteristic which has been ascribed to the Indian mind in general[2]. For it disregards—and this is the second trend—even suppresses those religious practices, brāhmaṇical or heretical, which undermine the authority of the state. Third, Kauṭilya seems to exploit the ignorance and superstition of the people, especially in external policy, for serving the ends of the state.

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1. Basham, *Wonder that was India*, pp. 86-7.
2. Sénart, *Caste in India*, p. 204.

CHAPTER XII

KUSANA POLITY

After more than two centuries of disintegration following the fall of the Maurya empire the Kuṣāṇas restored the partial political unity of Northern India and maintained it for about more than a century. But the Kuṣāṇa political organization did not possess that rigid centralisation which characterised the Maurya administrative machinery. The inscriptions and, to some extent, the coins, which form the chief source of our study of the Kuṣāṇa polity, do not give any indication of the existence of numerous state officials, who are known from the epigraphs of Aśoka and the *Arthaśāstra* of Kauṭilya. The one striking difference between the Maurya and the Kuṣāṇa rulers is the use of grandiloquent titles by the latter. In the beginning Kujūla Kadphises, the founder of the Kuṣāṇa power in India, is described as a small chief (*yavuga*), but, with the expansion of their power, he and other Kuṣāṇa rulers use such titles as *mahārāja, rājātirāja*.[1] Both these titles were used by the Parthian[2] rulers Gondopharnes and Azilises, who flourished in the first half of the first century A. D.[3], although in comparison with the Kuṣāṇa successors their power was very limited. The earliest epigraphic mention of the title *mahārāja* is to be found in the first century B. C. Hāthīgumphā Inscription of Khāravela, where his ancestor Mahāmeghavāhana is described as *mahārāja* [4]. But the title *rājātirāja*, although Indian in form, was of foreign extraction and was apparently derived by the Kuṣāṇas from their Parthian predecessors, who adopted it from the Achaemenians. The first Parthian king to use the title 'King of Kings' was Mithridates II, 123-88 B. C[5]. This seems to have been imitated by the Śaka

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1. *Sel Inscr.*, p. 149, l. 2; cf p. 124.
2. Ibid., p. 123.
3. Ibid., p. 110.
4. L. 1.
5. CII, ii, pt. I, p. xxix.

chief Maues[1] after 88 B. C., and was also used by the Parthian rulers now and then. A Jain text, the *Kālakācāryakathānaka*, which seems to contain genuine traditions about the first appearance of the Śakas in India[2], uses the prakritised form *rāyāhirāya* in the case of a Śaka ṣāhi[3]. Since lesser rulers such as the Śaka, and especially the Parthian, styled themselves as *rājātirāja* and *mahārāja*, these titles should not be taken to betoken greater royal authority. This also applies to the case of the Kuṣāṇas. Undoubtedly Aśoka's empire was far greater and his authority far stronger, yet he remained satisfied with the simple title of *rājā*. Therefore, the above Kuṣāṇa titles perhaps betray a tendency towards decentralisation rather than the real exaltation of royal authority, as has been suggested by some scholars[4]. Such titles take notice of the existence of lesser kings and chiefs who stood in the relation of feudatories to the sovereign power, for the king is called *mahārāja* or the great king in relation to other kings (*rājās*), who do not enjoy that position. Similarly, he is called *rājātirāja* or the supreme king of kings in relation to other subordinate kings in his kingdom. Thus these titles indicate a feudatory organization consisting of tributary states or chiefs.

The rulers belonging to the Kaniṣka group generally prefixed to their names a title ṣāhi[5]. The title appears as *shaonano shao* on the coin-legends of Kaniṣka and his successors[6]. The sanskritised form of the title, *ṣāhānuṣāhi*, appeared in the famous Allahabad Inscription of Samudra Gupta. Although this epithet was ultimately derived from the Persian source, we are not certain about the intermediary from whom the Kuṣāṇa rulers adopted this title. Since the title on the coin-legends is written in pure Khotanī Śaka language[7] and ascribed in its prakritised form, *sāhāṇusāhi*, to the Śakas by the *Kālakācāryakathānaka*[8], most probably the Kuṣāṇas derived it from their Śaka predecessors, whom they supplanted in the area near about Mohenjo-daro. The administrative and political significance

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1. Ibid.
2. Ibid., pp. xxvi-ii.
3. Ed. H Jacobi, *ZDMG*, 1880, verse 62.
4. Raychaudhury, *PHAI*, 5th edn. p. 518; Ghoshal, *Mauryas and Sātavāhanas*, p. 344.
5. *Lüders' List*, Nos. 21, 69a, 72, 149a, 161; *Sel. Inscr.*, p. 146, l. 10.
6. *CCIM*, i, 69, 75-9, 84.
7. *CII*, ii, pt. I, p. liii.
8. *ZDMG*, 1880, p. 262, lines 35-6.

of this title can be brought out from the context in which it is used in the above-mentioned Jain text. It informs us[1] that the Jain teacher, Kālaka, whose sister was abducted by Gardabhilla, King of Ujjayinī, went to the *Śaka Kula*. There the feudatories (*sāmanta*) were called *sāhi* and their overlord (*sāmantāhivai*) *sāhāṇusāhi*. Kālaka stayed with one of the sāhis, and as this chief together with ninety-five other sāhis fell into disgrace with the *sāhāṇusāhi*, he induced them to proceed to Saurāṣṭra, which they divided among themselves. When the autumn came, the Jain teacher led them on to Ujjayinī, where Gardabhilla was made a prisoner. A sāhi was established as overking (*rāyāhirāya*), and this led to the establishment of the Śaka dynasty. This story reveals three distinct elements in the Śaka polity, which seem to have been adopted by the Kuṣāṇas. Firstly, the ṣāhis were not independent kings who had been subjugated but chiefs who stood in the relation of feudatories to the great lord (*sāmantāhivai*). Secondly, the ṣāhis belonged to the same tribe as the *ṣāhāṇuṣāhi*, and, hence the overlord was only the first among the equals. Thirdly, as a natural corollary to this the allegiance of the ṣāhis to their overlord rested on a slender basis, and at the slightest provocation they could withdraw their fealty from him and seek their fortunes independently. We have some information about the nature of the obligations of the ṣāhis towards the their overlord. In A. D. 90 the Yue-chi sent their viceroy Sie, *i. e.*, according to M. Sylvain Lévi a *ṣāhi*, to attack Pan-chao, who, however, succeeded in defeating him[2]. This shows that to render military aid to the overlord was an important obligation of the ṣāhi. Unfortunately, the existing data neither mention the names of the lesser rājās, ṣāhis etc. nor indicate the nature of their relations with their Kuṣāṇa overlord. But for a conquering minority from outside the feudatory organization was apparently a suitable form of political system.

The feudatory character of the Kuṣāṇa political system can also be inferred from some other titles. Thus the title *mahīśvara* adopted by Wema Kadphises II[3] means the great lord. The title *sarvaloka-īśvara*[4] means the lord of the whole world. Although

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1. Ibid., p. 267 ff.
2. Quoted in *CII*, ii. pt. I, p. lxxii.
3. *Sel. Inscr.*, p. 125.
4. Ibid.

these titles were not adopted by the Kaniṣka group of Kuṣāṇa rulers, they were different in spirit. Significantly enough the generally prevalent Kuṣāṇa titles such as *rājātirāja* and *ṣāhi* were not adopted by indigenous rulers, but the term *īśvara* associated with the titles of the Kadphises group came to be common with post-Gupta rulers, who styled themselves as *parmeś-vara*, the supreme lord.

At one stage the Kusāṇas were influenced by the Roman system of administration inasmuch as Kaniṣka adopted the title of *Kaïser*[1], which was obviously used to challenge Roman power. But this was a superficial imitation. They were not influenced by the Roman system of provincial administration, which was an important Roman achievement. The Kuṣāṇas could not evolve any sound provincial system either on Maurya or Roman lines. It is doubtful whether they exercised any direct administrative control over any sizable part of their territories. The Sārnāth Buddhist Image Inscription of the year "3" of Kaniṣka I (A.D. 81 ?)[2] refers to the rule of two kṣatrapas Vanaspara and Kharapallāna, ruling over the easternmost province, including the Banaras region of Kaniṣka's empire[3]. That there prevailed the system of dual kingship in some parts of Northern India in earlier times is known from Greek and Jain sources. But the Kuṣāṇas seem to have introduced the curious practice of dual governorship in a province. Apparently it was intended that one kṣatrapa would act as a check on the power of the other. But probably Vanaspara and Kharapallāna could not remain on the same footing for long, since in another inscription the former is mentioned as a *kṣatrapa* and the latter as a *mahākṣatrapa*[4]. What led to this change is difficult to say. Perhaps this was more in keeping with the hierarchical organization in the feudatory system than with the equal position of the two kṣatrapas. The *mahākṣatrapa* (the great satrap) was made, as it were, the overlord of the *kṣatrapa*, who assisted him in the work of administration. The names of Vanaspara and Kharapallāna clearly show that they were foreigners. It is suggested that they were the descendants of the *mahākṣatrapa* Ṣoḍāsa of Mathurā and retained in

1. Ibid., p. 149, ll. 1-2.
2. Ibid., p. 132, ll. 1-10.
3. Ibid., fn. 4.
4. Ibid., Sārnāth Inscr. No. 2, ll. 1-2.

their position by the Kuṣāṇas[1]. If we accept this suggestion, it would mean that even the kṣatrapas were not directly appointed by the Kuṣāṇa king but were reinstated in their position as vanquished chiefs. This may have been true in some cases; in other cases the kṣatrapas may have been appointed directly. At any rate it is clear that generally the scions of the ruling family were appointed to this position; thus in one case the son of a mahārāja was appointed a kṣatrapa, probably in North-Western India.[2] We have no indication whatsoever of the type of remuneration paid to kṣatrapas directly employed by the state, nor do we have any exact idea of the number of satrapies in the Kuṣāṇa empire. It has been suggested that the empire was divided into five, perhaps seven, satrapies.[3] But we do not know how long and how regularly this division functioned, nor can we easily classify these satrapies into any well-defined categories.

The inscriptions do not give us sufficient idea about the functions of the kṣatrapas. As individuals they erected images of the Buddha as in the case of Vanaspara and Kharapallāna, or established several relics of the Buddha as in the case of Kṣatrapa Veśpasi[4], who had appointed a donation master for purpose. Except this they do not throw any light on the civil functions of the kṣatrapa as a governor. The analogy of the Achaemenian satraps,[5] who were the predecessors of the Parthian and Kuṣāṇa satraps, might not help much, for the Kuṣāṇas were separate in point of time from the Persians by about five centuries. Nevertheless, as can be inferred from the designation *grāmasvāmī* (lord of the villages) of a kṣatrapa in a late Kharoṣṭhī inscription of the Peshawar area,[6] probably the officer acted as an intermediary between the village headman on the one hand and the king on the other, perhaps realising royal

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1. S. K. Chattopadhyaya, *Early History of Northern India*, p. 84.
2. *Sel. Inscr.*, p. 131.
3. B N. Puri, "Provincial and Local Administration in the Kuṣāṇa Period", *Proc. IHC*, 1945, p. 64.
4. *Sel. Inscr* , p. 136, ll. 2-4.
5. Herodotus, *The Histories* (Penguin), pp. 214-5.
6. *EI*, xxiv, p. 10.

dues from the villages.[1] That this particular kṣatrapa enjoyed considerable personal influence verging on independence of his sovereign (*mahārāja*) can be deduced from the fact that a novice paid homage to him by erecting a *saṅghārāma* and *stūpa* in his honour[2], in the same manner as many people honoured the Kuṣāṇa mahārājas by making religious donations for the spiritual well-being of these rulers[3].

The kṣtrapas exercised their powers through military officers known as *daṇḍanāyaka* and *mahādaṇḍanāyaka*, who seem to have occupied an important position in Kuṣāṇa polity. During the reign of Kaniṣka we hear of *daṇḍanāyaka* Lala, who served Kṣatrapa Veśpasi as his donation master.[4] This military officer was a scion of the ruling family, for he is described as "the increaser of the Kuṣāṇa race.[5]" Besides, a Mathūrā inscription apparently ascribable to Kuṣāṇa times mentions a *mahādaṇḍanāyaka* Vālina.[6] Another Mathurā inscription mentions a *mahādaṇḍanāyaka*, whose son served under Huviṣka[7]. Still another Mathurā inscription of the fourth year of Kaniṣka refers to *mahadāṇḍanāyaka* Hummiyaka Caṅyakka, whose name was given ot a Buddhist monastery.[8] Some of these references might suggest that these officers were sometimes associated with non-military functions also, but under foreign rule their military duties may have been far more important. Thus just as on the civil side, if we may so call it, we hear of *rājā* and *mahārāja*, *kṣatrapa* and *mahākṣatrapa*, on the military side we hear of *daṇḍanāyaka* and *mahādaṇḍanāyaka*, a feature which seems to be in tune with the prevalent hierarchy. Thus the names of the Kuṣāṇa functionaries do not suggest any territorial or functional associations, as we find in the case of Maurya functionaries

1. There may be another possible interpretation of he title *grāmasvāmī* applied to this kṣatrapa. Perhaps in return for his services he was remunerated by the grant of a village by his suzerain. But we have no corroborative evidence for this interpretation.

2. *EI*, xxiv, p. 10.

3. Infra, p.

4. *CII*, ii, pt. I, No. 76, ll. 2-3. For various interpretations of the term *daṇḍanāyaka* and *mahādaṇḍanāyaka* see Ghoshal, *Indian Historiography and other Essays*, pp. 177-9. Ghoshal rightly concludes that the term *mahādaṇḍanāyaka* means commander-in-chief. Ibid., p. 179.

5. *CII*, ii, pt. I, No. 76, l. 2.

6. *Lüders' List*, No. 60.

7. *JRAS*, 1924, p. 402, l. 5.

8. K. D. Bajpai, *Proc. I. HC*, 1958, p. 68, l. 2.

but indicate a graded hierarchy of the same type of officers, the one being superior and the other subordinate.

As regards territorial units of administration under the Kuṣāṇas, the Allahabad Inscription of Samudra Gupta mentions the existence of *viṣaya* and *bhukti* in their dominions.[1] The prevalence of the *bhukti* is not corroborated by any source and hence may have been a projection of Gupta units into Kuṣāṇa times, but that of the *viṣaya* is attested by a Buddhist Mahāyānist text of the third century A. D., which, while defining a *devaputra*, refers to kings ruling in *viṣayas*.[2] In the post-Maurya and Gupta inscriptions such units are generally mentioned in connection with land grants, which have not been found so far in the case of the Kuṣāṇa kings.

The lowest territorial unit was undoubtedly the village, under the *grāmika*, who seems to have been a regular part of the Kuṣāṇa system of administration in the Mathurā region. A *grāmika* is expressly mentioned in a Mathurā Jain inscription of the time of Vāsudeva[3]; another Jain votive image epigraph from the same place, which mentions two generations of an apparently local *grāmika*[4], should also be ascribed to Kuṣāṇa times. This village institution was obviously taken over by the Kuṣāṇas from their predecessors and retained by them, for the office of *grāmika* was as old as the time of Bimbisāra, who is credited with the existence of 80,000 *grāmikas* in his kingdom. The post continued in Maurya times, as is known from the *Arthaśāstra* of Kauṭilya. But the continuity in name does not necessarily suggest continuity in status and functions. We do not know precisely how far the *grāmika* of post-Maurya times continued to perform the duties of the *gāmabhojaka* of pre-Maurya and *grāmika* of Maurya times. Some indication of the position and functions of the *gramika* can, however, be obtained from the references to that officer in Manu. Maintenance of law and order, for purposes of which in cases of necessity he could approach

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1. Lines 23-4.
2. *JA*, 1934, p. 3.
3. *Lüders' List*, No. 69a.
4. Ibid., No. 48.

the lord of ten villages, and collection of royal dues in the form of grain, drink, fuel etc. were his chief duties[1], and in these respects he does not seem to have been different from the earlier village headman. Nor does there seem to have taken place any change in his mode of appointment, since, like the *gāmabhojaka*, the *grāmika* was appointed by the king. But we notice two important changes in the office of the village headman in Manu. Firstly, he was no longer trusted with the defence of the village, a function which seems to have been exercised by the *gāmabhojaka* in the pre-Maurya period and under, taken by the *grāmika* and the villagers in Maurya times.[2] This was now transferred to the *gulma* or military cantonments stationed by the king in two, three or five villages in the countryside.[3] Apparently in post-Maurya times the foreign rulers did not consider it safe to leave the old village headmen in possession of arms. Secondly, the *grāmika* was paid not in the shape of fines realised from the villagers as in pre-Maurya times, or in cash salary as the *grāmabhṛtaka* in Maurya times, but in grant of a piece of land.[4] Thus the first tended to decrease and the second to strengthen the power of the headman. But on the whole the hereditary character of the post coupled with the grant of land for the office tilted the balance in favour of the growing importance of the village headman, which development can be inferred from the use of the title *grāmasya adhipati* (lord of the village) for the *grāmika*.[5]

On the basis of Manu it can be said that the *grāmika* of Kuṣāṇa times had something to do with revenue collection, but we have no information about the other revenue officers of this period. Nor have we any idea about the different kinds of tenure. We get, however, some indication of the revenue system of the Kuṣāṇas from the prevalence of the *akṣayanīvi* tenure during this period. The Mathurā Stone Inscription of Huviṣka (year 28—A. D. 106 ?) refers to two gifts, one of *puṇyaśālā*[6] and the other of 500 *purāṇas*,[7] according to the *akṣayanīvi* system, which means that

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1. *Manu*, VII. 116-8.
2. Altekar, *State and Government in Ancient India*, p. 226; *AŚ*, III. 10.
3. *Manu*, VII. 114.
4. Ibid., VII. 119.
5. Ibid., VII. 115-6.
6. *Sel Inscr.*, p. 146, ll. 1-3.
7. Ibid., ll. 11-2.

these endowments were made on a permanent basis. During this period endowments of money were also made in Mahārāṣṭra according to the same system, as we learn from the Nāsik Cave Inscription of the time of Nahapāna[1], who was probably a kṣatrapa under Kaniṣka in the early part of his satrapal rule. Land grants according to this system, which meant numerous exemptions in revenue, became frequent in the Gupta period. From the first century B. C. onwards we have epigraphic evidence of land grants made by the Sātavāhana rulers, but we have no such epigraphic examples in the case of Northern India. In all likelihood it was under the Kuṣāṇas that the practice of making grants according to the *akṣayanīvi* tenure was extended to land in Northern India. It seems that because of foreign conquest and occupation land came to be treated more and more as private possession, and hence it came to be regarded more and more partable. But the prevalence of this practice meant great loss in revenue to the state. There is, however, another aspect of the *akṣayanīvi* gifts sanctioned by the Kuṣāṇa and Sātavāhana rulers. Money endowments, according to this system, both in the North and South, suggest that during the first two centuries of the Christian era money economy was in a very flourishing state. Money lending seems to have been sanctioned by religion, for religious needs were to be met out of interest on money endowments. This fact together with the large number of copper coins attributable to Kuṣāṇas may lead us to think that revenues were largely realised in cash. In spite of money economy, which could have enabled the Kuṣāṇas to maintain their authority over the lesser lords, the practice of permanent grants, and the feudatory organization, were bound to set in motion the tendencies towards decentralisation.

Perhaps the centrifugal forces were counterbalanced by the proclaimed association of divine elements with the ruler. Despite the fact that most Kuṣāṇa rulers were Buddhist, they tried to deify themselves by adopting the title of *devaputra* (son of God) and instituting the dead king's cult. The deification of the king was foreign to Buddhist theories of the origin of kingship as enunciated in the *Dīgha Nikāya* and hardly in complete accord with the early brāhmaṇical theories. Although the coronation

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1. Ibid., p. 157, l. 1.

formulas of the later Vedic period refer to prayers to various gods for conferring their respective qualities on the king, they nowhere describe him as the son of God. On the contrary the Vedic coronation formulas clearly mention the human parents of the king. The *Śatapatha Brāhmaṇa*, however, represents the king as the manifestation of Prajāpati.[1] A similar idea is found in the *Atharva Veda*, which describes Vaiśvānara Parīkṣit as the king who rules over all peoples, the god who is above mortals[2], but this portion of the collection is a later addition. At any rate it is clear that such a view of the divinity of the king did not prevail on any considerable scale during the Vedic period. In subsequent times the *Arthaśāstra* makes skilful use of religion for strengthening royal authority[3], but it does not lend divinity to the office of the king. The Buddhist ruler Aśoka prided himself on being called *devānāmpriya*, dear to gods, a title which was continued by Daśaratha, the grandson of Aśoka[4], but it was abandoned in post-Maurya times when the title *devaputra*, mentioned in 21 Brāhmī (according to *Lüders' List*) and 3 Kharoṣṭhī (according to Konow's List) inscriptions seems to have been as popular with the Kuṣāṇa rulers as *devānāmpriya* with Aśoka ; the title *devavrata*, devoted to God, was confined to the Parthian king Gondopharnes.[5]

Once the title *devaputra* had been adopted by the Kuṣāṇa rulers, theoretical justification came to be provided in a near contemporary Mahāyānist Buddhist text, *Suvarṇaprabhāsottamasūtra*, to which attention was first drawn by Sylvain Lévi.[6] Here the question is asked why a king born as a man is called God (*deva*) and why he is styled the son of God (*devaputra*).[7] The answer is that before being born as a man he was living among the gods, and that, because the thirty-three gods (each)

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1. V. 1. 5. 14.
2. XX. 127. 7-10.
3. Supra, pp. 156-62.
4. *Lüders' List*, Nos. 954-6.
5. *Sel. Inscr.*, p. 123.
6. *JA*, 1934, p. 1ff.
7. *kathaṃ manuṣyasaṃbhūto rājā devas tu procyate, kena ca hetnuā rājā devaputras tu procyate*. Quoted by F. W. Thomas in *B. C. Law Volume*, ii, 313.

contributed to his substance, therefore he is called "God-son".[1] A similar explanation of the divine origin of the king in the *Manu Śmṛti*[2] and the *Śānti Parva* was probably inspired by Kuṣāṇa associations. Unlike the *Suvarṇaprabhāsottamasūtra*, Manu does not use the term *devaputra* for a king but states that the king is vested with the respective attributes of eight gods[3], and asserts that even if a child the king should not be disregarded, for he functions as a great divinity in the form of a human being.[4] The *Śānti Parva*, which has many verses in common with Manu and which poses the question regarding the origin of kingship practically in the same manner as the above-mentioned Buddhist source, represents the original king to be the descendant of God[5]. Thus these three texts, one Buddhist and the other two brāhmaṇical, impart such a divine character to the king as he never enjoyed before, and in all these cases the inspiration seems to have come from the Kuṣāṇa side. But the Kuṣāṇa royal title *devaputra* was not in accord with Indian tradition, and hence it did not find favour with other Indian rulers, subsequent or contemporary.

It has been contended by F. W. Thomas that *devaputra* was not an official title of the Kuṣāṇa rulers but a complimentary epithet given to them by their subjects, a view accepted by U. N Ghoshal.[6] Taking the hint from Lévi Thomas successfully establishes that *devaputras* are mentioned in earlier Indian literature and that they form a class of divinities.[7] But the use of the term in earlier literature as "god-son" or as "a class of divinity" does not preclude it from being used in a special sense by the

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1. *Devendrāṇām adhiṣṭhāne mātuḥ kukṣau praveksyati. puram adhiṣṭhite devaiḥ paścād garbhe prapadyate. him cāpi mānuṣe loke jāyate śrīyate nṛpaḥ; api vai devasambhūto devaputraḥ as ucyate. trayastriṃśair devarjāendrair bhāgodatto nṛpasya hi; putrāstvaṃ sahadevānāṃ nirmito manujeśvaraḥ. JA*, 1934, pp. 3-4.

2. The law-book of Manu is generally assigned to the period 200 B. C.—A.D. 200; probably the extracts dealing with *rājadharma* were compiled in the first two centuries of the Christian era.

3. VII. 7.

4. VII. 8.

5. Ch. 59.

6. *Mauryas and Satavahanas*, p. 345.

7. *B. C. Law Volume*, ii, 306-10.

Kuṣāṇa rulers. That the title *devaputra* was used to emphasise the divinity of the Kuṣāṇa rulers can be inferred from its justification given in the *Suvarṇaprabhāsottamasūtra* and the explanation of the divine origin in near contemporary texts on polity. Thomas argues that this title cannot be regarded as official, for it does not occur in Kuṣāṇa coins which contain the official titles such as *mahārāja* and *rājātirāja* . On the basis of his consultation with Allan he holds that Cunningham's reading of *devaputra* on a coin of Kuyala Kara Kaphsa (Kadphises II) is an error.[1] Even if this is conceded we may note that all the titles cannot be accommodated in the coins due to lack of space. Perhaps *devaputra* was not considered so important a title as to find place in the coins to the exclusion of such other official titles as *mahārāja* and *rājātirāja*. Thomas' contention that in India the term *devaputra* was never used as an appellation of royalty except in reference to the Yueh-chih[2] does not lend support to his theory. Several other Kuṣāṇa titles such as *rājātirāja*, *ṣāhi*, *ṣāhānuṣāhi* were also not used by Indian rulers, but for that reason they cannot be dismissed as unofficial epithets of the Kuṣāṇas. Thomas points out that direct communications in Kharoṣṭhī from Chinese Turkestan mention *mahanuava* and *maharaya* as the titles of the king but omit *devaputra*.[3] But this line of argument does not sustain his thesis since the other Kuṣāṇa official titles *rājātirāja* and *ṣāhānuṣāhi* are also not mentioned in the preliminary to these communications. In face of Thomas' negative arguments, which only refer to the omission of *devaputra* in some sources, we have positive evidence to show that the title was used not only in India, but also in Central Asia, where it occurs in the Khotanese documents in Kharoṣṭhī, especially in datings.[4] In the Kuṣāṇa inscriptions *devaputra* is mentioned along with other official titles, and hence it cannot be treated on a separate footing from them. Besides, it is applied to Huviṣka by a state official, who held the title or designation of *bakanapati* and who was the son of a *mahādaṇḍanāyaka*.[5] It is but natural that the officers would prefer

1. Ibid., 307.
2. Ibid., 319.
3. Ibid., 308.
4. *CII*, ii, pt. I, p lxxiv. Unfortunately I have no information about the contents of the coins of Kaniṣka and Vāsudeva, which have been recently discovered in Russian Central Asia.
5. *JRAS*, 1924, pp. 402-3.

to use only official titles. Further, the title *daivaputra* appears along with other official titles in the famous Allahabad Inscription, which was drafted by Harişeṇa, the official scribe of Samudra Gupta. He could not have probably adopted an appellation which was imvented by and confined to the subjects and not officially favoured by the Kuṣāṇa rulers. Finally, the evidence of a Buddhist text of the third century A. D., translated into Chinese in A. D. 392, in which the king of India and the king of the Yueh-chih each is described as "Son of Heaven"[1], and the testimony of a Chinese source of the third century A. D., in which the king of the Yueh-chih is described as the Son of Heaven[2], are almost decisive; and Thomas himself finds it difficult to refute their testimony[3]. Thus it is pretty clear that the title *devaputra* was officially adopted by the Kuṣāṇas. But perhaps Thomas is right in suggesting that this title was not of Chinese origin. If, with Allan and Thomas, we reject the reading *devaputra* on a coin of Wima Kadphises, it would appear that this title was peculiar only to the Kaniṣka group of Kuṣāṇa rulers, who completely supplanted the Parthian rule in North-Western India in the second half of the first century A. D. Whatever might have been the source, Semitic or Hellenistic, it is undoubted that the two Parthian rulers Pharates II and III, who flourished in the first half of the first century A. D. and were the immediate predecessors of the Kuṣāṇas, had adopted the title of "god-fathered."[4] Apparently when Parthia had been conquered by the early Kuṣāṇas the Parthian titles and dominions alike were appropriated by Kaniṣka and his successors. As the explanations given in contemporary texts show, in course of time, the title came to be used as an important political weapon.

The Kuṣāṇas followed the practice of erecting *devakulas*, in which the statues of the dead rulers were housed. The term *devakula* is recorded in the inscription on the colossal image of Wima,[1] and we have further reference to the repair of the *devakula* of the grandfather of Huviṣka during the reign of the latter[2]. On the basis of the *Pratimānāṭaka* of Bhāsa the term *devakula* has

1. *B. C. Law Volume*, ii, 314-5.
2. Ibid., 318.
3. Ibid., 319.
4. Ibid., 305.

rightly been interpreted to mean the place where statues were erected in honour of dead potentates.[3] Further, on the strength of the same source it is argued that this structure was a temporal temple and not a place of worship.[4] But the fact that the temple in the drama bore no flag, had no divine weapons and other signs of an ordinary temple,[5] merely suggests that it was not as important as regular temples. Much should not be made of the fact that in the drama the brāhmaṇa keeper prevents Bharata from bowing before the images of his ancestors. Here we have to bear in mind the argument of the keeper that a brāhmaṇa should not bow before kṣatriya sovereigns taking them to be gods.[6] This plea is obviously inspired by his class prejudices and is irrelevant to the kṣatriya Bharata. The term *devakula* clearly means "deity-house", and what is more important the Mathurā Inscription of Huviṣka shows that the repair of the dilapidated *devakula* of his grandfather by a state official was an act of religious merit intended for the increase of the life and strength of the *mahārāja rājātirāja devaputra* Huviṣka.[7] The prevalent method of seeking the physical and spiritual well-being of the king was to erect some *stūpa* over the relics of the Buddha or to perform similar other acts of piety. Obviously in this case also the physical welfare of the king was to be achieved by performing the religious act of the repair of the *devakula* of his ancestor. Moreover, from the last line of this inscription[8] it appears that something was done for the daily guests, and brāhmaṇas[9] who were evidently attached to the *devakula* as priests. Cases of such priests are to be found in the *devgaḍhas* of Rajputana.[10]

From where did the Kuṣāṇas derive the practice of setting up *devakulas*? It is suggested that this system was taken over from the Romans on the bank of the Tiber[1]. But the cult of the dead

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1. D. R. Sahni, *JRAS*, 1924, p. 402.
2. Ibid., pp. 402-3.
3. Jayaswal, *JBORS*, 1923, pp. 98-9; H. P. Sāstrī, ibid , pp. 558-61.
4. Jayaswal, *JBORS*, 1919, pp. 98-9.
5. Ibid.
6. Ibid., p. 560.
7. *JRAS*, 1924, p 402, ll. 2-5 of the inscription.
8. Ibid., l. 6.
9. Ibid., p. 403.
10. *JBORS*, 1919, p. 559.

king was in vogue not only in ancient Mesopotamia, but also in Egypt where mortuary templess were built to enshrine the statues of the Pharaohs. Probably the Romans derived this idea from these predecessors and passed it on to the Kuṣāṇas either through direct commercial contacts or through some intermediaries. On the basis of the pre-Kauṭilyan date of Bhāsa it would be wrong to suppose that the practice prevailed in India from pre-Maurya times,[2] and therefore was adopted by the Kuṣāṇa rulers. The correct position seems to be different. Reference has been made to *devapitṛpūjā* (worship of gods and ancestors) in Kauṭilya,[3] but this does not imply that the statues of the fore-fathers were worshipped. Besides, Kauṭilya does not specifically refer to the worship of the dead kings. Obviously this practice was introduced by the Kuṣāṇa rulers, who have left several royal statues. The writings of Bhāsa, who seems to have flourished during the period, merely reflect the existing practice. Clearly the practice of erecting *devakulas* was in keeping with the official title of *devaputra*, and both contributed to the apotheosis of the Kuṣāṇa kings. That the adoption of the title *devaputra* and establishment of *devakulas* by the Kuṣāṇas were deliberate devices to deify the kings can be deduced from the representation of divine aura round the busts of the kings on their coins. On the gold pieces of Kadphises II the shoulders of the king are surrounded by luminous rays of flames, and his bust appears to issue from the clouds like the gods of Greece. The nimbus appears on some pieces of Kaniṣka, but is much more frequent on certain gold pieces of Huviṣka, who is at once ornamented with nimbus, flames and clouds. Vāsudeva has simply the nimbus round his head.[4] We know that the nimbus or *prabhā-maṇḍala* was especially associated with the divinities represented on the coins of Kaniṣka and Huviṣka.[5] Therefore it was in order to indicate their celestial origin that the Kuṣāṇa kings got themselves represented on their coins with the nimbus, aureole, clouds or flames.[6]

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1. *PHAI*, 5th edn , p. 5.
2. *JBORS*, 1919, p. 560.
3. II. 6, *PHAI*, 5th edn., p. 517, in 3.
4. M. E. Drouin, "The Nimbus and Signs of Deification on the Coins of the Indo-Skythian Kings", *Revue Numismatique*, 1901, pp. 154-66, tr. *IA*, 1903, p. 427.
5. *IA*, 1903, p. 428.
6. Ibid., p. 432.

In contradistinction to the theory of Divine Right in England, where it developed as a logical sequel to the ideas of absolutism and centralisation prevalent in the Tudur period the all-pervading activities of the state of Maurya India did not emphasise the divinity of royal power. On the contrary the divine theory was sharply enunciated in post-Maurya times, when forces of disintegration had come to the foreground. Just as the high-sounding titles of the Kuṣāṇa rulers indicated nothing more than the reality of decentralisaion so also the device of deification was nothing more than an attempt to conceal and remove their political weakness. Although the potentiality of the idea of the divinity of the king in strengthening royal absolutism could not be denied, it was eagerly seized and sharpened as a weapon of ideological defence of the brāhmaṇical social order.[1]

The deification of the Kuṣāṇa king served to secure him the allegiance of the subjects, of which we have enough evidence in the religious gifts made by some officers and individuals. Thus a Kharoṣṭhī inscription from Taxila refers to the establishment of the relics of the Buddha in the Dharma-rājikā *stūpa* of Taxila by a Bactrian for the bestowal of health on an unnamed Kuṣāṇa emperor, who is described as *mahārāja*, *rājātirāja* and *devaputra*.[2] Similarly another Kharoṣṭhī inscription from Afghanistan speaks of the institution of the relics of Śākya Muni for the spiritual merit of *mahārāja rājātirāja* Huviṣka.[3] The practice of making gifts by individuals and state officers for the spiritual and physical benefit of the rulers never took root in Northern India, but it continued among the later Kuṣāṇas of the north-west frontier. Thus a monastery (*vihāra*) was erected by a *vihārasvāmī* named Roṭa-Siddha-Vṛddhi not only for the benefit of his relatives but also for that of the queen, princes and princesses of Mahārāja Toramāṇa Shāh Jaūvla.[4]

The Kuṣāṇa claim to divine power was accompanied by the unambiguous declaration of the religion they professed. The coins, which are always considered an important insignia of

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1. The current interpretations of the Dharmaśāstra ideas of the king's divinity have been summarised and examined in Ghoshal, *A History of India Political Ideas*, pp. 566-7, fn. 20.
2. *Sel. Inscr.*, p. 129, l. 3.
3. Ibid., p. 153, l. 2.
4. *Lüders' List*, No. 5

sovereignty, clearly indicate the faith to which they belonged. Thus the Kuṣāṇa *yavuga* Kujala Kasa, identified with Kadphises I, calls himself *dhramaṭhidasa*,[1] a title which also occurs as *saca-dhrama-ṭhitasa* on the other coins of the Kuṣāṇas. This apparently refers to their devotion to the *dharma* of the Buddha. Besides, we have representations of Śiva on their coins.[2] But in spite of their proclaimed devotion to Buddhism or Śaivism the Kuṣāṇas never adopted a policy of religious persecution. On the other hand they seem to have worshipped numerous gods, Greek, Iranian and Indian, who are represented on the coins of Huviṣka.[3] Under their rule Mathurā was an important centre of Jainism, as would appear from the large number of the gifts of Jain images made there by lay and clerical votaries in the reigns of Kaniṣka and Huviṣka. Similarly, the brāhmaṇical sacrificial religion was also tolerated. An inscription mentions the setting of the sacrificial post (*yūpa*) by a brāhmaṇa of the Bhāradvāja gotra after having performed a *sattra* of twelve nights.[4] Apparently it was a policy of live and let live. But since the Kuṣāṇas showed preference for Buddhism possibly this contributed to brāhmaṇical resurgence under the Guptas, who took the place of the Kuṣāṇa power in Northern India within half a century of the end of their rule.

The above sketch of the Kuṣāṇa polity, though inadequate on account of lack of material, would show that the Kuṣāṇas introduced certain new elements in Indian polity. Some of them such as the practice of making gifts for the spiritual or physical well-being of the king, and the dual governorship in the provinces, did not find suitable soil in India. But the idea of the divinity of the king made some impression on later rulers, for Samudra Gupta is compared to four different gods. Again, the office of the *mahādaṇḍanāyaka*, which came to function in the eastern, southern and northern provinces of the Gupta empire,[5] and the practice of making land grants according to the *akṣaya-nīvi* tenure became regular features of the Gupta polity. Above

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1. *Sel. Inscr.*, p. 108.
2. Ibid., p. 125, fn. 3; p. 155.
3. Ibid., p. 155, fn. 5.
4. *Lüders' List*, No. 149a.
5. Ghoshal, *Indian Historigraphy and other Essays*, p. 178.

all, the main characterisic of the Kuṣāṇa political structure, namely the organization of the hierarchical feudatory system, seems to have been adopted by Samudra Gupta in his imperial system. For the rest, the Kuṣāṇas continued the old pattern of village administration by the *grāmika*, with the probable change that this officer was paid for his services by assignment of some land but relieved of his responsibility for the defence of his village.

CHAPTER XIII

VARNA IN RELATION TO LAW AND POLITICS

(*c.* 600 B.C—A.D. 500)

The real character of the ancient Indian polity cannot be fully comprehended without a consideration of the relation between the varṇa system on the one hand and law and politics on the other. There are good reasons to think that in early times caste not only played a vital part in the rise of the state power, but also largely conditioned its growth at various stages as well as shaped its organs and moulded its laws.

Reference has already been made to the Purāṇic speculation, which establishes causal connection between the rise of varṇas and the origin of the state.[1] It is stated in half a dozen Purāṇas that, although the duties of different varṇas were settled, they did not perform their respective functions and came into mutual conflict. In order to put an end to this state of affairs Brahmā prescribed coercion (*daṇḍa*) and war (*yuddha*) as the profession of the kṣatriyas.[2] Such speculations may have been made in the Gupta period when the Purāṇas and the didactic portions of the *Mahābhārata* were put into their final shape. But these ideas could not possibly have occurred to the thinkers unless there was a basis for them in age-old traditions, or unless such a process went on in some of the contemporary tribes breaking into classes. Further, in all the brāhmaṇical works from the Dharmasūtras and the *Arthaśāstra* onwards, the most emphasised function of the head of the state is the maintenance of the social order based on the varṇas.[3] According to Kauṭilya, the king, as the promulgator of *dharma*, is there to protect the fourfold caste system.[4] The *Śānti Parva* clearly states that the duties pertaining to one's caste or social class (*jātidharma* and *varṇadharma*) rest upon the state power (*kṣātradharma*).[5] Manu avers that the kingdom can prosper only so long as the purity

1. Supra, pp. 36-7.
2. *Vāya Purāṇa*, i, VIII. 160.
3. Cf. supra, pp. 43-4.
4. *AŚ*, III. 1.
5. 64. 1-2, cf. 24-5 and 65. 5-6.

of castes is maintained. If the bastard people of the mixed castes sully it, the state will perish together with its inhabitants.[1] In fact Manu can hardly think of the royal functions without being connected with the caste system in one way or the other. As Hopkins puts it : "Incidental mention of the king standing without particular relation to the other castes can only be sparingly quoted."[2] According to brāhmaṇical authorities if anybody deflects from his caste duties, it is nothing short of a calamity. As Nārada, a lawgiver of about the fifth century A. D., states : "If the king does not dictate punishments to any caste, when they have left the path, the created beings of the world would perish."[3] The *Śānti Parva* identifies the institution of kingship with the preservation of the varṇa system. It prescribes the same punishment for rebellion aganist the king as for causing confusion in the castes.[4] So far as the sustentation of the class system by the state is concerned there is broad agreement between the views of the ancient Indian thinkers and those of Plato and Aristotle,[5] although class was considered not so rigid in Greece as varṇa in India.

The Dharmaśāstra insistence on royal responsibility to uphold the varṇa system is corroborated by epigraphic evidence, which, although conventional in some cases, throws light on the actual position. Aśoka's officers are appointed to work among the warriors (*bhaṭamayeṣu*), brāhmaṇas and the ibhyas (*i. e.* vaiśyas).[6] It seems that the term *dāsabhataka* in Aśokan inscriptions[7] stands for the śūdras. Thus, broadly speaking, Aśoka took the existing social order for granted and appointed his officers to work amongst the four social classes. Proceeding further, the Nasik Cave Inscription of the brāhmaṇa Sātavāhana ruler Vāsiṣṭhiputra Pulumāvi (middle of the second century A. D.) informs us that the king, who was hostile to the kṣatriyas, was a preventor of confusion in the fourfold caste system.[8] The near contemporary

1. *yatraitetparidhvaṃsājjāyante varṇadūṣakāḥ rāṣṭrikaiḥ sahatadrāṣṭraṃ kṣipramevа vinaśyanti. Manu*, X. 61 ; cf. VII. 35, VIII. 41.
2. *Mutual Relation of Four Castes in Manu*, pp. 75-6.
3. *Nārada Smṛti*, XVIII. 14.
4. *rājño vadhaṃcikīrṣedyastasya citro vadho bhavet, ājīvakasya stenasya varṇasaṃkarasya ca.* 86. 21.
5. *Republic*, iii, 434; *Politics*, pp. 274-5.
6. R. E. V. For the term *bhaṭamaya* the interpretation of Sénart seems tobe correct.
7. R. E. IX, XI, XIII and P. E. VII.
8. *khatiya-dapa-māna-madanasa vinivatita-cātuvaṇa-saṃkarasa. Sel. Inscr.*, p. 197, l. 6.

Śaka ruler Rudradāman, although of foreign extraction, is described as being approached (or elected ?) by the varṇas.[1] An inscription, of A. D. 529, of king Samkṣobha of the Parivrājaka family describes him as devoted to the establishment of the *varṇāśrama dharma*.[2] Again, the Mandasor Stone Inscription, of A. D. 532, of Yaśodharman mentions one of his predecessors Abhayadatta as acting to the advantage of those who belonged to the four castes.[3] It is claimed therein that Dharmadoṣa made the kingdom free from intermixture of all the castes.[4] Reference may also be made to the Banskhera Inscription of Harṣa, in which his father Prabhākarvardhana is described as a regulator of the system of castes and stages.[5] Thus as regards the Guptas and their successors, epigraphs refer to some of the most distinguished rulers of the age as "employed in sctting the system of castes and orders" and "in keeping the castes confined to their respective sphere of duty."[6] The inscriptional evidence[7] shows that not only in theory but in practice also the preservation of the varṇa-divided society was the main function of the state.

As to the caste of the king himself, he was to be a kṣatriya. In the early literature the terms rājanya and kṣatriya are synonymous. But there are instances of the members of other castes also becoming kings. The Jātakas furnish at least four examples of brāhmaṇa kings.[8] Later, in post-Maurya and Gupta periods, we find the famous examples of the Andhras, Śuṅgas, Kāṇvas, Vākāṭakas, Gaṅgas and Kadambas founding ruling dynasties. Some of these may have been of brāhmaṇa origin; others, especially in the Deccan and South, may have been local dynasties elevated to the rank of the highest social class. At any rate the emergence of brāhmaṇa ruling houses is a new development, for which there seems to be hardly any parallel in earlier times. It is not found necessary to confer the status of kṣatriya on these rulers. This is, however, found necessary in the case of those who originally belonged to the śūdra caste. The Purāṇic

1. *Sel. Inscr.*, p. 171, l. 9.
2. *varnāśrama-dharma-sthāpanā-niratena*. Ibid., p. 375, l. 10.
3. *CII*, iii, 35, ll. 15-7.
4. Ibid., ll. 18-9.
5. *EI*, iv, 29, l. 3.
6. H. C. Raychaudhury, *Advanced History of India*, p. 195.
7. Beni Prasad, *The State in Ancient India*, p. 500.
8. R. N. Mehta, *Pre- Buddhist India*, p. 104.
9. *rājānaḥ śūdrabhūyiṣṭhāḥ. Vāyu P.*, *ii*, 58. 40 ; *Kūrma P.*, Ch. 30, p. 303.

prophesy that most of the kings in the Kali age would be śūdras[9] probably refers either to the Buddhist and heretic rulers or to such rulers of foreign stock as failed to conform strictly to the brāhmaṇical pattern of life. Perhaps the line of demarcation between the foreigners and śūdras was as thin as between the slaves and barbarians in ancient Greece.[1] According to Manu and Viṣṇu a snātaka (one who has finished the period of his studentship) should not stay in the land of a śūdra ruler, which obviously admits the possibility of the existence of a śūdra ruler.[2] But there are two things to be borne in mind. First, historically there are very few examples of śūdra rulers. Second, whatever disputed examples there are show that after accession to the throne the rulers did not continue to behave or to be treated as śūdras. For example, Candragupta Maurya, who, according to the Jain tradition, was the son of a peacock tamer, came to be glorified in mediaeval inscriptions as a descendant of the solar race.[3] Gupta kings, whose title according to the Dharmaśāstra regulations should make them vaiśyas, came to be connected by marriage alliance with the kṣatriya Licchavis and the brāhmaṇa Vākāṭakas, and in a Javanese text, came to be described as belonging to the kṣatriya race.[4] It has been suggested that Harṣavardhana was a vaiśya, but Hsüan Tsang informs us that he was a Rājput, and Bāṇa states that he was a kṣatriya. All this demonstrates a tendency on the part of the brāhmaṇical society to absorb rulers of lower castes into the kṣatriya fold. If we take caste statistics of small and big rulers in the period under review, most of them will be found to be kṣatriyas and many of them brāhmaṇas. There does not seem to be much validity in the view that orthodox opinion was more outraged by brāhmaṇa kingship than by vaiśya or śūdra sovereignty.[5] From post-Maurya times onwards the way for the exaltation of the rich foreign rulers or the rich members of the lower castes to higher social status may easily have been paved by the import-

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1. Aristotle, *Politics*, pp. 27, 36.
2. *Manu*, IV. 61; *Viṣṇu*, LXXI. 64.
3. The different views regarding the caste of the Mauryas have been summarised in a recent article by K. C. Ojha "Original Home and the Family of the Mauryas" in *Journal of the Ganganath Jha Research Institute*, vol. ix, 1951.
4. H. C. Raychaudhury, *PHAI*, 5 edn., p. 258.
5. Rangaswami Aiyanagar, *Rājadharma*, p. 213.
6. *arthena balavān sarvo' pyarthādbhavati paṇḍitaḥ. yasyārthāḥ sa pumāṃlloke yasyārthāḥ sa paṇḍitaḥ. Pañcatantra*, II. 30-1.

ance of wealth existing in the consciousness of the people. It was stated in the *Pañcatantra* that it is wealth which makes a person powerful or learned[6] In other words wealthy people might be considered as good as kṣatriyas and brāhmaṇas. If enterprising individuals from the lower classes rose to the throne either on a wave of reaction against the ruling class, or on account of their growing wealth, the brāhmaṇical ideologues were prudent enough to assimilate them to the kṣatriya caste by recasting the old genealogical legends and thus causing the least dislocation in the existing social system. This process is going on even in recent times.[1] Much has been made of the Roman virtue of maintaining the basic social structure by admitting into the fold of the ruling class the leading members from the unprivileged classes and keeping out the rest. This virtue, it would seem, was cultivated in no small measure by the ruling class of ancient India.

Next to the headship of the state its most important organ was the army. The right to bear arms—to exercise coercive power based on *daṇḍa*—was an exclusive privilege of the kṣatriyas. According to Manu, in times of emergency this right could be extended to the brāhmaṇas and the vaiśyas but never to the śūdras.[2] In view of the disabilities imposed upon the vaiśyas, and particularly the śūdras, there was a legitimate apprehension that the latter might turn their arms against the state which upheld the privileges of the upper classes. Kauṭilya alone holds that army of vaiśyas and śūdras is important on account of their numerical strength. He seems to have a low opinion of army of brāhmaṇas, who, to his mind, can be won over by persuasions.[3] While defining the army as an indispensable element of the state, Kauṭilya expressly declares that the best army is purely composed of the soldiers of the kṣatriya caste.[4] This is corroborated by Megasthenes, who refers to the fighting men (in our opinion corresponding to kṣatriyas) as forming the fifth class of the Indian population, maintained at the expense of the state and leading a life of ease in times of peace.[5] The *Kāmandakanītisāra*, which

1. D. D. Kosambi, "Ancient Kosala and Magadha", JBBRAS, xxvii (1952), 184.
2. *Manu*, VIII. 348.
3. *bahulasāraṃ vā vaiśyaśūdrabalamiti. AŚ*, IX. 2.
4. Ibid., VI. 1.
5. Megasthenes, XXXIII, J. W. McCrindle, *Megasthenes and Arrian*, p 85.

draws heavily upon Kauṭilya, states that the kṣatriyas make the most excellent material for the army.[1] All this may indicate that at least in the Maurya period the kṣatriyas generally constituted the standing army paid by the state. Kauṭilya avers that even vaiśyas and śūdras could be considered for enlistment, but Megasthenes does not agree with him. Megasthenes clearly states that the husbandmen (obviously the vaiśyas and śūdras of Kauṭilya, agriculture being their common occupation)[2] are exempted from military service and the soldiers are meant to protect them.[3] This means that in face of foreign attacks and internal oppression the vaiśyas and śūdras were completely disarmed, so that even the wild beasts and fowls damaging their crops were to be scared away by a special class of hunters and not by them.[4]

The key post in the army was that of the *senāpati* (commander), whose appointment by later authorities is confined either to the brāhmaṇa or the kṣatriya caste.[5] Kāmandaka states that the priest, ministers and nobles are the principal leaders of the army.[6] As will be shown later, the ministers were either brāhmaṇas or kṣatriyas. The early Buddhist and Jain texts inform us that, besides the kṣatriyas, the brāhmaṇas also filled the office of the *senāpati* and *yodhājīvas* (warriors).[7]

The organization of bureaucracy, which was an important instrument of the state apparatus and which was covered by the term *amātya* in the *saptāṅga* theory of the state, seems to have been also based on caste. In the Jātakas the *amātyas* play a vital role as companions, councillors, and generals of the king.[8] The repeated mention of the term *amaccakulam* (family of ministers) precludes the possibility of lower class people becoming ministers.[9] Fick states that these ministers like the khattiyas

1. IV. 65-7.
2. R. S. Sharma, *Some Economic Aspects of the Caste System in Ancient India*, p. 14.
3. Megasthenes, XXXIII, McCrindle, op. cit., p. 43-4.
4. Ibid.
5. *senāpatiḥ kāryo brāhmaṇaḥ kṣatriyo' thavā. Agni Purāṇa* (BI), 220. 1.
6. *KNS*, XV, 20.
7. B. C. Law, *India as Described in Early Texts of Buddhism and Jainism*, p. 155.
8. R. N. Mehta, op. cit., p. 136.
9. Ibid.

were characterised by "a specially devoloped class consciousness."[1] He, however, does not make any clear characterisation of their caste.[2] But an examination of references to *amaccas* would suggest that they were occasionally brāhmaṇas and frequently kṣatriyas.[3] There is no case of gahapati (householder) or artisans acting as the minister of the king. It appears that even during the pre-Maurya period the elasticity of the caste system was not so great as to permit the members of the lower classes to rise to high posts. The Dharmasūtras, which practically cover the same period as the Buddhist birth-stories, hardly give any idea of the caste of the *amātyas*, although Āpastamba states that the men of the first three castes should be appointed to protect the people in towns and villages.[4] In the chapter on *amātyotpattiḥ* Kauṭilya does not clearly indicate the caste of the *amātyas*, but a close study of their qualifications may give some idea about this. An obvious item common to the list of requisites laid down by Kauṭilya and other thinkers whom he quotes is noble birth. This is expressed variously as "father and grandfather being amātyas", "*abhijana*" and "*jānapado'bhijātaḥ.*"[5] It is doubtful whether the qualification of noble birth could be found in anybody else than the members of the upper two varṇas.[6] As Aristotle puts it, good birth is nothing but ancient wealth and virtue,[7]—an attribute which can hardly be expected of the lower classes. Again, the enumeration of other qualifications constituting the *amātyasampat* leaves little doubt that the minister was to belong to the higher classes.[8] That the avenues to the higher bureaucracy were closed to the lower castes is borne out by the statement of Megasthenes. He mentions the professional class of the councillors and assessors, who monopolise the highest posts of governnent, executive and judicial.[9] On his basis a later authority states that the noblest and richest take part in the direction of state affairs, administer justice, and sit in council with the kings.[10] That theirs was an exclusive caste

1. Fick, *The Social Organization of N. E. India etc.*, p. 143.
2. Ibid., p. 143.
3. Ibid., p. 144 ; R. N. Mehta, op. cit., p. 136.
4. II. 10. 26. 4.
5. *AŚ*, I. 8-9.
6. *AŚ*, I. 9.
7. Aristotle, op. cit., p. 163.
8. *AŚ*, I. 9.
9. Megasthenes, XXXIII, J. W. McCrindle, op. cit., p. 85.
10. Arrian, LVI, Ibid., p. 138.

is obvious from the rules that its members could not marry outside their own caste, exchange one profession or trade for another, or follow more than one business.[1]

The same position seems to have continued in the Gupta period, of which evidence can be found in the contemporary law-books and inscriptions. Kātyāyana insists that the *amātya* should belong to the brāhmaṇa caste.[2] An actual example of this can be found in the Udayagiri Cave Inscription of Candra Gupta II, which speaks of a brāhmaṇa minister holding his position acquired by hereditary descent.[3]

Since Hopkins drew attention to the mention in the *Mahābhārata* of twenty-one rich vaiśya *amātyas* out of a total council of thirty-seven, too much notice has been taken of this fact.[4] It may be noted that the passage in question does not find place in the critical edition of the *Śānti Parva*. The latter, however, does refer to the composition of the body of eight *mantrins*, of whom four should be brāhmaṇas, three loyal, disciplined and obedient śūdras, and one a *sūta*.[5] The appointment of three obedient śūdras as *mantrins* can be regarded as an ideal worth trying and is in keeping with the liberal attitude of the *Śānti Parva* towards the śūdras in other matters. But it is to be noted that the very term *mantrin* means the possessor of a magic formula, which implies a brāhmaṇa.[6]

In the case of ambassador (*dūta*), whose post was of considerable importance because of ally being an organ of the state, it was laid down that the candidate should belong to the aristocratic family (*kulīnaḥ*) and should be devoted to the duties of a kṣatriya (*kṣātradharmarataḥ*).[7] Speaking of the epic ambassador, Hopkins says that "he may be either a priest or an officer of military caste."[8] From the early Buddhist and Jain sources we know that members of the Śrotriya class of brāhmaṇas were occasionally employed as *dūtas*.[9]

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1. Megasthenes, XXXIII, Ibid., pp. 85-6.
2. Verse 11.
3. *CII*, iii, 6, ll. 3-4.
4. Hopkins, "Position of the Ruling Class in the Epic," *JAOS*, xiii (1889), 95 ; K. P. Jayaswal, *Hindu Polity*, p. 319.
5. *ŚP*, 85. 7-10.
6. Kosambi, *JBBRAS*, NS, xxii, 47.
7. *ŚP*, 86, 26-7 ; *Manu*, VII. 63 ff.
8. Op. cit., p. 163.
9. B. C. Law, op. cit., p. 155.

In the Gupta period some important posts were probably filled by vaiśyas. A Gupta inscription of A. D. 493-4 refers to an initiated householder named Śarvadatta, who acted as an *uparika* (provincial governor) and a *dūtaka* (executor of grants).[1] Since this officer is described as the master of masons (*sthapati-samrāṭ*),[2] perhaps he was a vaiśya or śūdra.

The influence of caste is to be also seen in some of the collective institutions such as the *pariṣad*, *paura* and *jānapada*. The post-Vedic *pariṣad* was an important committee which decided not only disputed points of law but also tendered advice to the king. It was undoubtedly an influential body of brāhmaṇas.[3] Thus in his comment to Gautama's passage, providing for the composition of the *pariṣad*, Maskari holds that only the brāhmaṇas have the right to expound the law, and quotes Vasiṣṭha in his support.[4] Baudhāyana makes it clear that the ten members of this body should be *vipras*.[5] In other references the details of qualifications laid down for the membership of the *pariṣad* lead us to the conclusion that it was almost entirely confined to the priests.

We have no definite information about the caste composition of the Jātaka *parisā*. But there is a suggestion that it consisted of ministers, *uparājan* (deputy king), *senāpati* (commander), *seṭṭhi* (head merchant)[6] and the *purohita* (chief priest). The *mantriparişad* of Kauṭilya, generally regarded as an inner cabinet, consisted of the *mantrins* recruited out of the *amātyas*, whose varṇa character has been discussed earlier. The Aśokan inscriptions do not give any indication about the structure of the *parisā*. We may reasonably conjecture that under the influence of Buddhist ideology it might have been closed to the brāhmaṇical priests. But, as would appear from Manu and Yājñavalkya, in the post-Maurya period the *pariṣad* was entirely manned by brāhmaṇas.[7]

It is difficult to reach any precise conclusion about the caste composition of the *paura* and *jānapada*, the existence of which itself

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1. *CII*, iii, 26, ll. 23-4.
2. Ibid.
3. Hopkins, op. cit., p. 148, footnote; *HCIP*, i, *The Vedic Age*, pp. 484-5.
4. *brāhmaṇa eva dharmapravacane teṣāmevadhikārāt*. *Gautama*, XXVIII. 50-51 ; cf. *Vas.*, III. 20.
5. *Baudh.*, I. 1. 8.
6. R. N. Mehta, op. cit., p. 135.
7. *Manu*, XII. 110-4; *Yāj.*, I. 9.

is a matter of controversy.[1] There seems to be no basis for the theory that there was a central assembly of the *paura-jānapada*, but Jayaswal's arguments in favour of the prevalence of the separate bodies of *paura* and *jānapada* cannot be entirely ignored. In many eases, however the term *paura* means an inhabitant of the city, and the term *jānapada* an inhabitant of the countryside. Assuming that in some cases the *paura* and *jānapada* were corporate bodies consulted by the king, our problem is to determine their caste representation. On the basis of a passage from the *Gautama Dharmasūtra* Jayaswal suggests that the śudra could be a member of the *paura* body. But Maskari's commentary on the said passage interprets *paura* as *samānasthānavāsī*, *i.e.*, an inhabitant of the same place.[2] We are on more secure ground about the vaiśya membership of the *paura*, which is implied by merchants acting as president of that body.[3] There are several instances of the gahapatis (vaiśyas and śūdras according to Jayaswal) acting as the members of the *naigama*, which probably was a substitute for the *paura* in the period represented by the Jātakas.[4] The near contemporary account of Megasthenes states that husbandmen (*e.g.* vaiśyas and śūdras) do not go to town to take part in its tumult for any other purpose,[5] which may imply that the *paura* was confined to the people of the town. In the Pāli texts princes also appear as *negamas*,[6] but their number does not seem to be great.

Regarding the membership of the *jànapada* body there are two sets of evidence. The Buddhist sources inform us that the brāhmaṇas and ksatriyas were called *jānapadas*.[7] The *Śānti Parva* refers to the *mantrin* as a *jānapada*, which shows that probaby in early times even important ministers attended it.[8] But a passage from the *Rāmāyaṇa* excludes brāhmaṇas and a section of

1. Jayaswal, op. cit., Chs. XXVII and XXVIIII, V. R. R. Dikshitar, *Hindu Administrative Institutions*, pp. 156-8; A. S. Altekar, *State and Government in Ancient India*, pp. 101-9; Dikshitar, "Notes on the Paura Jānapada" and "Reply of N. N. Law" IHQ, vi (1930) ,pp. 181, 183-4.
2. *Gautama*, VI. 10.
3. Jayaswal, op. cit., p. 275.
4. Ibid.
5. Megasthenes, XXXIII, *McCrindle*, op. cit., p. 85.
6. Jayaswal, op. cit., p 273.
7. Ibid.
8. *kṛtaprajñaścamedhāvī budhojjānapadaḥ śuciḥ sarvakarmasu yaḥ śuddhaḥ sa mantraṃ śrotumarhati. ŚP*, 84. 38.

the kṣatriyas (called *balamukhyas*) from the membership of the *jānapada*[1]. It is difficult to determine which set of evidence is earlier. Perhaps the Buddhist evidence indicates an earlier stage of development. In later times as class distinctions became rigid, there grew a tendency to exclude the two upper classes from the meetings of the *paura* and *jānapada*, where the members of the lower castes could meet them on equal terms.

The functions of the *paura* and *jānapada* may throw some light on the nature of their composition. Since the consideration of taxation was regarded as one of the chief functions[2] of the *paura* and *jānapada*, in all probability the tax-free brāhmaṇas and kṣatriyas could not be their members. Their membership in later times was perhaps confined to the vaiśyas and śūdras, whose important representatives assembled and deliberated over matters which affected them. Judged in this light, the *paura* and *jānapada* would appear to be territorial orders of the vaiśyas and perhaps of free śūdras, not having any real voice in the affairs of the state but summoned by the king or his agents for the collection of taxes. The Jain sources inform us that there was a *parisā* (an assembly) of the *gāhāvais* (*i. e.*, vaiśyas and śūdras),[3] but whether it had to do anything with the collection of taxes is not known. Arguing on the basis of the above estimate of the nature of the *paura* and *jānapada*, it would appear that members of the lower classes were sounded on matters of taxation but ignored in matters of administration.

The maintenance of order and the administration of justice were the primary functions of the early state, but the machinery framed for the purpose was a superstructure raised on relations existing between the four social classes. In fact the effect of the varṇa system is to be seen most clearly in the organization of the judicial system and the legislation framed by the brāhmaṇical lawgivers. The appointment of judges was to be made on the caste basis. Here Manu and Yājñavalkya give the first preference to the brāhmaṇas ; failing them, members of the next two classes could be appointed as judges, but on no account could a śūdra be permitted to hold this office[4]. Viṣṇu (about

1. *brāhmaṇābalamukhyāśca paurajānapadaiḥ saha. Ayodhyā Kāṇḍa*, II. 19-20.
2. Jayaswal, op. cit., pp. 262-3.
3. J. C. Jain, *Life in Ancient India*, p. 71.
4. *Manu*, VIII. 20-21; *Yāj.*,2-3 with Vijñāneśvara's commentary.

A. D. 300) provides that the administration of justice should be entrusted to well-instructed, brāhmaṇas, either accompanying the king or alone.[1] Kātyāyana also repeats the law of the previous authorities and affirms that in no case should a śūdra be appointed as judge (*prāḍavivāka*).[2] According to him, a few merchants, who are men of high family, could be present in the court (*i. e.*, could act as *sabhyas*).[3]

A very little known[4] but striking feature of the brāhmanical law code is its class legislation. It is to be found in the law of evidence and in the penalities prescribed for offences against person, property, reputation etc. As for evidence, firstly, the outcast (*i.e.*, one fallen from his varṇa duties) could not act as a witness,[5] and secondly, members of one caste could not appear as witnesses for persons of other castes. For, it was laid down that a brāhmaṇa should act as a witness for a brāhmaṇa, a kṣatriya for a kṣatriya, a vaiśya for a vaiśya, a śūdra for a śūdra, and a woman for a woman.[6] It was further provided that dāsas (slaves) or bhṛtakas (servants), obviously recruited from the śūdra varṇa, must not be examined as witnesses.[7] While deposing, members of different castes were to be administered different kinds of oath and shown different kinds of treatment[8]. The same discrimination obtained in matters of ordeal. Yājñavalkya lays down the ordeals of weight, fire, water, and poison, respectively for the four *varṇas*.[9]

Like the code of Hammurabi or the Anglo-Saxon code, the Dharmaśāstras provide different laws for different varṇas for the same offence. The value of the compensatory fine in the case of death varies from caste to caste. The two lawgivers of about the fifth century B. C. lay down that for slaying a kṣatriya

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1 *Viṣṇu*, III. 72-3

2 *brāhmaṇo yatra na syāttu kṣatriyaṃtatra yojayet, vaiśyaṃ vā dharmśāstrajñaṃ śūdraṃ yatnena varjayet.* Verse 67.

3. *Kāt.*, Verse 58.

4. B. N. Dutt was the first to emphasise this aspect in his work *Studies in Indian Social Polity.*

5. *Viṣṇu*, VIII. 2.

6. *strīnāṃ sākṣinaḥ striyaḥ kwyāddvijānāṃ sadṛśaḥ dvijāḥ, śūdrānāṃ santaḥ śūdrāsca antyānāmantyayonayaḥ. Vas.*, XVI, 30 ; *Manu*, VIII. 18; *Yāj.*, II. 19.

7. *Manu*, VIII. 70.

8. *Gautama*, VIII, 20-23; *Manu*, VIII. 88-9.

9. II. 98.

the offender has to give to the king one thousand cows and a bull in expiation of his sin, for slaying a vaiśya one hundred cows and a bull, and for slaying a śūdra ten cows and a bull.[1] Four later lawgivers provide for similar discriminatory rules in this connection.[2] It sounds shocking to the modern democratic mind to learn that Baudhāyana, Āpastamba and Manu prescribe the same fine for killing a śūdra as for killing a dog[3]. It is provided by several lawgivers that, if a man of lower caste strikes a man of higher caste, he should be deprived of the limb which he uses.[4] It is possible to produce examples of such laws in cases of defamation,[5] stealing,[6] inheritance[7] etc. Indeed there is hardly any conceivable sphere of life, economic, political or social, where there is no legal discrimination between the different varṇas. The Dharmaśāstras, and the *smṛti* section of the epics and the Purāṇas, are replete with such discriminatory regulations. The law-books of the Gupta period softened some of these provisions, leading to some improvement in the legal status of the fourth varṇa.[8] · The development was perhaps somewhat similar to what we notice in the Byzantine empire of Justinian (527-565), under whom procedure was simplified in manumitting slaves.[9] but class distinctions ruled in the penalties of criminl law. Thus if a rich man forged, he was deported; if a poor man, he went to the ghastly toil of the mines[10] In Gupta India, however, the legal discrimination was not directly based on economic distinctions but on varṇa divisions, which were closely connected with economic status.[11]

Between the beginning of such discriminatory laws with the early law-books and their climax with Manu, Kauṭilya's legislation introduces a liberal prelude, its object being to provide a scheme

1. *Baudh.*, I. 10. 19. 1 and 2; *Āpastamba*, I. 9. 24. 1-4.
2. *Gautama*, XXII. 14-6; *Vas.*, XX. 31-3; *Manu*, XI. 130-1; *Viṣṇu*, L. 1-7 and 14.
3. *Baudh.*, I. 10. 19. 6; *Āpas.*, I. 9. 25. 13; *Manu*, XI. 132.
4. *Manu*, VIII. 279; *Yāj*, II. 215; *Gautama*, XII. 1.
5. *Gautama*, XII. 11-3.
6. *Viṣṇu*, IX. 11-4.
7. *Baudh.*, II. 2. 3. 10; *Vas.* XVII. 48-50; *Viṣṇu*, III. 32; *Gautama*, X. 31; *Manu*, IX. 151; *Yāj.*, II. 125; *AŚ*, III. 6.
8. *Śūdras*, pp. 250-1.
9. Cf. Ibid., pp. 228-9.
10. Jack Lindsay, *Byzantium into Europe*, p. 111.
11. This has been discussed in the author's *Some Economic Aspects of the Caste System in Ancient India.*

of imperial laws overriding petty considerations of caste. In consonance with his view that moderation is the essence of the administration of justice,[1] Kauṭilya tries to lessen the rigours of class legislation. According to him in certain cases capital punishment could be inflicted even upon the brāhmaṇas,[2] and in others his face could be branded so as to mark him as a criminal[3]. For giving false evidence he possibly prescribes the same fine for members of all the castes.[4] While the law-books prescribe different rates of interest for different classes, Kauṭilya only states that an interest of a *paṇa* and a quarter per month is just.[5] It seems that Kauṭilya considers a section of the śūdras as Āryas and hence does not agree to their enslavement.[6] Aśoka expresses a similar attitude when he ordains that kindness should be shown to the serfs and slaves. In spite of all this there is hardly any fundamental difference between Kauṭilya and the authors of Dharmaśāstras on questions of class legislation. An illustration of the point is his law regarding sexual relations, according to which, for adultery with a brāhmaṇa woman, a kṣatriya shall be subjected to the highest fine, a vaiśya deprived of his property, and a śūdra burnt alive wound in mats.[7] Further examples of this type can be multiplied from Kauṭilya's laws regarding defamation, assault and offence of eating forbidden food,[8]

The problem to be investigated is, how far class legislation worked in practice. The very fact that it forms a common feature of all law-books shows that it must have its roots in the actual life. As Hopkins says in another connection: "the unanimity of the legal works in most of these particulars would point to their universal custom.[9]" Corroborative evidence from early Jain literature also points to the same direction. A Jaint text

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1. *yathārhadaṇḍaḥ pūjyaḥ. AŚ*, I. 4.
2. *brāhmaṇaṃ tamapaḥ praveśayet. AŚ*, IV. 9.
3. *tasyābhiśastāṅko lalāṭe. AŚ*, IV. 8.
4. *AŚ*, III. 9.
5. *sapādapaṇā dharmyā māsavṛddhiḥ paṇaśatasya. AŚ*, III. 9.
6. *Śūdras*, pp. 163-6.
7. *AŚ*, IV. 13.
8. Ibid., III. 18-9; IV. 13.
9. Op. cit., p. 104.

of about the fourth century A. D. refers to four kinds of *parisā* (orders) in the administration of justice. We learn that for the same crime offender from the *khattiya* order was beheaded, the offender from the *gāhāvai* (*i. e.*, vaiśya and śūdra) order was burnt to death on a pile of bark, the offender from the *māhaṇa* order was either branded on the body as a criminal or was banished, and the offender who was an *isi* (*ṛṣi*) was admonished mildly.[1] Another Jain text informs us about a case in which a brāhmaṇa killed a washerman and dyed his body with the blood. When the guild of washermen went to the king's court, they returned disappointed without getting justice because they found the brāhmaṇa sitting there[2]. These references from the Jain literature of the early centuries of the Christian era show that class legislation was not a paper business, but actually worked in practice. The whole thing, as embodied in the brāhmaṇical lawbooks, may not have been applied literally, but unless sufficient evidence to the contrary is forthcoming, it is difficult to believe that it was not observed in its essence.

A superficial review of the varṇa in relation to law and politics may create the impression that in all administrative and judicial matters the brāhmaṇa got the first place, the kṣatriya came second, the vaiśya followed next, and the śūdra got the last place. But there are good reasons to think that the kṣatriya was nearer the brāhmaṇa and the vaiśya nearer the śūdra.[3] U. N. Ghoshal cites a number of examples, which show the existence and importance of close political alliance between the two vital social forces, namely, the brāhmaṇas and the kṣatriyas, during the later Vedic period.[4] There are more of such instances as we proceed further. If the brāhmaṇical literature emphasises the primacy of the brāhmaṇas, the Buddhist and Jain literature, although a little biased towards the *seṭṭhis* (merchants) and *gahapatis* (peasant householders) because of their financial

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1. Quoted in J. C. Jain's *Life in Ancient India*, p. 71.
2. Ibid., p. 65.
3. Hopkins was the first to make this suggestion more than sixty years ago in his works *Relation of the Four Castes in Manu* and *Position of the Ruling Caste in the Epic*. It was further pursued by G S. Guhrye in *Caste and Race in India* and utilised by S. A. Dange to draw new conclusions in his book *India from Primitive Communism to Slavery*. The various aspects of this central point need further examination.
4. *A History of Hindu Public Life*, pt. 1, pp. 73-80.

support, lays stress on the primacy of the kṣatriyas. None of these, or no other branch of ancient literature, pleads for the primacy of the vaiśyas or śūdras. In the Jātaka stories whenever the kṣatriya loses his throne, he does it to the brāhmaṇas.[1] They mention several anti-royal revolts engineered by the combined leadership of the brāhmaṇas and kṣatriyas. The same idea is expressed by Kauṭilya in these words : "Royal power (*kṣatra*) triumphs even without arms and ever remains invincible when it is held up by the brāhmaṇas, is sanctioned by the counsels of ministers (*mantrins*), and follows the precepts of *śāstra*"[2]. The later Dharmaśāstras dilate upon the necessity of having a common front of the two upper classes, and in doing so they relegate the vaiśyas to the position of the śūdras. Manu clearly states that kṣatriyas cannot prosper without brāhmaṇas and brāhmaṇas without kṣatriyas, but being closely united they prosper in this world and the next[3]. From this it logically follows that the king should carefully compel the vaiśyas and śūdras to do their work otherwise the whole world would become chaotic (*vyākula*).[4] The measure recommended here is similar to the one we find in the Roman empire, where in the third century A. D. an attempt was made to compel the slaves and lower orders to stick to their functions. In the *Brahmavaivarta Purāṇa*, a work of early mediaeval period, cow slaughter by a vaiśya or a śūdra is regarded as an offence of the same nature.[5] It further states that a vaiśya who kills a vaiśya or a śūdra is equally sinful.[6] In other words, the same value is attached to the life of persons of both the lower classes.

Except the Jātakas, the above sources may be described as representing the theoretical position in regard to the political combination and importance of the two upper classes, which is generally confirmed by literary and epigraphic sources. It seems that such a position obtained in the republican as well as

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1. Infra, p. 201.
2. *brāhmaṇenaidhitaṃ kṣatraṃ mantrimantrābhimantritam, jayatyajitamatyantaṃ śāstrānugamaśastritam. AŚ*, I. 9.
3. *Manu*, IX. 322.
4. Ibid , VIII. 418.
5. *Kṛṣṇajanmakāṇḍa* (Allahabad, 1920), LXXXV, p. 407.
6. Ibid , pp. 418-9.

the monarchical states. We have already referred to the correlation of class forces in the republican governments, of about the sixth to the fourth century B. C., in which the kṣatriya aristorcacy ranked higher in the social scale than the brāhmaṇas and gahapatis, not to speak of inferior classes.[1] As regards the later republics, the use of the terms Mālavya and Kṣaudrakya for the non-brāhmaṇas and non-kṣatriyas by Patañjali shows that at least in the republics of Mālavas and Kṣudrakas the two upper classes lorded it over the lower classes.[2]

So far as the monarchical states are concerned, epigraphic records of the Gupta period furnish several examples of political combination between the brāhmaṇas and kṣatriyas effected by means of matrimonial alliances. There is the well-known example of the marriage of the Vākāṭaka brāhmaṇa prince with a kṣatriya princess of Bhāraśiva Nāga family.[3] The Poona plate of Prabhāvatī Gupta shows that this daughter of Candra Gupta II was married to the Vākāṭaka brāhmaṇa ruler Rudrasena II in the fourth century A. D. The Mandasore inscription of Yaśodharman of Malwa mentions the brāhmaṇa Ravikīriti as the husband of Bhānuguptā, the sister of the Gupta ruler Bhānugupta (A. D. 501-11).[4] Kākustthavarman, the brāhmaṇa king of the Kadamba family, got his daughter married to Gupta and other rulers. We also learn that Hastibhoja, a brāhmaṇa minister of the Vākāṭaka *mahārāja* Devasena, was descended from a kṣatriya lady married to his ancestor, the brāhmaṇa Soma.[5]

Although throughout the period under review there seems to have been the combined domination of the brāhmaṇas and the kṣatriyas, it seems that till Maurya times the principal role in the combine was that of the kṣatriyas, influenced by the heterodox ideology of the Buddhists and Jains. But in post-Maurya and Gupta times the mantle fell on the brāhmaṇas or brāhmaṇical rulers bred in the orthodox Dharmaśāstra ideology. Later texts generally emphasise that the brāhmaṇas should receive the first preference. While the phase of kṣatriya domination resulted in the centralisation of the state, that of brahmaṇical

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1 Supra, p. 93, fn. 3.
2 Patañjali on *Pāṇini*, IV. 1. 168 and *Kāśikā* on *Pāṇini*, V 3. 114.
3. CII, iii, 56, ll. 2-7.
4. Ibid., p. 152.
5. Ibid.

domination set in motion the process of its feudalisation. The power and influence of the brāhmaṇas rested mainly on gifts made to them. A brāhmaṇa, whether learned or ignorant, deserved to be a donee and could accept gifts without any scruples.[1] Further, in early mediaeval times, the people were required to pay to the brāhmaṇas a regualr tax called *brāhmaṇa-viṃśati*[2], comparable to tithe realised by the Church in mediaeval Europe. This shows that the producing population were brought under the obligation to support the priests, for this tax, which accounted for a 20th part of the produce, was recognised and hence indirectly sanctioned by the state. But the most important factor that contributed to the growth of the brāhmaṇical power was the practice of land grants, the virtues of which were extolled in the Dharmaśāstras and the didactic portions of the epic and the Purāṇas. As the early Buddhist texts inform us, the process of land grants to the brāhmaṇas had begun at least as early as the fourth century B. C.[3], but it assumed serious proportions by Gupta times. The political results of such a process, as would appear from epigraphic evidence, were bound to prove fatal to the organization of a centralised state.[4]

Notwithstanding the difference in the character of the kṣatriya-dominated centralised Maurya state on the one hand, and the brāhmaṇa-dominated decentralised post-Maurya and Gupta state on the other, there seems to be hardly any alteration in the position of the vaiśyas and śūdras so far as their exclusion from the high offices of the state is concerned. It seems that the brāhmaṇas and kṣatriyas constituted the ruling class and the vaiśyas and śūdras formed the ruled class, and this in spite of the fact that the latter two accounted for the overwhelming majority of the population. Some merchants who acted as heads of corporate bodies or were sufficiently rich may have been the objects of special favours, but on the whole the two lower classes were excluded from important political bodies and higher public offices. This seems to be more true especially in the case of the śūdras. Although Yājñavalkya, who otherwise adopts a liberal attitude towards the śūdra, declares him without rights

1. Kane, *History of Dharmaśāstra*, ii, 117.
2. *IA*, vii, 75, 79, 85; *pūrvaprattadevabrahmadeyabrāhmaṇa viṃśatirahitam*. *EI*, viii, 20A (A. D. 639-40), l. 45 ; 20B (A. D. 640-1), l. 48.
3. Supra, p. 137 ; B. C. Law, op. cit , p. 162.
4. Infra, pp. 203-5.

(*adhikārahīna*) in religious matters[1], it is pretty certain that he was also excluded from high public offices.

Aristotle states that, if many poor men are excluded from office, the state would be necessarily full of enemies[2]. Whether this was true of the state in ancient India is difficult to say. The greatest handicap in finding out the reaction of the lower classes is lack of literature written from the standpoint of the vaiśyas and śūdras. The scattered references in the Jātakas, Dharmasūtras, Kauṭilya's *Arthaśāstra*, later portions of the *Mahābhārata*, *Manu Smṛti* and the *Viṣṇu Smṛti* are meagre and unsatisfactory. Still something can be said on their basis. To begin with the *Jātakas*, in a course of revolt against the plundering rule of the king and the priest the *negamas* and the *jānapadas* (obviously including the vaiśyas and śūdras)[3] do play their part, but theirs is the role of acting as auxiliaries, the principals being the brāhmaṇas and ksatriyas. The people beat the plundering priest and the king to death, and the Bodhisatta, who is a brāhmaṇa, is raised to the throne.[4] In another case the people hasten to kill the tyrannical king with sticks and stones, but he is saved by divine intervention and banished out of the city.[5] These stories provide evidence of the kingly and priestly collusion for the oppression of the common folk, whose revolt results in the transfer of power from one faction of the upper classes to another faction. The traditional account in the *Mahābhārata* states that the śūdras and vaiśyas went out of control and violated brāhmaṇa women during the period of anarchy, which followed the slaughter of the kṣatriyas by Paraśurāma.[6] It is difficult to assign this account to any definite period, but it seems to have some basis in fact and provides justification for Manu's theory that the king should compel the vaiśyas and śūdras to work. We have some indication of the anti-state activities of the śūdras in the period under review, although they cannot be compared in any way with the revolts of slaves in Rome and those of helots in Sparta.

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1. *Yāj.*, III. 262.
2. F. W. Coker, *Readings in Political Philosophy*, p. 66.
3. *suṇantu mejānapadā negamā ca samāgatā...rājā vilumpate rāṭṭham brāhmaṇo ca purohito. Jātaka*, iii, 513-4.
4. Ibid.
5. *Jāt.*, vi, 156ff.
6. *tataḥ śūdrāśca vaiśyāśca yathāsvairapracāriṇaḥ, avartanta dvijāgryāṇāṃ dāreṣu bharatarṣabha. ŚP*, 49. 61.

CHAPTER XIV.

THE ORIGINS OF FEUDALISM IN INDIA

(*c.* A.D. 400-650)

It is very difficult precisely to define the term feudalism, which is attributed to stages of historical development far removed from one another in time and place, such as the Interregnum (2475-2160 B. C.) after the Old Kingdom in Egypt and the Chou period in China (C. 1122-C. 250 B. C.); but generally it is applied to society in mediaeval Europe, from the 5th to the 15th century A. D. It is therefore in the light of certain broad features of feudalism in the last sense that we will investigate the origins of feudalism in India.

From the post-Maurya period, and especially from Gupta times, certain political and administrative developments tended to feudalise the state apparatus. The most striking development was the practice of making land grants to the brāhmaṇas, a custom which was sanctified by the injunctions laid down in the Dharmaśāstras, the didactic portions of the Epic, and the Purāṇas; the *Anuśāsana Parva* of the *Mahābhārata* devotes a whole chapter to the praise of making gifts of land (*bhūmidāna-praśaṃsā*). The early Pāli texts of the pre-Maurya period refer to the villages granted to the brāhmaṇas by the rulers of Kosala and Magadha, but they do not mention the abandonment of any administrative rights by the donors. The same is the case with the earliest epigraphic record of a land grant, a Sātavāhana inscription of the 1st century B. C., which refers to the grant of a village as a gift in the *aśvamedha* sacrifice.[1] Surprisingly enough, administrative rights were perhaps given up for the first time in the grants made to Buddhist monks by the Sātavāhana ruler Gautamīputra Śātakarṇi in the 2nd century A. D. The land granted to them could not be entered by royal troops, molested by government officials, or interfered with by the district police.[2] Two

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1. *Sel. Inscrs.*, p. 188, l. 11.
2. Ibid., pp. 192, 194-5.

significant features of such grants, which became more frequent from the 5th century A. D., were the transfer of all sources of revenue, and the surrender of police and administrative functions. The grants of the 2nd century A. D. mention the transfer of the king's control only over salt, which implies that he retained certain other sources of revenue. But in later grants, from the time of Pravarasena II Vākāṭaka onwards (5th century A. D.), the ruler gave up his control over almost all sources of revenue, including pasturage, hides and charcoal, mines for the production of salt, forced labour, and all hidden treasures and deposits.[1] The *Raghuvaṃśa* states that, among other things, mines constitute the wages (*vetana*) of the king for protecting the earth.[2] According to some grants of the 4th and 5th centuries A. D. the brahmaṇas were granted the right of enjoying the hidden treasures and deposits of the villages;[3] this meant the transfer of royal ownership over mines, which was an important sign of the king's sovereignty. Equally important is the fact that the donor not only abandoned his revenues but also the right to govern the inhabitants of the villages that were granted. The Gupta period furnishes at least half a dozen instances of grants of apparently settled villages made to the brāhmaṇas by the large feudatories in Central India, in which the residents, including the cultivators and artisans, were expressly asked by their respective rulers not only to pay the customary taxes to the donees, but also to obey their commands. In two other land grants of post-Gupta times royal commands were issued to government officials employed as *sarvādhyakṣa* and also to regular soldiers and umbrella-bearers that they should not cause any disturbance to the brāhmaṇas.[4] All this provides clear evidence of the surrender of the administrative power of the state. Nevertheless, the inscriptions of the 5th century A. D. show that the ruler generally retained the right to punish thieves, which was one of the main bases of the state power. The process of disintegration reached its logical end when in later times the king made over to the

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1. Ibid., p. 422, ll. 26-29.
2. XVII. 66.
3. *CII*, iii, 41, l. 8; *Sel. Inscr*,, p. 422, l. 29.
4. R. S. Sharma, "*Politico-Legal Aspect of the Caste System*", *JBRS*, xxxix, 325.

brāhmaṇas not only this right, but also his right to punish all offences against family, property, person etc.

Of the seven organs of the state power mentioned in literary and epigraphic sources, the taxation system and coercive power based on the army are rightly regarded as two vital elements. If they are abandoned, the state power disintegrates. But this is the position created by the grants made to the brāhmaṇas. The fiefs are usually granted for as long as the existence of the sun and the moon, which implies the permanent break-up of the integrity of the state. They are allotted to the brāhmaṇas in return for their religious services, which might secure the spiritual welfare of the donors or their ancestors. Nevertheless, it was apparently not merely a religious obligation to grant land to the brāhmaṇas, but also a political necessity, as would appear from the nature of grants, which were permanent fiefs not to be entered by the soldiers and officers of the king. In one case this political necessity is very evident. The grant of the Vākāṭaka ruler Pravarasena II clearly lays down that the thousand brāhmaṇas to whom a village is granted can hold it only on condition that they commit no treason against the kingdom, do not slay brāhmaṇas, do not commit theft and adultery, do not poison kings, do not wage wars, and do no wrong to other villages.[1] Thus in this case the object is not to secure the support of the priests, but to prevent them from acting in opposition; although negative, the purpose is clearly political. Commenting on the term *brahmadeyya* in the early Pāli texts, Buddhaghoṣa, who flourished during the 5th century A. D., states that the *brahmadeyya* grant carries with it judical and administrative rights,[2] which is corroborated by contemporary epigraphic evidence. This interpretation of the term *brahmadeyya* does not reflect the position in the pre-Maurya period but in the time of the commentator. Thus the widespread practice of making land grants in the Gupta period paved the way for the rise of brāhmaṇa feudatories, who performed administrative functions not under the authority of the royal officers but almost independently. What was implicit in earlier grants became explicit in grants from about A. D. 1000, and was well recognised in the administrative systems of the

1. *Sel. Inscr.*, p. 422, ll. 40-43.
2. PTS *Pali-English Dictionary*, s.v. *brahmadeyya*.

Turks. Whatever might be the intentions of the donors, the grants helped to create powerful intermediaries wielding considerable economic and political power. As the number of the land-owning brāhmaṇas went on increasing, some of them gradually shed their priestly functions and turned their chief attention to the management of land; in their case secular functions became more important than religious functions. But above all, as a result of land grants made to the brāhmaṇas, the "comprehensive competence based on centralised control", which was the hallmark of the Maurya state, gave way to decentralisation in the post-Maurya and Gupta periods. The functions of the collection of taxes, levy of forced labour, regulation of mines, agriculture etc., together with those of the maintenance of law and order, and defence, which were hitherto performed by the state officials, were now step by step abandoned, first to the priestly class, and later to the warrior class.

In the Gupta period there is no direct epigraphic evidence of grants made to officers for their military and administrative services, although such a possibility cannot be entirely ruled out. The *Manu Smṛti* provides for the grant of land to revenue officials who were in charge of one, ten, twenty, a hundred or a thousand villages.[1] This rule is reproduced in the law-book of Bṛhaspati[2] also, which may suggest that it continued to enjoy authority in the Gupta period. Although Gupta inscriptions do not refer to this practice, Pāla inscriptions speak of such revenue officers as *grāmapati* (head of the village) and *dāśagrāmika* (head of ten villages), which latter term may be understood in the same sense as we find it in the law-book of Manu.[3] In earlier times charges on land, which formed the primary source of revenue to the state, were directly collected by the agents of the state or by the *gāmabhojakas* or *gopas*, *i.e.*, village headmen. For this purpose Kauṭilya provided that a census should be taken of all the households, recording the number of their inmates and the amount of property owned by them,[4] so that the government could determine the amount of taxable property and obtain an

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1. VII. 115-20
2. XIX. 44.
3. *History of Bengal*, i, 277.
4. *AŚ*, II. 35.

estimate of the labour power it might requisition. It seems that from the Gupta period the state shifted at least part of the burden of collecting taxes to the feudatories, which made it no longer necessary to maintain a record of households. This can be inferred from the accounts of the Chinese pilgrims. Writing in the beginning of the 5th century A. D. about the conditions in the Madhyadeśa, which lay in the heart of the Gupta empire, Fa-hsien observes : "They have not to register their households or attend to any magistrates and their rules".[1] This is an indication of the slackening of the Gupta central authority in taxation and executive administration. We get similar information from Hsüan Tsang about the state of administration in the first half of the 7th century A. D. To quote from him: "As the government is generous, official requirements are few. Families are not registered..."[2] Therefore the observation of the Chinese pilgrims that families were not registered can be explained by assuming that the state no longer bothered about the direct collection of taxes from the peasants, which function was probably taken over by intermediaries between the tillers of the soil and the government. This may be taken as another presage of the feudalisation of the state apparatus.

During the post-Gupta period there seems to have taken place a significant change in the payment of officers employed by the state. If we rely on the authority of Kauṭilya, in the Maurya period all the officers of the state from the highest to the lowest were paid in cash, the maximum salary being 48,000 *paṇas* and the minimum 60 *paṇas*, probably per month.[3] We do not know whether all the officers under the Gupta empire were paid in cash, for the Chinese evidence on this point is not quite clear. Legge's translation of a passage from Fa-hsien informs us that "the king's body-guards and attendants, all have regular salaries[4]". But Beal translates the passage differently : "The chief officers of the king have all allotted revenues";[5] and recently

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1. Samuel Beal, *Travels of Fah-hian and Sung-Yun*, Ch. XVI, p. xxxvii. *Chinese Literature*, 1956, No. 3, 154 gives the following translation : "They are unencumbered by any polltax or official restrictions."
2. Watters, *On Yuan Chwang's Travels in India*, i, 176.
3. *AŚ*, V. 3.
4. *A Record of Buddhistic Kingdoms, Tr.*, p. 45.
5. *Travels of Fah-hian etc.*, p. 55.

a Chinese scholar has translated the crucial passage thus : "The king's attendants, guards, and retainers all receive emoluments and pensions".[1] If we accept the last rendering, it would appear that the term emoluments, having a wider context, might include grants. At any rate it is clear that, in the time of Harṣavardhana high officers were not paid in cash for their services to the state, for one fourth of the royal revenues was earmarked for the endowment of great public servants[2]. At one place Hsūan Tsang explicitly states that the governors, ministers, magistrates and officials had each a portion of land assigned to them for their personal support.[3] Thus under Harṣa revenues were granted not only to priests and scholars[4] but also to the officers of the state, a practice the existence of which is supported by the paucity of coins belonging to this period.

The problem of payment to officers in grants of revenues can be further examined in the light of the designations of the administrative officers and units of the Gupta period. The titles *bhogika* and *bhogapatika* suggest that these officers were assigned offices not so much for exercising royal authority over the subjects and working for their welfare as for enjoying the revenues. Sometimes the *bhogika* held the office of *amātya* also.[5] We wonder whether in such a case the office of the *bhogika* was meant to remunerate its holder for his functions pertaining to the other office. Further, the office of the *bhogika* was generally hereditary, for at least three generations of *bhogikas* are mentioned in several cases.[6] All these factors must have naturally rendered the *bhogika* a powerful overlord, comparatively free from the control of the central authority. The *bhogapatika* is mentioned as one of about a dozen officers stationed in Vardhamāna *bhukti*, when Mahārāja Vijayasena was ruling there as a vassal of Mahārājādhirāja Śrī Gopacandra about A. D. 507.[7] It has been rightly suggested that this officer was probably a *jāgīrdār*.[8]

1. Ho Chang-chun, "Fa-hsien's Pilgrimage to Buddhist Countries", *Chinese Literature*, 1956, No. 3, 154.
2. Watters, op. cit., i, 176.
3. S. Beal (tr.), *Si-Yu-Ki*, i, 88.
4. Ibid., i, 87.
5. *CII*, iii, 23, ll. 18-20; 26, ll. 22-23.
6. Ibid., iii, 26, ll. 22-23.
7. *Sel. Inscr.*, p. 360, ll. 3-4.
8. Ibid., p. 360, fn. 9.

The early Kalacuri inscriptions introduce a new official *bhogikapālaka*[1], who may have acted as superintendent over the *bhogikas*.[2] In one case, towards the last quarter of the 6th century A. D., the *bhogikapālaka* also appears as *mahāpīlupati* (head of the elephant force).[3] Whether he was given this post because of his services as *bhogikapālaka* or *vice versa* is not clear. But all the same such terms as *bhogika*, *bhogapatika* and *bhogikapālaka* smack of feudal relations.

It is suggested that the *bhogika* was possibly also connected with the *bhukti*,[4] but in the Bengal inscriptions the governor of the *bhukti* is called *uparika*. The use of the term *bhukti*, which occurs in the sense of a territorial unit in Gupta inscriptions, requires some explanation. The term first appears in the Allahabad Stone Pillar inscription of Samudra Gupta. It is stated that the Kuṣāṇa rulers and those of Ceylon and the islands were allowed to retain possession of their *viṣayas* and *bhuktis* (dominions) on condition of paying homage and giving daughters in marriage.[5] Afterwards *bhukti* recurs constantly in inscriptions in the sense of a large administrative unit. Literally the term *bhukti* means something intended for enjoyment, for the idea of rulers enjoying the earth was fairly current during this period.[6] So it is likely that as a territorial unit the *bhukti* may have been meant for the enjoyment of the governor under whose charge it was placed.

The term *bhukti* can be compared with *bhoga*, a term of similar import. In an inscription of Central India (eastern part) dated A. D. 508-9 the phrase *mahārāja-Śarvanāthabhoge*[7] clearly means the territory enjoyed by Mahārāja Śarvanātha. In this context the term *bhoga* probably implies enjoyment of territory by the Gupta feudatory Śarvanātha under the nominal authority of the emperor, but the term *bhukti* means enjoyment of territory under the emperor's direct and close control. In the inscriptions dated in the Kalacuri era, however, the term *bhoga* indicates

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1. *CII*, iv, 13, l. 4; 18, l. 9.
2. Ibid., Introd., p. cxli.
3. Ibid., 13, l. 4.
4. *CII*, iii, p. 100, fn. 2.
5. *Sel. Inscr.*, p. 258, l. 24.
6. *ye bhuktā guptanāthairnna. Sel. Inscr.*, p. 394, verse 4.
7. *CII*, iii, 24, l. 4.

a somewhat smaller revenue area placed under the charge of a *bhogika*.

In North India and Bengal the *bhukti* was divided into *viṣayas*, but if our interpretation of some phrases in the Dāmodarpur Copper-plate grants is accepted even the latter were meant for the enjoyment of district officers placed over them. The phrase *anuvahamānake Koṭivarṣaviṣaye* has been rendered as "ever-prospering district".[1] But it would be more appropriate to take *anuvah* in the sense of carrying, which is supported by the comment to *Manu*, III.7.[2] Hence the term *anuvahamānake viṣaye* should be understood as a district bearing burdens, the nature of which is indicated by the use of the phrase *hastyaśvajanabhogena*,[3] which shows that the district contributed to the enjoyment of the governor either by supplying elephants, cavalry and infantry or by defraying the cost of their maintenance by the district governor.[4] Thus it would appear that the *viṣaya* of Koṭivarṣa had to bear the burden of the enjoyment of its governor by maintaining his forces.[5]

In the Maurya empire the *rājukas* or divisional heads were appointed by the emperor, but their counterparts in the Gupta empire, the *kumārāmātyas*, were appointed by the *uparika*. A passage in an inscription of Kumāra Gupta (A. D. 448) has been taken as indicating a closer personal relation between the head of a district (*kumārāmātya*) in Bengal and the Gupta emperor, and it is suggested that the *kumārāmātya* of Pañcanagarī, who is described as *bhaṭṭāraka-pādānudhyātaḥ* (devoted to the feet of the lord),[6] was appoited directly by Kumāra Gupta I.[7] But the term *bhaṭṭāraka*[8]. does not refer to Kumāra Gupta, for in all his three earlier Bengal inscriptions he is described as *parama-bhaṭṭāraka*.[9] This is also found in two other inscriptions in

1. R. G. Basak, *EI*, xv, 131, fn. 2.
2. Monier-Williams, *Sanskrit-English Dictionary*, s. v. *anuvah*.
3. *Sel. Inscr.*, p. 338, l. 3.
4. The rendering, "the government of the infantry, cavalry and the elephants" (*EI*, xv, 144) does not represent the literal meaning, but may be accepted in the secondary sense.
5. *EI*, xv, no. 1, plate no. 4, ll. 2-3.
6. *Sel. Inscr.*, Baigrām Copper-plate Inscription of G. E. 128 (p. 342), l. 1.
7. B. C. Sen, *Some Historical Aspects of the Inscriptions of Bengal*, p. 211.
8. *Sel. Inscr.*, pp. 280, 283 & 285.
9. Ibid., p. 324, l. 1; *EI*, xxiii, 8, ll. 10-11 (probably the inscription refers to Budha Gupta). Cf. *Sel. Inscr.*, p. 403, l. 1.

which the Gupta emperor Budha Gupta is described in exactly similar terms. Therefore the crucial passage implies that the *kumārāmātya* of Pañcanagarī was devoted to his immediate lord, who may have been the head of the Puṇḍravardhana *bhukti*.

It was only in the heart of the Gupta empire or in areas nearer home that even the head of the *viṣaya* was appointed by the Gupta emperor, as we find in the case of Śarvanāga, *viṣaya-pati* of Antarvedi or the country lying between the Gaṅgā and the Yamunā[1], but significantly enough here also the terms of the appointment of the district officer refers not to the administration or welfare of the subjects but to the enjoyment of his territory by the *viṣayapati*.[2] Thus it would appear that, except in the areas in the heart of the empire, the Gupta emperor hardly enjoyed the direct allegiance of the district officers, who were devoted to their immediate lord rather than to their overlord.

But it would be wrong to assume that the *uparika*, *kumārāmātya* and *viṣayapati* behaved as independent feudal barons. Ordinarily several royal officials, in some cases as many as nine, were connected with land grants in villages.[3] These grants mention higher and lower officers, but it is difficult to ascertain that in all cases the designations of the officers are arranged in hierarchical order. A Gujarat inscription (A. D. 541) recording a grant of land by Mahāsāmanta Mahārāja Saṅgamasiṃha conveys his order to his subordinates, who include *rājasthānīyas*, *uparikas*, *kumārāmātyas*, *cāṭas*, *bhaṭas* and others.[4] The analogy of the Bengal inscriptions shows that the *uparika* was higher in status than the *viṣayapati* and *kumārāmātya*. This shows that the order regarding grants was conveyed not only to high officials but also to their subordinates, which indicates that the ruler (in this case a feudatory) tried to make his authority felt even over the heads of the *viṣaya*, although these were appointed by the *uparika*.

The growing hereditary character of the divisional and district officers, from the Gupta period onwards, undermined central authority and tended to feudalise the administration further. Although Kauṭilya lays down that officials (*amātyas*) and

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1. *CII*, iii, 16, ll. 3-4.
2. *antarvvedyāṃ bhogābhivṛddhaye varttamāne*. Ibid., ll. 4-5.
3. *CII*, iv, 7, ll. 2-4.
4. Ibid., 11, ll. 1-3.

soldiers should be hereditary, we have hardly any contemporary epigraphic evidence to support this. But the inscriptions of the Gupta period show that the posts of the *mantrin* and the *saciva*, who served with the Gupta emperor, were hereditary;[1] so was the post of the *amātya* in Central India[2] and Vaiśālī.[3] In one case in Central India we and five generations of office-holders in one family, of whom the first was *amātya*, the second *amātya* and *bhogika*, the third *bhogika*, and the fourth and the *mahāsāndhivigrahika*[4]. The same region also furnishes other instances of two[5] and sometimes three[6] generations of *bhogikas*. Further, the surname *datta* of the *uparikas* in charge of the *bhukti* of Puṇḍravardhana[7] suggests that they probably belonged to the same family. Theoretically the emperor enjoyed the power of dismissing his officials, but in practice they and their descendants continued to be in office because of their local strength. They further gained in power and influence because of the practice o combining several offices in the same person.

It is striking to note that during the Gupta period village headmen appointed by the king were becoming semi-feudal officers primarily concerned with their own gains. What was done in the Maurya period by the superintendent of agriculture in the interests of the state was now done by the village headman (*grāmādhipati āyuktaka*) for filling his own granary.[8] The *āyuktaka*, who seems to be mentioned as a village official in some Central Indian inscriptions of the early 5th century A. D.,[9] lived upon a share of the agricultural produce of the village people[10], probably sending the major portion thus realised to the king. What is remarkable is that he could impose forced labour on peasant women to serve his own needs,[11] and not for the sake of the ruler, as was the case in earlier times.

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1. *Sel. Inscr.*, pp. 282-283, ll. 6-7; *CII*, iii, 6, ll. 3-4.
2. *CII*, iii, 22, ll. 28-30.
3. Dikshitar, *The Gupta Polity*, pp. 149-50.
4. *CII*, iii, 22, ll. 28-30; 23, ll. 18-20.
5. Ibid., 27, ll. 21-22.
6. Ibid., 26, ll. 22-23.
7. *Sel. Inscr.*, p. 284, l. 3; p. 324, l. 2; p. 328, l. 2.
8. *Kāma S* , V. 5. 5.
9. *CII*, iv, 6, l. 2 (only the *āyuktaka* is mentioned in connection with a land grant) ; 7, ll. 2-4.
10. *Kaṃa S.*, V. 5. 5.
11. Ibid.

During the Gupta period there arose a new type of village which served as the resort of royal favourites. It is stated in a Purāṇa text that such a village was mostly inhabited by wicked and powerful people who, not owning any fields themselves, lived upon the fields of others.[1] The class of royal favourites, who formed a group of intermediaries, seems to have been an important concomitant of feudal development on the political side.

The process of conquest, by which smaller chiefs were reduced to subordination and reinstated in their positions provided they paid regular tributes and did homage, contributed in large measure to the growth of feudal relations. The process reached its culmination with Samudra Gupta, whose whirlwind conquests of vast areas led to the establishment of such relations on a much wider scale and provided a pattern for his successors. During the 6th century A. D. the term used for conquered feudatories was *sāmanta*. It is evident from its use in the *Arthaśāstra* of Kauṭilya and the inscriptions of Aśoka[2] that in the Maurya period this term meant independent neighbours. In post-Maurya law-books it was used in the sense of a neighbouring proprietor of land,[3] and not in the sense of a feudal lord as has been made out in a recent work.[4] Similarly there is no evidence for the view that Manu (VII. 136 & 9) provides for the collection of the share of produce, taxes, fines etc. by the *sāmantas* (estate-owners) and not by the "king" or ruler of the country.[5]

The first epigraphic mention of the term *sāmanta* in the sense of a feudatory is found is the Barabar Hill Cave Inscription of the Maukhari chief Anantavarman, in which his father is described as "*sāmanta-cūḍāmaṇiḥ*" ("the best among feudatories")[6]. Paleographically this inscription is placed earlier than A. D. 554, the date of the Harahā Inscription,[7] and hence the date of Anantavarman's father may be put round about A. D. 500, when the Maukharis were the *sāmantas* of the Imperial Guptas. The next

1. *Mārkaṇḍeya P.*, 49. 49. M. N. Dutt's tr. of this passage seems to be better than that of Pargiter.
2. *AŚ*, I, 6; R. E., II, l. 5.
3. *Manu* (SBE), VIII. 286-9; *Yāj*, II. 152-3.
4. B. N. Dutt, *Hindu Law of Inheritance*, p. 27.
5. Pran Nath, *Economic Conditions in Ancient India*, p. 160.
6. *CII*, iii, 49, l. 4.
7. R. G. Basak, *The History of N. E. India*, p. 105.

important mention of the term *sāmanta* is found in the Mandasor Stone Pillar Inscription of Yaśodharman (*C.* A. D. 525-535), in which he claims to have subjugated the *sāmantas* (feudatories) in the whole of Northern India.[1] During the 6th century A. D. the rulers of Valabhī bore the title of *sāmanta-mahārāja* and *mahāsāmanta*. Gradually the application of the term *sāmanta* was extended from defeated chiefs to royal officials. Thus, in the inscriptions dated in the Kalacuri-Cedi era, from A. D. 597 onwards *rājās* and *sāmantas* took the place of *uparikas* and *kumārāmātyas*.[2] Later, in the land grants of Harṣavardhana, the terms *sāmanta-mahārāja* and *mahāsāmanta* appear as the titles of great imperial officers.[3] The obligations of the *sāmanta* towards the king cannot be precisely stated, but in the 7th century A. D. they included the duty of providing troops for the lord ; this seems to have been the case with the *sāmantas* of Harṣa. Even discounting an element of exaggeration in the number of Harṣa's army as recorded by Hsüan Tsang, this is so huge that the contrast between his army and that of the Mauryas is quite evident. It would be too much to expect that, with diminished resources, over which Harṣa's government did not exercise the same amount of control as the Mauryas, he would be able to maintain such a vast army, apparently not essential for the day-to-day defence of a kingdom much smaller in extent. The only probable explanation seems to be that this was a feudal militia which was mustered only in times of war. This hypothesis is borne out by the Aihole Inscription, composed in praise of his valiant adversary Pulakeśin, which describes Harṣa as equipped with the hosts supplied by his vassals[4]. It is obvious that the practice o supplying troops to the lord made him dependent on his feudatories.

Central authority was further undermined by the loss of royal monopoly over the possession of horses and elephants, especially the latter. In the pre-Maurya period elephants seem to have been ordinarily owned by the king, for in a Jātaka story an elephant is given as a reward by a king to the thirty families forming a village.[5] Where power lay in the hands of more than one

1. *Sel. Inscr.*, p. 394, verse 5.
2. *CII*, iv, Introd., p. cxli.
3. *EI*, i, p. 67*f*; iv, p. 208.
4. *sāmantasenā-mukuṭamaṇi-mayūkhākrānta-pādāravindaḥ*, verse 23.
5. *Jāt.* i, 200.

man, every member of the ruling class had to supply an elephant to the state ; this was the case with the 5000-strong aristocratic state on the Beas.[1] We learn from Megasthenes that in the Maurya period no private person was allowed to keep either a horse or an elephant, for these animals were held to be the special property of the king.[2] Quoting from Megasthenes Strabo states that royal stables were provided for horses and elephants and a royal magazine for arms, because the soldier had to return his arms to the magazine and his elephant to the stables.[3] The number of horses and elephants possessed by the king was considerable, for Kauṭilya provides for the posts of superintendent of horses and elephants.[4] Thus in the pre-Maurya and Maurya-periods horses were owned by private individuals, but there is not much evidence for the private ownership of elephants. The old tradition of elephants being the exclusive possession of the king is recorded in the *Raghuvaṃśa*, in which, along with other things, elephants from the forests are said to constitute the wages of the king for protecting the earth.[5] But in fact from the post-Maurya period onwards the position began to change. The *Milinda- pañha* states that the best of elephants, horses etc. belong to the king,[6] which shows that royal possession was limited only to the elephants of the best quality. This monopoly was further undermined in the Gupta period. Nārada lays down that owners of elephants and horses should not pay any fine for mischief caused by these animals, for they are looked upon as protectors of the king's subjects.[7] This signifies that horses and elephants were owned by private individuals, although superintendents of these animals are mentioned as important functionaries in the law-book of Bṛhaspati[8], and also in contemporary inscriptions. We further learn that the possession of horses and elephants by the high

1 Strabo, XV. 37, McCrindle, *Ancient India as described in Classical Literature*, p 45.

2. Strabo, XV. 41-43, McCrindle, *Ancient India as described by Megasthenes and Arrian*, p. 90.

3. Strabo, XV. 52, McCrindle, *Ancient India as described in Classical Literature*, p. 55.

4. *AŚ*, II. 30-2..

5. XVII. 66.

6. Ed. V. Trenckner, p. 192.

7. XI. 32, cf. 30.

8. *Saṃskāra Kaṇḍa*, p. 301, verse. 305.

functionaries of the state was considered a menace to royal power. Thus the *Kāmandaka Nītisāra* provides that information should be kept about the elephants and horses of the *mahāmātra* (superior officer) and the *purohita* (chief priest).[1] While in the interests of the ruler vigil was to be maintained over the military strength of the high functionaries, in relation to the subjects they were allowed an amount of latitude which they did not enjoy before. Gautama, a law-book which is pre-Maurya in its essentials, provides a fine for the owner whose horse causes damage.[2] But in such a case Nārada exempts the owners of elephants and horses on the ground that they are protectors of the subjects.[3] Another passage of the same text, however, implies that the owner of a horse is liable to punishment for the offence committed by the animal if it has been deliberately set to do it.[4] So it would appear that in the Gupta period owners of elephants and horses were regarded as natural protectors of the people, a function which was formerly discharged by regularly appointed officers of the state.

In India the need for protection did not lead to any considerable practice of commendation, which was so common in Europe on account of the anarchical conditions created by barbarian invasions. Nevertheless, the law-book of Viṣṇu, a work of about the 3rd century A. D., states that, in order to obtain wealth and security, the householder should apply to a lord.[5] The speculations regarding the origin of government in an early mediaeval Tibetan Buddhist text[6] throw some light on this problem. The text states that, because of the insecurity caused by theft, the people made the strongest among themselves the lords over their fields;[7] this is significant, because the earlier Buddhist texts refer to the election by the people of *a single chief*, and not of *lords of their fields*. The later version, which shows us individual peasants surrendering their land to powerful lords in return for protection, probably reflects conditions which existed at the

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1. *KNS*, XII. 44.
2. Ed. A. F. Stenzler, XII. 24.
3. XI. 32.
4. *Nār.*, XV, XVI. 32.
5. *atha yogakṣemārthamīśvaramadhigacchet*. LXIII. 1.
6. W. W. Rockhill, *The Life of the Buddha*, pp. 211-224.
7. Ibid., pp. 6-7.

time of its origin. But actual examples of commendation are very few. According to an inscription of about the 8th century A. D., from the district of Hazaribagh, Bihar, the people of a certain village commended themselves to a merchant prince who afforded hem protection by meeting on their behalf a demand made by their king for a due or service of uncertain character (*avalagana*).[1] With the king's approval they requested the merchant to become their *rājā*, and he readily agreed to do so.[2]

There is another important indication that central authority was growing weaker and local lords stronger. Nārada lays down that those who oppose the king and prevent the payment of taxes should be dealt with by similar people.[3] Although the theory of "divide and rule" is very old, the advice that disorderly elements should be used one against the other suggests that officials under the direct control of the state were incapable of dealing with certain powerful individuals who, in all probability, approximated to the status of feudal intermediaries.

The economic developments which created conditions for the origin of feudalism are rather difficult to determine. In this connection it has to be considered whether land granted to the brāhmaṇas and temples was cultivated or uncultivated, and whether such beneficiaries or other landowners were the actual tillers of the soil or got their fields cultivated by temporary peasants. A Sātavāhana inscription from the Western Deccan of A. D. 130, which grants a part of the royal land to some Buddhist monks, states that if the land is not cultivated the village is not to be settled.[4] This clearly shows that at least from the 2nd century A.D. villages which were given away possessed cultivated lands. In the Ikṣvākuinscriptions of the Krishna-Guntur area in Andhra Pradesh, of the second half of the 3rd century A. D., the ruler is referred to as the giver of hundreds and thousands of *hala* (as much land as can be cultivated by one plough) measures.[5] The use of "*hala*" as a measure of land by the Ikṣvāku rulers

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1. *EI*, ii, 27, ll. 6-7.
2. Ibid., ll. 1-10.
3. *Nār.*, X. 4, 5 & 7.
4. *ta ca kheta (na) kasate sa ca gamo na vasati. Sel. Inscr.*, p. 194, ll. 3-4.
5. Ibid., pp. 219-20, ll. 4-5; p. 222, l. 4; p. 227, l. 1; p. 229, ll. 3-4; p. 230, l. 6.

definitely shows that plough cultivation was well known to the people of Andhra from the beginning of the 3rd century A. D. Although we are not in a position to ascertain the nature of the villages granted to the brāhmaṇas as gifts for sacrifices in the Western Deccan during the 1st century B. C.,[1] it is evident that such villages granted in the 2nd and 3rd centuries of the Christian era were cultivated.

The use of the terms *khila* and *aprahata* in the Gupta land grants of North and Eastern Bengal has been interpreted as meaning that waste and uncultivated lands were given to the brāhmaṇas, but this interpretation does not suit all cases. For instance, in the Baigram Copper-plate Inscription of A. D. 448 the term *khila-kṣetra*[2] cannot be taken in the sense of uncultivated and waste land. Firstly, in the contemporary law-book of Nārada the term *khila* is defined as a tract of land which has not been under cultivation for three years.[3] Secondly, in the above grant the *khila-kṣetra* is accompanied by some homestead land for a class of persons serving the temples,[4] which suggests that it was not entirely waste land. Similarly, in the Dāmodarpur Copper-plate Inscription of A. D. 543 the phrases *aprahata* and *khila*[5] seem to have been used in a conventional sense, for in this case land is so scarce that five *kulyavāpas* of land have to be purchased at three places.[6] Besides, here also untilled (*aprahata*) and fallow (*khila*) land is accompanied by building land (*vāstū*),[7] which makes it doubtful that the land was waste. And finally, the land in question is not always described as *aprahata*, for at one place the whole area of five *kulyavāpas* is defined as *khila*.[8] We learn from another Dāmodarpur land grant of the last quarter of the 5th century A. D. that four *kulyavāpas* of land meant for a gift to a god called Kokāmukhasvāmin and seven *kulyavāpas* to

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1. Ibid., p. 187, ll. 10-11.
2. Ibid., p. 343, ll. 6-7.
3. XI. 26.
4. *Sel. Inscr.*, p. 343, l. 9 & fn. 9.
5. Ibid., p. 338, ll. 6-7.
6. Ibid., p. 338.
7. Ibid., ll. 15-18.
8. Ibid., ll. 17-18.

Śvetavarāhasvāmin, both purchased by a merchant, were cultivated areas beyond any doubt.[1]

The grants of land to temples and brāhmaṇas in the eastern part of modern Madhya Pradesh, in the dominions of the Parivrājaka feudatories of the Guptas, differed from those made in Bengal in two important respects. The Bengal grants, which were the results of sale transactions effected by individuals, transferred plots of land, while the Central India grants, which were made by feudatories, gave away villages. The Bengal grants, which were made with the sanction of the officers of the central government, carried immunity from taxes only, but the Central India grants provided administrative immunities as well. Nevertheless as in the case of the Bengal grants, in Central India also terms denoting uncultivated land were used in a conventional sense. Although several grants in Central India were made "according to the maxim of fallow land" (*bhūmicchidranyāya*), there is hardly any other indication to show that the villages were not cultivated and settled. In most cases the term *bhūmicchidranayāya* served as a legal fiction. Thus two villages, which were granted according to this maxim to the brāhmaṇas for carrying on the worship of the goddess Piṣṭapurikā-devī and repairing a temple, were clearly settled villages[2]. They were inhabited by brāhmaṇas and others, to whom the order regarding the grant was conveyed.[3] Further, these villages had been bestowed earlier, as a mark of favour, upon Pulindabhaṭa (evidently a brāhmaṇa), who in his turn granted these to another priest Kumārasvāmin[4], for which act he obtained the sanction of Mahārāja Śarvanātha. Incidently this also shows the process of sub-infeudation.

Similarly in the inscriptions dated in the Kalacuri-Cedi era, found in Gujarat and Maharāṣṭra and dating from the 5th to the 7th century A. D., the term *bhūmicchidra* is apparently used in the grants of those villages and plots of lands which were settled and cultivated.[5] Of all these nine cases only three refer to grants of plots of land, the remaining six dealing with grants

1. *tadahantatkṣetrasāmīpya bhūmau*. Ibid., p. 328, ll. 5-7.
2. *CII*, iii, 31, ll. 7-11, 13.
3. Ibid., l. 7.
4. Ibid., ll. 10-12.
5. *CII*, iv, 7, l. 9; 11, l. 10; 14, l. 20; 15, l. 21; 16, l. 34; 17, l. 34; 19, l. 15; 20, l. 13; 21, l. 29.

of villages. It is significant that, in the earliest inscription (early decades of the 5th century A. D.) belonging to this group, the order of Mahārāja Subandhu regarding the grant of a village is conveyed to its inhabitants,[1] although the village is granted according to the *bhūmicchidranyāya*. If settled villages were granted according to this maxim even in the early part of the 5th century A. D., the mention of *bhūmicchidranyāya* in the grants of the 6th and 7th centuries may have been a mere formality. Thus in a *bhūmicchidranyāya* grant of A. D. 642 from Gujarat land seems to have been granted with a farm-house (*saśībaram*),[2] which shows that it was cultivated land. In another case the settled character of the granted land is very evident, for the "fallow" land was granted along with irrigation facilities.[3]

The usual phraseology in almost all such grants is that villages and plots of land were granted together with *udraṅga* and *uparikara*, inclusive of all dues and exempt from all gifts, forced labour and special rights, and not to be entered by *cāṭas* and *bhaṭas*, which again suggests that these were settled areas. In several cases the donees were also entitled to the receipt of fines realised from those who were convicted of ten offences. The long list of taxes and imposts from which the donees are granted exemption hardly allows us to presume that these villages were virgin land. In this context the term *avanirandhranyāya*, the equivalent of *bhūmicchidranyāya*, also appears as a legal fiction. Thus in Mahārāṣṭra a village was granted according to the maxim of *avanirandhra* in A. D. 573, but it was declared free from the obligations of gifts, forced labour, cess for providing meals to royal officers on tour, and all taxes, and was invested with the powers of adjusting local disputes,[4] which makes it likely that it was a settled village.

Therefore we must be very careful in interpreting such terms as *khila*, *aprahata*, *bhūmicchidra* and *avanirandhra* used in the land grants of the 5th to the 7th century A. D. Just as the grandiloquent titles of the kings in the inscriptions are not necessarily a measure of their exploits, so also such descriptions of land do

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1. *grāmaprativāsinaḥ*, *CII*, iv, 7, ll. 3-4.
2. Ibid., 20, ll. 12-13 and p. 80, fn. 10.
3. These were provided by means of *vāpī*, *kūpa* and *taḍāka*. *CII*, iv, 21. l, 28.
4. Ibid.,120, ll. 18-20.

not always indicate its real character. More often than not these are rather in keeping with the form than with the substance.

In some cases the order regarding the grant of a village to the brāhmaṇas is conveyed to the brāhmaṇa and other inhabitants of that village[1], which shows that the brāhmaṇas are not introduced into the village for the first time. Most land grants, especially those dated in the first four centuries of the Kalacuri-Cedi era, do not furnish any information about the original residence of the brāhmaṇa donees, although their *gotra* is frequently described as Bhāradvāja. But, where their place of residence is mentioned, it does not seem to be far away from the site of the land granted to them. And there is hardly anything to prove that in the Gupta and post-Gupta periods the brāhmaṇa donees were imported from Northern India into Southern and Western India and were thus made instrumental in spreading the knowledge of plough cultivation.

It has been suggested that the practice of granting land in Bengal extended the area under cultivation and rural settlement,[2] a point which has been stressed by Kosambi, in relation to other parts of India.[3] During Gupta and post-Gupta times this seems to have been true of some plots of land in Northern and Eastern Bengal, but generally in Madhya Pradesh, Gujarat and Mahārāṣṭra settled villages and cultivated plots of land were the objects of gifts. Grants to pioneering brāhmaṇas may have extended the land under cultivation in the pre-Maurya period, when sometimes parts of the royal domain were granted to the brāhmaṇas in Magadha and Kosala,[4] and in the Maurya period, when areas of land free from taxes and punishments were set apart for certain sections of brāhmaṇas ;[5] in the later case it is clear that the grant was meant to extend the area of land under cultivation, for the relevant provision in the *Arthaśāstra* is a part of the plan of founding new settlements.[6] There seems to be very little evidence of such a process in the post-Maurya period, however, and hardly any in the Gupta period, when cultivated

1. *CII*, iii, 31, l. 7.
2. P. C. Chaudhury, *Hist of Bengal*, i, 648-9.
3. *An Introduction to the Study of Indian History*, pp. 291-6.
4. *DN*, i, 87, 111, 114, 127, 131 & 224.
5. *AŚ*, II. 1.
6. Ibid.

land was usually granted to the brāhmaṇas. This practice of granting cultivated land may be compared to feudal practices in mediaeval Europe, with the difference that in India the recipients belonged to the priestly order and thus their number was limited.

Irrespective of whether land was originally cultivated or otherwise, the terms of transfer show that generally plots of land were cultivated not by the brāhmaṇas but by temporary peasants. It seems that the number of independent and permanent peasant proprietors paying land tax directly to the king was falling off. Fa-hsien states that "only those who till the king's land pay a land tax", and that "they are free to go or stay as they please"[1]. This probably excludes a large number of other people who did not pay land taxes to the state but to priests, temples, monasteries or other intermediaries. For in the succeeding paragraph Fa-hsien clarifies the position by stating that the monasteries are given fields and gardens with husbandmen and cattle to cultivate them.[2]

The period between the 5th and 7th centuries A.D. also witnessed the rise of landowning temples, the prototypes of later *maṭhas*. Although most grants were executed in favour of the brāhmaṇas, some were also made to the temples. We learn of two such endowments of land to a temple of the goddess Piṣṭapurī in Central India, during the first half of the 6th century A. D.[3] In the second half of the same century a settled village in the Gayā District, "possessed of great wealth and enjoyment", was granted to the goddess Bhavānī by the Maukhari chieftain Anantavarman.[4] In Bengal, during the 5th and 6th centuries A. D. plots of land were granted respectively to the temples of Govindasvāmin,[5] Śvetavarāhasvāmin,[6] and Kokāmukhasvāmin.[7] An analysis of the grants dated in the Kalacuri-Cedi era, from the middle of the 3rd century A. D. to about A. D. 750, shows that, of thirty-one grants, two were made to Buddhist monasteries,

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1. Legge, *A Record of Buddhistic Kingdoms*, pp. 42-3.
2. Ibid., p. 43.
3. *CII*, iii, 25, ll. 14-15; 31, ll. 7-11.
4. Ibid., 50, l. 10.
5. *Sel. Inscr.*, p. 342 ff.
6. Ibid., pp. 338-9.
7. *EI*, xv, 7, ll. 6-7.

three to Hindu temples, and the remaining 26 to brāhmaṇas.[1] Fa-hsien informs us that, after the Nirvāṇa of the Buddha, the kings, elders and lay Buddhists built monasteries for the monks and provided them with houses, gardens and fields, with husbandmen and cattle to cultivate them.[2] Unfortunately the title-deeds inscribed on iron, which were handed down from king to king and were in force in the time of the Chinese traveller, have not so far been recovered. But there is no doubt that the practice went on increasing. Hsüan Tsang informs us that the Nālandā vihāra was maintained out of the revenues of about a hundred villages granted to this institution [3]; in the time of I-tsing this number seems to have risen to two hundred.[4] As a result of the process of land grants these temples and monasteries developed as semi-independent areas enjoying immunities on religious grounds, and were gradually converted into mediaeval *maṭhas* rich enough to tempt the Turkish invaders.

The accounts of Fa-hsien and I-tsing leave no doubt that the monasteries got their lands cultivated by temporary tenants. I-tsing also gives some idea about the nature of the tenure on which the cultivators were assigned land. He states that the *Saṅgha* provided the bulls and fields, and generally received one-sixth of the produce.[5] I-tsing does not indicate whether the cultivators were also provided with ploughs, seeds, manure and other equipment for agriculture. It seems that the tillers of the soil were not hired labourers receiving wages, as in former times, but were semi-serfs or temporary owners of land paying rental to the landowners. If a temple or a monastery was the landowner, it had no payment to make to the state.

The law-books of the Gupta period show that similar arrangements were made in relation to secular holdings, with the difference that the owner of the land was under the obligation of making some payment to the state. Kauṭilya provides that in new settlements land fit for cultivation should be given to the peasant by the king,[6] but Yājñavalkya lays down that land should

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1. *CII*, iv, Introd., p. cxlix.
2. *Chinese Literature*, 1956, No. 3, 153.
3. S. Beal, *The Life of Hiuen-Tsiang*, p. 112.
4. J. Takakusu (tr.), *A Record of the Buddhist Religion*, p 65.
5. Ibid , p. 61.
6. *AŚ*, II. 1.

be assigned to the cultivator by the landowner (*kṣetrasvāmī*) and not by the king (*mahïpatī*), who, of course, was entitled to the fruits of improvement made on the land in the case of the absence of the owner (*svāmī*).[1] From the comments of the *Mitākṣarā* and the *Vīramitrodaya* to *Yājñavalkaya*, II. 158 it appears that there were four hierarchical stages comprising *mahīpati*, *kṣetrasvāmï*, *karṣaka* (cultivator), and the sub-tenant or hired labourer. We are not certain about the last stage during the Gupta period, but there can be no doubt about the existence of the first three. The law-books of Bṛhaspati[2], however, introduces the term *svāmī* in place of the term *kṣetrasvāmī* but makes it clear that the *svāmī* formed an intermediate stage between the *rājā* and the actual tiller of the soil. The *svāmī* owed this position to the practice of leasing out land by the owners to cultivators, who were liable to penalties if they neglected cultivation[3]. So these cultivators were in the nature of temporary peasants and not serfs.

The above features of the organi-ation of agricultural production are corroborated by the epigraphic evidence. Land-grants of the 4th to 6th centuries A. D. in Mahārāṣṭra and Gujarat clearly establish that the recipient was given the right of enjoying the land, cultivating it or getting it cultivated on lease.[4] We have no means to determine the proportion of the brāhmaṇas who were actual cultivators, although their number may not have been inconsiderable, for the law-books of the period provide that brāhmaṇas might legitimately take to cultivation.[5] But where whole villages were granted to a few brāhmaṇas, obviously they could not cultivate the whole land themselves, with the result that many brāhmaṇa villages or *agrahāras* became semi-feudal in character.

We have no evidence to show that peasants in the donated villages stood exactly in the same relation to brāhmaṇa landlords as peasants to their lords in English manorial villages, but in certain respects the peasant was completely subservient to the

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1. II. 157.
2. XIX. 54-55.
3. *Yāj.*, II. 157-8; *Bṛ.*, XIX. 19, 53-55.
4. *bhuñjataḥ karṣataḥ pradiśat karṣayataḥ. CII*, iv, 2, l. 6; 11, l. 13; cf. 21, l. 32; *Sel. Inscr.*, p. 405, ll. 6-7 with fn. 2-3.
5. *Manu*, X. 81-82; *Yāj.*, III. 35; *Nār.*, I. 56-60.

donee. In many cases because of the right of getting their land cultivated by others the donees could replace old peasants by new ; thus they might oust their tenants.[1] They could increase the amount of forced labour at their discretion, for there was no hard and fast rule about it. The recipients of grants could claim only customary (*samucita*) taxes, but there was no such limitation on the levy of forced labour (*viṣṭi*). From the second half of the 7th century A. D. the donees were assigned the right to impose forced labour as occasion might arise[2], which suggests that they could determine these occasions at their discretion. Further, the scope of forced labour was extended. In the *Artha-śāstra* of Kauṭilya forced labour was imposed on slaves and hired labourers[3], but in the Gupta period it was first extended to peasant women[4] and then to their menfolk, which may have been also the case in the villages granted to brāhmaṇas. Moreover, the judicial and administrative authority which the donees enjoyed must have added to their economic power over the inhabitants of the village. Hence in some respects the beneficiaries of grants may be compared to the feudal lords of the manors. But in other respects the position was different. Probably those who were subjected to forced labour were not compelled to work on the fields of the grantees to the same extent as in mediaeval European manors. Furthermore, the area of land under the direct cultivation of the grantee was limited, for we hardly hear of the grant of more than a village at a time to the brāhmaṇas.[5] Consequently there was little occasion for such work and its scope was probably limited.

While the peasants under the donees and *kṣetrasvāmīs* were reduced to a servile position, the free peasants lost in their status because of the imposition of several new taxes, which can be compared to feudal dues in Europe. It seems that during the Gupta period the villages had to pay forced contributions of

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1. *CII*, iv, Introd., p. clxxi.

2. *sotpadyamāna-viṣṭika*. Ibid., 121, l. 17; 21. l. 27. The above phrase is translated by Mirashi "with the right to forced labour arising therefrom" Ibid., p. 89.

3. *AŚ*, II. 15.

4. *Kāma S.*, V. 5. 5.

5. In a grant of A. D. 533-4, however, two villages were granted by a private donor for the purposes of a temple (*CII*, iii, 31. l. 7.)

money or supplies to royal troops and officials when they halted at or passed through the village[1], which can be compared to the tax known as *senābhakta* in the *Arthaśāstra* of Kauṭilya.[2] Further, they had to furnish cattle in relays for transport.[3] They were also under the obligation of supplying flowers and milk to the royal officers on tour.[4] And finally the villages could be subjected to forced labour of all varieties (*sarvaviṣṭi*)[5], probably for military purposes. The different kinds of *viṣṭi* are not mentioned in the inscriptions, but seem to have been the same as those described in the *Kāmasūtra* of Vātsyāyana. This text informs us that peasant women were compelled to perform unpaid work of various kinds, such as filling up the granaries of the village headman, taking things into or out of his house, clearing or decorating his residence, working in his fields, and spinning yarn of cotton, wool, flax or hemp for his clothes.[6] This forced labour included almost all conceivable kinds of work, and seems to have been very oppressive. Further, during the Gupta period we read of forced contributions which were designed to meet the needs of the army and the state. The practice of realising contributions which were not sent to the state treasury but were consumed locally by royal troops and officers tended to set them up as another class of intermediaries and thus to lower further the position of the free peasantry.

During the Gupta period, in contrast to the depreciation of the position of the free peasantry, the number of slaves engaged in production was declining, and the śūdras were becoming increasingly free from the obligation to serve as slaves. Kauṭilya's provisions for manumission of slaves generally apply to those who are born of āryan parents or are āryans themselves.[7] But Yājñavalkya introduces a revolutionary principle when he asserts that nobody can be reduced to slavery without his consent.[8] According to a later commentary, this means that a śūdra, a

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1. *abhaṭacchatra-prāveśya*. *CII*, iii, p. 98, fn. 2.
2. *AŚ*, II. 15.
3. *apārampara-gobalivardda*. Dikshitar, *Gupta Polity*, p. 171.
4. Ibid., pp. 171-72.
5. *sarva-viṣṭi-parihāra-parihṛṣita*. Ibid., p. 173.
6. V. 5. 5.
7. *AŚ*, III. 13.
8. II. 182.

kṣatriya or a vaiśya employed in servile work against his will shall be released by the king.[1] Thus Yājñavalkya completely reverses Manu's precept, which provides for the forcible enslavement of a śūdra.[2] Further, Nārada and Bṛhaspati strongly deprecate the attitude of the wretch who, being independent, sells himself.[3] Besides this, for the first time Nārada lays down detailed ceremonies for the emancipation of slaves.[4] A passage of Kātyāyana implies that the slaves had some sort of organization, for their leaders were known as *vargins*.[5] All these causes may have undermined the institution of slavery.

A significant factor which contributed to this development was the fragmentation of land through the process of partition and gift. The earlier laws of inheritance, including those in the law-book of Manu and even in that of Yājñavalkya, never refer to the partition of landed property, which is mentioned for the first time in the codes of Nārada[6] and Bṛhaspati.[7] This may suggest that in the middle or towards the end of the Gupta period large joint families, owning large stretches of land, began to break into smaller units. Once the principle of the partition of land was recognised, the increasing density of population in the fertile river valleys of Northern India, after the earlier phases of settlement, was bound to accelerate the pace of the fragmentation of arable plots of land. The pressure of population on land is indicated by an epigraphic record of the 5th century A. D., which shows that in Northern Bengal even 1½ *kulyavāpa* of land had to be purchased in smaller plots at four different places.[8] This purchase was made for the purpose of making gifts, which further helped the process of fragmentation.

There was some restriction on making gifts by private individuals. The Bengal inscriptions show that no sale transactions

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1. Colebrooke, *Miscellaneous Essays*, ii, 23.
2. But *Kātyā.*, v. 722, repeats the dictum of Manu.
3. *Nār.*, V. 37; *Bṛ*, XV. 23. Cf. Kane, *Hist. of Dharmaśāstra*, ii, 182.
4. V. 42-43. Cf. rules of manumission in *Kātyā.*, v. 715. *Nār.*, however, adds that certain classes of slaves cannot be emancipated (v. 29) except by the favour of the owner.
5. *Kātyā.*, v. 350.
6. XIII. 38.
7. XXVI. 10, 28, 43, 53 & 64.
8. *EI*, xx, 5, ll. 5-11.

made for the purposes of gifts could be effected without the consent of the local representatives of the king and the district council. The Mahārāṣṭra inscriptions also show that gifts of land could not be made by individuals without the consent of the state. But ordinarily in both cases such consent was not withheld, with the result that villages and plots of land were granted not only by the king and his feudatories but also by private individuals.

We no longer hear of large plots of 500 *karīsas*, or of the state farms of the Maurya period. Epigraphic references to fields of one *kulyavāpa* or of 4, 2½ and 1½ *droṇavāpas*[1] do not suggest big plots. According to Pargiter a *kulyavāpa* was a little larger than an acre.[2] But if the *kulyavāpa* measure of land prevalent in the Cachār district of Assam be considered identical with the *kulyavāpa*[3], the area of the latter would be thirteen acres. Since one *kulya* is equal to eight *droṇas*, on this basis a *droṇavāpa* will be even less than two acres. During the same period a survey of the land grants made by the Maitraka rulers of Valabhī in Gujarat shows that the average plot of land did not exceed two or three acres in size.[4] Naturally smaller holdings made it uneconomical to employ a large number of slaves and labourers. While some may have been engaged in twos or threes, others may have been dispensed with.

The traditional view that the vaiśyas were peasants recurs in the literature of post-Maurya and Gupta times.[5] In the *Amarakośa* words for cultivators are listed in the *vaiśya-varga* (section).[6] But there is reason to believe that śūdras were also becoming peasants. Several law-books show that land was rented out to the śūdra for half the crop.[7] This would suggest that the practice of granting land to śūdra sharecroppers was growing more common. A Pallava land grant of about A. D. 250-350 informs us that four sharecroppers (*ārdhikaḥ*) remained

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1. Ibid.
2. *IA*, xxxix, 215-16.
3. *Hist. of Bengal*, i, 652. S. K. Maity holds that the *kulyavāpa* was between 14.4 and 17.6 acres. *JESHO*, i, pp. 98-107.
4. K. J. Virji, *Ancient History of Saurashtra*, pp. 246-7, 267 ff.
5. *Śānti Parva*, 60. 24-26, 92. 2.
6. II. 9. 6.
7. *Manu*, IV. 253; *Viṣṇu*, LVII. 16; *Yāj.*, I. 166.

attached to the land even when it was given away to the brāhmaṇas;[1] it is likely that these were śūdras.

Nārada includes the *kīnāśa* (peasant) among those who are not fit to be examined as witnesses.[2] A commentator of the 7th century A. D.[3] explains this term as a śūdra,[4] which shows that peasants were thought of as śūdras. Bṛhaspati provides very severe corporal punishment for the śūdra who acts as a leader in boundary disputes relating to fields[5], which again suggests that such śūdras were owners of fields. Finally, Hsüan Tsang describes the śūdras as a class of agriculturists[6], a description which is confirmed by the *Narasiṃha Purāṇa*[7], compiled before the 10th century A. D. Thus this significant development, which began from Gupta times, covered all the śūdras by the first half of the 7th century A. D. The view that the farmer population was largely composed of śūdras[8] seems to be more true of the Gupta and post-Gupta periods than of earlier times. Thus from the point of view of the rise of feudalism the transformation of śūdras from the position of slaves and hired labourers into that of agriculturists should be regarded as a factor of great significance.

Feudal developments in mediaeval Europe were characterised by the rise of independent, self-sufficient economic units, which also arose in India as result of land grants and certain other factors. The beneficiaries enjoyed several economic rights which cut the economic ties between the central authority and the donated areas. For the continuity and development of their economy they were more dependent on the local artisans and cultivators than on the officials of the central government. The beneficiaries were entitled to all kinds of local dues, a part of which they must have invested in local undertakings.

The conditions obtaining in the villages which were independent of the beneficiaries of land grants and were placed under

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1. *EI*, i, 1, l. 39.
2. I. 181.
3. *HCIP*, iii, 299.
4. Asahāya's comm. to *Nār.*, I. 181.
5. XIX. 6.
6. Watters, *On Yuan Chwang's Travels in India*, i, 168.
7. 58. 10-15.
8. *CHI* i, 268.

the charge of the village headman were not very dissimilar. We have already seen that the headman, according to the *Kāmasūtra* of Vātsyāyana might compel peasant women not only to work in his fields but also to spin yarn, so that his clothes might be supplied to him locally.[1] Some of the commodities thus produced were also put on sale, apparently to cater for the simple needs of the villagers.[2] So the Maurya state regulation of trade and industries was giving way to the management of these affairs by the chiefs of local economic units, independent of the central control.

That such local units were coming into existence is also evident from the paucity of coins of common use from the Gupta period onwards. This factor can be linked up, on the one hand, with the decline of internal trade and the consequent necessity of producing local commodities to meet local needs[3] and, on the other, with the weakening of the power of the centre, which gradually adopted the method of paying officials by grants of revenues or in kind. While the Indo-Bactrians, and especially the Kuṣāṇas, issued a considerable number of copper coins, which were evidently in common use in the Punjab, and occasionally are found even as far east as Buxar in Bihar, the Gupta emperors, other than Kumāra Gupta, issued hardly any copper coins. Thus Fa-hsien seems to have been correct when he stated that *cowries* formed the common medium of exchange. Even allowing for the fact that copper is more susceptible to corrosion than more precious metals, the comparative rarity of Gupta copper coins suggests that money economy was becoming weaker at this time. Coins in general became still rarer from the time of Harṣavardhana onwards, which leads us to the conclusion that trade suffered a decline and urban life began to disappear, a feature which can be compared with a similar development in Iran.

The practice of issuing coins by the *nigamas* during the post-Maurya and Gupta periods seems to provide further evidence of the rise of self-sufficient economic units. This accelerated the process of political disintegration, for issuing coins was an

1. V. 5. 5.
2. Ibid.
3. The colonising and commercial activities during the early mediaeva period were confined to the enterprising people of the coastal area, and do not seem to have brought any substantial change in the economy of the interior.

important function of the sovereign power. Besides, the issue of seals by Nālandā villages, which glorify themselves as *janapadas* even in Gupta times,[1] indicates that they were emerging not only as politically independent but economically self-sufficient units. At least four such seals were issued from villages, some of which can be identified. During the earlier period coins and seals were issued by the *nigamas*, but not by rural units as we find in the post-Gupta period.

In the Gupta period irrigation also tended to become a local responsibility. The *Arthaśāstra* of Kauṭilya lays down detailed rates to be paid by the peasants to the state for different kinds of irrigation, which makes it clear that irrigation facilities were chiefly provided by the state. Megasthenes also informs us that the state maintained irrigation inspectors. The Śaka ruler Rudradāman (*c.* A. D. 150) claims that he reconstructed the famous Sudarśana lake in Saurāṣṭra without levying imposts and forced labour on his subjects. During the Gupta period this responsibility was carried out by the provincial governor of this region. But already from the beginning of the Christian era the local population had begun to take the initiative in matters of irrigation. Dion Chrysostom (*c.* A. D. 50-117) informs us that in India, in order to convey water from large and small rivers, the local inhabitants made many channels.[2] Later, the law-book of Bṛhaspati lays down that the guilds should look after irrigation dams.[3] For want of data we cannot trace the history of this process, but once the tendency began, it was bound to undermine the influence of the central power in the countryside and help the rise of independent economic units.

We can draw certain tentative inferences from the analysis made above. Unlike Europe, in India the centralisation of political power was not the result of fiefs granted to comardes-in-arms; the most important factor which contributed to this development was the practice of land grants made to priests and temples. It is clear that foreign invasions did not play any appreciable part in the process of feudalisation, as was the case in Europe.

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1. Majumdar & Altekar, *The Vākāṭaka-Gupta Age*, p. 267.
2. Oratio, XXXV. 434, Mc Crindle, *Ancient India as described in Classical Literature*, p. 175.
3. *kulyāyana-nirodhaḥ* according to the reading of Mitra Miśra in the *Vīramitrodaya*, 426 but *kulāyanaṃ nirodhaḥ* in *Bṛ.*, XVII. 11-12.

The *agrahāras* or villages granted to brāhmaṇas bear some resemblance to manors, for in some cases the beneficiaries enjoyed the right of levying forced labour of all varieties on their tenants. The scope of forced labour seems to have been very wide, and it appears that the village headman, who compelled peasant women to work in his fields and residence, was developing as a manorial lord. But, on the whole, while a great part of the time and energy of European peasants was consumed by their work on their master's fields, the peasantry in India gave most of their time to their own fields, of the produce of which a considerable share went to the holders of grants and other intermediaries. There is nothing to show, however, that most peasants were subject to such intermediaries; on the contrary the number of free peasantry seems to have been far greater. Further, the process of sub-infeudation was not so extensive in India as in Europe, so that the actual tillers of the soil maintained some kind of indirect connection with the central government.

Because of the difficulty in interpreting obscure epigraphic terms used for hereditary administrators, and because of immense variations in their use in a vast country like India, it is not possible to indicate with precision the hierarchical stages in the feudal organization, or the exact relation between *sāmanta*, *uparika*, *bhogika*, *pratihāra*, *daṇḍanāyaka* etc. But it is beyond doubt that by the end of the Gupta period, say *c.* A. D. 500, the appearance of a large number of hereditary intermediaries tended to reduce many of the free peasantry to a semi-servile status. Nevertheless, the stages in the feudal organization were not so many and so complex as we find them in England. Although the *sāmantas* appear as feudal vassals from the 6th century A. D. onwards, we have no exact idea of their rights and obligations except that they had to furnish soldiers to their lords.

In mediaeval Europe land was granted to the feudal barons for services rendered to the state, but in India this practice seems to have been of a very limited character. According to Manu an official placed in charge of ten villages was assigned as much land as could be tilled by twelve oxen, or about a hundred acres. Probably from Gupta times the idea was gaining ground that territorial units were meant for the enjoyment of local governors and officers, but in the early stage central control was effective

enough to check this. Although I am not in a position to check the disputed passage in Fa-hsien's account which is taken as referring to the grant of revenues to the attendants and body-guards of the king, there can be no doubt about a similar statement of Hsüan Tsang. According to this Chinese traveller, one fourth of the total revenues went directly to the state, but the remaining three-fourths was reserved respectively for the endowment of priests, scholars and government officials. From this it can be inferred that the officials who supervised the work of administration in the whole kingdom were assigned only one fourth of its total revenues. This position was quite different from that which we find in mediaeval Europe, where the feudal baron was granted the revenues of the whole area placed under his administrative charge on condition that he sent regular tributes to the overlord out of the revenues realised from the people under him.

The practice described by Manu and Hsüan Tsang also differed from the grants of *jāgīrs* under the Mughals. In the earlier Muslim period the revenue or usufruct of a specified area of land was granted for the personal upkeep of the official, who was placed in charge of a much wider area. But in the Mughal period, and often even under the Turkish rule, he practically held the whole area as fief, out of the revenues of which he sent a certain portion as annual tribute to the Mughal emperor, retaining the rest for personal and administrative purposes. Hence in the earlier period the officer treated only a part of the land placed under his charge as his personal possession, but in the Mughal period the *jāgīrdār* treated the whole administrative unit under his jurisdiction as his property. In the earlier period, the officer could get his small plot of land cultivated by his servants and hired labourers, or alternatively could lease it out to temporary peasants, but in the later period he had very little to do, even indirectly, with the cultivation of land, because he lived primarily on a part of the tribute collected from the peasants under his control.

Summing up we can state that certain broad features of feudalism, such as the granting of cultivated land, the emergence of a self-sufficient local economy, the paucity of coins, the

retrogression of trade, and decentralisation in administration on account of grants of revenues to brāhmaṇas and later to officials, are noticeable from the Gupta, and especially from the post-Gupta period onwards. But the nature and extent of each of these features require further investigation, without which we cannot reach any definite conclusions of a more precise character.

CHAPTER XV

SUMMARY AND CONCLUSION

Of the political ideas and institutions treated in the preceding pages, the independent chapters assigned to the former occupy a comparatively minor place, but that is no measure of their importance. Some of the ideas, such as the *saptāṅga* concept of the state, are distinguished by considerable coherence and systematisation, and can rightly be placed in the category of theories. Indeed, keeping in view the other ancient definitions of the state, the seven-element theory of the state must be reckoned as a unique contribution of the ancient Indian thinkers to political philosophy. It not only shows a happy blending of theory and practice, but also holds certain elements in common with modern definitions of the state.

As regards the theories of the origin of the state, references to the contract theory in ancient Indian texts seem to be very attractive from the Western point of view. The various stages in the development of this theory, extending over more than a a thousand years, mark progressive enlargement of the obligations of both the contracting parties, especially of the people in respect of the various kinds of taxes to be paid by them. Thus in ancient India the contract theory was intended to emphasise the power of the king rather than that of the people. From the Indian point of view, considerations of preserving family, property and varṇa system played the most vital part in the origin of the state. The traditional account of the state of nature and the circumstances leading to the rise of coercive authority, the conditions obtaining in kingless society, the concept of the main duties of the monarch,—all point to the same conclusion.

So far as time sequence is concerned, theoretical discussions about the state do not appear in the Ṛg Vedic period. In the

later Vedic period although some kṣatriya princes speculate on the nature of relation between God and soul, they have nothing to contribute to political ideas. The Vedic period, especially the early part of it, was essentially an age of communal institutions. These institutions such as the Vedic *gaṇa*, the *vidatha*, the *pariṣad*,—and the *sabhā* and *samiti* which do not find place in this book,—were mainly tribal in character. Of these the *vidatha* seems to have been of the greatest antiquity among the Indo-Āryans. The association of women with it is opposed to the prevailing view that from the very beginning the Āryan society was patriarchal. In the case of the *pariṣad*, however, its female membership may have been a pre-Āryan trait. In the Vedic *gaṇa* such traits do not appear to be very prominent, although the epic and Purāṇic references associate women with this institution also. The *gaṇa*, though not as old as the *vidatha*, shares with it the characteristics of communal ownership and distribution of spoils of war and other forms of property. The significance of this body lies in the fact that it provided a pattern of republican government to some oligarchic states, which supplanted monarchies in the age of the Buddha. In the case of all these Vedic assemblies it is very difficult to demarcate their purely political functions from their other activities, which again bespeaks of their truly communal character.

Vedic references to the institutions mentioned above indicate a rudimentary administrative organization, which does not measure up to the description of the state according to the *saptāṅga* theory. But the jewel-offering ceremony discloses a fairly developed administrative machinery. Perhaps its most striking feature was the establishment of the office of the collector of taxes, which were probably voluntary in the tribal stage. The tribal order was further undermined by the growing importance of the brāhmaṇa and rājanya, who came to occupy higher positions in the ratnin list. Nevertheless, this political organization retained primitive characteristics, in so far as the body of the ratnins was predominantly military in character and similar to the council of twelve among early Indo-European peoples. Other rituals such as cow raid, game of dice, chariot race etc. betray the tribal remnants of the later Vedic polity. At bottom, the various consecration ceremonies were either so many ordeals intended to test the qualifications of the candidate for the chief-

tainship of the tribe, or initiation rites to mark a new phase in the life of the sacrificer. But these were reduced to mere lifeless forms divested of all reality; in practice the later Vedic polity had become largely territorial and class-dominated.

In post-Vedic times, from 600 B. C. onwards, varṇa or social class emerged as an important element in law and politics. Considerations of varṇa apparently influenced the various organs of the state such as the king, ministers or high functionaries, the *pariṣad*, the *paura*, the *jānapada* and army. The origin and growth of the Dharmaśāstra law were conditioned by the varṇa system, and civil and criminal laws discriminated between one social class and another. Many passages, however, emphasise the necessity of achieving combination and co-operation between the two upper classes, although in actual politics sometimes the kṣatriyas, and at other times the brāhmaṇas, had the upper hand. At any rate, there is no such evidence either for the vaiśyas or the śūdras.

An important development in the administrative methods of the Maurya period was the skilful use of religion for serving political ends. Basically Kauṭilya supported the brāhmaṇical social order and opposed heretical sects, and in this sense the state policy recommended by him cannot be regarded as secular. But he did not hesitate to override brāhmaṇical professions wherever and whenever they came into conflict with the interests of the ruler intent on conquest. Strikingly enough Kauṭilya makes deliberate use of superstition in hoodwinking the masses and thus securing their loyalty to the state. But by way of the genuine deification of the king there is little in his treatise.

Whether the idea of divinity was deliberately fostered by the Kuṣāṇas is difficult to say, but undoubtedly this was the most distinctive feature of their polity. The Kuṣāṇa rulers not only assumed the official title of *devaputra*, but also instituted the cult of the worship of the dead king. Although these practices were discarded by the Guptas, the Kuṣāṇa feudatory hierarchical organization and the posts of the military officers known as the *mahādaṇḍanāyaka* were incorporated into the Gupta system of administration. In some measure the origins of feudalism can be traced to Kuṣāṇa times, but here we are on more solid ground when we come to the age of the Guptas.

The Gupta period marks the beginning of some feudal practices, which became well established in the reign of Harṣa. The land grants known from the inscriptions reveal the process of administrative decentralisation, which gave power and prestige to priestly donees. But the epigraphs do not clearly indicate whether the civil officers were allotted land for their services to the state. On the other hand, they show that the grant of land for military service, which was a very striking feature of European political feudalism, was conspicuously absent in the India of Gupta and post-Gupta times. In any case it is clear that the administrative framework of the Guptas and their successors in the Madhyadeśa was chiefly based on the land system. But, as our study shows, during other periods of early Indian history, besides land, tribe, varṇa and religion also contributed to the formation of political ideas and institutions.

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